PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 413 (Part 1)

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2002–03

COMPRISING PERIOD
10 November—20 November 2003

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10 November 2003

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2001]

FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 413**

TWENTIETH VOLUME OF SESSION 2002–2003

House of Commons

Monday 10 November 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

CULTURE, MEDIA AND SPORT

The Secretary of State was asked—

Licensing

1. **Mr. John Denham** (Southampton, Itchen): What further licensing measures she proposes to take to tackle drunken behaviour in town and city centres. [137023]

The Secretary of State for Culture, Media and Sport (Tessa Jowell): The prevention of crime and disorder is a key objective of the Licensing Act, which received Royal Assent this summer. Its provisions include expanded police powers to close premises that are disorderly or noisy; the ability to review licences when problems arise, backed by an extended range of sanctions; and new powers to allow local authorities to address problems when the number of licensed premises reaches saturation point—an issue raised by many hon. Members. It also includes new offences to deal with drunk and disorderly behaviour in licensed premises and the introduction of flexible opening hours to reduce binge drinking and avoid flash points at closing time.

Mr. Denham: I thank my right hon. Friend for her response and for the positive moves that the Government have taken, but does she accept that the problem in many town and city centres is not one of individually badly run premises, but the cumulative effect of so many people who have had too much to drink coming out on to the streets? Will she keep an open mind about the possibility of making it a licence condition that in designated entertainment areas those premises should be required to co-operate with the local police through radiocommunications systems or to make a modest contribution towards the cost of policing town and city centres?

Tessa Jowell: I thank my right hon. Friend for asking that question. Yes, there is indeed provision in the Licensing Act 2003 for local authorities, on the basis of representations from the police, to add conditions to the premises licence—for example, the need to have radio pagers, toughened glass and CCTV—on evidence of drunk and disorderly behaviour. As my right hon. Friend will be aware, those conditions were directly negotiated and supported by the Home Secretary. The provisions do not, however, include a levy of the kind that my right hon. Friend requests.

Mr. Owen Paterson (North Shropshire): Drunken misbehaviour is a major problem in Oswestry and Market Drayton. What consideration has the Secretary of State given to giving local citizens greater opportunities to appeal against local authorities that issue licences in the teeth of police advice?

Tessa Jowell: The hon. Gentleman will be aware that the Licensing Act 2003 provides, for the first time ever, the opportunity for individual residents to make representations about licensing decisions. There will be an appeal mechanism, but the key change that has been

achieved through the modernised licensing law is the power that it gives to citizens and local communities, and the new powers it gives to the police.

Mr. Frank Field (Birkenhead): I know that the Secretary of State was in Liverpool on Friday, but I do not know whether she had time to come under the tunnel into Birkenhead. If she had, she would have seen that there, as in many other city centres, there are several pubs and clubs whose main aim, especially on Friday and Saturday nights, is to get as many people as possible drunk as quickly as possible. The cost of policing the inner parts of Birkenhead is £140,000 a year. Will my right hon. Friend speak with her colleagues in the Home Office to see whether that charge would not better be borne by those who run the trade than by ratepayers who wish to see more police on the beat, but do not want them to be used to herd together drunk and disorderly citizens?

Tessa Jowell: I thank my right hon. Friend for that contribution. Sadly, on this occasion, I did not have the opportunity to visit Birkenhead. I visited Toxteth and Wavertree and also went to the town hall for a briefing on capital of culture events. I hope to visit Birkenhead on another occasion.

I would like to deal with the point implicit in my right hon. Friend's question. In dealing, as we fully intend to do, with crime, disorder and drunkenness in city centres where there are a lot of licensed premises, it is important to recognise that the licensing regime is but one instrument available to local authorities and the police. The Licensing Act 2003 has provided new powers for both the police and local authorities to tackle the problem. My right hon. Friend will also be aware of the further powers in the Anti-Social Behaviour Bill, currently before the House. It is also important to remember that licensed premises, which contribute in many ways to the life and economy of our big cities and towns, do pay taxes, including council tax, and in return are entitled to receive services.

Mr. Greg Knight (East Yorkshire): We are grateful to the Secretary of State for confirming our understanding of the position—that the new licensing regime will provide great opportunities for complaints to be made when licensed premises are responsible for drunken or loutish behaviour. That being so, why will the Government apparently allow the costly brewster sessions to go ahead next year? That archaic triennial event is likely to cost applicants in excess of £11 million. Why cannot that money be put to better use in tackling the problems of drunkenness, rather than in paying legal support costs?

Tessa Jowell: I am happy to write to the right hon. Gentleman on that point—

Mr. John Bercow (Buckingham): Copy it to us.

Tessa Jowell: I will copy it to all those hon. Members who have an interest in the matter on behalf of their constituents. The purpose of the new licensing regime is to protect children and reduce the levels of antisocial behaviour associated with drunkenness. The measures are adequate to that task.

Tony Wright (Cannock Chase): We all know that in much of Europe towns are taken over by families in the evenings, but in this country families are driven out of towns in the evenings. We must get a grip of that problem. Might not that involve making town centres alcohol-free zones?

Rob Marris (Wolverhampton, South-West): Steady on!

Tessa Jowell: The short answer is no. We would not receive popular support for making city centres alcohol-free zones, but my hon. Friend the Member for Cannock Chase (Tony Wright) makes an important point that the new licensing regime reflects. Local authorities will have much greater discretion to set conditions to promote family-friendly pubs. Many more pubs now serve food, and people want to take their children to them. It is a question of balance between liberalisation and protecting children from drunkenness and antisocial behaviour. Some local authorities will be clear that children should never be allowed in some pubs, but in country areas and smaller towns, a family-friendly atmosphere is to be encouraged. That is why we have a flexible licensing regime.

Libraries, Museums and Archives

3. **Tom Brake** (Carshalton and Wallington): If she will make a statement on the funding of (a) libraries, (b) museums and (c) archives. [137025]

The Minister for the Arts (Estelle Morris): Libraries, museums and archives receive funding from a number of sources, with the principal funder being local government. My Department's aim is to ensure that its support for those three sectors is complementary and strategic, and focused on the areas of greatest need and greatest potential to deliver Government priorities.

Tom Brake: I thank the Minister for her response. Are there any plans to slash funding for London's greatest art collections, as reported by someone who was apparently speaking on her behalf, to pay for regional galleries? If those reports are correct, does the Minister agree that we need some blue-sky thinking and should give the regional development agencies a role in filling the funding gap of £180 million that was identified by the regional museums task force in 2001?

Estelle Morris: I am grateful for the opportunity to set the record straight. I usually speak for myself and not through someone speaking on my behalf. The *Evening Standard*, *The Sunday Times* and other papers were plain wrong about it. The hon. Gentleman may have read the letter I wrote to the *Evening Standard*, which made that absolutely clear. The Government have an excellent record as the first Government to fund regional museums through the renaissance in the regions programme. I want that to flourish and grow, and I hope that it will be supported. At the same time, we have also

increased funding for national museums and galleries. That is our record and that will continue to be our practice.

Diana Organ (Forest of Dean): My hon. Friend is no doubt well aware of the important role that local and independent museums such as the Dean Heritage Museum in the Forest of Dean play in the culture of our country. What plans does she have for strategic funding for local, independent museums?

Estelle Morris: Those museums play an important role, and I hope that they can become partners in strategic funding and can work with hub museums. There are 4,000-plus museums throughout the United Kingdom, and the sector is one that the Government neither do nor should control. People have the right to set up museums, and they do so every year. It would be inappropriate ever to have a grand strategic plan to cover every museum, but I want to do all that we can to make sure that local people have a coherent and cohesive service. More importantly, I want museums to be encouraged to work together, which has not, historically, been the practice of the sector.

Sir Patrick Cormack (South Staffordshire): Is the Minister satisfied with the acquisition budgets of our great national museums and galleries, and when will she be able to make an announcement on the Raphael that the National Gallery is so anxious to acquire?

Estelle Morris: The hon. Gentleman asks two questions in one. On the Raphael, the tax matters are very complex. I am eager to make an announcement as quickly as I can, and I have pushed our advisers to come up with that advice. I could not act without necessary and specialist advice from tax officials, but I have just received it and hope to make an announcement in due course.

I always wish that the acquisition budget was greater, but it has been significantly increased from several sources—not just Government sources—in recent years. I should say that neither the Government nor anyone else can control the escalation in price of works of art as they come on to the market. No Government—this or any other—could ever pledge to make available whatever sum any gallery chose. The situation is difficult, but acquisition is an important part of the sector's work.

Amateur Sport

4. **Jane Griffiths** (Reading, East): If she will make a statement on rate relief for amateur sports clubs.

[137026]

The Minister for Sport and Tourism (Mr. Richard Caborn): The Government introduced an amendment to the Local Government Bill in September to provide for mandatory rate relief at 80 per cent. for registered community amateur sports clubs. In excess of 500 clubs had successfully applied for registration by 31 October, and a similar number of applications is in the pipeline. I strongly advise all clubs to apply for mandatory relief.

Jane Griffiths: That reply is very welcome. Does my right hon. Friend agree that cycling will benefit greatly from rate relief, as it is the many small amateur clubs that nurture the cycling stars of tomorrow?

Mr. Caborn: I very much agree. Last week, I attended a conference in Brighton organised by a good team of people—I pay tribute to Lord Phillips of Sudbury, the Inland Revenue, Deloitte Touche and Richard Baldwin, the Central Council of Physical Recreation, Sport England, and the National Playing Fields Association—who got together to make sure that the message is going out to amateur clubs. Cycling, which my hon. Friend mentioned, has a very good governing body, which is linking in on this matter and into new development in schools.

Mr. Nick Hawkins (Surrey Heath): The Minister will be aware that I recently led a delegation from the CCPR, representing a number of amateur sports clubs, to see Baroness Scotland about some of the extra costs that have been loaded on to amateur sport. While the Minister's recent announcement is welcome, does he recognise that the extra costs of such things as the Criminal Records Bureau have put a lot of pressure on sports, particularly those, such as swimming, that find it difficult to attract funding? Will he consider the costs imposed on sport as well as the potential benefits of his changes?

Mr. Caborn: That is true, and those representations were made. Through Sport England, we are in dialogue with all the governing bodies. The hon. Gentleman will accept that we must put in place regulations of the type he referred to in order to protect young people—particularly children—in various sports clubs. We have to make sure that parents believe in the integrity of coaching and the development of sports clubs. If we do not, there will be a distraction from, not an attraction to, sport.

Mr. John Grogan (Selby): Does my right hon. Friend accept that the news of rate relief will be particularly welcome to the 1,000 members of Selby bowls club, who were recently bowled over when Selby district council increased its rate bill from zero last year to £12,000 this year? Will he emphasise that rural district councils such as Selby can offer 100 per cent. rate relief where they think it appropriate? That may be particularly relevant to small village cricket clubs, which are such an important part of village life.

Mr. Caborn: That news is welcome. Investment is being made through community amateur sports clubs, 500 of which had applied for relief by 31 October. Of those claims, 105 involved gift aid, and the amount saved for those clubs is £147,000. The best of them got £32,000 back, and half a dozen or so have had about £8,000, which means a lot of money is going back to sports clubs. The cash is working, and we have added

mandatory rate relief and hope to get local authorities to offer the further 20 per cent. All that is a major injection into amateur sport in this country.

5. **Tony Cunningham** (Workington): What steps she is taking to support amateur sport. [137027]

The Minister for Sport and Tourism (Mr. Richard Caborn): As well as mandatory rate relief for amateur sports clubs, the Government are providing about £60 million over the period 2003–04 to 2004–05 for club facilities in 16 sports. The amateur sector has benefited substantially from wider Sport England lottery funding, and will continue to do so. Links between schools and local clubs are also to be strengthened under the PE, school sport and club links programme.

Tony Cunningham: I thank my right hon. Friend for those remarks, but will he bear in mind the fact that when I used to coach my local rugby union side in the mid-1980s we ran five senior sides, whereas now we struggle to get two sides out—and even when we do so it is often difficult to find anyone to play against. There are real difficulties in respect of participation. We all recognise the importance of sport in dealing with crime and with health issues such as obesity and drugs, and in education and so on, so what more can my right hon. Friend do to ensure co-ordination between Departments to improve participation in sport?

Mr. Caborn: As we are talking about rugby union, I am sure the House will send both our congratulations and our hopes for next Saturday in the match against France, as well our hopes that we pick up that silverware in the final the Saturday after.

Mr. Dennis Skinner (Bolsover): After a struggle.

Mr. Caborn: The best is yet to come.

Investment in our amateur clubs is important. In this country, 70 per cent. of our young people do not continue with active sport when they leave school—a bad record compared with many other countries. It is extremely important that we support our governing bodies to ensure that they start to invest in club structures so that we can arrest that trend. Unless we do so, the quality will not come through, as my hon. Friend the Member for Workington (Tony Cunningham) said, because we shall not have the critical mass.

We are also acting with the Department of Health through the newly set-up activity co-ordination team to link health, sport and physical activity. With the investment we are making in schools and in our club structures, I hope that we shall see a significant improvement not only in the clubs but also in the health of the nation.

Mr. Crispin Blunt (Reigate): Will the Minister explain the incentives for amateur sports? I play for a cricket club in my constituency which runs five senior sides and makes a significant contribution to promoting junior and youth cricket, yet I do not think it will qualify for rate relief because the top team is in the first league of the Surrey Championship and the club employs a professional. Should not all sports that are being run on a voluntary basis receive rate relief and consistent support? Whether such clubs are big or little, they all contribute to the community.

Mr. Caborn: As I have just explained, a number of tax breaks, including gift aid, are available as soon as a club registers as a community amateur sports club; on top of that we have now introduced the mandatory rate relief of 80 per cent. We are also investing in the club structure. The England and Wales Cricket Board is developing the game at the grass-roots level and any club that is registered with the board can apply. The relationship between clubs and the governing body has been strengthened and I hope that will ensure that more young people come into the sport. The big four sports are working together much more effectively to try to create a critical mass of young people who do not play only one individual sport but who cross over to other sports.

Andy Burnham (Leigh): A welcome if unexpected source of support for amateur football in recent years has been the premier league, which, as a consequence of the current television deal, has invested about £60 million in football's grass roots. However, there is currently some doubt about that as the competition directorate in Brussels is looking into the structure of the premier league television deal. Will the Minister do all he can to ensure that the competition authorities in Brussels are fully aware of the public interest benefits that the current television arrangements bring to English football?

Mr. Caborn: My right hon. Friend the Secretary of State and I are making representations to the Department of Trade and Industry, which has responsibility for competition policy. However, I want to put it on record that we have one of the best redistributions, with moneys coming into football being passed both to the amateur game and to the professional sport. Our record is probably better than that in any European league; £60 million is being invested through the Football Foundation and the youth development trusts and they are doing a good job. That is not to say that they could not do better but, relatively speaking, they are doing better than their counterparts in Europe.

Mr. Don Foster (Bath): Although the £60 million and the rate relief for amateur sports clubs are clearly welcome, given that the Minister has acknowledged that obesity is increasing and that participation in amateur sports clubs is predicted to fall, what is he doing to take urgent action to try to get the regional sports boards, which have been delayed by up to a year, fully operational, so that they too can play a part by distributing the frozen lottery grants?

Mr. Caborn: It is untrue to say that the boards have been delayed by a year. On the contrary, I had dinner last Sunday night with all the chairmen of the new sports boards and the Sport England board in Manchester, and the following day—a week ago today—they were discussing how they would devolve to the regions the moneys that my right hon. Friend the Secretary of State secured on the back of our bid for the Olympics. So £100 million of new money will go into the multi-sports clubs

throughout the country. On top of that, we are investing £500 million through local education authorities and £130 million in sport and arts in the community. All that investment is going in, and the sports boards now have a major influence on how that money is spent in a much more strategic way than was probably previously the case.

Mr. Peter Pike (Burnley): Does my right hon. Friend accept that, although what he has said is very good news and the Government and the lottery are doing a lot to help amateur sport, we still have too many poor and waterlogged pitches for amateur sports, that those pitches need better drainage and that all our amateur clubs need acceptable training and changing facilities?

Mr. Caborn: That is what we are trying to do. We are trying to ensure that we start to bring all public assets—including schools, universities and further education colleges—into play for all communities. If we start to do that, we will find that there is access to many more facilities than has been the case, but I caution my hon. Friend that there is a changing mood out there: many young people want to play not on soggy pitches but on new synthetic pitches, where, if they want to, they can play 24 hours a day, seven days a week under floodlit conditions, and many of our young people rightly want to play indoors. If we compare our indoor tennis facilities with those in France, we find that the French beat us something like 10:1, and we need to rethink that. That is why I believe that some of those who have campaigned only for playing fields have probably misread the debate about such things in the recent past.

Mr. Malcolm Moss (North-East Cambridgeshire): How can the imposition of additional costs and regulation in any way be described as support for amateur sport? Why is the Minister reneging on commitments given by his predecessor that the new licence fees under the Licensing Act 2003 would not adversely affect amateur sport and sports clubs, when it is clear from the representations that he has received from amateur sports bodies that that is the case?

Mr. Caborn: We have not decided what the fees will be, so I do not know how people can make such assessments. We are bringing six regulatory regimes into one, and we will have to see how that plays out. A number of sports clubs could gain from the new regime that is coming in, and we will wait and see. My right hon. Friend the Secretary of State gave a commitment that we will revisit the issue three years after the implementation, and we will do so. It is our intention to invest in sports clubs in the way that I have just indicated, not to make things more difficult for them. I believe that, when the new licensing provisions come into operation, he could find a very different picture from that portrayed by the hon. Gentleman.

Mr. Bob Blizzard (Waveney): Another relief that non-profit-making amateur sports clubs have been able to claim is exemption from VAT on building work when they want to build new changing rooms and improve their facilities. It has always been normal practice for them to get that relief, but it now appears that Customs and Excise may take a different view. Will my right hon. Friend discuss that matter with Customs and Excise? Will he look into the case of Kirkley and Pakefield community sports club in my constituency if I give him the details?

Mr. Caborn: It would be wrong and very treacherous for me to step into the domain of the Chancellor or anyone else, even if my hon. Friend would like me to do so.

Mr. Bercow: Go on.

Mr. Caborn: No, I cannot, although I would love to.

If my hon. Friend writes to me, I will ensure that the information goes to the right quarters.

Sports Funding (South-West)

6. **Mr. Anthony Steen** (Totnes): If she will increase the Government's funding commitment for sports facilities in the west country. [137028]

The Minister for Sport and Tourism (Mr. Richard Caborn): Following Sport England's rationalisation and the establishment of regional sports boards, the majority of funding decisions will be taken at a regional level. Funding allocations have yet to be set by Sport England. The south-west received some 29 community capital awards from Sport England's lottery programme, totalling just over £8.5 million in the last financial year.

Mr. Steen: Is the Minister aware that selling off school sports fields has accelerated the couch-potato mentality of young people? In fact, nearly 10 per cent. of young people under the age of six are now obese, and more than 50 per cent. of the adult population are considered overweight. Is the right hon. Gentleman aware of the Food Standards Agency's prophecy that by 2010 health problems and other health-related issues will be costing the taxpayer £3.8 billion? Would it not be better to invest the money now in sports facilities and other physical activity in schools, rather than allowing the taxpayer to spend so much money on rectifying obesity?

Mr. Caborn: We have had to pick up the bits that the previous Administration left us in 1997. I should make it clear that this is the first time a Government have committed such investment in sport and physical activity. We are doing so not for philanthropic reasons but because obesity is costing the economy some £2 billion. Cases of type 2 diabetes are increasing among our young people, and the projection is that if something is not done about obesity, the economy will have to bear £3.5 billion in related costs by 2010. That is why we are investing in two hours of quality physical activity and sport for every child, every week, from the ages of five to 16; why we are investing £750 million in new sports facilities; and why we are investing the further £100 million that my right hon. Friend the Secretary of State secured in respect of the Olympic bid. My

announcements on mandatory rate relief, community amateur sports clubs and the £60 million investment in sports clubs are the best song that has been sung on this issue, and the biggest investment in sport for many years.

Mr. David Heath (Somerton and Frome): Perhaps we could return to the question of why the west country region gets the worst deal from the Government in terms of support for sports. We do not have major stadiums or the same investment in facilities largely because those who would benefit from such projects in terms of dealing with deprivation are spread evenly across the peninsula rather than being congregated in cities. Will the Minister address that underlying and fundamental problem with funding for the west country?

Mr. Caborn: I would, but the hon. Gentleman is fundamentally wrong. I shall read out the figures for the south-west and compare them with those for the north-east for 2003–04, which some of my hon. Friends will be interested to hear. The total cost of schemes for the north-east was just over £11.4 million, and the total project costs were £37 million. The 29 projects in the south-west cost £8.5 million, and the total project costs were £14.5 million. So the investment—

Mr. Heath: That is half.

Mr. Caborn: I should point out to the hon. Gentleman that I accept that there are problems in the south-west—indeed, I have made that point before in respect of football. The south-west has no premier league club, and such clubs are very important to the sporting infrastructure.

Mr. Bercow: Let us have an Adjournment debate about it, then.

Mr. Speaker: Order.

Mr. Caborn: Thank you, Mr. Speaker.

However, in terms of investment in sport, the south-west is no better off, and no worse off, than the rest of the country.

Museum Collections (Human Remains)

7. **Michael Fabricant** (Lichfield): What plans she has to amend legislation to permit museums to repatriate human remains; and if she will make a statement.

[137029]

The Minister for the Arts (Estelle Morris): I hope to be able to use the Department of Health's proposed Bill on human tissue to relax current statutory prohibitions on the repatriation of human remains.

Michael Fabricant: I am grateful to the Minister for that answer. Several thousand human remains are held by various British museums, and a number of claims have been made over the years—mainly by native Americans, the Australian Government and the New Zealand Government—for their repatriation. The Government introduced a review two years ago, and 159 pages later, that review—the report of the working group on human remains—was published. But the Natural History Museum, which holds most of those remains, says that it achieves nothing, because under the criteria virtually none of the remains would be repatriated. So where are we now?

Estelle Morris: The hon. Gentleman is still sitting on the Bench behind the Front Bench. That is where he is at the moment.

The report has been published, there will be a period of consultation and the Government will respond to the report and consultation in due course. I know that the hon. Gentleman has taken a keen interest in this subject, but I do not think that the director of the museum was saying that nothing would be achieved. He was taking issue with one of the recommendations in the report. What has undoubtedly changed is that the Government have said—we agree with the hon. Gentleman about this—that human remains should be able to be repatriated. At the moment, by law, museums cannot do that even if they wish to. I would have hoped that he would welcome that announcement as a major step forward, and also welcome the fact that the Government have taken an early legislative opportunity to make that happen.

Let us consult and wait for the details of the working party's report. I repeat, however, that it is the Government intention to make sure that, when museums want to repatriate human remains, they will be able to do so. I hope that legislation on that will pass through both Houses of Parliament next Session.

Miss Julie Kirkbride (Bromsgrove): Will the right hon. Lady reassure the House that, in seeking to change the law on this important matter, she will pay due regard to the fact that the human remains kept in British museums have as much right to be considered the property of mankind—they possess both our future and our past in their genetic structures—as they have to be repatriated to some ethnic groups who wish to have them taken back?

Estelle Morris: The hon. Lady puts very well both sides of the argument, and we have to find a way through that. However, it is true that some countries have to seek information from abroad if they wish to examine the remains of indigenous people, because no such remains rest in those countries. That cannot be right. I envisage a situation in which the Natural History museum and the British Museum are willing to repatriate some of the remains if they are legally able to do so. They will be able to do that once the Bill is passed.

The hon. Lady is absolutely right to suggest that there will be cases in which museums think that research needs to be carried out in this country. Part of the Government's response to the report must deal with the issue of how differences of opinion between the requests and the views of holding museums are to be resolved. I assume that she will continue to take a close interest in that subject.

Television Reception (Rural Areas)

8. **David Cairns** (Greenock and Inverclyde): What recent discussions she has had with the BBC concerning television reception in rural areas. [137030]

The Minister for the Arts (Estelle Morris): Under the digital television action plan, we are to determine and agree a target level of UK coverage for digital terrestrial public services post-switchover. We will be discussing this with the BBC and other digital broadcasters.

David Cairns: I am grateful to my right hon. Friend for that reply. Does she not agree that there is now utter confusion in the provision of television signals in this country? We have analogue terrestrial, digital terrestrial, freeview, cable, satellite, in-the-clear and free-to-air. Solus cards that used to be free and gave one all five channels now only provide the BBC channels until one pays £20 to be able to watch the ITV channels, and people now choose satellite and digital because they have to, because they cannot receive a decent signal elsewhere. Would not a way through this confusion be the adoption of the simple principle that, if people pay for a television licence, they should be able to receive a television signal? If they cannot get a TV signal, they should not have to pay for a TV licence.

Estelle Morris: I am not sure that it is a complicated system. If my hon. Friend wants to return to the days when there was hardly any choice of television channels, the list of ways in which to receive the signals would be shorter than the one that he has just described. I do not think that anybody wants to return there.

I sympathise absolutely with my hon. Friend, in that many of his constituents are in the 0.6 per cent. of people in this country who do not receive analogue terrestrial coverage. I appreciate their frustration. They are left out in that they do not receive the television signals that most of our constituents probably receive. However, we are in a period of change and many forms of receiving television signals are being introduced to give the public the choice they want of what to watch. That is absolutely right.

Nothing is set in stone. I know that my hon. Friend is about to meet the BBC to discuss specific issues. We regularly meet the BBC and other broadcasters, and we are in for a period of change. To some extent, we are being held back by the development of the technology that would enable signals to reach the areas that they do not yet reach. I will continue to work with my hon. Friend and broadcasters, and I hope that the particular problems that his constituents experience will not go on for too much longer.

Mr. Hugo Swire (East Devon): Access to freeview television is currently something of a postcode lottery. What would the Minister say to my constituents, such as Mrs. Agland of Seaton in East Devon, who wish to access digital programmes but cannot afford to pay for Sky television?

Estelle Morris: Over the next few years, there will be a development of both digital satellite and digital terrestrial television. I am absolutely certain that in the years to come, the hon. Gentleman's constituents, like all our constituents, will find that they can receive the channels they want. As he knows, digital television coverage is progressing well and the Government are well on course to meet their target of making a decision, if they wish, by 2010. They have made it absolutely clear that the cost for individuals will be subject to the digital plans on which they are currently working, announcements of which will be made in due course.

Mr. Chris Bryant (Rhondda): The Minister referred to choice in broadcasting, which many hon. Members would agree is great. However, the truth of the matter is that my constituents have absolutely no choice if they are to receive most of the BBC channels and go digital—they have to get a Sky box. Will she speak to the BBC and point out that most people think that if they pay the licence fee, they should be entitled to get the BBC for free? Will she try to disabuse it of the horrible complacency into which it has fallen over the roll-out of digital terrestrial television?

Estelle Morris: I sympathise with my hon. Friend. When making any recommendations that we can to the BBC, we shall point out the simple fact to which he and my hon. Friend the Member for Greenock and Inverclyde (David Cairns) have referred. I completely accept that one of the characteristics of public sector broadcasting is that it is a unifying force throughout the country. I accept that it is a problem if some people—no matter how few—cannot access the core provision of television channels. I undertake to do what I can, but there is no easy solution waiting to be announced tomorrow. The matter requires research, investment and, sadly, time.

Mr. John Whittingdale (Maldon and East Chelmsford): Does the Minister accept that people in rural areas who are able to receive television only via satellite will resent having to pay an extra £20 one-off charge on top of the £116 annual fee that they already pay to get the BBC? Rather than charging the viewer, would it not be fairer to meet the cost of the viewing cards out of the licence fee, as at present?

Estelle Morris: I do not think that that would be the appropriate way forward. I thought that the hon. Gentleman might have congratulated my right hon. Friend the Secretary of State on bringing about a solution to the problem caused by the BBC's decision to change satellites earlier this year. I think that his constituents, and most hon. Members' constituents, will feel that paying £20 to receive the choice and channels that they want will represent money well spent.

Mr. Whittingdale: I do not think that people will think that paying £20 is especially fair, given that they currently do not have to pay anything. Will not the number of people living in rural areas who cannot receive terrestrial or cable television be even greater if the Government go ahead with analogue switch-off? Will the Government ensure that when and if analogue transmission ceases, those who have to buy a satellite receiver will not have to pay far more than those who simply need a freeview box?

Estelle Morris: We are nowhere near the end of the line on the adaptations that need to be made so that

more people may receive digital television. We made it absolutely clear in the switchover plan that the number of people who will be able to receive a digital signal should be the same as the number who can currently receive a terrestrial signal. The hon. Gentleman will see that the percentages will have increased by 2010. There are key decisions to be taken about investment in digital television and the switch from terrestrial. As I said to other hon. Members, we are in a period of change in which there is significant investment. We are making progress year on year in the number of people who have access to digital, and thus the choice that many of us take for granted.

Sports Involvement (Women)

9. **Vera Baird** (Redcar): What steps the Department is taking to involve more (a) women and (b) girls in sport. [137031]

The Secretary of State for Culture, Media and Sport (Tessa Jowell): My Department and Sport England ensure that public funding will be made available only to those governing bodies with equity agreements in place. Specifically, Sport England is putting £200,000 a year into the Women's Sports Foundation, the organisation that seeks to promote the participation of women in sport, and £180,000 a year into Sporting Equals.

Vera Baird: I am grateful for that answer. Redcar has quite good women's participation in sport. Indeed, we recently received funding to develop girls' rugby. Does my right hon. Friend agree that it would be much easier to involve more women in sport if there were better media coverage of women's sporting events? In particular, will she take up the issue with the BBC, which has a charter commitment to provide balanced viewing? The Women's Sports Foundation is starting a campaign next week to promote better coverage. Will she use her best endeavours to ensure that it has some success?

Tessa Jowell: My hon. and learned Friend raises two important points. The lack of coverage, or under-representation, of women and their success in sport by the media is a fact, as recent analysis of the coverage of women's success, as opposed to men's success, in the Commonwealth games clearly showed. On the BBC, that is a good example of why the review of its charter will be accompanied by an unprecedented level of public involvement and public consultation so that those issues are raised.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Clergy Pensions

21. **Mr. Huw Edwards** (Monmouth): If he will make a statement about measures to improve the level of clergy pensions. [137043]

25. **Mr. Gordon Prentice** (Pendle): What steps are being taken to increase the pensions of the clergy. [137047]

Second Church Estates Commissioner (Mr. Stuart Bell): Following wide consultation on remuneration levels for serving and retired clergy, the Church believes the level of the clergy pension, which includes a lump sum on retirement, is reasonable in relation to the clergy stipend. At a time when many employers are switching to money purchase pension schemes—in effect switching risk on to the employee—the Church stands by its commitment to a defined benefit scheme.

Mr. Edwards: I am grateful to my hon. Friend for that answer. Does he agree that although the pension for those clergy who achieve maximum service is reasonable, there are concerns about those who do not achieve it either because they have come into the vocation later in life or they are female ordained clergy? Will he consider the circumstances of such people, in particular whether they can transfer their previous pension entitlement into the Church Commissioners' fund?

Mr. Bell: I am grateful to my hon. Friend for raising that. He will know that pensions increased on 1 April 2003 and a further 3 per cent. increase is planned for April next year. The full service pension will rise to £11,343 per annum and the full-service lump sum to £34,030. In relation to those who joined the clergy at a later date, I confirm that they can transfer their pensions. On the wider point as to whether we should consider the circumstances as they affect their interests, I am happy to give him that assurance.

Mr. Prentice: You will know, Mr. Speaker, that three years ago responsibility for financing the clergy pensions transferred to parishes. I have been reading the ecclesiastical press and it seems that some well intentioned people believe that wealthy parishes are salting away their surpluses. I want to know where those wealthy parishes are, because it is not a Church-like thing to do. The money should be redistributed as between the wealthy parishes and those that are less well off.

Mr. Bell: That was a question for you, Mr. Speaker, rather than for me, but I am happy to answer it.

It is a fact that pensions that have fallen due since 1998 fall on the parishes. Before that date, they stay with the Church Commissioners. Parishes are obliged to meet their commitments. I am not aware of any parish that does that in an unchristian, unfriendly manner.

Sir Sydney Chapman (Chipping Barnet): Would the Second Church Estates Commissioner agree that the Church Commissioners' ability to help clergy with their stipends and pensions is entirely dependent on returns from their assets, whether in property, equities or whatever? Is it not true that a commendable proportion of the Church Commissioners' assets or income goes to clergy stipends and pensions?

Mr. Bell: I am grateful, as ever, to the hon. Gentleman for his contribution. He is entirely right that a

substantial part of our income goes towards meeting those pensions. Over the past few years, the Chancellor of the Exchequer has taken £20 million from our income, which will change to about £12 million in 2004. That impacts on finances that go towards pensions for clergy and, of course, their wives and dependants.

Mr. John Bercow (Buckingham): Given that the hon. Gentleman's defence of clergy pensions was subject to the rather critical caveat that those pensions reflected the stipend, can I seek to tempt him to say whether he agrees that clergymen are grossly undervalued in the course of their working lives, so the size of the pensions accorded to them ought to be significantly uprated? In that context, can he advance any moral argument as to why he, I and other right hon. and hon. Members should receive a larger pension than the dedicated moral clergymen of our country?

Mr. Bell: I am only too happy to answer the hon. Gentleman. The two points, if I may put my lawyer's hat on, are mutually exclusive, and one does not relate to the other. However, the hon. Gentleman is certainly right in his belief that the clergy are undervalued in our parishes. They provide an enormous contact between Church and state, which is valued by everyone. As for the basis for determining the benefits provided by the Church, which consist of a lump sum on retirement plus a pension, we try to take into account all the factors in the interests of the clergy.

ELECTORAL COMMISSION COMMITTEE

The hon. Member for Gosport, representing the Speaker's Committee on the Electoral Commission, was asked—

Local Government Elections

22. **Mr. John Robertson** (Glasgow, Anniesland): What discussions the commission has had with the Scottish Executive in connection with the single transferable vote and local government elections. [137044]

Mr. Humfrey Malins (Woking): My hon. Friend the Member for Gosport (Mr. Viggers) is abroad on parliamentary business, and I have been asked to reply. The commission has responded to a Scottish Executive consultation exercise on the matter, stating that local government elections in Scotland do not fall within the remit that it has been given by the Political Parties, Elections and Referendums Act 2000, and that as a matter of policy it does not offer views on the merits or otherwise of particular voting systems. Accordingly, the commission offered no substantive views on the use of STV—the single transferable vote—in Scottish local elections.

John Robertson: Is the hon. Gentleman aware that, following the introduction of the single transferable vote in the Scottish local government elections, we will have four different kinds of electoral system within Scottish boundaries? As Scottish parliamentary elections and local government elections are taking place on the same day, would the Committee consider looking at the possibility of both using the same system, namely STV?

Mr. Malins: I am grateful to the hon. Gentleman, but in response to the suggestion that the voting system for the Scottish Parliament should be changed, the commission has said that as a matter of policy it does not express a view on the merits or otherwise of particular voting systems. However, he has made a fair point about the electorate's ability to understand what is going on, and the confusion that may arise if many different systems are operating. The commission's research reports, which were published last year, considered public attitudes to voting systems in the 1999 elections, and showed that understanding of the system was a factor that affected the decision about whether or not to vote in a small percentage of cases. The commission's statutory reports on the 2003 elections in Scotland and Wales will certainly draw on the results of research on public opinion to measure the electorate's comprehension of different voting systems.

Pete Wishart (North Tayside): Does the hon. Gentleman agree that if there were STV for local authority elections in Scotland there would be an end to those undemocratic, monolithic Labour councils, such as the one in Glasgow, which received a minority of the vote but is controlled with a massive majority?

Mr. Malins: I can do no more than repeat that the commission has said that it does not express a view on the merits or otherwise of particular voting systems, but the hon. Gentleman has made his point in his usual forceful way.

Postal Voting

23. **Huw Irranca-Davies** (Ogmore): What discussions the Committee has had with the Electoral Commission in respect of all-postal ballots. [137045]

Mr. Malins: The statutory remit of the Speaker's Committee does not normally require it to discuss such matters with the Electoral Commission. The commission has recommended that, if all-postal voting is backed by changes in the law to minimise the risk of electoral abuses, it should become the standard approach in local elections in England and Wales. It has been directed by the Government to recommend which regions are most suitable to conduct all-postal ballots in the European parliamentary elections in 2004.

Huw Irranca-Davies: I thank the hon. Gentleman for that answer. Does he agree, on behalf of the Committee, that what will be needed in whichever regions are chosen is a certain surefootedness and dynamism, and a willingness to innovate—all characteristics that we saw in abundance on the rugby field in the Welsh team at the weekend? In his discussions with the Electoral Commission, will he therefore convey the very strong support among Welsh Labour MPs for all-postal ballots in Wales next year?

Mr. Malins: I shall certainly convey those sentiments, and I join the hon. Gentleman in saying that I thought that the Wales team performed absolutely brilliantly in the rugby. If I am allowed to say so, being a quarter Welsh, I played for London Welsh schoolboys a long time ago. I shall pass on his points, which are well made.

Mr. David Heath (Somerton and Frome): Are the hon. Gentleman and his Committee content that, in the studies that the Electoral Commission is conducting on the pilots, it has been specifically excluded by the Government from considering whether there should be pilots at all, why there should be three, the detailed form of postal or electronic voting, and whether it should consult all returning officers after the event rather than only a selected few? Is he content that that will give a true picture of what is going on?

Mr. Malins: The hon. Gentleman refers to the paucity of pilot schemes in Wales. Election pilot schemes have been permitted at local elections in Wales for the past three years, and the law provides that the local authority concerned has to apply to the Government for permission to conduct a pilot scheme. On the balance of his question, I shall be happy to ensure that the chairman of the Electoral Commission writes to him with a very full response to a point well made.

Mr. Michael Jabez Foster (Hastings and Rye): Does the hon. Gentleman accept that, especially in residential homes, abuse is possible with regard to all-postal vote ballots? Does he agree that, without imposing too onerous a task on the Electoral Commission, there should be some sort of monitoring of the mental capacity of those who are offered votes, especially when they have not asked for them?

Mr. Malins: The hon. Gentleman makes a fair point about the need to ensure security, the absence of fraud, and so on, in relation to postal votes. As to the risks concerning places of multiple occupation, to minimise the risk of fraud in general in relation to postal votes, the commission is currently developing a series of tools for use by electoral staff, including best practice guidance on multiple occupation households. He makes a fair point.

Sir Patrick Cormack (South Staffordshire): Does my hon. Friend accept that many hon. Members on both sides of the House view with genuine concern a move towards all-postal ballots, because whatever is done, there is bound to be greater scope for abuse? Will he further accept that the commission might do better to turn its attention to the question of making voting compulsory if it wishes to increase turnout, rather than introducing all-postal ballots?

Mr. Malins: In relation to my hon. Friend's observation on making voting compulsory, that is not a matter that has crossed my path so far. I do not believe that we have any particular views about it, but I hear what he has to say. He said that postal voting is a significant issue. There are very different views about this matter. Many hon. Members take the view that the old-fashioned system of voting is absolutely right. It is inevitable that we will move towards postal votes for all sorts of elections, as the years pass. I think that he will agree that it is critical that we maintain security, safety and the absence of fraud whenever we can.

24. **Kevin Brennan** (Cardiff, West): What consultations the Committee has had with the Electoral Commission on all-postal vote pilots for the European elections in Wales. [137046]

Mr. Malins: The statutory remit of the Speaker's Committee does not normally require it to discuss such matters with the Electoral Commission. However, the commission is currently undertaking at the behest of the Government a consultative exercise on which European Parliament regions might conduct electoral pilots in 2004. I believe that recommendations will be presented to the Government by 8 December 2003.

Kevin Brennan: I thank the hon. Gentleman for that reply. Further to the comments of my hon. Friend the Member for Ogmore (Huw Irranca-Davies), there is an old saying, "Three tries for a Welshman", but on some occasions even that is not enough.

It would be a good idea for the Electoral Commission to recommend all-postal ballots in next year's elections for three reasons—namely, that three elections will be held at the same time: European elections, local government elections and community council elections. That is unique in the United Kingdom. Will the hon. Gentleman convey the strong message from MPs in Wales that that makes Wales a unique area in which to experiment by including it in the pilot?

Mr. Malins: If there were 10 points for a try, a different team would have been in the semi-finals.

The commission is well aware of the strong support from many Labour Members of Parliament for the postal pilot schemes. I understand that it has received representations from several organisations and individuals in Wales: it will take those into account when it makes its recommendations to the Government. The hon. Gentleman speaks for many of his colleagues in advocating his cause, and he does so with passion and a great deal of diligence.

Orders of the Day

Water Bill *[Lords]*

As amended in the Standing Committee, considered.

New Clause 2

COMMENCEMENT AND EXPIRY OF LICENCES

'After section 46 of the WRA there is inserted—

"46B Commencement and expiry of licences

(1) A licence granted under this Chapter to abstract water—

(a) to prevent interference with any mining, quarrying or engineering operations (whether underground or surface); or

(b) to prevent damage to works resulting from such operations ('de-watering abstractions'),

shall be stated to take effect to expire simultaneously with any planning permission or any extension or amendment to any planning permission granted for such mining, quarrying or engineering operations instead of a specific date, or dates, in the licence for the de-watering abstraction itself.

(2) In all other aspects, reference in this chapter to the date on which a licence is stated to take effect and on which it expires, insofar as a licence for the de-watering abstraction is concerned, refers to the commencement and expiry dates comprised in any planning permission authorising the mining, quarrying or engineering operations relevant to the de-watering abstraction."'.—*[Mr. Wiggin.]*

Brought up, and read the First time.

3.31 pm

Mr. Bill Wiggin (Leominster): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following:

New clause 3—*Renewal of licences (mines and quarries)*—

'After section 46 of the WRA there is inserted—

"46ZA Renewal of licences (mines and quarries)

(1) An application to renew a licence granted under this Chapter to abstract water—

(a) to prevent interference with any mining, quarrying or engineering operations (whether underground or surface); or

(b) to prevent damage to works resulting from such operations ('de-watering abstractions'),

shall be subject to the three tests specified in subsection (2).

(2) Those tests are that it can be reasonably demonstrated that—

(a) environmental sustainability can be achieved;

(b) the need for the licence is demonstrable; and

(c) the water extracted under the licence is being and will be used efficiently and effectively.

(3) If the tests specified in subsection (2) are met, the licence will be renewed for a minimum of six years.

(4) Where an application to renew a licence under the preceding provisions of this section is refused, a person who made the application may appeal to the Secretary of State within such period and subject to such procedures as may be prescribed by order.

46ZB Renewal of licences (mines and quarries): compensation

Where an application to renew a licence is refused under section 46ZA above, or the terms of the licence are varied and the effect of the resultant restriction or working rights would be such as to prejudice adversely to an unreasonable degree—

(a) the economic viability of operating the site; or

(b) the asset value of the site,

compensation shall be payable in accordance with arrangements prescribed by order."'.

New clause 12—*Presumption of renewal of licences*—

'After section 38 of the WRA there is inserted—

"38A Presumption of renewal of licences

There shall be a presumption of renewal of a licence, subject to the provisions of section 38(1A) above, where the Agency is satisfied that—

(a) abstraction under the new licence is environmentally sustainable;

(b) there is a continued justification of need; and

(c) water abstracted under the renewed licence will be used in an efficient manner."'.

Government amendments Nos. 54 to 58.

Amendment No. 10, in clause 6, page 7, line 23, at end insert—

'(1A) Where the construction of a bore hole in connection with an exempt abstraction could affect the essential characteristics of water resources used by the licensed natural water abstractor, the consent of the Environment Agency must be sought.'.

Amendment No. 24, in page 8, line 5, at end insert

'if it is to address an issue of national importance'.

Government amendment No. 59.

Amendment No. 25, in clause 14, page 17, line 39, leave out 'in prescribed cases' and insert

'where it would be against the interests of national security'.

Government amendments Nos. 60 to 70.

Amendment No. 4, in clause 17, page 21, line 42, leave out 'four' and insert 'six'.

Government amendments Nos. 71 to 73.

Amendment No. 9, in clause 19, page 23, line 31, at end insert—

'( ) The expiry date shall take into account the availability of water in the source of supply to which the licence applies and the investment needs of the applicant.'.

Amendment No. 11, in page 23, line 33, at end insert—

'(5B) In determining the period that a licence under this Chapter shall remain in force, the Agency shall take into account—

(a) the life expectancy of any associated infrastructure works (existing and prospective),

(b) the costs of those works (actual and projected), and

(c) the period over which these costs may be reasonably be expected to have to be recovered.'.

Government amendment No. 74.

Amendment No. 12, in clause 20, page 24, line 27, at end insert—

'(5) There shall be a presumption that any licence in respect of which the conditions of this section are met shall be renewed unless the Agency is able to show that revocation is necessary in order to protect any waters or underground strata, or any flora or fauna dependent on them, from serious damage.'.

Government amendments Nos. 75 to 82.

[Mr. Speaker]

Amendment No. 126, in clause 24, page 31, line 11, at end insert—

'(5A) In this section "loss or damage" shall mean loss occasioned by physical damage to tangible property.'.

Government amendments No. 83 and 84.

Amendment No. 32, in clause 25, page 31, line 43, at end insert

'and

(b) at the end there is inserted "except in the case of licences where water would otherwise be abstracted for use on land which is subject to phytosanitary restrictions."'.

Amendment No. 33, in clause 27, page 33, line 17, at end insert

'or such later date as the Secretary of State may by order prescribe'.

Government amendment No. 85.

Amendment No. 26, in clause 30, page 36, line 39, leave out '£20,000' and insert '£50,000'.

Government amendments Nos. 117 and 104 to 106.

Mr. Wiggin: The new clause would ensure that the commencement and expiry of abstractor licences occurred simultaneously with planning permission, so that as long as a business had planning permission it should be able to go ahead with abstracting water if it is environmentally safe to do so. If the dates of an abstraction licence are separate from those of the planning permission, the abstraction licence may expire before the planning application. That undermines the long-term certainty of a water abstraction business, restricting its competitive edge. Businesses wishing to abstract should have just one course of action to take. For quarries and mineral water companies, for example, the legislative burden is not sufficiently streamlined and may jeopardise their ability to compete on a level playing field with companies from abroad. The new clause would ensure that the expiration date of a licence must take into account the commencement and expiry dates of any planning permission. That would be fairer on abstractors, who would have a much more stable basis on which to attract investors. Long-term industries such as water abstraction, watercress growers and quarries need assurances of certainty, but the Bill does not offer them. The new clause would provide them with that assurance and with the certainty that they need for long-term investment.

New clause 3 is focused on the quarrying industry and its need for certainty in the renewal of its de-watering transfer licences. It would include in the Bill three clear tests by which a renewal licence may be granted. To make it fair to the industry, the presumption of renewal needs to be made explicit by including in the Bill test renewals such as those set out in "Taking Water Responsibly". The industry is well aware of the assurances that the Minister has given to the House and to the other place. I am also conscious that during the past month my hon. Friend the Member for Eddisbury (Mr. O'Brien), and the hon. Members for Sherwood (Paddy Tipping) and for High Peak (Tom Levitt) have taken part in meetings with industry representatives in the Minister's office, and that the assurances given have been confirmed in writing. That may provide safeguards for the immediate future, but they have no long-term credibility. The new clause seeks to redress that. Equally, it would include the steps for appeal and compensation to be taken when a licence is refused renewal under the tests. It is imperative that the presumption of renewal is included in the Bill, not hidden away in statements or policy documents—otherwise, long-term industries will not have any real assurances that their investments will be safe.

The second part of the new clause would ensure that if a de-watering transfer licence is not renewed or the Environment Agency changes the conditions, thereby making an operation unviable, the operator can claim compensation. The problem with the Bill as it stands is that the agency can give an operator six years' notice of non-renewal and simply not renew and not provide compensation. That is unacceptable, especially when the agency is clearly a law unto itself and not directly accountable to the House. The new clause would put in place the genuine assurances of licence renewal, appeal and compensation that the water abstraction sector needs.

Mr. John Bercow (Buckingham): It is clear that the new clause is extremely well thought through, but my brow is furrowed by my hon. Friend's reference to circumstances in which exploration takes place and a licence is not renewed. It sounds deeply unjust. Is my hon. Friend telling me that there is no right of appeal?

Mr. Wiggin: My hon. Friend is right to have a furrowed brow about the Bill. Indeed, my brow has been furrowed for some time. It is especially difficult for those who abstract water because he is right about the difficulties that they will face if their licences are not renewed. There is an appeals procedure but I believe that it is to the Environment Agency, not the Secretary of State.

The Minister for the Environment (Mr. Elliot Morley): It is to the Secretary of State.

Mr. Wiggin: The Minister corrects me, but a lesser agent of the Secretary of State would fulfil the duty. The essence of the problem is not so much that licences cannot be renewed—environmental damage may be taking place—but the lack of compensation. I am therefore grateful to my hon. Friend for his intervention. As usual, with his incisive mind he has put his finger on the nub of the problem instantly.

Amendment No. 10 deals with the fears of drinking water abstractors, who are rightly subject to an enormous number of inspections to ensure that their water quality is the finest. However, if abstractors of less than 20 cu m sink a borehole into the substrata and start abstracting water for use as drinking water, the licensed abstractor's water quality could be affected. The safeguards in the Bill are not quite strong enough to prevent the risk of small abstractors causing damage to the business of water bottling. I am worried about the risk of others sinking boreholes into the same substrata as the original business, thereby damaging the quality of the water that it abstracts.

Many bottled water companies bottle their water at source and depend on the spring to market and sell the brand—for example, Hildon and Radnor Hills. They cannot move their water aquifer. Water bottling operations are extremely expensive to start up. As long-term investments, they need the protection that the amendment offers. It would enable the Environment Agency to police abstraction for the good of our environmental quality, which must be the overriding consideration. The Environment Agency should monitor abstractors, no matter how small, for the damage that they cause the environment. Damage done to a business aquifer by another drilling into it could take a company out of business. That problem must be resolved but the Bill does not currently address it.

It is vital to support the British bottled water industry. Domestic bottled water companies comprise nearly 80 per cent. of the total that we drink in the United Kingdom. The issue therefore affects us all. Now is an opportune moment to have a quick sip of water. We must not only protect the industry, but ensure its long-term plan for the future.

The licensing that the Bill introduces raises concerns that the scope of the investment will be limited. Small, unlicensed boreholes must not be able to undermine a company's investment. I know that the Minister has sympathy with the point. In Committee, he said that if there were problems the Environment Agency would have the power to lower the existing thresholds to reduce the number of boreholes. He said that the agency had powers to deal with problems should they arise. If so, why does not the Bill include such a provision? We want to prevent damage to the aquifer and ensure that the Environment Agency has more responsibility to protect it. The amendment would protect the important British drinking water industry and ensure the high quality of our environment through giving the Environment Agency such policing powers.

Amendment No. 4 deals with a time limit on licences that will be certain for only 12 years. Clause 17(8)(a) provides for a time limit of four years for those who are not using their licence. That reflects neither the seven-year weather cycle nor the catchment abstraction management strategy. The amendment, which provides for a time limit of six years, takes into account the extended period that allows for crop rotation. That was part of the Government's intention and would also influence their ability to license genetically modified crops.

Reasons for non-use of a licence might be as basic as having sufficient rainfall as to render irrigation unnecessary, or growing another crop on the land due to the basic rules of crop rotation under good agricultural practice to avoid the build-up of, for example, pests and diseases in the soil. A much more serious reason might be a the presence of a notifiable disease such as potato brown rot having resulted in a ban on the extraction of water from water courses for use on vulnerable crops.

In Committee, the Minister managed only to fumble his way through this issue and did not give us a good enough reason why the limit should be four years. He stated that the four-year period could be extended by the Environment Agency if the licence holder had a legitimate case for wanting a longer period, but what qualifies as a legitimate case for extension? This is all a bit vague and uncertain, and we should like a provision in the Bill that would clarify the matter.

The Minister's argument in Committee for the reduction from seven years to four was that it struck a balance between meeting the needs of the abstractor and being fair to those who wanted to start abstraction but were unable to do so because others were just sitting on their licences. He then admitted, however, that there had been a grand total of zero incidences of people being denied licences for abstraction because others were holding on to unused ones, thereby undermining his own argument. My amendment to change the time limit from four years to six would allow for changing cycles, which the licence holder would deal with, and bring the provision into line with the catchment management scheme.

Amendments Nos. 9, 11 and 12 also deal with the time periods relating to licences, which are currently too short in that they are meaningful for only 12 years. Amendment No. 9 seeks to ensure that the expiry date on licences takes into account water availability and the investment needs of the abstractor. Amendment No. 11 would ensure that the life expectancy of associated infrastructure works was taken into account by the Environment Agency, in that it should make a decision on the life of an abstraction licence only when it had considered the infrastructure costs and investments associated with the abstraction. That would provide the benefit of a more consistent and transparent framework for decision making. The British Soft Drinks Association is extremely concerned about this matter as that industry is dependent on high-cost machinery, and that is not reflected in the length of time a licence lasts. The length of a licence must take into account the type of investment involved and compensation when licences are cancelled.

Amendment No. 12 seeks to write a presumption of renewal into the Bill. In Committee, the Minister read out the four test criteria for consideration of licences longer than 12 years, as set down in the policy document "Taking Water Responsibly". He also read out two sets of criteria to comfort companies that have a presumption of renewal. These are clear tests, which is why they should be included in the Bill rather than in separate documents, which would be most unfair to companies that would consequently have to ask for investment on the basis of trust, as the abstractors would not be properly financially protected in the legislation. We want to amend this unreasonable and disproportionate provision.

Furthermore, the reason given by the Minister for not putting such measures into the Bill was that the tests for renewal could be changed at a later date, which would create a further fundamental problem for anyone investing in an affected business. The Government have completely failed to consider the effect that this uncertainty would have on businesses that were unable to find willing investors because the measures could be altered. My amendment would ensure that abstraction licences would take into account longer-term considerations by putting the presumption of renewal and the compensatory element into the Bill.

[Mr. Wiggin]

Amendment No. 32 would retain the seven-year period during which compensation would be available on the removal of a licence due to non-use, plant health reasons or the more normal crop rotation reasons. The Bill would reduce the period from seven years to four.

Amendment No. 33 seeks to ensure that the revocation of any licence causing damage would be undertaken only when a thorough examination under the habitats directive of all sites had been completed, rather than trying to do so on an arbitrary basis on 15 July 2012 as is provided for in the Bill. The Minister and the Environment Agency should have some flexibility in the Bill to avoid a potentially difficult situation in 11 years' time if, due to unforeseen circumstances, the assessment of an abstraction licence had been delayed and abstractors had been caught by a guillotine. The addition of such a measure to the Bill would provide assurances to all those involved. The amendment does not seek to set a later date, or even to remove the right of the Environment Agency to revoke a licence that is causing serious environmental damage; it would simply provide a mechanism for the Minister to delay, should that become necessary.

3.45 pm

Experience has shown that deadlines do slip. In that event, such a serious consequence as the removal of a valuable property right would not be acceptable without being based on transparent and robust examination of the facts. Any removal of the right of abstraction must be supported by robust scientific evidence, and not driven merely by the precautionary principle or a looming deadline.

The revocation of a licence is a serious matter, especially when the continuation of a producer's business depends on access to water. It is clearly not in the abstractor's interest to cause serious environmental damage, and it must be a minority of licences that fall into this category. Sustainable abstraction is the goal that the Environment Agency, farmers and growers work towards, and should not be jeopardised by a last-minute administrative panic by the regulator, who is bound by a rigid end-date. Our proposal would allow the flexibility that is reasonable.

Norman Baker (Lewes): We are under some time pressure, especially as many Members will probably want to speak about fluoride, so I shall be fairly brief.

I am grateful to the Government for tabling the programme motion last week. That helped a little. I am bound to say, however, that a day and a half for discussion would have been more appropriate than a day, which is why my colleagues and I voted against the motion.

The hon. Member for Leominster (Mr. Wiggin) was right to raise the presumption of renewal of licences. New clause 12, tabled by me and by my hon. Friend the Member for Guildford (Sue Doughty), seeks to achieve approximately the same end. It takes its wording from the Environment Agency's guidelines on the presumption of renewal. Many industries requiring licences have expressed a fear that it will be difficult to obtain investment with time-limited licences. That applies to the watercress industry, in which my hon. Friends the Members for Mid-Dorset and North Poole (Mrs. Brooke) and for Winchester (Mr. Oaten) have rightly expressed an interest. It also applies to quarrying, which I know interests my hon. Friend the Member for Somerton and Frome (Mr. Heath). He has been assiduous in protecting the industry in his constituency.

We should strike a balance between environmental protection and the necessary limiting of licences, and providing a degree of certainty for businesses so that they can plan ahead. That means legislating for a presumption of renewal such as that in new clause 12. Such a move would go a long way towards satisfying industries that have rightly and understandably expressed concern, while also protecting the Government's agenda.

Amendment No. 26 seeks to increase the maximum penalty for those who fail to deal properly with enforcement notices served on them. There is a great deal of money to be made in many industries, and it is wrong for people to be able to calculate that failing to reply to a notice is more beneficial financially than replying. Amendments Nos. 24 and 25 simply seek to tie down the issue of when the Secretary of State should be able to exercise what is, in the Bill, a wide discretion by limiting the matters in question to those involving national security. In Committee the Minister indicated that national security was the reason for the provision in the Bill, and no one dissented at the time. The amendments seek to prevent it from being interpreted too widely.

Amendment No. 126 deals with the watercress industry, about which my hon. Friend the Member for Mid-Dorset and North Poole may wish to speak later.

These are modest amendments, but I think that they will go a long way towards improving the Bill, and I hope the Government will view them sympathetically.

Mr. David Heath (Somerton and Frome): I want to say a little about quarry de-watering, in which, as the Minister knows, I take some interest. I know that the Minister and his colleagues have been very active in trying to discuss it with the industry, and to find a way out of the impasse that has developed.

The issue is simply stated. The difference between the lifetime of a de-watering licence and the lifetime of a permission for mineral extraction means that there can be no certainty, which is a necessary component if investment is to be made in a quarrying undertaking. That has a knock-on effect on the company's profitability and on the more general environmental interests of the type of community that I represent. The Minister will know that probably the highest concentration of limestone extraction workings in the country is found in the east Mendips. I accept some of the reasons why the Minister would reject establishing a link—I realise that it would set a precedent for other industries—but if there is no link and no clear presumption in favour of renewal, certain problems will arise.

First, as I said, it will be difficult for companies to make the investment decisions that they need to make when approaching a new permission, which will have a knock-on effect on the profitability and viability of the

industry. I have some experience of this issue, having sat on a minerals planning authority for 12 years and gone through a long phase of arm-wrestling in some cases, co-operation in others, with the quarrying industry to establish a sensible regime for the granting of permissions. The second problem I foresee is that if quarrying companies cannot go deeper and use the present spatial extent of their permissions to go below the water table, which inevitably requires a degree of water abstraction, their alternative is to use extant planning permissions to go wider. Often, those extant planning permissions are not in areas that the local community, the local planning authority or the Government want the industry to turn to for the stone reserves that national and local interests require.

The issue harks back to interim development orders and the regime with which the Minister is familiar, which has produced difficulties over the years. I vividly recall the long debate that we in Somerset had before giving permission for the first sub-water table working. We had difficulty identifying the hydrogeology of the east Mendips and determining whether we would destroy aquifers and what the long-term consequences would be. It seems to me that, despite the undoubted difficulties of sub-water table undertakings, managing them in an environmentally sensible way is probably preferable to the alternative, which is opportunistic use of existing planning permissions balanced by neither a compensatory regime nor a control regime.

Mr. Paul Tyler (North Cornwall): As one who represents another part of the country with quarrying interests, I strongly support my hon. Friend's views. Does he agree that this is a classic case of, "If it ain't broke, don't fix it"? The Environment Agency is happy with the way in which the regimes are working, and the lack of synchronisation between the existing regimes and the proposed new regimes in terms of time scale is extremely worrying from the point of view of effective planning.

Mr. Heath: I agree. That is the difficulty we face. We do not want to throw the doors wide open to anyone to abstract water over any period simply because they have a planning permission. I understand the Government's position, which is shared by my hon. Friend the Member for Lewes (Norman Baker). However, there are differences between the quarrying industry and other industries that might seek abstraction licences. Essentially, quarrying is a non-consumptive industry. First, it does not take the water away, which would be a clear potential environmental threat, but stores it and replaces it in a manner determined via the licence and permission. Secondly, a quarrying company has few alternatives. If a company that wants to abstract water for its use cannot do so because of an environmental licensing argument, it can go elsewhere, but a quarry cannot go elsewhere. It remains where it is and it has to be de-watered; otherwise, it is a large hole with water at the bottom and is of no use to anyone. There is a case for individual treatment of the quarrying industry.

I have examined the amendments and new clauses carefully. I can understand the argument of the hon. Member for Leominster (Mr. Wiggin) in support of new clause 2, but I also understand why the Government may not be entirely satisfied with it. I must tell the hon. Gentleman that I am worried about the compensation provisions of new clause 3 because I have some experience of the effect of compensation on the quashing of inappropriate interim development orders. In fact, it paralysed the planning authorities and prevented them from taking any sensible decisions on behalf of local communities simply because the costs were out of all proportion to the resources available to the local community. If I have a quibble, it is simply that. I am aware of that particular difficulty.

I am certainly taken by the Liberal Democrat new clause 12, which is very simple and states what we believe to be the policy of the agency, on which the Minister has provided assurances, and we would like it to be incorporated in the Bill. I enthusiastically support new clause 12, not only in the interests of the industry, which is important in my constituency, but in the interests of the local environment.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): I wish to speak briefly to amendment No. 126, which was tabled by me and by my hon. Friends the Members for Winchester (Mr. Oaten), for Lewes (Norman Baker) and for Guildford (Sue Doughty). It is similar to an amendment that was moved in Committee, but it has been reworked to reflect the ensuing debate.

The amendment is designed to draw attention to the fact that loss or damage is not defined in the clause, and that consequently it could become a charter for claims against long-established and ecologically valuable businesses such as watercress growers. Special natural conditions have led to the bulk of UK watercress growing occurring in Hampshire, Wiltshire and Dorset. In Dorset, watercress is grown in Bere Regis. It is a long-established and sustainable activity, but the Bill has created concerns about its future.

I thank the Minister for meeting representatives from the industry, me and hon. Members with constituencies in Hampshire. However, concerns remain about clause 24, which provides a new means for persons who suffer loss or damage arising from the abstraction of water to bring a claim against the extractor. Previously, the grant of a licence by the Environment Agency was a defence, and any action had to be taken against the Environment Agency for issuing the licence in the first place. The National Farmers Union is concerned that watercress growers might be exposed to unreasonable claims from those who might perceive that their property value has been adversely affected by variations in the flow of watercourses and winterbournes.

Officials from the Department for Environment, Food and Rural Affairs have agreed that there was no intention for the legislation to provide a means of prosecution of business by residents in an area where the change of watercourses or winterbournes was felt to affect the amenity value of properties by removing a desirable characteristic such as the noise of a babbling brook in the garden. By their very nature, many watercourses on chalk down land are intermittent and the extraction of ground water by a watercress farm will not be the only factor in determining how long and how high such a stream will run.

Subsequently, officials said that they did not feel that such claims were likely, but the Watercress Association has already heard of homeowners who want to take

[Mrs. Annette L. Brooke]

legal action against businesses for precisely that reason—despite the positive contribution of the industry to employment, tourism, inward investment, ecological gains and the preservation of a traditional industry. I hope that the Minister can respond positively today and provide further reassurances to watercress growers.

4 pm

Mr. Morley: I was very interested in the points put forward by hon. Members because those points were not unreasonable, and it might be helpful if I repeat the assurances that I have given the industry groups that have come to see me about a number of issues addressed in new clauses 2, 3 and 12 and amendments Nos. 9, 11 and 12.

It might be helpful if I first stress some of the safeguards in the system. I know that hon. Members are united in the desire to ensure that the Bill is an effective and sustainable resource management tool for a resource that is under increasing pressure of demand. That aim is not particularly controversial. Indeed, I am glad to say that the various industry groups have been united in saying that they support the principles behind the Bill. Not unreasonably, they want some safeguards for their own sectors and I understand that. I have tried to go as far as I can in providing safeguards without undermining the basic principle of the Bill, which is sustainable water management. I shall give details of some of the safeguards for the benefit of hon. Members.

First, new licence applicants can provide a business case to the Environment Agency to support the need for a licence with a longer duration. The agency must have regard to all relevant considerations and if there is a strong business case for a licence longer than 12 years—which is a guideline only, and not set in stone—the agency can take that case into account.

Secondly, as I have stressed on several occasions, the policy presumption is in favour of licence renewal. That was initially set out, as the hon. Member for Leominster (Mr. Wiggin) said, in the Government's policy document, "Taking Water Responsibly" in 1999. If a licence is still required and water is being used efficiently, the licence will be severely curtailed or not renewed only if the activities are causing unacceptable damage to the environment. Indeed, companies will have opportunities to discuss mitigation measures, which, in some cases, may not lead to curtailment. However, the means to curtail or refuse a licence is a powerful tool to enable the Environment Agency to deal with unsustainable extraction of water, as has happened in some cases. Abstractors will be given six years' notice of likely non-renewal or changes in the terms of their licence, which will give them time to find a sustainable arrangement, such as a negotiated solution with the Environment Agency.

As the hon. Gentleman mentioned, rights of appeal to the Secretary of State already exist under the Water Resources Act 1991 in relation to agency decisions on the granting of licences, including licence length and licence revocation or variation. The Bill does not take those rights away. Therefore, rights of appeal exist if abstractors feel aggrieved by the Environment Agency's decision.

Mr. Wiggin: I apologise for missing the first 30 seconds of the Minister's speech. Why is it important that the safeguards that he has just mentioned—I am sure that the industry is grateful for them—are not included in the Bill?

Mr. Morley: To put it in a nutshell, it is to do with the Environment Agency's need for flexibility and the risks of restraint and unforeseen consequences if such requirements are included in the Bill.

Paddy Tipping (Sherwood): My hon. Friend met representatives from the Quarry Products Association and subsequently wrote to its chairman, Lord Sutherland. Where will the Bill leave the quarrying industry? It is right that new licences can be for a longer period. It is also right that the presumption will be that licences will be renewed. However, is it not the case that in only three instances the Environment Agency has been concerned about water abstraction by quarrying and that all were resolved satisfactorily by technical solutions? Can my hon. Friend give the industry an assurance that it will have a long-term future and the opportunity to make long-term investment?

Mr. Morley: My hon. Friend, like my hon. Friend the Member for High Peak (Tom Levitt) and the hon. Member for Somerton and Frome (Mr. Heath), is concerned about quarrying, and I understand that. I believe, of course, that quarrying has a long-term future in this country. The idea of putting points in writing to the Quarry Products Association, after my meetings with members on both sides of the question and with the association, was to clarify formally what is intended in the Bill. It is important to any company or trade organisation to have such clarification, and the industry has what I am saying now, on the official record, and what I said in the letter, which gave the reassurances that the QPA sought. There is a fair degree of flexibility in the Bill for dealing with a range of issues.

There are compensation provisions in the Water Resources Act 1991 for when licence revocation or modification results in loss or damage. Clause 102 of the Bill provides powers to make regulations governing compensation to be paid to any previously exempt abstractor who is not granted a licence or is granted a licence that will constrain his activity when the Bill takes effect. In addition, the Environment Agency has published draft guidance on how it will address the duration and renewal of licences. The agency will review, consult on and reissue that guidance once the Bill has been passed. It will take account of views expressed in Committee and on Report. We believe that the legislation has been framed in such a way as to provide an equitable, flexible and sustainable approach to abstraction licences.

Mr. Heath: The Minister is being very helpful. Will he say something about the relationship, if any, between the Agency's approach to licensing and the minerals plans for specific areas? Is there any correlation between the two? Does he expect one to inform the other?

Mr. Morley: One will inform the other on the planning boundaries and the long-term availability of mineral resources. One of the new clauses suggests that we should link the length of planning permissions to the length of licences. I cannot accept that, and I shall explain why. New clauses 2, 3 and 12 and amendments Nos. 9, 11 and 12 would all limit the Bill's operations and would fetter the Environment Agency's ability to manage our water resources sustainably. They would also fetter the Secretary of State at appeal. That is my concern about them.

There is a question of balance, which has come up a few times. We must recognise the needs of industries that may be affected by our proposals, and we have tried to take them into account. The other side of the balance must be sustainable management. The Bill is about giving the Environment Agency the tools to do its job, and to do it effectively, while still providing the checks and balances on the agency's operations that one would expect in a democratic society. Getting the balance right is the problem, but I believe that it is right in the Bill, right in how we have tried to take account of the legitimate concerns of hon. Members, right in how I have given assurances on the record and in writing, and right in how concerns will be addressed in the Agency's guidelines.

Norman Baker: In what way would new clause 12 fetter decision making? Surely it provides the balance that the Minister wants by containing a presumption that licences will be renewed while setting out conditions under which they may not be.

Mr. Morley: I shall come to that point. I think in a linear way and the hon. Gentleman keeps jumping in and throwing me off my nice linear thought patterns. I assure him that I shall get there, along my linear course, so he should not worry.

New clause 2 would remove from the Environment Agency responsibility for determining the time limit applying to licences granted for de-watering activities. The effect would be to transfer to planning authorities the responsibility for determining a key abstraction licence condition—the duration of an abstraction licence. It is not appropriate for the planning authorities rather than the Environment Agency to have that responsibility. Furthermore, if planning authorities were concerned about possible water problems, they might restrict the length of the permission. The proposal could have that unforeseen consequence.

Mr. Wiggin: The Minister may have missed the point. The whole point of planning is to allow a company to know how long its business will be viable. If the planning authority has to take de-watering into consideration and has to issue planning permission of an appropriate length, investors can look at the situation and decide whether they want to invest in the company. We should not have that certainty under the two-part planning system. The Minister may have put his finger on the nub of the problem but he has not come to the right conclusion.

Mr. Morley: I understand the hon. Gentleman's point although I do not necessarily accept that it is as significant as he thinks. Companies may require different permits for a range of operations. Some permits are annual and some are reviewed and renewed from time to time. I come back to the point about the presumption of renewal, which provides some comfort in relation to long-term planning. As I said, if the business case merits it, the length of the abstraction licence may be greater in some circumstances. The Environment Agency is always consulted about mineral plans, as are mineral planning authorities about catchment abstraction management. There is a link between the two, which relates to the question put by the hon. Member for Somerton and Frome.

Mr. Tyler: The Minister has come to the point about which I asked my hon. Friend the Member for Somerton and Frome (Mr. Heath): if it ain't broke, why fix it? The Minister has just said that the Environment Agency has a proper and effective role, so why must we change it?

Mr. Morley: Because there have been some severe problems. My hon. Friend the Member for Sherwood (Paddy Tipping) is right. Offhand, I can think of only three cases that were resolved. The Environment Agency has been asking for those powers, so the hon. Member for North Cornwall (Mr. Tyler) should not think that everything in the mines sector is problem-free. If people are de-watering, they are abstracting from the aquifer. There may be ways of mitigating that, as the hon. Member for Somerton and Frome pointed out, but it should be within a regime that gives the Environment Agency some tools for managing the process. That is an important general principle in the Bill and I think that it is accepted; we are talking about the detail in certain circumstances. Although I understand the points that are being made, I cannot accept them. I feel that we have addressed the concerns raised in the discussions and that the balance is right.

New clause 3 would introduce two new features, both concerned with the renewal of time-limited licences and both relating only to quarries. Our provisions are intended to create a system for sustainable water resources management that applies to all abstractors. There cannot be a separate regime with one sector being treated differently.

The new clause would provide that compensation be paid to a quarry if a licence was not renewed or if it was curtailed. However, the only reason that a licence for quarry de-watering would not be renewed or would be curtailed would be that there was an environmental problem that could not be overcome. We should not compensate people for causing environmental damage. That is another principle in the Bill: the polluter pays.

The proposal would include the presumption of renewal for mines and quarries as a statutory requirement. It would also introduce, in a well-established statutory decision-making process, a requirement that, where certain conditions were met, the decision would effectively be taken out of the hands of the proper decision-making body—the Environment Agency.

New clause 12, tabled by the hon. Member for Lewes (Norman Baker), would place the presumption of renewal in statute, for all abstractors. My concern is that such a provision would fetter the agency's ability to consider other relevant factors. It is difficult to define in

[Mr. Morley]

a Bill every factor that might arise in sufficient detail for all those cases where the presumption cannot apply. The presumption of renewal reiterates the effective presumption of grant existing at the time of the original application, provided that there is continuing need and that environmental sustainability is not threatened.

4.15 pm

The Environment Agency must have concrete grounds for not granting or not renewing a licence, and its decisions can be challenged by appeal. We have to be careful about including undue restraints in the Bill because one of the considerations that the agency must take into account in renewing a licence is the efficient use of water. The hon. Member for Lewes has not included that in his criteria, as far as I am aware.

Norman Baker: That is covered by environmental sustainability and water abstraction in new clause 12.

Mr. Morley: I accept the hon. Gentleman's assurance that that is his intention, but new clause 12 does not say that. *[Interruption.]* He can imagine how such meanings could be argued over in court. We should be as clear as possible in framing legislation. If it is impossible to deal with every circumstance in relation to the presumption of renewal, there must be flexibility to allow the agency to do its job. That is why it is unwise to stipulate in the way that the hon. Gentleman suggests in new clause 12. It could lead to great difficulties in the future. My worry is that it could tie one hand behind the agency's back, and I would not want that to happen.

Mr. Heath: I am concerned about how the agency can deal with the cumulative effect of a number of permissions on a single aquifer. Each planning permission and each licence may well not have an environmentally unsustainable effect on the aquifer, but the cumulative effect may be unsustainable. In those circumstances and under the Minister's scheme, would the agency be right to cancel all permissions in a given area?

Mr. Morley: The hon. Gentleman goes into hypothetical detail. However, as a rule of thumb, the agency will certainly take into account the cumulative effect of abstraction. If a further application could add to the overall effect of a number of existing licences that would certainly affect whether a new application was granted. Of course, there is nothing new about that—the agency currently operates in that way in respect of its resource management duties—so the existing situation would not change.

Of course, we have powers to direct the agency in how it deals with such issues if it becomes necessary to do so in the light of experience, so the presumption of renewal need not be included in the Bill, as that could be too restrictive. The presumption of renewal exists, as has been emphasised on a number of occasions, and I do so again now, so that there is no doubt or argument about it.

Amendments Nos. 9 and 11 would impose particular considerations in specifying the expiry date of a licence. Incorporating criteria, such as fixed duration, or the need to relate licences to asset-lifetime criteria could have the effect of overriding other criteria, not least environmental considerations. So those amendments are unacceptable.

Amendment No. 12 would significantly limit the ability of the agency to refuse to renew a licence to the very narrow set of circumstances set out in that amendment. It would remove the tests to ensure whether water continues to be used efficiently or is still required. The hon. Member for Lewes says that such things are covered by sustainability, but there could be argument about that.

I come now to amendment No. 10. I met representatives of mineral water companies, and I understand their concerns about what might happen if someone wishes to construct a borehole adjacent to the site of their existing abstraction licence. Of course, existing licence holders do have protected rights in respect of quantities. I realise that the hon. Member for Leominster (Mr. Wiggin) is concerned that boreholes might affect the chemical composition of the water, and I pointed out in my discussions with mineral water companies that I would ask the agency whether it could take such issues into account. However, there are real problems. The agency does not have a duty to take into account the effect of boreholes on the mineral composition of water. The agency's duty relates simply to quantities, so amendment No. 10 would not have the effect that the hon. Gentleman argues for. Moreover, there would be real technical problems. The greater protection is on the quantities and on the rights of existing licence holders. As has rightly been stated, there is deregulation under a certain threshold, but if a problem arose the threshold could be lowered.

Amendment No. 24 would restrict the Secretary of State's ability to direct the agency to apply for a threshold order under new section 27A of the Water Resources Act 1991. The Secretary of State would be able to exercise this power only in relation to issues of national importance. The power to intervene, exceptional as it is, may be used to make changes to reflect important national policy matters, but it could also be used in respect of matters on which the agency had yet to have the opportunity to take action. To enable full accountability between the Secretary of State and the agency, it is necessary to have the ability to intervene in unforeseen circumstances, which may encompass wider issues than those of national importance. Again, we must ensure that the agency has flexibility.

Amendment No. 25 deals with advertising regulations—a matter to which Members did not give a great deal of attention—and amendment No. 4 is concerned with protected rights. There seemed to be some confusion in Committee about the question of the time limit, and I must make it clear that we are talking about protected rights, not the right to abstract. Clause 17 preserves the protected right of those abstractors who no longer require a licence as a result of the Bill's various deregulatory measures—in other words, those who are below the current threshold. But where the right to abstract is not exercised, the protected right may lapse after four years, or—as was rightly pointed out—after another such period, as agreed by the agency. The intention is to prevent any unused abstraction rights from blocking access to water resources by preventing

the issuing of new licences. But I must stress that that the loss of a protected right after four years does not prevent an abstraction from taking place. Unlicensed abstraction can continue lawfully at any time because it is below the threshold; it is simply the status of the abstraction that changes.

Amendment No. 4 seeks to change the period from four years to six years—an issue that was discussed in Committee. We believe that the proposed normal four-year period achieves a balance between the needs of an abstractor for the resources that they have a right to abstract, and the needs of other licence applicants, and, of course, of the environment.

Clause 24 introduces the right to sue an abstractor who causes damage. Abstractors will therefore need to remain alert to the possibility that they are harming others, if they are to avoid being subject to claims for damages. That will ensure that the law on water abstraction is entirely consistent with long-established rules in other areas—for example, the requirement for property owners and other occupiers or users of land to respect the interests of their neighbours. I understand what the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) said about the concern that that might lead to some house owners taking action. She gave an example of people in the watercress industry, and amendment No. 126 would provide a restricted definition of loss or damage. Different rules would apply to loss or damage under these provisions compared to the usual principles that apply to other cases.

Although the most common type of damage will be tangible damage to property, people who have suffered kinds of otherwise recoverable harm should have the ability to obtain the appropriate compensation. However, if the hon. Lady thinks that that might provide an excuse for someone to take legal action because they might argue that the water flow in the stream outside their house has devalued their property because it is on the waterside, I assure her that that is not the intention of clause 24. Just like anything else, such a case would have to be made in a court of law, and our legal advisers inform me that it would be very difficult to make such a case. In the end, it is for the court to decide, but it is not the Bill's intention to provide such a right. The Bill simply intends to put in place provision for similar rights to apply in similar circumstances so that there is consistency. I do not believe that it will necessarily bring about major changes.

I think that I have covered the main points that have not unreasonably been raised. I hope that I have addressed those points in a serious and detailed manner and provided reassurance to Members who have spoken on behalf of companies in their constituencies. I emphasise that we take such points seriously and are seeking to address them as far as possible as we seek a balance between sustainable management, the powers of the Environment Agency and the rights of abstractors.

Mr. Wiggin: The Minister was correct when he said that he had addressed these important and well made points.

Will the Minister consider a suggestion about the letter that he sent to the chairman of the quarrying industry? I accept that the Minister is worried about putting the contents of that letter in the Bill, and he made very clear the reasons for his not doing so. However, is there anything more that we can ask him to do to clarify the contents of the letter? I suggest that putting a copy of the letter in the House of Commons Library might be the easiest way of allowing everyone to see its contents. *[Interruption.]* There is some nodding in the distance. I hope that that is a positive sign.

We talked about the presumption of renewal being needed in the Bill. The Minister says, "No, I do not agree on that one." We also talked about contamination affecting the bottling sector.

Mr. Morley: Although the letter was written to a third-party organisation, I confirm that, as far as we are concerned, it is a matter of public record. I am quite sure that we can arrange to put a copy in the Library.

Mr. Wiggin: I am delighted by that good news. It is a positive response and I know that many people have worked hard to obtain such assurances from the Minister. I am grateful to him for allowing everyone to see the letter's contents by putting a copy in the House of Commons Library.

To return to the point that I was about to make about bottling rights, the Environment Agency is responsible for the quantities abstracted but not for the quality. I completely accept and understand that, but I was not so happy with what the Minister said about the contamination effect. Although in most cases this would not happen, drilling into an aquifer can have a negative effect and pollution might reach the public through bottled water. I accept that many checks and balances are in place.

Mr. Morley: I want to make it clear that although the principal consideration is quantity, quality and the potential for pollution are other criteria that the agency must take into account. Whether there is potential for pollution is an important consideration in whether a licence is granted.

4.30 pm

Mr. Wiggin: I am clearly on a roll today because the Minister is being very helpful.

The Environment Agency must also be responsible for environmental impact and if that is manifested by pollution, it should be responsible for that, whether it wants to be or not. Pollution causes environmental damage, so it does not matter how it occurs. The agency should examine its remit on the damage of aquifers carefully. I am also grateful to the Minister for touching on protected rights.

The majority of what the Minister said was extremely helpful. I am grateful for his words and the letter that he will put in the Library, but we do need to amend the Bill somewhat.

Question put, That the clause be read a Second time:—

The House divided: Ayes 132, Noes 318.

Division No. 354] **[4:30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Burns, Simon
Burt, Alistair
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Maliins, Humfrey
Maples, John
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Yeo, Tim *(S Suffolk)*

Tellers for the Ayes:
Mr. Mark Francois and
Mr. John Randall

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allan, Richard
Allen, Graham
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barnes, Harry
Barrett, John
Beard, Nigel
Beckett, rh Margaret
Bell, Stuart
Bennett, Andrew
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hamilton, David *(Midlothian)*
Hanson, David
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David

Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moore, Michael
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Noes:
Gillian Merron and
Ms Bridget Prentice

Question accordingly negatived.

Clause 1

LICENCES TO ABSTRACT WATER

Amendment made: No. 54, in page 2, leave out lines 6 and 7 and insert—

'(i) transferring water to another source of supply; or

(ii) transferring water to the same source of supply, but at another point, in the course of dewatering activities in connection with mining, quarrying, engineering, building or other operations (whether underground or on the surface),

—in either case without intervening use (a "transfer licence");'.—*[Mr. Morley.]*

Clause 2

RESTRICTIONS ON IMPOUNDING

Amendment made: No. 55, in page 3, line 19, leave out ' "relevant' and insert ' "the relevant'.—*[Mr. Morley.]*

Clause 3

EXISTING IMPOUNDING WORKS

Amendments made: No. 56, in page 4, line 6, leave out paragraph (a).

No. 57, in page 4, line 8, leave out 'such notices' and insert

'notices of appeal under subsection (4)'.

No. 58, in page 4, line 39, leave out 'otherwise,' and insert 'in relation to England,'.—*[Mr. Morley.]*

Clause 10

ORDERS UNDER SECTION 33 OF THE WRA, ETC

Amendment made: No. 59, in page 13, line 34, leave out 'be taken to continue' and insert 'continue to be taken'.—*[Mr. Morley.]*

Clause 15

GENERAL CONSIDERATION OF LICENCE APPLICATIONS

Amendments made: No. 60, in page 18, line 42, at end insert 'or a transfer licence'.

No. 61, in page 19, line 1, leave out 'full licence' and insert

'licence of the same type'.—*[Mr. Morley.]*

Clause 17

PROTECTED RIGHTS

Amendments made: No. 62, in page 20, line 20, leave out 'is taken to continue' and insert 'continues to be taken'.

No. 63, in page 20, line 23, leave out

'(subject to subsection (11) of that section)'.

No. 64, in page 20, line 25, leave out 'is taken to continue' and insert 'continues to be taken'.

No. 65, in page 20, line 28, leave out 'is taken to continue' and insert 'continues to be taken'.

No. 66, in page 20, line 36, leave out

'that quantity or, if lower,'.

No. 67, in page 20, leave out lines 38 to 44 and insert—

'(3) The maximum quantity is the lower of the following—

(a) twenty cubic metres;

(b) if, by virtue of an order under section 27A(1) above, section 27(1) above has, or has ever had, effect in relation to the source of supply and point of abstraction in question as if it referred to a quantity lower than twenty cubic metres, that lower quantity (or, if more than one, the lowest of them.'.

No. 68, in page 21, line 18, leave out 'other provision mentioned in' and insert

'provision mentioned in paragraph (a), (c), (d), (e) or (f) of'.

No. 69, in page 21, line 29, leave out 'be taken to continue' and insert 'continue to be taken'.

No. 70, in page 21, line 32, leave out 'be taken to continue' and insert 'continue to be taken'.

No. 71, in page 21, line 45, after 'or', insert 'abstractions'.

No. 72, in page 21, line 48, leave out 'subsection (8)' and insert 'subsections (8) and (9)'.—*[Mr. Morley.]*

Clause 19

FORM, CONTENTS AND EFFECT OF LICENCES

Amendments made: No. 73, in page 23, line 13, leave out '(4)' and insert '(4A)'.

No. 74, in page 23, line 33, at end insert—

'(4A) In subsection (7), for "or by different means" there is substituted ", by different means or for different purposes".'.—*[Mr. Morley.]*

Clause 23

TRANSFER AND APPORTIONMENT OF LICENCES

Amendments made: No. 75, in page 27, line 45, after 'licence', insert

'other than a temporary licence'.

No. 76, in page 28, line 21, leave out

'it is proposed he be permitted'

and insert 'he proposes'.

No. 77, in page 28, line 24, leave out

'it is proposed he be permitted'

and insert 'he proposes'.

No. 78, in page 28, line 25, leave out from 'which' to 'abstract' in line 26 and insert

'those persons referred to in paragraph (a) above who would require a new licence granted under subsection (5) below would'.

No. 79, in page 28, line 30, leave out

'those persons would be permitted to'

and insert

'that the persons referred to in paragraph (a) above would'.

No. 80, in page 29, line 36, leave out 'of four years' and insert

'mentioned in subsection (11A) below'.

No. 81, in page 29, line 40, at end insert—

'(11A) The period referred to in subsection (11)(a) above is—

(a) four years; or

(b) if the abstractions authorised under the old licence were abstractions planned to be carried out at intervals of more than four years, or abstractions for emergency purposes only, such longer period as the Agency may determine on the application of the person in question.'.

No. 82, in page 29, line 42, leave out from 'treated' to end of line 45 and insert—

'(a) as if it had been granted at the time the old licence was granted; and

(b) as if it and any other new licence granted by virtue of the relevant apportionment notice had been granted in place of the old licence.'.—*[Mr. Morley.]*

Clause 24

CLAIMS ARISING OUT OF WATER ABSTRACTION

Amendments made: No. 83, in page 31, line 15, leave out second 'loss or damage'.

No. 84, in page 31, line 16, after 'and', insert 'is loss or damage'.—*[Mr. Morley.]*

Clause 27

WITHDRAWAL OF COMPENSATION FOR CERTAIN REVOCATIONS AND VARIATIONS

Amendment made: No. 85, in page 33, line 18, after 'WRA', insert

'(which provide for the Secretary of State to direct the Environment Agency to revoke or vary a licence in certain circumstances)'.—*[Mr. Morley.]*

New Clause 5

REGULATORY METHODOLOGY

'After section 2 of the WIA there is inserted—

"2B Regulatory methodology

(1) The Authority shall prepare and publish a statement of policy with respect to its determination of charges in periodic reviews and interim determinations under all or any of the instruments of appointment of companies as relevant undertakers made by virtue of Part 2 of this Act.

(2) The Authority's statement of policy under this section shall include a statement of its policy with regard to the following matters—

(a) the carrying out of its duties under this Act insofar as they relate to its determination of charges;

(b) the matters to be taken into account and the methodologies to be applied in its determination of charges; and

(c) the extent to which the performance of functions by persons with powers and duties conferred or imposed by or under this Act or any other enactment are relevant to its determination of charges.

(3) The Authority shall determine charges in periodic reviews and interim determinations under a company's instrument of appointment as a relevant undertaker on the basis of the most recently published statement of policy.

(4) The Authority may revise its statement of policy and where it does so shall publish the revised statement.

(5) Publication under this section shall be in such manner as the Authority considers appropriate for the purpose of bringing the matters contained in the statement of policy to the attention of persons likely to be affected by them and shall not be made less than twelve months before a periodic review.

(6) When preparing or revising its statement of policy under this section, the Authority shall consult relevant undertakers and such other persons as it considers appropriate, subject to the requirements of subsection (7) below.

(7) For the purposes of subsection (6) above—

(a) consultation shall be by way of written notice given by the Authority not less than six months prior to the publication of the statement of policy which it is preparing or revising;

(b) such notice shall state—

(i) the matters which the Authority proposes to publish in its statement of policy and its reasons for including them in the statement; and

(ii) a period of not less than three months within which that person may give written notice of objection with respect to the matters referred to in the notice; and

(c) the Authority shall give each person a reasonable opportunity to make oral representations to it on the matters referred to in the notice.

(8) The Authority shall not issue or publish a statement of policy unless—

(a) no notice of objection to the policy is given to the Authority within the time period specified in its notice under subsection (7); or

(b) if one or more relevant undertakers gives notice of objection to the Authority within that time—

(i) the proportion (expressed as a percentage) of the relevant undertakers who have given notice of objection is less than such percentage as may be prescribed; and

(ii) the percentage given by subsection (9) is less than such percentage as may be prescribed.

(9) The percentage given by this subsection is the proportion (expressed as a percentage) of the relevant undertakers who have given notice of objection, weighted according to their market share in such manner as may be prescribed.

(10) If the conditions referred to in subsection (8) are not met, the Authority shall (within three months of its receipt of the first or only notice of objection) refer the policy to the Competition Commission for review.

(11) Where a reference is made to the Competition Commission under this section, it shall be the duty of the Competition Commission to determine whether the policy which is the subject of the reference operates in a manner best calculated to fulfil the duties of the Authority arising under this Act.

(12) Where a reference is made to the Competition Commission under this section, the Authority shall not prepare or revise its statement of policy other than on the basis of the determinations of the Competition Commission.

(13) The Secretary of State may by regulations make such provision as he considers appropriate for regulating the procedure to be followed with respect to any reference to the Competition Commission under this section.

(14) Without prejudice to the generality of the power conferred by subsection (13) above, regulations under that subsection may, in relation to any such reference, apply (with or without modifications) the provisions of any enactment relating to the references to the Competition Commission under the provisions of this Act, the Fair Trading Act 1973 or the Competition Act 1988.".'.—*[Mr. Wiggin.]*

Brought up, and read the First time.

Mr. Wiggin: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss the following:

New clause 6—*Health and Safety Commission*—

'After section 2 of the WIA there is inserted—

"2A Health and Safety Commission

(1) The Secretary of State, the Assembly and the Authority shall from time to time consult the Health and Safety Commission, and relevant undertakers, about all safety matters which may be relevant to the carrying out of any of their and relevant undertakers' respective functions under this Act.

(2) The Secretary of State, the Assembly and the Authority shall, in carrying out their functions under this Act, take into account any advice given by the Health and Safety Commission about any safety issue, whether or not in response to consultation under subsection (1).".'.

New clause 7—*Appeals against enforcement orders*—

'(1) Section 21 of the WIA (validity of enforcement orders) is amended as follows.

(2) At the end of paragraph (a) of subsection (1), there is omitted the word "or".

(3) After paragraph (b) of subsection (1), there is added—

"(c) that the making or confirmation of the order was based on an error of law or fact; or

(d) that in the circumstances of the case, the making or confirmation of the order was not reasonable."

(4) For subsection (2) there is substituted—

"(2) On any such application, the High Court may, if satisfied that any of the grounds set out in subsection (1) above are proved—

(a) quash the order or any provision of the order; or

(b) vary the whole of the order, or any part of the order whether the application relates to that part of the order or not.".'.

New clause 10—*Duty to carry out regulatory impact assessments*—

'After section 5 of the WIA there is inserted—

"5A Duty to carry out impact assessments

(1) This section applies where—

(a) the Authority is proposing to do anything for the purposes of, or in connection with, the carrying out of its functions; and

(b) it appears to it that the proposal is important;

but this section does not apply if it appears to the Authority that the urgency of the matter makes it impracticable or inappropriate for it to comply with the requirements of this section.

(2) A proposal is important for the purposes of this section only if its implementation would be likely to do one or more of the following—

(a) to involve a major change in the activities carried on by the Authority;

[Mr. Deputy Speaker]

(b) to have a significant impact on persons carrying on business in the markets for any of the services and facilities in relation to which the Authority has functions; or

(c) to have a significant impact on the general public in England and Wales or in a part of England and Wales.

(3) Before implementing its proposal, the Authority must either—

(a) carry out and publish an assessment of the likely impact of implementing the proposal; or

(b) publish a statement setting out its reasons for thinking that it is unnecessary for it to carry out an assessment.

(4) An assessment carried out under this section—

(a) may take such form, and

(b) must relate to such matters,

as the Authority considers appropriate.

(5) In determining the matters to which an assessment under this section should relate, the Authority must have regard to such general guidance relating to the carrying out of impact assessments as it considers appropriate.

(6) Where the Authority publishes an assessment under this section—

(a) it must provide an opportunity of making representations to it about its proposal to members of the public and other persons who, in the Authority's opinion, are likely to be affected to a significant extent by its implementation;

(b) the published assessment must be accompanied by a statement setting out how representations may be made; and

(c) the Authority is not to implement its proposal unless the period for making representations about it has expired and it has considered all the representations that were made in that period.

(7) Where the Authority is required (apart from this section)—

(a) to consult about a proposal to which this section applies, or

(b) to give a person an opportunity of making representations about it,

the requirements of this section are in addition to, but may be performed contemporaneously with, the other requirements.

(8) Every report under section 192B must set out—

(a) a list of the assessments under this section carried out during the financial year to which the report relates; and

(b) a summary of the decisions taken during that year in relation to proposals to which assessments carried out in that year or previous financial years relate.

(9) The publication of anything under this section must be in such manner as the Authority considers appropriate for bringing it to the attention of the persons who, in the Authority's opinion, are likely to be affected if its proposal is implemented.".'.

Amendment No. 19, in schedule 1, page 135, line 8, after 'chairman', insert ', a chief executive'.

Amendment No. 29, in page 135, line 8, leave out 'and'.

Amendment No. 20, in page 135, line 8, leave out 'at least two' and insert 'no fewer than three'.

Amendment No. 30, in page 135, line 9, at end insert

'and one other member appointed by the National Assembly for Wales'.

Amendment No. 21, in page 135, line 9, at end insert—

'(1A) Including the chairman, the majority of members of the Authority shall be nonexecutive members.'.

Amendment No. 31, in page 135, line 24, after 'State', insert

'or the National Assembly for Wales in the case of a member appointed by the Assembly'.

Amendment No. 14, in page 136, line 15, at beginning insert—

'(1) The Secretary of State shall, after consulting the chairman and the Assembly, appoint a person (who may, subject to subparagraph (2), also be a member of the Authority) to act as chief executive of the Authority on such terms and conditions as the Secretary of State may think appropriate.

(2) A person appointed as chief executive may not at the same time be a chairman.'.

Amendment No. 18, in clause 38, page 42, line 20, at end insert—

'(2A) That description must include, so far as the Authority believes it to be relevant for the financial year in question, a statement concerning how the Authority intends thereby to meet its objectives and duties.'.

Amendment No. 127, in clause 41, page 48, line 34, after 'research', insert 'and regulatory impact assessment'.

Amendment No. 128, in page 48, line 47, at end insert

'and

(b) a regulatory impact assessment of his proposals to be carried out for the purpose of assessing the likely quantitative and qualitative environmental, public health, economic and social impacts of his proposals.

(7A) The Secretary of State shall not proceed with any proposal for the making of regulations under subsection (4) above where it is apparent from the regulatory impact assessment carried out under subsection (7)(b) above that the adverse effects of the regulations would outweigh their benefit.'.

Amendment No. 129, in clause 42, page 50, line 17, after 'research', insert 'and regulatory impact assessment'.

Amendment No. 130, in page 50, line 30, at end insert

'and

(b) a regulatory impact assessment of his proposals to be carried out for the purpose of assessing the likely quantitative and qualitative environmental, public health, economic and social impacts of his proposals.

(7A) The Secretary of State shall not proceed with any proposal for the making of regulations under subsection (4) above where it is apparent from the regulatory impact assessment carried out under subsection (7)(b) above that the adverse effects of the regulations would outweigh their benefit.'.

Government amendments Nos. 87 to 89.

Amendment No. 22, in schedule 4, page 174, line 35, leave out from 'which' to end of line 39 and insert 'represents either—

(a) the amount which the water undertaker—

(i) reasonably expected to recover from relevant customers; but

(ii) is unable to recover from those customers as a result of their premises being supplied with water by the licensed water supplier; or,

(b) the amount which represents the costs incurred by the water undertaker in carrying out its functions insofar as they are—

(i) directly related to the customer in question, or

(ii) represent an allocation of the water undertakers' fixed costs,

as the Authority may in any case determine.

(3A) The Authority may, in determining the appropriate amount for the purposes of subsection (3) above, take account of the benefits to consumers of determining an amount which promotes competition in wholesale water supply by secondary water undertakers.'.

Government amendments Nos. 123, 107 and 110.

Mr. Wiggin: The new clause would require the water services regulation authority to publish a statement of policy on its determination of charges. The statement would have to include how it had carried out its duties, the applied methodology and the extent to which functions had been performed. Six months before publishing the statement of policy, the authority would also have to consult relevant undertakers about the determination of charges, which would allow each relevant person the opportunity to make an oral representation on any objections. If the authority did not meet such conditions as are laid out in proposed subsection (8), the policy would be referred to the Competition Commission for determination. The new clause would hold the authority accountable for publishing its intentions of determined charges in order to make the process more open, transparent and inclusive for the water industry.

New clause 6 seeks to ensure that health and safety is maintained in the functioning of all relevant water bodies and undertakers by regular monitoring. That would be carried out through consultation between the Secretary of State, the National Assembly for Wales, the authority and the Health and Safety Commission. The Secretary of State, the Assembly and the authority must take on board any advice given about any safety issue in carrying out their functions. I am concerned that the Bill does not address safety carefully enough, but the new clause would ensure that it does so.

New clause 7 seeks to expand the appeals mechanism through which water undertakers can challenge enforcement orders. Any enforcement order proved to be an error of law or unreasonable, where that is agreed by the High Court, will either be quashed or varied so that it is correct. As the Bill stands, there are not enough provisions for appeal against enforcement orders. New clause 7 would make the arrangements fairer by allowing affected businesses to continue their work if there is an unreasonable or unlawful confirmation of order.

Amendment No. 14 follows best practice in regulatory structures by seeking to ensure that the chairman and chief executive of the water services regulation authority cannot be the same person. I am concerned that combining the posts would give one person too much power over regulation of the water industry, which could be dangerous and which the Bill addresses. A wider range of options is surely more desirable—after all, the Environment Agency separates the posts. In Committee, the Minister said that he would consult the Secretary of State to provide on Report clear guidelines on the exact structure of the procedure and on the views of the Welsh Assembly. I look forward to hearing about that. The amendment would ensure more open, diverse and discursive procedures in the structure of the water services regulation authority—for the good of not only the industry, but the consumer, whom I am, as usual, keen to protect.

Amendment No. 17 reflects my concern that although the new consumer council's access to information about licensed water suppliers is welcome, the availability of that information is too restricted. At present, the Secretary of State has the power to make regulations prescribing circumstances in which water companies or suppliers may refuse the council information. We are worried that there will be fewer duties to provide information than under the Freedom of Information Act 2000. The criteria by which a request for information can be refused should be in the Bill. Up-to-date information is essential if the council is to act in the best interests of consumer protection. As consumers have no choice of supplier in the first place, they should be able to access information to resolve any problems. My amendment would enable the council to publish information if the benefit to the consumer was greater than the prejudicial effects on the interests of the body. Moreover, it reflects the view of the consumer council for water, which welcomes an independent consumer council, but wants the Bill to ensure that it has the right powers and resources to improve consumers' representation.

Mr. Andrew Lansley (South Cambridgeshire): I am grateful for the opportunity to speak to new clause 10 and the other amendments in my name. The Minister will be familiar with the arguments that surround them, although in some cases I have tried to draft them more accurately—and perhaps more acceptably, from the Minister's point of view—to reflect my intentions.

New clause 10 would require that where the water services regulation authority undertakes something of significance in relation to the industry and water undertakers, and where it is not a matter of urgency, it is under an obligation to carry out and to publish regulatory impact assessments. I shall not dwell on the subject of what those should cover, but hon. Members will note that subsection (5) of the new clause would require the authority to

"have regard to such general guidance relating to the carrying out of impact assessments as is considered appropriate."

That would include the Cabinet Office guidance that was updated in the latter part of last year. There have been some helpful innovations in respect of regulatory impact assessments, not least the inclusion of a competition assessment. The quality of such documents is a matter of continuing debate that I shall not explore further. It is important, however, that regulators should themselves have regard to the impact assessment process.

The text of the new clause is modelled directly on section 7 of the Communications Act 2003, reflecting the duty that the Government properly laid on that sector's new regulator—Ofcom—to undertake regulatory impact assessments. I cannot see why there should be a distinction between the manner in which Ofcom is to undertake its responsibilities as a new regulator and the manner in which the new water services regulation authority is to do so. I am therefore—perhaps over-optimistically—hopeful that the Minister will say, "Thank you very much", and agree to it.

Amendment No. 19 would insert into schedule 1 the provision that the new water services regulation authority should have not only a chairman, but a chief executive—with the implication, of course, that they

[Mr. Andrew Lansley]

should be two separate people. That is in line with current regulatory best practice. It is also increasingly regarded as best practice in the corporate sector. Although I do not suggest that everything in the Higgs report is right, the importance of distinguishing between the roles of chairman and chief executive did not cause great controversy.

It is important for business to distinguish between the person who is responsible for strategy and the person who has responsibility for the body's executive functions. It is even more important for regulatory bodies. As my hon. Friend the Member for Leominster (Mr. Wiggin) suggested, there is a danger—it is not theoretical; it has been demonstrated in the past—that a regulator who is one person can be the subject of speculation about personal views and, when a new regulator is appointed, about the way in which the policy will change simply as a consequence of a change of personality.

We cannot remove the problem entirely but the Better Regulation Task Force's report on economic regulators said that it was desirable to move away from having the regulator as one person and that an element of greater regulatory certainty was introduced if the regulator was perceived as a corporate body rather than a personality. We are moving towards the water services regulation authority being a corporate body by looking to an authority rather than a single person such as the director general. It is no reflection on Philip Fletcher as the director general of the Office of Water Services and the way in which he has done his job that all regulators are moving in that direction. It is a retrograde step to reintroduce speculation by combining in one person the role of chairman and chief executive. If I remember rightly, the new combined code for companies reflects the desirability of distinguishing between the role of chairman and chief executive.

Amendments Nos. 20 and 21 would establish that a majority of the new authority should be non-executive members. Amendment No. 20 would establish that, in addition to the chairman and chief executive, there should be a minimum of three additional members, thus making a minimum of five and rendering practical a non-executive majority in an authority of five. Again, that is in line with best practice in corporate governance terms in the companies sector and is reflected in the structure of most regulators, including, to give a recent example, Postcomm.

Paddy Tipping: The hon. Gentleman rehearses arguments that we had in Committee. He and the Minister will recall that voices from all parties in Committee called for best practice. Amendments Nos. 19, 20 and 21 reflect good practice. Although there is no need for the Minister to change the Bill, he gave an undertaking in Committee to reflect on the points that were made and give us more information on Report.

Mr. Lansley: The hon. Gentleman is right. In Committee, he suggested that I should quit while I was ahead. Having engaged his support, if I may interpret his remarks in that way, I shall quit while I am ahead on the amendments. It is in the nature of things that we have to table the amendments again to stimulate the debate. As the hon. Gentleman says, the Bill does not have to look different to produce a different outcome in the composition of the authority. I hope that when the Minister replies to the debate, we may have some good news from him. On the assumption that I am quitting while I am ahead, I shall keep moving and hope that I can win again. I appreciate that I have not won yet, but I hope to do so.

Amendment No. 18 would take account of the fact that when the Better Regulation Task Force considered economic regulators, its recommendations reflected the fact that several regulators had been given a range of additional objectives and statutory duties that could at times come into conflict. At that time, that was not true of the director general of water services. However, we are now incorporating into the legislation some additional objectives and duties for the new water services regulatory authority—not least in relation to the pursuit of consumers' interests whenever appropriate through competition, and to environmental and social objectives.

5 pm

At the time, the Better Regulation Task Force said that that could create uncertainty for industry, which would be inherently undesirable. We want regulation to be predictable whenever possible, and we therefore want any possible conflicts of interest within the statutory objectives of the regulator to be interpreted in a way that is relatively predictable for the industry. The taskforce recommended that this should be done each year through the business plan of the authority concerned. In this case, the authority describes its business plan as its forward work programme, and clause 38 contains a number of provisions relating to the forward work programme of the authority. It does not, however, include an obligation to set out in the programme how the authority intends to reconcile its objectives and duties. That is an omission in comparison with the legislation that we passed last year on the establishment of Ofcom, which does have such explicit obligations built into its structure. I hope that the Minister will be able to look positively at this issue.

The purpose of amendment No. 22 is to reflect regulatory practice among a number of regulators when considering the question of access pricing. I will not bore the House on this subject in the manner in which I detained and bored the Committee. I will simply say that, in recent examples, other regulators looking at access pricing for the purpose of stimulating competition have taken different views on how that should be done. The different approaches can be characterised either as a retail-minus or a cost-plus approach. The former looks at the retail price of what has been a monopoly undertaking and subtracts from it the avoidable costs of providing the service to customers, which is to be substituted for by a new entrant to the marketplace, and to say to that new entrant, "It is your responsibility to ensure that the amount paid to the monopoly or statutory undertaking is the equivalent to the amount that it would have expected, less the avoidable costs."

The cost-plus approach says, "Let us find out the costs to the statutory undertaking of providing the service to the new entrant, and, through the new entrant, to the customer." Of course, that triggers a debate about

what costs are properly attributable. Members who are interested in this subject will find exactly that kind of debate taking place in the current Postcomm decision about access pricing to the Royal Mail network, where they will find a full discussion of the subject. It is therefore a matter of debate as to what extent the fixed overheads of the statutory undertaking are attributed to the new entrant or, via the new entrant, to the customer. That is why I have tried to make life simpler than it was in Committee by restructuring my proposals.

Amendment No. 22 is therefore very straightforward. It incorporates in paragraph (a) the structure that reflects the legislation as it is currently drafted, which takes the retail-minus approach. Paragraph (b) contains a simple description of a cost-plus approach. In addition, however, I have added sub-paragraph (3A), which would provide the authority with a discretionary power to determine which of those approaches to pricing the authority may use, and, in doing so, to take into account the effects of such a decision on competition. The Minister and other Members who served on the Committee will recall that I was very concerned that the structure of pricing that has been written into the Bill will make the reality of competition far less than it ought to be, even in the limited industry to which competition is to be applied.

Mr. John Redwood (Wokingham): Does my hon. Friend agree that when challenges have been proposed, they have normally resulted in a 10 to 20 per cent. proposed reduction in water supply prices? That does not sit easily with the monopolists' view that they need a price increase. How might the matter be dealt with under the formula that my hon. Friend suggests? The monopolists will clearly say that they can only offer the price because they are cherry-picking, while the challengers will say that it is because they are more efficient.

Mr. Lansley: At least two mechanisms will operate. There is the extent to which the regulator can deliver price reductions as a consequence of regulatory contestability, and there is the actual impact of competition. My right hon. Friend and I will probably have no trouble in agreeing that regulatory proxies of contestability have proved only modestly successful in comparison with the benefits of competition in delivering cost and thereby price reductions to consumers.

My right hon. Friend's point about a 10 to 20 per cent. reduction is an indication—a modest indication—of what has often been delivered by the introduction of competition. I well remember that when BT introduced competition, certain people who had better be nameless were willing to go to the wall for the defence of the retail prices index formula, claiming that if the reduction went below RPI minus 1 the world as we know it would cease to exist. In fact I think the telecommunications formula reached RPI minus 12 within a few years.

I do not know what degree of cost reduction is available in this case. As we said a number of times in Committee, the actual cost of water in relation to the cost of the fixed infrastructure that the undertaker will have to continue to maintain is very low. That means that it will be difficult to find opportunities for competition to deliver a margin to new entrants to the marketplace while also delivering a benefit to consumers. That is one reason why the amendment is needed, especially in relation to determining the appropriate amount for access pricing by reference to the need for competition. Otherwise I think it will be squeezed out. If the primary undertakers are to receive the amount they expected, less identified and avoidable costs—which constitute a very small part of the overall price to customers, even the very large customers who will be the subject of competition—it will be difficult for secondary suppliers to enter the marketplace and deliver a margin against that.

I am grateful to my right hon. Friend for his intervention, which has allowed me to extend the argument a little. This is not just about offering the authority the flexibility that it ought to have in relation to access pricing; we should also provide a statutory power to help the delivery of competition. As I said in Committee, I am surprised that having talked of the introduction of competition, the Government have framed the Bill in a way that makes it extremely unlikely that it will be effective. It is important for us to challenge that now.

The benefit of the cost-plus route, as opposed to the retail-minus route taken by the Bill in its present form, is that it would expose the costs of primary water undertakers. In the case of Royal Mail, the principal difficulty for the new regulator was the lack of any accurate attribution of costs, or even an understanding of them, in the Post Office on which prices could be based. If the calculation had been made on a retail-minus basis, all the inaccuracies and inflationary elements of costs would have been set in stone, and Royal Mail's management would not now be having to deal with them.

I have gone on longer than I intended to, but that often happens when we discuss access pricing. It is not everybody's cup of tea, but it is terrifically important. It may be hidden away in schedule 4, but in the absence of amendment, I fear that one of the main objectives of the Bill will be damaged.

Sue Doughty (Guildford): I shall speak first about Liberal Democrat amendments Nos. 127 to 130, then comment on new clause 5.

Our amendments reflect our concern to ensure that any new standards are based on common sense and that there are no unforeseen results. The Bill gives the Secretary of State the power to introduce new standards of performance in water supply and sewerage services for water companies. Until now, standards of performance have been set either by legislation—for example, on drinking water or bathing water quality—or by the director general of water services. In making recommendations, the director general has to strike a balance between the duties given to him by Parliament towards present and future customers. Within the limits of those powers, the director general has been independent of short-term political pressures.

We are worried because the proposals in the Bill infringe both the independence of the authority that will replace the director general of water services and the principle of parliamentary supremacy in setting the framework for water industry regulation. The proposals risk imposing unwarranted costs on customers in

[Sue Doughty]

pursuit of standards of performance set in accordance with short-term political pressures. It is not realistic to expect the proposals on standards of performance to be deleted outright; instead, there should be a duty on the Secretary of State when setting those standards to carry out a full appraisal of the standards and to implement them only if the benefits outweigh the costs.

Mr. Redwood: Can the hon. Lady explain what the Secretary of State and the regulator should do in the event that, say, the quantitative evaluation is positive, but adverse qualitative matters have to be taken into account? If not all the factors are quantified, how are they to form a judgment?

Sue Doughty: We should be examining the cost of changes. There are times when we have to consider standards, sustainability, regulation and other aspects of change, but in cases in which those aspects are neutral and the costs of minor changes outweigh the benefits, we want the Secretary of State to take a view. We do not want a change that will cost an arm and a leg to implement but will bring about no real benefit. Perhaps the Secretary of State has taken a view on public health or on the environment and minor changes are proposed, but the cost of those changes far outweighs the benefit. We are therefore concerned about the regulatory impact assessment. Our aim is to ensure that the Secretary of State takes account of such matters. We want to ensure that unrealistic costs are not placed on water companies and thereby on their customers, and that the checks and balances are determined by Parliament.

We were inclined to support new clause 5, but we have some concerns, in particular about proposed new subsections (8) and (9), which refer to percentages of the relevant undertakers that have to be in agreement. A policy must be considered in the light of the number of objectors

"weighted according to their market share in such a manner as may be prescribed."

The nature of the water industry is such that a small number of companies control the largest market share. The result may be a policy that is skewed in favour of a few companies, as the proposals would allow them to club together to oppose the authority's proposals on a policy statement. We fear that some of the regulatory teeth would thereby be removed.

Mr. Wiggin: I am sympathetic to the hon. Lady's fears, because the new clause is long and complex. However, does she agree that the reason it is weighted towards market share is to give due consideration to the consumer? I know that she is keen on supporting consumers, so I suggest that she looks again at the new clause. As I said, I sympathise with her fears, but they should be allayed on the basis that it is important for consumers to gain proper weighted representation. That provision is built into the new clause.

5.15 pm

Sue Doughty: I understand what the hon. Gentleman says and I have considerable sympathy with his view of consumers. It is one way of looking at the issue, but it also puts disproportionate weight on businesses. I believe that the authority should act on behalf of consumers—that is what it is there to do. My fear is that the water companies, as businesses, would benefit disproportionately. Consumers might benefit sometimes, but otherwise business considerations are paramount.

Sadly, on balance, we cannot support the new clause. We believe that, in the end, the authority should have a written statement of policy and maintain independence.

Mr. Simon Thomas (Ceredigion): Before I speak to amendments Nos. 29, 30 and 31, I want to support the amendments moved by the hon. Member for South Cambridgeshire (Mr. Lansley) on best practice within what could be called "corporate social responsibility" in the widest context. His point about the separation of powers between the chief executive and the chair of the authority is important. Several hon. Members made that point in Committee and I look forward to hearing the Minister's views on it tonight, so that we may have a better idea of how the Government think the authority should be run according to best practice.

My amendments are simple, though quite far-reaching. They would ensure that the two statutory bodies established by the Bill—the water services regulation authority and the consumer council for water—have among their membership a representative not only from Wales but directly appointed by the National Assembly for Wales. I want to explain in just a couple of minutes why I believe that that is important.

Under the Bill as it stands, members of the important statutory regulation authority will be appointed after the Secretary of State has consulted the National Assembly for Wales. That amounts to consultation, but the National Assembly for Wales has no right directly to make appointments. I dare say that it could suggest names, but it could not ensure that its favoured person sat on the board of the authority, because it is for the Secretary of State to make the appointment.

In respect of the consumer council for water, consultation with the National Assembly applies only to appointment of the chairman, but there will also be a member on the body who is directly appointed by the National Assembly, so a twin level of devolution is going on there.

The Government have accepted that it is important, in view of devolution and the water industry's importance to Wales—or, I should say, because there are cross-boundary issues, within the areas covered by Dwr Cymru, Welsh Water—that Welsh consumers have someone on the consumer council directly appointed by the National Assembly. However, the wider regulatory framework allows only consultation with the Assembly, rather than allowing it to appoint directly to the board.

A similar process—I accept that what we are dealing with here is indeed consistent with it—applied to the office of communications. When Ofcom was established, similar processes were taking place and I recall hearing the hon. Member for South Cambridgeshire make similar arguments about the regulatory framework. We examined the issue of users or consumers having representation from Wales, but the

Secretary of State made appointments to the statutory or regulatory body on the basis of a different level of consultation with the National Assembly.

The point behind the amendments is simple. Now that devolution is bedding down and the National Assembly is becoming a mature body that is able to take strategic decisions, and given that water is so important to Wales, should there not be a mature relationship of equality between Westminster and Cardiff? When we consider England and Wales provisions—water in Scotland is outwith the Bill—it is not too much to ask that the Assembly have the right to make a direct nomination to the authority. That non-contentious suggestion would not create any problems. However, the Government might have difficulty with it if it set a precedent for other regulatory frameworks, such as communications and broadcasting, which I mentioned earlier. Considering the importance of Welsh water to both England and Wales, I doubt whether such a right would be a problem. I accept that the Government's approach is not to hurry devolution, but if I would like it to move a little quicker, that is not an unacceptable position for a member of Plaid Cymru.

Although my amendments are buried in a group of amendments and we will not have the opportunity to vote on them, I hope that the Minister will take the opportunity to expand a little on what he said in Committee about the relationship between the National Assembly, the authority, the consumer council and the Secretary of State in making the appointments. I want to hear a description of how the relationship will work when the appointments are made, and how the National Assembly Government will be involved in them. I would also like to know how the Assembly will be able to relate to the authority over time and make its views clear on priorities for Wales, which will also affect many English water users, and their context in the work of the authority.

The amendments are straightforward. They touch on larger issues, but we need to have the context for the consumer council and the services authority set out.

Mr. Redwood: I rise in support of new clause 5 and some of the other amendments before us. The Bill is a wasted opportunity. I strongly believe that the successful introduction of competition into the water industry would improve the service and the level of investment, and lower prices. I am disappointed that schedule 4 is still unamended, with a 50-megalitre threshold for the introduction of competition and a ban on any competition in the household sector. I have declared my interests in the register, and they include owning a household for which I would like to have a competitive water supply. I see that I shall have to await another Bill and another day to see that ambition fulfilled.

In new clause 5, I welcome the requirement that

"The Authority shall prepare and publish a statement of policy with respect to its determination of charges in periodic reviews and interim determinations".

However, the authority will find that difficult, because it will experience conflicting pressures. As I suggested in an intervention, some will seek to challenge the existing incumbents in the industry and will claim that they could deliver water for 10, 15 or 20 per cent. less than the current prices. They will claim that they could do that universally, if they were given access to the water resources; if they were allowed to tap into the rising water tables; if they were able to extract from rivers with sufficient to extract; and if they were allowed to route their product, in part or wholly, through the pipelines of the existing monopolists. The regulator will have to take that into account and the challengers will certainly present an interesting proposition. The incumbents in the industry will say that it is unrealistic. When companies offer to undercut prices at the higher end of the market, the incumbents will claim that those companies will not sort out the problems of the existing network, solve the investment backlog or offer such prices to all users. Under this legislation, that will never be tested, because competition will be so restricted.

New clause 5 is hopeful, but I would like some reassurance from my hon. Friend the Member for Leominster (Mr. Wiggin)—and from the Minister, if he intends to accept it—that the authority, when preparing and publishing its statement of policy, would give due influence to what a competitive market could provide and would not merely consider the claims of the incumbents that they need a certain percentage increase in prices regularly in order to make good the defects of the current structure.

The industry was nationalised for all too long. During that time, it got itself into a position in which about a quarter of its product disappeared between its collection in a reservoir and its routing to a household or business premises. That was a most remarkable degree of waste. I do not think that competitive food companies would accept the loss of 25 per cent. of food products between farm and shop or in the lorries that transport them around the country; yet, until recently, we lived, apparently comfortably, with the idea that a quarter of the product could go missing. That is the kind of issue that the regulator should take into account under new clause 5 when reaching a determination about the efficiency of businesses and a sensible price.

I am pleased that new clause 5 contains the possibility that matters can be referred to the Competition Commission for review. That gives some cause for hope. There is a case for doing just that, given current prices and efficiency in the industry. All too often pressure is low in relatively warm conditions, and we are now hearing, once again, warnings from the industry that, because we had a longish period this summer of not much rainfall, there could be problems ahead. It beggars belief that we find it difficult to guarantee a plentiful supply of water at all times in an island that is regularly soaked with rain.

From some people, we hear that it is somehow not environmentally friendly to want rising water use. Yet anyone who understands the water cycle knows that we do no damage by using water. We use it, it passes through and it is returned to the environmental system. All we need is regulation to make sure that it is taken out in the right way and put back in the right way. Let us use it as often as possible. In a growingly prosperous society, we should expect rising water demand. I trust that the regulator will take account of the growing popularity of water when reaching his or her determination under new clause 5, if it is passed, and under the Bill in general.

[Mr. Redwood]

I have some sympathy with new clause 10. My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) is right to say that we need impact assessments. I was pleased to hear that he thinks that those must also refer to competition assessments and must try to deal with the cruel dilemma that competition may point in one direction on price while the claims of the incumbents may point in another.

We should understand that price is the crucial issue. Water is the exception to the rule in being a utility that was privatised without our introducing competition. As one would expect, it has rising prices while those utilities that were privatised with the introduction of competition showed very sharp declines in prices over a short period. That is true of gas and electricity, as well as the telephone industry to which my hon. Friend referred. In each case, we were warned when we started to introduce competition that it was quite inconceivable that prices would go down. In each case, the monopolist told us that having businesses coming in and creaming the best business from them would increase their costs and make it difficult for them to invest and survive. In each case, that was quite wrong. In each case, competition made the overall market grow and, in spite of falling prices, produced better profitability for, in most cases, the incumbents as well as the challengers. I am glad that my hon. Friend has tried to open that argument by requiring, in new clause 10, that proper impact assessments be carried out and all those issues be considered.

My hon. Friend also tabled amendments in Committee and on Report to try to encourage best corporate practice in the regulator. I did not approach that idea with an immediate spring in my step; as my hon. Friend knows, I am not someone who would have too many public sector posts. If I thought one could get away with one person instead of two, three or five, I would normally welcome that greatly.

5.30 pm

I see the point that my hon. Friend is making, however: all the businesses to be regulated by that regulator would be expected to come up with high standards of corporate governance; to split power between, usually, a non-executive chairman and an executive chief operating officer or a chief executive; and to have non-executives on their board to provide some balance and criticism and to intervene when things go wrong. We probably owe it to those businesses to be a little more generous than I should normally be in public sector staffing and accept that there should be a non-executive power balance on the board. Non-executives are always much cheaper than executives and my hon. Friend recommends a non-executive chairman and non-executive board members. That expenditure may be sensible, and it could be false economy to ignore such advice.

I am pleased to hear that the Minister is moving in that direction. I urge him to do the honourable and decent thing and accept the amendments. If his intentions are honourable, why not include the amendments? Why not protect us from some evil future Government who may not share his wisdom and common sense and might want to run the regulatory body without the non-executive counterbalance so wisely thought through by my hon. Friend the Member for South Cambridgeshire and formulated in his amendments?

I hope that the Minister is in listening mode and that he will be prepared to surprise us by his generosity and common sense. He is rare among Ministers in this Government: he understands what he is doing, listens carefully to the arguments and has some influence over what the Government do. I very much welcome that in a Minister and wish there were more like him. He is stranded without promotion because he is so much better than those who are promoted—[HON. MEMBERS: "He was promoted."] But not to the Cabinet. He is obviously too good to get into the Cabinet; one has to reach a low standard to achieve Cabinet rank. I am sorry that the hon. Gentleman is too good for this Cabinet.

The amendments suggesting that Wales be properly represented also appealed to my generous and emollient spirit this evening. As a former Secretary of State for Wales, how could I say that I was against proper representation for the Principality on such an important body? I trust that as a party we shall offer support for the proper representation of Wales.

I do not find myself in the same sympathy with the Lib Dem amendment, moved without a great deal of understanding or force by the hon. Member for Guildford (Sue Doughty)—[HON. MEMBERS: "Ooh."] I asked a simple question of the hon. Lady. Her amendment states that there should be an assessment based on things that can be quantified and an assessment based on things that require qualitative judgment. I asked her how the Minister and the regulator could come to a conclusion if quantities pointed one way and qualities pointed another, but there was no answer from the hon. Lady. She seems to have designed an extremely ambiguous proposal, which would make the legislation more rather than less difficult for the Minister and the regulator. Surely, the art of legislation is to keep it simple, short and clear. The amendment would do none of those things; it throws many things into the pot, as we are used to the Lib Dems doing, and leaves us in a grey area about what might emerge.

Norman Baker *rose—*

Mr. Redwood: Does the hon. Gentleman want to intervene?

Norman Baker: No.

Mr. Redwood: When somebody stands up in this place, it is normal for them to intervene. However, I see that the hon. Gentleman really wanted to leave. He obviously accepts my criticisms of Lib Dem policy on the matter and is so embarrassed that he has had to flee the Chamber. Perhaps he has gone to look for the person who actually wrote the amendment to find the answer to those interesting questions. The Lib Dems do not have the benefit of a Box of officials to scribble answers when they are under pressure in the Chamber. We saw that lack today when they could give us no answers. Given the performance from the Lib Dem

Benches, I urge my hon. Friends not to support their amendment No. 128, as it would create muddle and confusion in a Bill that will benefit from no such extra proposals.

My hon. Friend the Member for South Cambridgeshire has introduced another good proposal: amendment No. 22, which deals with access pricing and returns us to earlier contributions that he and I made in this evening's short debate on these vital matters. Again, that amendment represents a clarification. It would put a little more pressure on the regulator to explore why water prices are so high, to ask why the leading water companies think that prices should go considerably higher and to ask why, so far, so few of the inefficiencies in the leading water undertakings have been squeezed out.

Why is so much of the product still lost between reservoir and market? Why has there not been the same competitive and aggressive promotion of the product as we have with things such as mobile telephony in the now very competitive telephone sector? Why is there so much reluctance to deliver new products and to produce the reserves necessary so that water can be more aggressively sold to the marketplace? Why do we still have such very defensive attitudes to the water industry, thinking that it is somehow wrong to buy and sell the product and wrong for people to want more of it?

I would draw an analogy with the hot cross bun industry. It would be rather odd if, around Easter time, that industry issued a note saying, "It is most inconvenient that everyone wants hot cross buns at the same time. Would people please delay their purchase of hot cross buns until August?" Yet the water industry does that at times. When we want water in August to water our plants, we are often advised that it would not be a very good idea to water them in August. I suspect that, if we have a rainy November and December, we will soon be told that it is all right to water our plants. The only trouble is that they are sodden and most of them died in the drought anyway.

I hope that the important issues that have an impact on consumers – water shortage, advice not to use water when it is needed most, high price, poor investment and poor quality of pipes and the network—will be dealt with under the Bill, but they would be dealt with even better if the proposals made by my hon. Friend the Member for South Cambridgeshire, including amendment No. 22, were passed tonight, and it is with great pleasure that I strongly support them.

Richard Younger-Ross (Teignbridge): I am fascinated to hear the right hon. Gentleman outline a new Tory stealth tax. I wonder what the extra reservoir capacity that he is clearly proposing would cost the consumer?

Mr. Redwood: As I have explained, the competition under my model would produce cheaper prices for consumers. The Liberal Democrats have not yet grasped the point that there was a massive expansion of telecoms capacity after the introduction of competition. Consumers did not have to pay more for the extra capacity; they paid lower prices because the market expanded so much. The same would happen with water if competition was allowed. As always, the Liberal Democrats are 50 years out of date and very keen to have subsidised, poor quality nationalised services for more or less everything. I was not at all surprised to hear them argue that case yet again tonight. At least the hon. Member for Lewes (Norman Baker) argued it a little more cogently than the hon. Member for Guildford, who is their official spokesman on the issue.

I have been sidetracked, but I wish to conclude my remarks by saying what good amendments and new clauses have been tabled by my hon. Friend the Member for South Cambridgeshire. I am very happy to accept new clause 5—tabled by my hon. Friend the Member for Leominster (Mr. Wiggin), the Conservative Front-Bench spokesman—in the context that I suggested, but I hope that the House will reject the Liberal Democrat amendments, which are full of muddle and confusion.

Mr. Morley: Before I turn to this group of amendments, it is worth responding to a few of the comments made by the right hon. Member for Wokingham (Mr. Redwood), who made a very interesting contribution. We touched on such issues on Second Reading. Although he is right about the problems of leakages, the regulator sets targets for leakage reduction, in which there has been a 30 per cent. reduction.

The Bill reflects the Government's view of taking a pragmatic approach to competition. We may differ about that, but the right hon. Gentleman is right to suggest that competition can produce greater efficiency and reduce prices. However, we also need to balance that against the possible effects on health, the environment and consumer prices, particularly if there is an element of cherry-picking that disturbs the cross-subsidy that can occur in water companies, especially between rural and urban areas, an example that has already been mentioned. The 50-megalitre target has been set to give the potential benefits of competition to some 2,300 water users—generally the larger water users—in the public and private sectors. Under the Bill, they will be able to examine the potential for incomers who may wish to offer a different service and different prices in a competitive way. The provision will be reviewed in due course, so that we can examine its impact and potential benefits. If this element of competition is considered a success, it could be extended. This is a pragmatic approach to a provision that could bring benefits.

Nor do we ignore the point that the right hon. Member for Wokingham made about water management and long-term projection. Water companies are already obliged to have a 25-year forward plan that considers changes in water consumption and demand, and to have drought plans in times of water shortage, for example. Given this year's exceptionally low rainfall, water management has been pretty good overall, although our reserves are getting very low. If normal winter rainfall occurs, there should be no problem, but there may be a need for some short-term measures such as recharging reservoirs from rivers. However, that is all catered for through existing mechanisms.

Amendments Nos. 19 and 14 would require the Secretary of State to appoint a chairman and chief executive to the proposed new authority. I have no problem with the idea of a separate chairman and chief executive. After our discussion in Committee, I re-

[Mr. Morley]

examined the recommendations in the Better Regulation Task Force report and discovered that the Bill is indeed drafted in such a way as to comply with them. The report recognises that there are advantages and disadvantages to separating the roles. Although splitting them may be preferable, to do so may not be appropriate in all cases. The report states that, for example, there are merits in combining the roles when a regulator is first set up. Doing so can help to smooth the transition and the teething pains associated with setting up or reconstituting a new body. Later, it might be appropriate to split the roles, but it makes sense to retain flexibility, so that we can make the right decision based on all the current circumstances.

Mr. Lansley: I am grateful to the Minister for at least partially answering the question, but of course, the Better Regulation Task Force report that he quotes from predates the Higgs report and the new combined code of corporate governance. When the Government constitute the authority, do they intend to appoint a non-executive chairman and a chief executive, or to combine the two roles into one?

Mr. Morley: It would be premature to give an opinion on that, because the legislation is not in place and we have first to consult the devolved Welsh Assembly, as is only right and proper. There are also consultation procedures that must be gone through.

Amendments Nos. 20 and 21 deal with the board's size and non-executive make-up. Again, I have checked, and the Bill's provisions fulfil the taskforce's recommendations. The report clearly states that, although the taskforce recommends that all regulators should have a board, its size is for the regulator and the parent Government body to decide. The Bill is in line with that conclusion, in that it provides broad parameters but does not dictate the structure. Given the regulator's existing duties, I would certainly expect it to have rather more than just three members. But the taskforce's earlier report pressed for a reduced regulatory role if the market allows for that, which would suggest a much smaller regulator.

On the balance of executive and non-executive directors, the taskforce recommends that at least half the board, excluding the chairman, should be non-executive. The make-up of the non-statutory Ofwat board already meets that recommendation. When Ofgem was set up, it had five executive and six non-executive members; such an alternative is also a possibility. We agree that there is value in the point made by the hon. Member for South Cambridgeshire (Mr. Lansley), but we prefer to avoid the problems that could arise if such a provision were set down in the Bill and operated in, for example, the case of vacancies. However, the structure of the non-statutory board of Ofwat provides a very fair balance and meets the points that he made.

5.45 pm

The taskforce report also emphasised the need for flexibility and the importance of avoiding a one-size-fits-all approach to setting up and managing a regulatory body. Although it is too early for the official Government response to the taskforce recommendations, I can reassure the hon. Gentleman that, in appointing the board, the Secretary of State will apply the recommendations and any other developments in best practice. That will also take into account the report "Independent Regulators" of October 2003.

Under new clause 10, the authority would have a duty to carry out impact assessments of any proposals that it makes that may lead to a change in its activities or that may have a significant impact on the water and sewerage industry or the general public. Ofwat's work with the greatest impact is, by its very nature, the periodic review of water prices. The whole review process is structured like a regulatory impact assessment but on a huge scale. It includes the preparation of broad methodology, the proposal and challenge of investment options, assessment of possible efficiency gains and financing prospects, and repeat consultation with companies and other stakeholders. We are in the middle of that detailed and thorough process, so new clause 10 is effectively asking for a regulatory impact assessment on a regulatory impact assessment. Such a provision is not necessary in the Bill.

We concede that RIAs are good regulatory practice and Ofwat is already committed to carrying out such assessments of new policies or policy changes that are expected to have a direct effect on water and sewerage companies or other stakeholders. That is set out in Ofwat's recently published code of practice, which will become a statutory requirement under the Bill. The requirement for RIAs will be a statutory requirement in the Bill. As I have recognised, such duties have been placed on other economic regulators, most notably Ofgem under the Sustainable Energy Act 2003.

The new clause would require the authority to carry out an impact assessment for all major activities regardless of where the initiative originated. One problem with that is that many water initiatives originate in the European Union, and we already carry out RIAs on them. By leaving such a requirement out of the Bill, the authority will be able to decide when an impact assessment is genuinely needed, reflecting the context of this particular regulator.

Amendments Nos. 127 to 130 seek to put into statute the requirement on the Secretary of State to carry out an RIA whenever standards of performance are proposed under these clauses. The amendments would apply only when the initial proposal was the Secretary of State's, but not when Ofwat was proposing the standards. We certainly support the intention behind the amendments, but we do not think it necessary to place such a provision in the Bill. The Secretary of State is already committed to producing an RIA as well as to widespread statutory consultation whenever these clauses are used to propose standards of performance. Hon. Members may recall that we reaffirmed that commitment in the RIA that accompanied the Bill, stating that a separate RIA would be prepared every time the power was used. We are also committed to producing separate assessments that take account of the environmental, public health, competitive and social impacts of proposals.

Amendments Nos. 128 and 130 would seek to prevent the Secretary of State from making regulations if the RIA showed that the costs outweighed the benefits. That consideration is an integral part of the RIA process.

Amendment No. 22 proposes to allow the authority discretion to apply an alternative pricing principle. That risks access and wholesale prices being unduly linked only to costs incurred in serving a particular customer while ignoring certain other common costs. I am not content that such a pricing process would deliver the Government's objectives for competition in the water industry.

Mr. Lansley: I am disappointed that the Minister has not read amendment No. 22 to find out that its structure expressly allows for fixed costs to be attributed, so it does not address only costs that were directly attributable to the customer in question.

Mr. Morley: I understand the hon. Gentleman's point but risks would accompany that approach. We are worried that incoming competitors could cherry-pick benefits. That would work against the interests of consumers, especially those in high-cost areas such as rural areas.

I listened carefully when the hon. Gentleman cited the examples of Postcomm and Ofgem, but water is not like other utilities. There is no national network for water and costs are inevitably highly localised. Within any tariff group, therefore, there are geographical cross-subsidies. Allowing access and wholesale prices to be based on direct costs alone would lead to the unwinding of those geographical cross-subsidies, which would permit the entry of suppliers in low-cost areas even if they were less efficient than the undertaker. That would prompt undertakers to raise prices in high-cost areas, such as rural areas, to cover their costs, which is my worry.

Although there are essentially no cross-subsidies between tariff groups, there are common costs that undertakers have to incur to meet important statutory and social obligations, such as providing free fire-fighting water and lead pipe replacement programmes. Those costs are not associated with a specific customer, so under the amendment a new entrant could avoid some or all of them. The result of that would be that other customers, including households, would have to bear a greater share of the total cost.

New clause 5 would give water and sewerage companies greater certainty about the policy intention, and likely outcome, of the periodic review. Despite the intention that the provision should clarify the review process, I do not think that it is necessary and fear that its impact would do more harm than good. Ofwat already produces and consults on a comprehensive methodology for the periodic review. It is in the regulator's interest to understand concerns about the review and the impact that it might have on those that it regulates. Given the thorough nature of the periodic review process, I cannot understand how it would benefit from the additional long and rigid timetable that the new clause would impose.

The new right of appeal that new clause 5 would offer to companies would be excessive and could considerably lengthen an already long process. It would strengthen the interests of companies against those of consumers still further. The balance has to be right but the provision would not achieve that. The Better Regulation Task Force report on independent regulators that was published in October had important things to say about regulatory appeals. It commented on stakeholders' ability to appeal, including those on whose behalf regulation is carried out, who include consumers. It also said that stakeholders should not be able to use an appeal mechanism merely to delay a decision that a regulator has to make. New clause 5 fails to address both those points.

New clause 7 would widen the scope for companies to question the validity of enforcement orders issued by Ofwat or the Secretary of State if conditions of appointment or relevant statutory duties had not been met. That is not necessary because the Water Industry Act 1991 already provides a transparent appeal system that ensures that Ofwat acts appropriately when issuing an enforcement order.

New clause 6 would require the Secretary of State, the Assembly and the authority to consult the Health and Safety Commission and undertakers about safety matters. I reassure the House that that has already been agreed in a memorandum of understanding between the HSC and the water regulators.

Amendment No. 18 would require the authority to include in its forward work programme a description of how the projects that it plans to undertake would deliver its wider objectives and duties. Although I do not disagree with the general intention of the amendment, it is not necessary because the authority will have the power only to carry out an activity that complies with its overall duties, and Ofwat is already committed to monitoring performance against objectives.

Amendments Nos. 29 to 31, which were tabled by the hon. Member for Ceredigion (Mr. Thomas), would strengthen the role played by the National Assembly for Wales in the appointment of the authority. There is careful consultation between the Secretary of State and the Assembly and they have a close relationship that works very well. The amendments would ensure that the Secretary of State would consult the Assembly before appointing any member of the authority. The Secretary of State is committed to working with the Assembly constructively and openly, as has been demonstrated on many occasions. With that in mind, I believe that the amendments are unnecessary.

I hope that I have answered all questions asked by hon. Members and commend the Government amendments to the House.

Mr. Wiggin: I am grateful to my right hon. Friend the Member for Wokingham (Mr. Redwood) for making an excellent speech in which he drew attention to the importance of Wales; I am more than inclined to agree. He accurately drew attention to the 50-megalitre limit and loss through waste.

Having listened to the Minister's reply, I feel strongly that he failed to answer the excellent question put by my hon. Friend the Member for South Cambridgeshire (Mr. Lansley). Therefore, it is our intention to support amendment No. 19. With that in mind, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Schedule 1

THE WATER SERVICES REGULATION AUTHORITY

Amendment proposed: No. 19, in page 135, line 8, after 'chairman', insert ', a chief executive'.—*[Mr. Lansley.]*

Question put, That the amendment be made:—

The House divided: Ayes 160, Noes 282.

Division No. 355] **[5:56 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Conway, Derek
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spring, Richard
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Mark Francois and
Mr. John Randall

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Bell, Stuart
Bennett, Andrew
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Foster, Michael *(Worcester)*
Francis, Dr. Hywel
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John

Hain, rh Peter
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Joweil, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mandelson, rh Peter
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morley, Elliot
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Fraser Kemp and Margaret Moran

Question accordingly negatived.

It being six o'clock MR. DEPUTY SPEAKER, *put forthwith the Questions necessary for the disposal of business to be concluded at that hour, pursuant to Order [5 November].*

Clause 35

CONSUMER COUNCIL FOR WATER

Amendment made: No. 86, in page 39, leave out lines 40 to 42 and insert—

'( ) The Council shall exercise and perform its powers and duties in the manner which it considers is best calculated to contribute to the achievement of sustainable development.'.—*[Mr. Morley.]*

Clause 54

DETERMINATION REFERENCES UNDER SECTION 12 OF THE WIA

Amendment made: No. 87, in page 70, line 1, leave out '14A and 14B' and insert '16A and 16B'.—*[Mr. Morley.]*

Clause 55

CONDITIONS OF APPOINTMENTS UNDER THE WIA

Amendments made: No. 88, in page 73, line 24, leave out 'has been' and insert 'is'.

No. 89, in page 73, line 27, leave out from 'which' to 'within' in line 28 and insert

'such a direction may be given'.—*[Mr. Morley.]*

New Clause 14

SCHEMES FOR THE ADOPTION OF SEWERS, LATERAL DRAINS AND SEWAGE DISPOSAL WORKS

'After section 105 of the WIA there is inserted—

"105A Schemes for the adoption of sewers, lateral drains and sewage disposal works

(1) The Secretary of State may by regulations provide for him to make schemes for the adoption by sewerage undertakers of sewers, lateral drains and sewage disposal works of the descriptions set out in paragraphs (a), (aa) and (b) of section 102(1) above.

(2) The regulations may require sewerage undertakers to prepare draft schemes and to submit them to the Secretary of State.

(3) Each scheme shall relate to—

(a) the area of a sewerage undertaker, or part or parts of it; or

(b) the areas of more than one sewerage undertaker, or part or parts of them.

(4) It shall be the duty of a sewerage undertaker, in specified circumstances, to exercise its powers under section 102 above with a view to making the declaration referred to in subsection (1) of that section in relation to sewers, lateral drains or sewage disposal works which—

(a) fall within the area to which a scheme relates; and

(b) satisfy specified criteria.

(5) The circumstances and the criteria shall each be—

(a) specified in the regulations; or

(b) determined in accordance with the regulations and specified in the scheme.

(6) In relation to the exercise of those powers pursuant to that duty—

(a) section 102 above shall have effect—

(i) with the omission of subsections (2), (5) and (7);

(ii) as if in subsection (1) the words "sections 103, 105 and 146(3) below" read "section 105B below";

(iii) with the omission of the words "or application" in subsection (3);

(iv) as if for subsection (4)(a) there were substituted—

"(a) shall give notice of its proposal to the owner or owners of the sewer, lateral drain or works in question unless, after diligent enquiry, he or they cannot be traced;

(aa) shall publish notice of its proposal in the prescribed manner; and";

(v) as if in subsection (4)(b) "two months" read "two months or, if longer, the period specified by virtue of section 105B(5) below" and "section 105 below" read "section 105B(4) or (5) below, or "; and

(vi) as if section 96(3) of the Water Act 2003 did not apply;

(b) sections 103 and 105 above shall not apply; and

(c) if the regulations so provide, section 146(3) below shall not apply in circumstances or cases specified in the regulations.

(7) A duty imposed on a sewerage undertaker under subsection (4) above shall be enforceable by the Secretary of State under section 18 above.

(8) A statutory instrument containing regulations under subsection (1) above shall not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

105B Adoption schemes: appeals

(1) Any person falling within subsection (2) below may appeal to the Authority if he is aggrieved by—

(a) the proposal of a sewerage undertaker to make a declaration under section 102 above in relation to a sewer, lateral drain or sewage disposal works, pursuant to the undertaker's duty to do so under section 105A(4) above (the "relevant duty"); or

(b) the failure of a sewerage undertaker to make such a proposal pursuant to that duty.

(2) The persons referred to are—

(a) an owner of a sewer, lateral drain or sewage disposal works;

(b) any other person affected by the proposal, or the failure, in question.

(3) The grounds upon which a person may appeal are—

(a) in a subsection (1)(a) case, that the relevant duty is not owed in relation to the sewer, lateral drain or sewage disposal works, or that the making of the proposed declaration would be seriously detrimental to him;

(b) in a subsection (1)(b) case, that the relevant duty is owed in relation to the sewer, lateral drain or sewage disposal works; or

(c) any other prescribed ground.

(4) An appeal under subsection (1)(a) above shall be made within two months after notice of the proposal is—

(a) served on the owner of the sewer, lateral drain or sewage disposal works; or

(b) published in accordance with section 102(4) above as modified by section 105A(6) above,

(or, if both occur, within two months after whichever is the later).

(5) An appeal under subsection (1)(b) above shall be made within such period as is specified in the scheme (not being less than two months).

(6) On the hearing of an appeal under subsection (1) above, the Authority may—

(a) in a subsection (1)(a) case, allow or disallow the proposal of the sewerage undertaker; or

(b) in a subsection (1)(b) case, determine that the undertaker was not under the relevant duty in relation to the sewer, lateral drain or sewage disposal works in question,

or, in either case, make any declaration that the sewerage undertaker might have made, unless the proposal is disallowed.

(7) If, in a subsection (1)(a) case, the Authority finds that the making of the proposed declaration would be seriously detrimental to the appellant, it shall disregard any duty on the part of the sewerage undertaker to make the proposal for the purpose of determining whether to allow or disallow the proposal.

(8) If, in a subsection (1)(a) case, the Authority disallows the proposal of the sewerage undertaker, the scheme pursuant to which it was made shall have effect as if there were no duty under section 105A(4) above on the sewerage undertaker in relation to the sewer, lateral drain or sewage disposal works in question.

(9) Where the Authority makes a declaration under subsection (6) above, it may, if it thinks fit—

(a) specify conditions, including conditions as to the payment of compensation by the sewerage undertaker; and

(b) direct that its declaration shall not take effect unless any conditions so specified are accepted.

(10) A declaration made under subsection (6) above shall have the same effect as if it had been made by the undertaker.

(11) The Secretary of State may by regulations make further provision in connection with appeals under this section.

(12) The regulations may, in particular, require the Authority to have regard to prescribed matters when determining an appeal under this section.

105C Adoption schemes: supplementary

(1) The Secretary of State may vary any scheme, or revoke it.

(2) Before making regulations or any scheme under section 105A above, and before amending or revoking the regulations or varying or revoking a scheme, the Secretary of State shall consult—

(a) each sewerage undertaker which would be affected;

(b) the Authority;

(c) the Council;

(d) such other persons as the Secretary of State considers appropriate.

(3) The Secretary of State shall publish each scheme he makes, and any such scheme as varied, in the way he considers best for the purpose of bringing it to the attention of those likely to be affected by it.".'.—*[Mr. Morley.]*

Brought up, and read the First time.

Mr. Morley: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following:

New clause 8—*Discharges to watercourses*—

'(1) After section 165 of the WIA, there is inserted—

"165A Power to discharge to watercourses

(1) Subject to the following provisions of this section, every sewerage undertaker may, for the purpose of carrying out its functions, discharge water with or without other matter from any relevant pipe into any watercourse.

(2) Nothing in this section shall authorise any discharge which—

(a) damages or injuriously affects the works or property of any railway undertakers, navigation authority or riparian owner; or

(b) floods or damages any highway.

(3) Nothing in this section shall be construed as permitting the making of any discharge without the authority of any consent that may be required by virtue of Part III of the Water Resources Act 1991.

(4) The provisions of paragraph 6 of Schedule 12 to this Act shall apply to the exercise of the powers conferred by subsection (1) above.

(5) In this section 'relevant pipe' means any sewer, stormwater overflow, sewer, disposal main, lateral drain or outfall owned by or vested in a sewerage undertaker."

(2) In section 219(1) of the WIA (general interpretation), in the definition of "accessories", after "washout pipes," there is inserted "outfalls (with ancillary works)".

(3) In Schedule 12 to the WIA (compensation etc.in respect of pipelaying and other works powers)—

(a) in paragraph 6(1)(a), after "section 165" there is inserted "for section 165A"; and

(b) in paragraph 6(2)(b), after "section 165 of this Act" there is inserted ", or of water or effluent under section 165A of this Act.".'.

New clause 13—*Power to require adoption of private sewers in Wales*—

'After section 102 of the WIA there is inserted—

"102A Power to require adoption of private sewers in Wales

(1) As regards Wales the National Assembly for Wales may by regulations establish a scheme to enable a sewerage undertaker to be required to adopt a sewer to which this section applies.

(2) A scheme under this section may apply to any sewer which is—

(a) situated within the area of a sewerage undertaker or which serves the whole of or any part of that area; and

(b) not vested in a sewerage undertaker.

(3) Regulations under subsection (1) may amend section 105 so as to extend the appeals procedure to the scheme, provided that the appeal shall be heard by a person other than the person imposing the requirement to adopt.".'.

Government amendments Nos. 100 and 101.

Government amendments Nos. 103 and 121.

Mr. Morley: In Committee, my hon. Friend the Member for Sherwood (Paddy Tipping) tabled an amendment that aimed to tackle the serious problems caused by private sewers. Indeed, that issue was raised by Committee members from all parties. The Government are well aware of these problems and are keen to take positive action, which is why we commissioned an extensive research project into the extent of private sewers and published a public consultation document. With that in mind, I told my hon. Friend that we would introduce a suitable Government amendment to deal with the thrust of the argument that he and other Committee members had made.

We considered a number of alternatives, and I am pleased to say that we thought that my hon. Friend's proposal was the most appropriate. New clause 14 gives the Secretary of State power to make regulations to allow schemes for the adoption of private sewers. Government amendment No. 103 ensures that the Welsh Assembly has the power to make regulations under the proposed new section if it so chooses. It is important to note that the new clause is an enabling power, and is not a recipe for the wholesale transfer of private sewers to sewerage undertakers. Furthermore, the regulations are subject to the affirmative procedure to allow full parliamentary scrutiny before they are made.

The Government have not yet made any decisions on the best way forward on private sewers. The new clause allows adoption, if a decision is made to pursue that course of action, and offers flexibility to ensure that we introduce a sensible solution following full consideration of the range of options. As my hon. Friend knows, we discussed in Committee the fact that we would hold a public consultation and respond to the options that people favour. We still have a lot of work to do on the best way forward on private sewers. The new clause gives us an opportunity to introduce adoption in various forms, but the Bill includes the enabling powers for which my hon. Friend, supported by other Committee members, was arguing.

Mr. David Drew (Stroud): May I tell my hon. Friend how much we welcome the provision? I am sure that all Committee members share that sentiment. However, will my hon. Friend give me an idea of time scale? I accept that the new clause is an enabling provision, but some people who welcome it will want to know how long it will be before the consultation is complete and the Government have considered its implications. More particularly, with regard to cases where there is a crucial need for action, when will the provision be implemented?

Mr. Morley: I understand my hon. Friend's point. The most important thing is to respond to the public consultation, and we hope to reach that milestone in the near future. There is, as I have said, a great deal of work to do, not least in taking stakeholders' views into account. That will take time, but it is difficult to say how long. However, as a rough guide, I expect the Government's response to the public consultation to be made within the next six months. Inevitably, however,

[Mr. Morley]

further work will need to be done. It is difficult to give an exact time scale, but there is quite a lot to do before we can put the provision in place, which is why the enabling power was included in the Bill.

6.15 pm

We have provided for an appeals procedure and appropriate consultation, both on the regulations and each scheme. Work is under way to evaluate the responses to the consultation, and further consultation is likely as we narrow down the choices on the best way forward. Following discussions with the all-party group on sewers and sewerage, I know that its members have views on the subject to which the Government would like to listen. Considerations will include obvious financial implications for the generality of customers, and clearly it will be important to weigh up the balance of the different interests. We will continue to make that a priority and involve everyone with an interest, including, of course, colleagues in the House. Indeed, I am grateful for the interest that has been shown in this matter, and found discussions with the all-party group helpful.

The new clause was tabled to demonstrate that we are serious about tackling the problems faced by householders, and I am pleased to commend it to the House. I should also like to commend Government amendments Nos. 100, 101 and 121, which are minor, consequential amendments.

Mr. Wiggin: I shall speak to new clause 8, which seeks to ensure that sewerage industries can discharge water into any watercourse that will not flood or damage any of those covered by subsections (2)(a) and (b) of proposed new section 165 of the Water Industry Act 1991. Sewerage undertakers' former power to effect discharges from public sewers and their other pipes needs to be restored, subject to certain safeguards for affected landowners, riparian owners and public bodies. No damage or interference must be caused to the property or operations of railway undertakers, navigation authorities, riparian owners or highway authorities; all necessary consents to discharge to watercourses must be obtained from the Environment Agency in accordance with the Water Resources Act 1991 for the avoidance of pollution; and full compensation must be paid to those adversely affected by such discharges, in accordance with paragraph 6 of schedule 12 to the Water Industry Act.

Sewerage undertakers should have the right to discharge the contents of public sewers and other pipes into watercourses and canals because, without that right, they currently have to obtain a compulsory purchase order, which can take up to two years. This is what proposed new section 165A of the Water Industry Act seeks to achieve, reflecting the principles of section 165 of that Act, which authorises the discharge by water undertakers of water to watercourses for the purpose of facilitating the carrying-out of works.

New clause 14, which the Minister introduced, is obviously welcomed by people who are discharging into private sewers, and I am delighted that he listened to comments by Committee members from all parties. Strong feelings were expressed, especially by Members representing areas where large numbers of people were discharging into, or taking their water from, a single source. Members on all sides of the House believe that the issue needs to be addressed positively, for the benefit of both water companies and customers. Obviously, there are significant cost implications for water companies, and the Minister recognises how important they are.

I shall not say any more as I know that we need to cover a great deal more business.

Paddy Tipping: I wish to place on record my thanks to my hon. Friend the Minister, his officials and, looking at the complexity of new clause 14, parliamentary counsel. I am delighted that we are making progress on the issue with which the new clause deals and that my hon. Friend has responded to constituency concerns throughout the country. The powers are permissive and enabling, and the next task of my hon. Friends the Members for Stroud (Mr. Drew) and for Rugby and Kenilworth (Andy King), who have campaigned long and hard on this issue, and I will be to put them into practice. The aspect of the W. S. Atkins report—an initiative brought forward by the Department for Environment, Food and Rural Affairs—that struck me most was the scale of the problem. We all knew that there was a problem, but we were astonished at its degree and depth across the country.

As the hon. Member for Leominster (Mr. Wiggin) said, there are significant cost implications. We will have to wait and see the outcome of the consultation. I do not want to prejudge that outcome, but the responses received so far suggest that the option of passing ownership of the sewers to water and sewerage undertakers, as set out in the Atkins report, is probably the easiest and most popular way forward. That has clear cost implications. The only meaningful way forward would apply over a period of years. I repeat that point—it is over a period of years that one would want to share the cost with consumers in general. That issue will have to be taken into account in discussions on the next price review period.

I am delighted that we have made so much progress. I know that people in Newark and Sherwood, in a small part of my constituency where 1,441 people are affected, are delighted that we are making progress. We must now ensure that the principles agreed to in the Bill are put into practice, but I accept that that will take time.

Mr. Simon Thomas: I welcome the new measures. We debated them in Committee, where hon. Members from all parties mentioned the various parts of their constituencies that they will affect. I could spend the next 20 minutes listing some wonderful Welsh names in referring to places that are affected by bad sewerage, but I do not think that that is necessary to secure the progress of the measure. What the Minister has said makes new clause 13 redundant—a proposal that attempted to achieve the same purpose as new clause 14 in the Welsh context. Government amendment No. 103 will insert into the Water Industry Act 1991 the measures in new clause 14 so that the National Assembly for Wales will be able to make its own scheme.

Further down the line, there will be huge issues about costs, surveying and so on. As constituency Members of Parliament, we all know about the problems that will

arise, but a very important principle has been established tonight—we are dealing with a public health issue. What we call private sewers fulfil some of the most essential functions in our public health system. If we cannot get this matter right, what we are seeking to achieve in the Bill in securing higher environmental standards, water quality and water saving and conservation will be for naught. That will be the case if we cannot ensure over the next 10 to 20 years that our sewerage system is updated to meet the needs of an expanding 21st century economy, rather than those of the expanding 19th century economy, as at present.

Those are the important principles to which the Government have agreed. I will not say that they have conceded those points, as that might suggest that some sort of battle has occurred. Instead, there has been a debate, progress has been made and the Government have rightly acknowledged that those issues need to be resolved and have recognised that the new clause is probably the best way of resolving them in the context of the Bill. I am sure that many of us would have liked to see a bit more detail in the provisions and that we could all suggest what the best approach might be. Nevertheless, an important principle has been laid down. There will be schemes and each of them will be considered on its merit, and a proper authority will look at that process—the National Assembly for Wales and the Secretary of State in England.

We now have an opportunity to improve our sewerage system to meet the required needs, as well as to make a huge impact on the environment and on some aspects of public health. Everyone who has had sewage in their garden will be thankful for what has happened in the House tonight.

Mr. Drew: I wish to make a very narrow point. I could have intervened on my hon. Friend the Minister a second time to raise it, but I thought it better to do so in a short speech. We have been reassured about the time scale—I heard what he said and welcome it—but my next point follows from what my hon. Friend the Member for Sherwood (Paddy Tipping) said and relates to cost implications. When we see the different options and get some clarity about which we prefer and how we might adopt more than one, if that is what is proposed, can the process be dealt with in secondary legislation? Having introduced the enabling powers, we would not want to have to wait until the next water Bill was introduced to carry into action exactly what all of us want to achieve in respect of the adoption of private sewers. If my hon. Friend the Minister clarifies that situation, an awful lot of people will be listening. I am sure that they will welcome the moves that the Government have already made, as well as their intentions.

Andy King (Rugby and Kenilworth): I shall be extremely brief; as my hon. Friend the Member for Sherwood (Paddy Tipping) rightly said in Committee, "Enough said—job done."

The Minister and his Department must take enormous credit for allowing the new clause into the Bill. Originally, such provision did not feature in the Bill at all, and many of us were afraid that we would miss a once-in-a-Parliament opportunity to remedy a serious situation. Although the new clause does not go as far as we would have liked, it has gone a long way in beginning to put right the anomalous situation that has arisen. I look forward to working with my hon. Friend the Minister, his officials and the water companies through the all-party group on sewers and sewerage, of which colleagues in all parts of the House are members and to which he has made a valuable contribution. I look forward to discussing these matters with him and W. S. Atkins in the near future. The people of the Woodlands residents association, of which I am a member—I have declared my interest—will be very happy.

Mr. Morley: There is still some time to go.

Andy King: It will happen some time in future, but we look forward to that day.

Mr. Morley: I think that there is an argument for protecting controlled waters, and that may sometimes involve compensation and protection against pollution, so I cannot accept new clause 8, which was tabled by the hon. Member for Leominster (Mr. Wiggin).

The hon. Member for Ceredigion (Mr. Thomas) rightly said that I had dealt with the concerns he raised in new clause 13. Furthermore, I appreciated very much the points made by my hon. Friends the Members for Stroud (Mr. Drew), for Rugby and Kenilworth (Andy King) and for Sherwood (Paddy Tipping).

I repeat that there is obviously a lot of work to be done, and the matter will not be dealt with in the short term. Nevertheless, the powers in the Bill allow us to deal with what we recognise to be a very serious problem throughout the country.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 11

CONSULTATION ON THE COST OF ENVIRONMENTAL PROTECTION MEASURES

'After section 3 of the WIA there is inserted—

"3A Consultation and liability for expenses incurred in implementing environmental protection regulations

(1) Where a regulation that takes effect after the enactment of this section requires a water undertaker or sewerage undertaker to incur costs for works to meet environmental protection requirements, the Secretary of State shall carry out a financial impact assessment.

(2) In making a financial impact assessment for the purposes of this section, the Secretary of State shall report on the balance of the works benefit to local populations and customers of the relevant undertaker as compared with the environmental benefits that are considered to be in the general national interest.

(3) For the purposes of subsections (1) and (2) above the Secretary of State shall consult—

(a) the Authority;

(b) the Council;

(c) the Environment Agency;

(d) relevant undertakers;

(e) such other persons as the Secretary of State considers it appropriate to consult; and

(f) where the regulations apply to Wales, the Assembly.

(4) The Secretary of State shall send a copy of the financial impact assessment to all consultees and publish it in such a manner as he considers appropriate.

(5) The Secretary of State may direct the Environment Agency to exercise his duties under subsections (1) to (4) above.

(6) Following receipt of a financial impact assessment under this section, the Authority shall, based on the report made for the purposes of subsection (2) above, determine a percentage of the full estimated costs for works required by the relevant regulation or regulations that shall be met by relevant undertakers.

(7) The Authority shall direct that the remaining percentage of estimated costs is met by all water undertakers or sewerage undertakers, as the case may be, in direct ratio to the number of households to which they provide water services or sewerage services or both as a proportion of the total number of households in England and Wales.

(8) Following the written request of a water undertaker or sewerage undertaker, in cases where the undertaker has ongoing financial liabilities for works required by regulations made before this section comes into force, the Secretary of State may decide to undertake a financial impact assessment under this section.

(9) If a financial impact assessment is made under the provisions of subsection (8) above, the Authority shall apply the provisions of subsections (6) and (7) above to the remaining financial liabilities instead of the full estimated costs.

(10) The Secretary of State must provide an undertaker with a written decision on any request made under subsection (8), and provide explanation of the reasons for his decision, within 12 weeks of receiving any such request from an undertaker.

(11) The Secretary of State may make regulations for the purposes of this section.".'.—*[Norman Baker.]*

Brought up, and read the First time.

Norman Baker: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following:

Amendment No. 132, in clause 57, page 75, line 5, at end insert—

'(11) In section 222 (application to Isles of Scilly)—

(a) in subsection (2), after the word "NRA", there is inserted the words "the Chief Inspector of Drinking Water"; and

(b) after subsection (2) there is inserted—

"(2A) The Secretary of State shall, within a period of one year after the coming into force of section 57 of the Water Act 2003, make proposals to the Council of the Isles of Scilly for the making of an order under subsection (2) in relation to the carrying out of the functions of the Chief Inspector of Drinking Water in those Isles.".'.

Amendment No. 131, in clause 62, page 83, line 36, at end insert—

'(3A) A water resources management plan that contains proposals for infrastructure investment intended to meet the requirements of an estimated growth in the quantities of water required, made by an undertaker for the purposes of subsection (3)(a) above, must include—

(a) a least cost planning assessment that shall address in particular the potential effects of investment in—

(i) water conservation promotion and education;

(ii) water efficiency technology; and

(iii) compulsory metering;

(b) a comparative risk assessment for each infrastructure investment option or alternative proposal considered; and

(c) such other information as the Secretary of State may specify in directions.'.

Amendment No. 16, in clause 83, page 100, leave out lines 40 and 41 and insert

'have a duty to promote water conservation.'.

Government amendments Nos. 95 and 96.

Norman Baker: I am grateful to hon. Members who spoke in the previous debate for making their comments brief so as to allow discussion on the next group of amendments. I did not speak in that debate, but I wish to say that the Minister also has the support of the Liberal Democrats in respect of the measures on private sewers. He may reflect on the fact that he has managed to unite the whole House in supporting the Government on that measure. Perhaps he should look for other policies of the same nature. The new clause in question was tabled two hours before a public meeting on sewers that I attended in Polegate in my constituency, and it went down well with the voters.

New clause 11 deals with water pricing, which is a big issue for consumers and others. The cost of water varies widely, and wildly, from one area to another, and not always on the basis of any deep logic. The post-privatisation arrangements were somewhat unfair, and water pricing inequalities have continued ever since.

6.30 pm

A particular problem is that some water and sewerage companies have had to bear disproportionate costs because of the need to undertake environmental improvements. All hon. Members will be in favour of those improvements. Over the past 10 to 15 years, for instance, the quality of bathing water has improved markedly. However, that has had a disproportionate impact on water and sewerage companies in certain areas. The south-west has 30 per cent. of the English and Welsh coastline, but only 3 per cent. of the population—as well as a comparatively high amount of poverty. As a result, a disproportionate burden of environmental protection falls on that population. The Ofwat report, "Tariff structure and charges 2002–2003", shows that the average sewerage component of annual water bills is £125 in England and Wales, but £211 in the south-west. Combined with water provision costs, that makes an average annual combined bill of £326 in the south-west, compared with an average of £228 in the rest of the country.

The Government's position has always been that as the improvements benefit the local population, it is only right that that population should pay for them. As a principle, that cannot be faulted, but the problem is that environmental improvements in the south-west are not necessarily for the benefit of that region, but for that of the nation as a whole. A nationwide benefit derives from cleaning up our bathing waters that goes beyond that derived in the south-west. Although one could argue that there is a beneficial impact on tourism, for example, the current water pricing system does not take account of the national aspect.

We all want to enjoy clean beaches and unpolluted coastline, wherever we live. As a Member representing a coastline in the south-east, I do not want to be nimbyish by saying that as long as my coastline is all right, it does not matter what it is like in the south-west. I want the south-west and other areas to be as clean as the south-east. Nevertheless, a different method of pricing is

required. The same principle applies to any region where the sewerage costs of domestic bills are particularly high because of the need to meet environmental regulations and requirements. New clause 11 seeks to establish the principle that where it can be assumed that a national benefit derives from environmental improvements, their cost should be spread more widely than the water and sewerage company that has to implement those benefits and, by extension, consumers in that area. The position has been made worse by the higgledy-piggledy post-privatisation water pricing arrangements, which should have been sorted out before now.

Amendment No. 132, which stands in the name of my hon. Friend the Member for St. Ives (Andrew George), relates to a water inspectorate for the Isles of Scilly.

Andrew George (St. Ives): I am grateful to my hon. Friend for drawing attention to that amendment, which is very important to the 2,000 of my constituents who are inhabitants of the Isles of Scilly. The Isles of Scilly have been excluded from some of the provisions in the Bill and in previous Acts. If we are to raise standards in water-related environmental matters, particularly drinking water, on the Isles of Scilly, it is important that such amendments are accepted in order to bring them up to the standards that are taken for granted in other parts of the country.

Norman Baker: My hon. Friend makes an important point. It is correct that the Isles of the Scilly are excluded from some legislation, but my hon. Friend looks after his constituents assiduously, and I am sure that any omissions are flagged up in this House through amendments and by other means. I hope that the Minister will respond to the point.

Amendment No. 131, which was tabled in my name and in that of my hon. Friend the Member for Guildford (Sue Doughty), would introduce a rather radical approach to water infrastructure development—radical in this country, that is, but less so elsewhere. It reflects aspects of best performance in the United States, where energy suppliers are not allowed to build new capacity for generation until they have demonstrated that they can meet by other means the requirements that are placed on them. That is the correct environmental approach, which the amendment would apply to the water industry in this country. It says, in effect, that in meeting the challenge of growing demand for water, it cannot and should not, for environmental reasons, be assumed that the only option is to find a way to supply that extra demand. The Government should not base their framework on "predict and provide". Increased abstraction, new reservoirs and new treatment facilities have a considerable environmental impact. We must consider ways of reducing demand, whether by encouraging water efficiency measures or considering metering in certain areas. Various levers can be pulled to reduce demand for water in a more environmentally-friendly way than churning up the countryside to produce new reservoirs. The water companies have not always paid attention to those alternatives: they need a bit of encouragement from the Government to do so.

Groundwater levels have reached record lows in some areas—for example, in Chilgrove in west Sussex, Ardingly in Sussex, and Arlington in my constituency—where levels are down to 22 per cent.—but there has been no concerted, high-profile campaign to persuade consumers to reduce their water usage. On 5 November, the Environment Agency received its first application from a water company for a drought permit, which affects the Cuckmere and Ouse rivers in my constituency. There is not much evidence that the water company in question had done much to restrain consumer demand. I mention examples from my constituency, but doubtless there are others all over the country.

Water companies do not appear to have in mind alternatives to providing new infrastructure; they therefore need encouragement. It is possible to meet legitimate water demands through alternative means such as water efficiency and metering. We should adopt that approach, which is tried and tested in other countries. I hope that the Minister will view that with the seriousness with which the amendment was tabled.

Mr. Wiggin: I shall restrict my remarks to amendment No. 16, which would insert a requirement to

"have a duty to promote water conservation."

All hon. Members should recognise that wording, because it was widely supported in Committee. My amendment would strengthen the wording of the Bill with regard to water conservation by further emphasising the need for each public authority to have a stricter duty to conserve water in order to improve water efficiency. Proper conservation of water must take place at every opportunity, but the Bill does not enforce that duty strongly enough. Public authorities should have a greater degree of responsibility to promote better management of water; my amendment would ensure that.

I remind the Minister that Conservative Members voted for this amendment, but that he and his colleagues voted it down. The hon. Lady who tabled it is unavailable at the moment—I believe that she is unwell—but it is most important that this duty is included in the Bill. The existing wording is not nearly strong enough—indeed, it is rather weaselly in comparison with what it should be. I therefore urge the Government to support the amendment: I am sure that in their heart of hearts they would like to do so.

Richard Younger-Ross: I was heartened to hear on the radio that the new leader of the Conservative party accepts that some of its past policies were wrong and that the poll tax was a mistake. I was less heartened when the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) went on to say that water privatisation was a great success because it had created vast investment in the industry. Although I accept that the increase in funding has created the clean sweep schemes and the environmental improvements that we all supported, it has been done at a specific cost, which consumers throughout the country have borne.

As my hon. Friend the Member for Lewes (Norman Baker) said, the cost has not been equal across the board. Some people in specific areas have borne a disproportionate amount, especially those whom I represent in Teignbridge and those in my hon. Friends' constituencies in the south-west. Devon and Cornwall have 3 per cent. of the population of Britain, but 30 per cent. of the nation's beaches, and we continue to pay for

[Richard Younger-Ross]

cleaning them up. It is argued that there is a benefit to the south-west and the Minister nodded earlier when tourism was mentioned. However, a benefit to tourism does not directly benefit pensioners, people on fixed incomes and those on low incomes. There is little to help them to pay their water bills, which have more than doubled since water privatisation and will increase even more.

I ask the Minister to consider the wording of the new clause carefully. It would not force him to take action but empower him. It would make him examine the financial implications and empower him to ensure greater justice throughout the United Kingdom and to introduce water justice. The two words "water justice" are important to people in the south-west. I suspect that, as time goes by and other environmental improvements are introduced and other areas have to bear the cost, people in other parts of the country will also say, "There was a missed opportunity—we could have had an equalisation scheme. We want water justice and we want it now."

Andrew George: I should like to speak to amendment No.132, which stands in my name. I especially want to draw the Minister's attention to the specific circumstances on the Isles of Scilly. Water supplies and services there were not privatised under the original legislation. The Isles of Scilly were specifically excluded from section 222 of the Water Industry Act 1991. The position is not only legally but locally complex, in that the council has taken responsibility for water services and drinking water to St. Mary's and Bryher, but the Duchy of Cornwall is largely responsible for the private water arrangements of the islands of St. Agnes and St. Martin's and Tresco Estates is responsible for the residents of Tresco island.

Many constituents have expressed anxiety about drinking water standards. Although the council is doing its best to ensure that drinking water is properly monitored, it would be helpful if the Minister and the Department considered amendment No. 132, which would at least allow for the sort of improvements that may be required in due course. I do not suggest that we should introduce mainland circumstances and privatisation to the Isles of Scilly because that would not be appropriate but I hope that the Minister will at least reflect on the specific, special circumstances that pertain there and ensure that the islands and drinking water customers in particular are properly protected in the same way as those on the mainland.

Mr. Morley: New clause 11 offers a new system of paying for environmental improvements and I understand the case about high costs in the south-west. Like other companies, water companies must meet their costs, including those of environmental standards. Ultimately, all those costs come from their customers. Ofwat sets an upper limit on customer prices, but there is a strong and visible link between what the company spends and the customers who fund that through their bills. Water companies understand that, and it could be argued that it has made them far more sensitive to the views of their customers, whom they rightly perceive as a key concern. Strong evidence in the current periodic review shows that companies' business plans pay more attention to customers' priorities. That is no bad thing.

6.45 pm

Although I can understand the reasoning behind new clause 11, I am worried that it would weaken the connection between the company and the customers by creating a national environment fund that drew its money from customers throughout the country. There is a question about whether companies would pay as much heed to their customers if customers throughout the country met the cost of their plans. There would be a lack of accountability and a weakening of the driver that encourages individual companies to keep their costs as low as possible.

Nick Harvey (North Devon): Holidaymakers throughout the country get the benefit of the capital work that is undertaken. Will the Minister at least consider the point that by opting for a water meter, wealthy owners of second homes in the south-west opt out of contributing to sewerage services and cleaning up the beaches because they have remarkably low bills that reflect their occasional visits? Will he consider the principle of insisting on a standing charge to ensure that they share the burden with regular residents?

Mr. Morley: That is an interesting idea. Of course, it is Liberal Democrat policy to have compulsory water meters. The hon. Gentleman mentioned one of the potential downsides. The issue of second homes is serious and too wide for me to tackle in the debate, but I understand his point.

There are other problems with the new clause. Depending on the details, the proposal might remove the incentive for companies to spend efficiently. If a company currently undertakes an agreed investment programme at a lower cost than planned, the saving benefits the company and can be passed on to its customers at the next price review. That would not be the case if there was a national scheme such as the new clause proposes. It provides that the company be reimbursed for the estimated cost. What happens if the company manages to undertake the programme for less cost? Who keeps the difference? If the national fund meets the cost, there is no motive for the company to invest efficiently. If it pays the estimated cost regardless of the out-turn cost, that asks customers in the rest of the country to fund a windfall saving to a company from which they will never benefit.

I understand the issue of prices in different parts of the country and fairness, but we must consider fairness to other customers. The hon. Member for Teignbridge (Richard Younger-Ross) said that although benefits in clean beaches and good bathing water quality go to the south-west economy, they may not affect individual pensioners. That is a fair point. However, there are pensioners throughout the country, not only in the south-west, and we must consider their costs and the way in which the new clause would apply to them.

Although I understand the argument, I am not convinced that there is a genuine distinction between the environmental measures that benefit a locality and the national benefit. We have mentioned that in the context

of tourism and the local economy. We must ensure that prices are as low as possible in all companies. That is an issue for the price review. When making decisions that affect water company obligations, we take account of customers' costs and bill levels in each company but I do not believe that it is necessarily to consumers' advantage to release companies from their responsibility to manage their investment programmes efficiently and justify them. I fear that the proposal might yield a short-term gain, but a cost disadvantage to consumers in the south-west in the long term.

Andrew George: Does the Minister not accept that Ofwat assesses the efficiency of the companies, along with the appropriateness of their proposed schemes, and sets a K factor that takes into account all those measures? Surely the same principles could therefore be applied to this task?

Mr. Morley: The difference there is that the K factor formula is applied across the whole country; it is a national formula. What is being proposed here is to even out what I accept are regional disparities by getting consumers in other parts of the country to make a contribution to—in this case—the south-west. I understand the points that have been made, but I would want to approach this issue by ensuring that efficiency drivers and investment programmes were in place to bring down costs for all consumers. That is the best way forward.

Amendment No. 132 applies to the Isles of Scilly. The hon. Member for St. Ives (Andrew George) will be interested to learn that I know the area very well; in fact, I have visited all the main islands. I understand his point, and he is quite right about the provision for the opt-out. There was always a provision for the council to apply to the Secretary of State to make an order so that the water undertakers' functions under the Act could be performed either by the council or by the relevant water undertaker. I understand the split that the hon. Gentleman mentioned in that regard.

An order was made in 1990 to give the council on the Isles of Scilly various functions. Its provisions, which include enabling powers to make drinking water regulations, place certain emergency duties on water undertakers that could prove very costly for the council. I understand that the arrangements on the Isles of Scilly for monitoring drinking water quality might not be wholly consistent with arrangements on the mainland. I assure the hon. Gentleman, however, that we are already considering how best to use the powers under section 222 of the Water Industry Act 1990, and we shall consult the council about costs and other implications. We therefore accept the thrust of his argument. There are powers available to provide what he is seeking, and we are prepared to talk to the council about how we can address the issue. On that basis, I hope that he will not press his amendment to a vote.

Amendment No. 131 seeks to give greater prominence to certain demand management options, and we recognise that that is important. We had this discussion in Committee. I would say to the hon. Member for Lewes (Norman Baker) that water companies are already obliged to produce 25-year plans, so in that respect I believe that the Bill already covers his proposal.

Amendment No. 16 deals with water conservation. We do not disagree with the general principle advanced by the hon. Member for Leominster (Mr. Wiggin), but the fact that the Bill does not mention a duty does not mean that a requirement that public authorities "shall" do something is not a statutory duty. The Bill contains a statutory duty in respect of water conservation. As with other matters that we have discussed, difficulties might arise if we are over-prescriptive in our wording. We have no problem with the hon. Gentleman's arguments about the promotion of water conservation, but there is a statutory requirement in the Bill that meets the thrust of his arguments. In that regard, too, I hope that he will not press his amendment to a vote.

Norman Baker: I am grateful to the Minister for addressing the amendments and new clauses tabled by the Liberal Democrats. I am a little disappointed by his response to new clause 11 in particular. I understand his point about not weakening the connection between a water company and its consumers. That is exactly right, but the fact that Ofwat has control over water companies in a way that does not normally apply to private companies undermines his argument. The connection is still there in terms of a company having to justify its investment and forward planning.

The Minister showed, by picking at the new clause, why he thought it was inappropriate. He did not, however, recognise the thrust of our argument or come up with an alternative that would address the legitimate concerns of the south-west and other areas in which there is disproportionate expenditure on environmental matters because of the geography of the area—the coastline, in the case of the south-west. I said earlier that the south-west has 30 per cent. of the English and Welsh coastline, but only 3 per cent. of the population. That does not change, and there must be a way of recognising the disproportionate impact of that fact on consumers in the region.

The Minister recognised that some investment schemes had, at least in part, a national benefit. If there is a national benefit, there should be a national way of paying for it, rather than simply relating it to the local consumer. The Minister has been his usual charming self, and as emollient as ever, but he has not quite convinced me on new clause 11. I therefore wish to press it to a vote.

Question put That the clause be read a Second time:—

The House divided: Ayes 122, Noes 247.

Division No. 356] **[6:55 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Brady, Graham
Breed, Colin
Brooke, Mrs Annette L.
Burnett, John
Burstow, Paul
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Cash, William
Collins, Tim
Conway, Derek
Cotter, Brian
Davis, rh David *(Haltemprice & Howden)*

Djanogly, Jonathan
Doughty, Sue
Fabricant, Michael
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Grayling, Chris
Greenway, John
Grieve, Dominic
Hague, rh William
Harvey, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
Osborne, George *(Tatton)*
Page, Richard
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Swire, Hugo *(E Devon)*
Taylor, Ian *(Esher)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Widdecombe, rh Miss Ann
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Bob Russell and
Mr. Alan Reid

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Bell, Stuart
Bennett, Andrew
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Ronnie *(Blyth V)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cox, Tom *(Tooting)*
Crausby, David
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Dean, Mrs Janet
Dhanda, Parmjit
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, Michael *(Worcester)*
Francis, Dr. Hywel
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hamilton, David *(Midlothian)*
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hesford, Stephen
Hodge, Margaret
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Kevin *(Doncaster N)*
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Irranca-Davies, Huw
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahmood, Khalid
Mandelson, rh Peter
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morley, Elliot
Morris, rh Estelle
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Rammell, Bill

Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Sawford, Phil
Sedgemore, Brian
Shaerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Margaret Moran and
Mr. John Heppell

Question accordingly negatived.

It being after seven o'clock MR. DEPUTY SPEAKER *put forthwith the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [5November].*

Clause 57

THE CHIEF INSPECTOR OF DRINKING WATER AND THE DRINKING WATER INSPECTORATE

Amendment made: No. 90, in page 74, line 33, at end insert—

'( ) Any such proceedings by the Assembly may be instituted and carried on in the name of the Chief Inspector of Drinking Water for Wales, if there is one (or, if subsection (1B)(b) above applies, in the name of the Chief Inspector of Drinking Water).'.—*[Mr. Morley.]*

Clause 62

WATER RESOURCES MANAGEMENT PLANS

Amendment made: No. 94, in page 83, line 23, leave out 'and in accordance with'.—*[Mr. Morley.]*

Clause 83

WATER CONSERVATION BY PUBLIC AUTHORITIES

Amendments made: No. 95, in page 100, line 40, at end insert 'or to be supplied'.

No. 96, in page 101, line 13, after 'is', insert 'or is deemed to be'.—*[Mr. Morley.]*

Clause 92

SELF-LAY AND ADOPTION OF WATER MAINS AND SERVICE PIPES

Amendments made: No. 97, in page 116, line 24, leave out 'subsections (4) and (5)' and insert 'subsection (4)'.

No. 98, in page 116, line 34, leave out from 'of' to 'whether' in line 35.

No. 99, in page 116, line 38, at end insert—

'and in subsection (4) of that section, after "subsection (1)" there is inserted "or (1A)".'.—*[Mr. Morley.]*

Clause 96

ADOPTION OF LATERAL DRAINS

Amendment made: No. 100, in page 123, line 15, leave out 'sewerage' and insert 'sewage'.—*[Mr. Morley.]*

Clause 98

COMMUNICATION WITH PUBLIC SEWERS

Amendment made: No. 101, in page 126, line 19, leave out ', 114'.—*[Mr. Morley.]*

New Clause 1

PROHIBITION OF ARTIFICIAL FLUORIDATION OF WATER SUPPLIES

'(1) The WIA is amended as follows.

(2) For section 87 (fluoridation of water supplies at request of health authorities) there is substituted—

"87 Prohibition of artificial fluoridation of water supplies

Water undertakers shall be prohibited from artificially increasing the fluoride content of the water supplied by them."

(3) Section 88 (power to vary permitted fluoridation agents) shall cease to have effect.

(4) Section 89 (publicity and consultation) shall cease to have effect.

(5) In section 90 (indemnities in respect of fluoridation), at the end there is added—

"(2) But no indemnity under this section shall apply in respect of any liability, costs, expenses or expenditure incurred in relation to artificial increases in the fluoride content of water after the coming into force of section [prohibition of artificial fluoridation of water supplies](2) of the Water Act 2003."

(6) Section 91 (pre1985 fluoridation schemes) shall cease to have effect.

(7) Schedule 7 (pre1985 fluoridation schemes) shall cease to have effect.'.—*[Mr. Simon Thomas.]*

Brought up, and read the First time.

Mr. Simon Thomas: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following:

Amendment No. 1, in page 75, line 7, leave out clause 58.

Amendment No. 28, in clause 58, page 75, line 20, at end insert—

'(2A) With regard to Wales, neither shall a water undertaker be authorised by subsection (1) above unless and until a referendum on increasing levels of fluoridation has been held in accordance

with the provisions of Part 7 of the Political Parties, Elections and Referendums Act 2000 seeking approval of the arrangements from the population residing in the area proposed to be affected.'.

Amendment No. 8, in page 75, line 23, leave out from 'a' to end of line 25 and insert 'local authority'.

Amendment No. 34, in page 76, line 2, at end insert 'or the water undertaker'.

Amendment No. 35, in page 76, line 16, after 'authority', insert 'or a water undertaker'.

Amendment No. 36, in page 76, line 23, leave out from '(9)' to end of line and insert '—

(a) a combined reference may be made by the relevant authorities; or

(b) a reference may be made by the water undertaker.'.

Amendment No. 37, in page 76, line 42, after 'authority', insert 'or the water undertaker'.

Amendment No. 38, in page 77, line 26, after 'authority', insert 'or the water undertaker'.

Amendment No. 39, in page 77, line 30, after 'authority', insert 'or the water undertaker'.

Amendment No. 40, in page 77, line 41, leave out from 'Assembly' to end of line 47 and insert—

'or the water undertaker may refer the matter for determination by such person as the Assembly may appoint; and

(b) the determination of that person shall be final.'.

Amendment No. 41, in page 78, line 6, at end insert—

'(4A) In making any determination under this section, the person making the determination—

(a) shall secure that the arrangements, their variation or termination (as the case may be) are effected in an operable and efficient manner; or

(b) if this cannot be achieved, shall refuse to require the entry into, variation of, or termination of, the arrangements.'.

Amendment No. 42, in page 78, line 9, leave out from beginning to 'undertaker' in line 11 and insert—

'(a) the person who made the determination shall give notice of his determination to the relevant authority or authorities and the water undertaker in question; and

(b) except when there has been a refusal under subsection (4A)(b) above, such relevant authority or authorities and the water'.

Amendment No. 45, in page 78, line 35, leave out 'or'.

Amendment No. 46, in page 78, line 40, at end insert—

'or

(c) for accommodating any other operational circumstance which necessitates variation of the source of the water being supplied to the area the water supply to which is required to be fluoridated.'.

Amendment No. 6, in page 79, line 44, after 'consult', insert 'all households'.

Amendment No. 23, in page 80, line 34, at end insert—

'(5A) After section 89 there is inserted—

"89A Assessment and analysis of effects on human health of fluoridated water

(1) Following an increase of the fluoride content of water as a result of arrangements entered into under section 87, a relevant authority shall—

(a) undertake an ongoing assessment of the correlation between fluoride consumption and changes in the dental health of the affected population;

(b) undertake an ongoing assessment of the correlation between fluoride consumption and the incidence of any known or suspected adverse effects of fluoride consumption in the affected population;

(c) place all data obtained for the purposes of paragraphs (a) and (b) above in the public domain; and

(d) periodically publish an analysis of the data obtained for the purposes of paragraphs (a) and (b) above.

(2) The Secretary of State shall by regulations make provisions about the requirements which must be satisfied by relevant authorities for the purposes of subsection (1) above.".'.

Amendment No. 47, in page 80, line 34, at end insert—

'(5A) After section 89 there is inserted—

"89A Fluoridation arrangements: technical guidance

(1) Without prejudice to Chapter 3 of this Part and the Health and Safety at Work etc. Act 1974, the Secretary of State and the Assembly shall jointly prepare and issue a code of practice containing guidance on the technical standards that must be met by water undertakers in relation to the fluoridation of water supplies.

(2) Such a code of practice shall—

(a) include such provisions, and

(b) be prepared and made in such manner,

as shall be prescribed by regulations made by the Secretary of State.".'.

Amendment No. 48, in page 80, line 37, leave out from 'State' to end of line 48 and insert—

'shall indemnify every water undertaker which enters into arrangements under section 87(1) above against all liabilities that any such undertaker may incur in complying with such arrangements, other than liabilities arising from the undertaker's own fault or negligence.

(2) The Secretary of State shall indemnify every licensed water supplier against all liabilities that any such supplier may incur—

(a) in supplying water to which fluoride has been added by a water undertaker by virtue of any such arrangements; and

(b) (if the licensee is introducing water into the water undertaker's supply system) in complying with any obligation imposed on it by the undertaker in consequence of the arrangements,

other than liabilities arising from the licensee's own fault or negligence.

(2A) Subject to the preceding provisions of this section, each indemnity shall be on such terms as (with the consent of the Treasury) may be agreed between the Secretary of State and (as the case may be) the undertaker or the licensee.'.

Amendment No. 7, in page 80, line 37, leave out from 'State' to end of line 40 and insert—

'shall indemnify every water undertaker which enters into arrangements under section 87(1) above against all liabilities that any such undertaker may incur in complying with such arrangements, other than liabilities arising from the undertaker's own fault or negligence.

(1A) Subject to subsection (1) above, each indemnity shall be on such terms as (with the consent of the Treasury) may be agreed between the Secretary of State and the undertaker.'.

Government amendment No. 91.

Amendment No. 49, in page 81, line 13, after 'authority', insert 'or the water undertaker'.

Amendment No. 50, in page 81, line 23, leave out from first 'the' to 'to' in line 24 and insert—

'person who has made the determination shall give notice of his determination to the relevant authority and'.

Government amendments Nos. 92 and 93.

Government amendment No. 102.

Government amendment No. 122.

Amendment No. 2, in schedule 9, page 227, line 10, at end insert—

'Sections 88 and 89.Section 91.'.

Government amendment No. 125.

Government amendment No. 114.

Mr. Thomas: To date, the Bill has been disagreed with in detail, but not in principle. Now, we come to the part of the Bill with which there is disagreement in principle—a disagreement that crosses the House and runs throughout the parties. The amendments deal directly with whether we should fluoridate our water supplies, whether we should continue the fluoridation of water supplies that are already fluoridated and, if we are to fluoridate further water supplies, how we should consult local populations. New clause 1 and amendment No. 1, which stand in my name, and amendment No. 8, which stands in the name of the hon. Member for Llanllienni—or Leominster (Mr. Wiggin), although in view of his appointment, we should refer to his constituency by its Welsh name—go to the heart of the debate on fluoridation.

In the next hour and a half or so, I hope to hear the views of hon. Members on both sides of the House on how the House wants to come to a view—whether it wants to make a firm ruling on the principle of fluoridation, or whether it wants to make a more practical ruling on whether to extend fluoridation by means of the Bill. Given that this is, for the most part, a free vote—hon. Members on both sides have already expressed different ideas on how we should proceed—I hope that the House will be able, by means of the necessary votes, to make a firm declaration on fluoridation, and I hope that that declaration will be no: we do not have the evidence, the public support or the confidence at this stage, in this Bill, to pass such an important public health measure.

Stephen Hesford (Wirral, West): The hon. Gentleman is making an interesting, if very backward-looking, point. Does he seek to examine the principle of current law, as I understand it, and to remove it? What has been wrong with that for the past 15 or 16 years?

Mr. Thomas: I am sure that the hon. Gentleman wants to hear precisely that argument, and I promise him that he will hear it from me, if he gives me a little time. To pick up one of his points, two views are reflected and two ways forward are offered. It is for the House to decide what it wants to do. A new clause and an amendment stand in my name—I have given the House a choice.

Let us examine the practical grounds for fluoridation first. I shall discuss the civil liberties aspects and whether we should compulsorily medicate the population later. I have no doubt that putting the measure into the Bill has been justified on public health grounds. That justification is based on the York review, a Government-commissioned review of all the science, the studies, and the peer-reviewed investigations to date on the effect of fluoridation on the population. That review found several important facts, which I want to put on the record.

7.15 pm

The review found that fluoridation appeared to reduce caries by 14 to 15 per cent.—that is, 0.4 per cent. of a tooth—but in the same context, it found that the science was poor and not without bias. The review also found that 48 per cent. of people living in fluoridated areas have dental fluorosis—a brown mottling of the teeth, which is medically accepted as a sign of fluoride overdose. We must not have too much fluoride in the water, and the Bill, by setting a limit on the amount of fluoride that may be put in the water, implicitly accepts that too much fluoride is possible, although it purports that there is an effective level.

Andy Burnham (Leigh): The hon. Gentleman says that fluorosis affects 48 per cent. of the population and results in brown mottling. Is he not aware that the most common appearance of fluorosis is a pearly appearance of the teeth, not brown mottling?

Mr. Thomas: I do not know about the hon. Gentleman's pearly gnashers, but as he knows, the 48 per cent. examined in the York review identified that as the effect on their teeth. It is the York review that says that, not me, and it is for individuals to judge for themselves. Fluorosis is fluorosis: it is evidence of too much fluoride in the body, and that is the end of it.

Mr. Kevin Hughes (Doncaster, North): Did not the York review find that there was a 15 per cent. increase in fluorosis? If there is a 14 or 15 per cent. improvement in the quality of teeth and a 15 per cent. decrease in the quality of teeth, especially children's teeth, because of fluorosis, does not the one cancel out the other? Is not the pro-fluoridation proposal an absolute nonsense?

Mr. Thomas: I tend to agree with the hon. Gentleman, except to say that I do not think that one cancels out the other. However, the two pieces of information are evidence that we should use when taking decisions as Members of Parliament. We should not simply swallow one line or another, but try to work out what we should do.

It is clear that the effects of fluorosis include not only the chalky or pearly appearance to which the hon. Member for Leigh (Andy Burnham) referred, but brown staining and pitting of teeth. Those are fairly severe effects. Are we proposing to put something in the water that will have that effect on 48 per cent. of the population? That serious question must be answered.

Mr. Andrew Robathan (Blaby): Did the hon. Gentleman receive, as I did a couple of days ago, a document from the British Dental Association and the British Medical Association in favour of introducing fluoride into water? It stated that in some areas that are

[Mr. Andrew Robathan]

fluoridated the incidence of caries in children was twice as bad as in areas that are not. What conclusion does he draw from that?

Mr. Thomas: I think that the hon. Gentleman is referring to the document that I have in my hand, which I did indeed receive recently. It shows that although fluoridated areas tend to have better dental health—I should say better health in terms of caries, not dental health, because there is more to dental health than simply caries; gum disease and cancer and mouth cancer have to be considered as well—there are fluoridated areas that have an above-average incidence of decayed, filled or missing teeth among five-year-olds. The science is unproven.

To return to the York review, following its publication, four eminent members of the NHS centre for reviews and dissemination at York university—Professor Jos Kleijnen, Professor Trevor Sheldon, Sir Iain Chalmers and Professor George Davey-Smith—made the following statement in a letter to the then Under-Secretary of State for Health, the hon. Member for Salford (Ms Blears):

"As far as we are aware, no other review"—

they refer to the York review—

"of this topic is of comparable scientific standard, and we are concerned about some continuing misinterpretations of the evidence which could have implications for public policy."

I think that their use of the word "misinterpretations" refers to the Government's attitude, but that is for them to say.

Three points were made in the letter. The first is about the effectiveness of fluoridation in reducing caries—the very point raised in an intervention by the hon. Member for Blaby (Mr. Robathan)—and the letter states:

"We could discover no reliable, good-quality evidence in the fluoridation literature world-wide. What we found suggested that fluoridation was likely to have a beneficial effect, but in fact the range could be anywhere from a substantial benefit to a slight disbenefit to children's teeth."

The second point was about the effectiveness of fluoridation in reducing inequalities in dental health across social groups—I understand from our debates in Committee that this will be a strong argument, which the Government will want to advance. The letter stated:

"The evidence is weak, contradictory and unreliable".

Are we to legislate on the basis of weak, contradictory and unreliable evidence?

The third point was on the safety of fluoridation:

"Apart from an increase in dental fluorosis (mottled teeth)"—

it is the scientists, not me, who describe it as mottled teeth—

"we found no clear pattern among the possible negative effects we examined, and we felt that not enough was known because the quality of the evidence is poor"—

a point to which I shall return in a few moments.

Mr. Adrian Bailey (West Bromwich, West): Did the survey provide any assessment of the number of children who have died under general anaesthetic as a result of tooth decay? I can tell the House that, on the basis of figures released for 1998, three children died. We would all agree that that is a serious and devastating health argument.

Mr. Thomas: That is so irrelevant to this debate—*[Interruption.]* I shall tell the hon. Gentleman why. It is because modern medical practice is not to give general anaesthetic to children undergoing dental examination and treatment. The hon. Gentleman should know that. It is precisely because of those unfortunate deaths that it is not now general practice to give general anaesthetics to children in dental surgeries on the high street. The hon. Gentleman knows that and he should not adduce that evidence to support his position.

Andy Burnham *rose—*

Mr. Bailey *rose—*

Mr. Thomas: I am not giving way for the moment, because I want to continue with my speech.

As emphasised in the York review, only high-quality studies can fill the gaps in knowledge about those and other aspects of fluoridation. The question that we must ask is whether the Government have, since the York review, commissioned those high-quality studies. No, they have not. They have not even received the report that they said they would commission from the chief medical officer and the chief dental officer. That report is not yet published; not yet given to Members; not yet available to the public. The one thing that the Government said they would do in response to the York review has not been done. Yet we are being told to rush this Bill through as a great opportunity to improve the dental health of children and our population. It is not. It is too fast and based on too little evidence.

Richard Burden (Birmingham, Northfield): The hon. Gentleman is describing the York review and I understand that he wants all the facts out. Will he also confirm—he has not said it in his speech so far—that the York review found no evidence to substantiate allegations by anti-fluoride campaigners to the effect that there was a link between fluoridation and bone [illegible]s, thyroid cancers, Down's syndrome and hip fractures?

Mr. Thomas: I am grateful to the hon. Gentleman, who makes a reasonable point. We have all received material from all sides of the argument—particularly perhaps the side to which he refers—about fluoridation. I agree that some of it comes across as rather hysterical, shall we say. However, I would not like the hon. Gentleman to believe that the points made on that side of the argument are completely without validation in the York review, which said that there could be possible negative outcomes such as IQ and congenital defects. They acknowledged that that could not be proved, but argued in favour of further high-quality research. That

was the York review's recommendation—we do not know enough about the effects, so may we have further high-quality research, please?

The Government's response, which had unfortunate consequences, was to ask the Medical Research Council to advise on any further priorities for research into water fluoridation. The MRC concluded that research on a number of other possible negative health outcomes—including the IQ and congenital defects mentioned in the York review, to which the hon. Member for Birmingham, Northfield also referred—was of a "low priority".

Thus the York review asked for higher-quality research as a priority, but in response to the Government the Medical Research Council declared that such research was a low priority. I cannot step into that argument. I acknowledge that I do not have the scientific ability to do so, but I do know one thing: if I am to support legislation, I want to be able to examine relevant studies and reviews. I want to be convinced that what we put into our water supply will not have adverse effects.

As I said earlier, much of the publicity and propaganda on the issue verges on the hysterical. Although it remains the case that there is no evidence to prove the negative, as legislators we surely remain in difficulties. We need to be absolutely certain about what we are putting into our public water supply before we make any progress in that respect.

I now want to move on to consider in more detail the Government's view of these matters.

Gareth Thomas (Clwyd, West): I am inclined to support the hon. Gentleman's viewpoint. For the sake of clarity, however, is he saying that if the medical evidence were stronger, the human rights arguments would effectively be overruled?

Mr. Thomas: The hon. Gentleman makes a good point. From my perspective, I am opposed to compulsory medication. It may be good for me to have a little aspirin for my heart, particularly in debates such as this, but I do not want to be forced to take it. I want to be able to choose whether to take any medication. A little later in my speech, I shall deal with the question of whether fluoridation counts as water treatment or medication, which is at the heart of the hon. Gentleman's question. We must think clearly on these matters. If it is clear that we are trying to achieve a medical result, I would say that civil liberties is an absolute issue. If it is clear that it is a different matter of water treatment, then a rather different argument applies. I hope to persuade hon. Members this evening that what is at stake here is a medical matter and that we should not proceed down those lines.

Stephen Hesford: Having examined the hon. Gentleman's amendment, the logic of his argument seems to be that we should not fluoridate water because there is no proof either that it works or that it is not harmful. However, I have seen no amendments on the amendment paper that require water companies to withdraw fluoridation from the 5 million people who receive fluoridated water and have done so for about 40 years.

Mr. Thomas: The hon. Gentleman is absolutely right that no amendment is designed to achieve that, but new clause 1 would do precisely what he says. I am afraid that the hon. Gentleman misleads the House in going down that road. New clause 1 withdraws fluoridation from those who receive it. I hope that those who believe in civil liberties will support it, as well as those who have a more practical or pragmatic view. It is for hon. Members to decide.

Mr. Alan Williams (Swansea, West): Is there not an alternative, which goes closer to meeting a point of principle: to refuse to allow clause 58 to stand part of the Bill?

Mr. Thomas: That is amendment No. 1. I would say to the right hon. Gentleman that that at least keeps the status quo, but it will continue to allow fluoridation to be decided by water companies, which is the real problem. We all agree that water companies should not decide that sort of thing, and I want to argue that we should not decide it either.

The Government have usefully copied to members of the Committee their own arguments based on a briefing from the chief dental officer of why we should fluoridate. I understand that we have a free vote tonight, but also that the Government are clearly behind fluoridation as a method of dealing with the problems of NHS dentistry, to which I shall return in a few moments. The review examined alternatives to water fluoridation. Let us accept for a moment that fluoride benefits teeth. I can accept that at a personal level because I use a fluoride toothpaste, but it is my own choice to use it. In a letter to Committee members, the Government said:

"Dental decay can also be largely prevented on an individual basis by dietary means. However there is no evidence that it is possible to alter people's diet to this extent on a population basis and it is therefore not currently a practical public health option."

That strikes me as a defeatist attitude from the Government. Just today, the Government addressed the issue of obesity in young children. At other times, they have talked about too much salt in our diet and, in an apparently constant stream of initiatives from No. 10, have stressed the need to change our diet. I do not disagree with that. Let us have exhortations from the Government about changing our dietary habits, how we look after our health, not smoking and not drinking too much. But let us not then use the same argument to impose compulsory fluoridation, because—it is claimed—people are too thick to learn how to look after their teeth. That is a ridiculous argument.

The situation is even more ridiculous, because the letter continues:

"It is also cheaper—water fluoridation costs around 50p per person per year; a year's supply of toothbrushes and toothpaste costs around £10. So there are important reasons to consider water fluoridation as the preferred method of preventing tooth decay."

[Mr. Thomas]

Are the Government honestly suggesting that we should all drink fluoridated water and throw out our toothbrushes and toothpaste to save £9.50 a year? That would not improve oral health, gum disease or rates of mouth cancer. It would not help us to address the increasing problems of the NHS dental service, with one third of children in Wales not having an NHS dentist. Some 69 per cent. of the population in my county do not have an NHS dentist—

Mr. Redwood *rose—*

Mr. Thomas: Here is a man who was partly responsible for that.

Mr. Redwood: I was going to say nice things about the hon. Gentleman, but not after that calumny. Does he agree that it is odd that the Government want to boss us all around to stop us having tooth decay, but they allow smoking? All their medical advice is that smoking causes awful health problems that then need to be remedied by the NHS, but they have not banned it. The Government are being illogical in allowing us to smoke, but making us have fluoride when we do not want it.

7.30 pm

Mr. Thomas: I agree that that is illogical, but I will not be tempted further down that path as it would be outside the scope of the new clause and amendments.

The British Dental Association has written to all hon. Members to ask them to support fluoridation. It makes no bones about wanting fluoridation, and that is fine, but my children have a drink called Ribena ToothKind, which is approved by the British Dental Association. Is the BDA urging legislators to put fluoride in everyone's drinking water, but at the same time willing to take money from a commercial company to say that a sweet soft drink is good for your teeth?

Mr. Morley: There is no sugar in it.

Mr. Thomas: That is true. I do not know whether the Minister has children—

Mr. Morley *indicated assent.*

Mr. Thomas: He will know, then, that if one lets children have sweet drinks, they ask for more. When one is out and about, one does not always have access to nice tooth-kind drinks. The children want Coke, lemonade or Fanta. Let us be clear about the facts—the British Dental Association does not have clean hands on the issue. If it is prepared to back sweet drinks, it should not tell us what we should put in our clean, fresh water. We should bear such facts in mind when interest groups tell us how we should legislate.

Mr. John Butterfill (Bournemouth, West): The hon. Gentleman mentioned the cost of fluoridating the public water supply as opposed to the cost of toothbrushes and toothpaste. We are concentrating on the problems of a small minority of children in deprived areas who are not getting the necessary dental care. Would it not be better and cheaper to concentrate directly on their needs, rather than do something that would affect the whole country?

Mr. Thomas: The hon. Gentleman has put his finger on the heart of the argument. We have in many of our communities a recognised problem of severe tooth decay in young children. That is a feature of poverty, lack of education, culture, bad diet and lack of access to dental services. None of those factors is affected by fluoridation. There is no evidence that a young child in, say, Manchester or Aberystwyth who drinks fluoridated water but continues with those bad health habits will have significantly improved teeth. They might have an improvement of 0.4 per cent. in one tooth, but that is no reason to change our whole water supply. The hon. Gentleman is right—we need to target improvements in dental health directly on those who need it most.

I know that many hon. Members wish to speak, so I shall conclude. Is fluoridation medication? When the hon. Member for Leominster (Mr. Wiggin) pressed the Under-Secretary on the issue in Committee, she said that she did not consider fluorosilicic acid—the substance used to fluoridate water—to be a medicine, and she mentioned the guide to medicinal and health care products. I take it that she was referring to the Medicines and Healthcare Products Regulatory Agency, which has published a guide to what should be considered a medicinal product. It states, on page 4, that medicines include

"Any substance or combination of substances presented for treating or preventing disease in human beings or animals."

According to that, fluoride is a medicine.

Mr. Bill Etherington (Sunderland, North): The hon. Gentleman will be aware that fluoride is not a registered medicine. It is, however, a registered poison.

Mr. Thomas: The hon. Gentleman is right. Under the Poisons Act 1972, it is registered as a part II poison, alongside arsenic and paraquat. I do not think that there are many useful benefits of arsenic.

Mr. Gordon Prentice (Pendle): Are those people who live in areas that have naturally fluoridated water being poisoned?

Mr. Thomas: Those individuals who live in areas that are naturally high in radon are being poisoned. Many areas have natural features that have an impact on our bodies—such as fluoride and radon. The hon. Gentleman cannot wriggle out of that one. If it is a poison, we should not add it to our water supply.

It is illegal to add fluoride to the water supply as a treatment. In other words, fluoride is not regulated as a water treatment agent. The Water Supply (Water Quality) Regulations 2000 list those substances that may be added to our water, and fluoride is not one of them. It is curious that fluoride is not regulated as a medicine, it has never been tested on the population as a medicine, it cannot be bought over the counter and it is even banned in Belgium as a treatment for teeth, yet we seek to achieve a medicinal effect by putting it in our water. I know that many hon. Members represent

the 5 million people in England who already have fluoride in their water and they will not be happy to hear that argument, but we have to look at the hard evidence. The York review and other evidence make it clear that insufficient evidence is available to decide to add fluoride to our water. There is insufficient evidence of the effects that the Minister will no doubt claim.

There are better alternatives, such as improving access to NHS dentistry and increasing education on personal dental care—including cutting down on sugar in the diet—which could achieve similar effects to water fluoridation, but without as much controversy or the potential negative health effects, even if those stop at fluorosis. Fluorides are not the way forward for the NHS dental service. Fluorides are not the way forward to treat the population as a whole. I urge the House to reject mass medication and to support the important principle of individual choice in how we look after our own bodies and teeth, how we take medicines and how we interact with the rest of society. This is not a matter for this House.

Mr. James Wray (Glasgow, Baillieston): May I ask, Mr. Deputy Speaker, for a Division on amendment No. 8? There is cross-party support for the amendment. Quite a number of people have added their names to it; I did not table it, but I have added my name.

Stephen Hesford: Will my hon. Friend give way?

Mr. Wray: Give me a chance to get started.

I have watched this matter over the years. From 1983, the Water (Scotland) Act 1946 was taken up in the Court of Session, and one of the reasons was that the Government wanted to fluoridate water supplies in my country of Scotland—part of the United Kingdom. The people were against that, and the case ended up taking five years to be settled in the Court of Session. That was the reason for the Water (Fluoridation) Act 1985. The Government produced a Bill in 1983 because they found that it was ultra vires and outwith the remit of a water engineer to "treat" the people who drink water. All the additives that have been mentioned as being in the water are there to make it wholesome. It was important in the early 1980s to keep additions under strict control by local authorities, which are the democratic authorities accountable to the electorate. They consult the people and listen to their views. At that time, they certainly did listen. Lord Jauncey decided the case. Three or four items were put to him, including the medical, moral and legal aspects.

Local authorities all over England and Scotland were not really interested in fluoridating public water supplies, but an organisation called the British Fluoridation Society has spent money to the tune of £185,000 to brainwash the whole of Britain to try to get fluoride into all the waters in all the local authority areas. The Government have been dishonest.

Stephen Hesford: My hon. Friend talks about dishonesty. On representation in the House, is he aware that two early-day motions were tabled and that one, in favour of fluoridation, was signed by more than 150 Members? Of the two EDMs, one was an amendment against anti-fluoridation moves and the other was anti-fluoridation in itself. Only 21 Members signed for the anti position.

Mr. Wray: That does not really matter.

Mr. Butterfill: On a point of order, Mr. Deputy Speaker. The hon. Member for Wirral, West (Stephen Hesford) is misleading the House—

Mr. Deputy Speaker: Order. I am sure that the hon. Gentleman, with his experience, would not wish to use that expression and accuse another hon. Member of misleading the House.

Mr. Butterfill: I am sure that the hon. Gentleman did not intend to mislead the House, but he certainly had that effect.

Mr. Deputy Speaker: Order. The hon. Gentleman has great experience of chairing proceedings in the House, and he should know that he is trying to pursue on a point of order what is really a point of argument.

Mr. Wray: Many early-day motions are tabled. Some get hundreds of signatures, but they never go anywhere. Neither will that one.

The jewel in the crown was Birmingham, which has been fluoridated for 30 years—[HON. MEMBERS: "For 40 years."] That is even worse. The Government never reported back on the professor who went into five primary schools and found that 34 per cent. of the children had dental fluorosis—caused by chronic fluorine poisoning. That is where the disease comes from—a poisonous waste. No one from the medical profession ever discovered that fluoride was attracted to bones and teeth; they knew nothing about it. Cattle were found down in England with skeletal fluorosis, which came from people dumping fluoride, which was very expensive to dump. People wanted to find a cheap way of getting rid of that, so they sent an agent to have a look. It was him who discovered that it was attracted to bones and teeth. That is where chronic fluorine poisoning and skeletal fluorosis came from. I think that the company at the time may have been Fisons.

7.45 pm

Under the 1926 food and drugs legislation, it is a crime to add any kind of fluoride to foodstuffs. The Medicines Act 1968 clearly states what is a medicinal product. Why would a Government who believe in democracy want to transfer a non-medicinal product to a health authority and take away the democratic right of a local authority?

Mr. Gerald Kaufman (Manchester, Gorton): I am interested in amendment No. 8, but I would be grateful if my hon. Friend could clarify one point. I understand entirely that he recommends that the requirement should come from a democratically elected local authority. What would be the basis on which such an authority would make such a request?

Mr. Wray: The reason for wanting to take the decision away from local authorities is that local

[Mr. Wray]

authorities up and down the country refused to fluoridate. It was then put in the hand of water authorities, but they cannot do it because of the Water (Scotland) Act 1946, so the Government have to try to persuade the water authorities. Because of indemnification, the water authorities will not like that because they have heard public complaints about the fluoridation of public water supplies and dental fluorosis. They will not implement fluoridation. In fact, an attempt was made to force authorities in the north of England, and that case was lost because the judge said that the water authority had a responsibility to its shareholders and customers.

Mr. David Marshall (Glasgow, Shettleston): In the event of fluoridated water being eventually proven harmful to the health of human beings, who does my hon. Friend think will be liable if the victims sue? Would it be the manufacturers of fluoride, the water companies, the strategic health authorities or even the Government?

Mr. Wray: If any of my children get dental fluorosis or chronic fluorine poisoning, I will sue everybody until I get the right one—the Government, the fluoride company, whoever. One reason why fluoride is said not to be a medicinal product is that a product licence would be needed to procure the fluoride. That licence would state clearly what the product is—a fluorosilicate, under European Union directives, and something that is certainly not on the approved medicines list. I have heard Ministers speak about fluorspar and natural fluoride. Natural fluoride comes from fluorspar. It is insoluble. With fluorosilicates, as soon as they hit the water, they dissolve. With fluorspar, the actual fluoride comes from the fluorspar and is insoluble. There is a very big difference.

I do not care who takes fluoride. Give it to your sons, give it to your daughters—in toothpaste or in tablets, as long as it is self-administered. Once we start to use water as a panacea, as mass medication for the whole population, half of whom do not even have teeth, we might as well put the fluoride into buckets.

We have a socialist Government and they should never medicate people against their will. It is illegal in English law to medicate someone against their will. It is as though a doctor diagnosed all his patients and prescribed them fluoride without seeing them. We have never done that in this country. That is what bothers me—the fact that a Labour Government who believe in democracy want such demagoguery and want to fluoridate public water supplies.

The Government know the moral aspects and the medical aspects; they certainly know the legal aspects. Why are fluorides forbidden and criminal under the Poisons Act 1972? Why are the human rights of the individual being taken away by a few Members of Parliament who are not even taking the time to read exactly what will be going into our water? Why do they not find out what fluoride is and where it comes from?

Out in the commercial world somebody will be making big bucks. That is what this is all about. If the whole UK water supply is fluoridated, somebody will get their palm greased. They will be ready when the Government decide to put fluoride in the water.

There will be no way of really measuring one part per million. How will the Government know how many children are already taking fluoride tablets at school? How will they know how many people already brush their teeth with fluoridated toothpaste? If a baby ate a tube of toothpaste she would die. There is enough fluoride in a tube of toothpaste to kill a child.

Mr. Etherington: Earlier my hon. Friend was asked about the democratic processes that might be used by local authorities to ascertain the wishes of the public. Does he share my view that whatever the system is I would have more confidence in it than if the matter were left to a strategic health authority?

Mr. Wray: I certainly do.

What worries me is that the Minister is misleading the House. The chairman of the York university review committee, Professor Trevor Sheldon, sent a letter to the press about the statements—

Mr. Deputy Speaker: Order. Did I hear the hon. Gentleman accuse the Minister of misleading the House? If I did, I hope that he will very quickly withdraw that statement.

Mr. Wray: Yes, Mr. Deputy Speaker, I withdraw it.

Trevor Sheldon wrote an open letter that stated:

"The review team was surprised that in spite of the large number of studies carried out over several decades there is a dearth of reliable evidence with which to inform policy. Until high quality studies are undertaken providing more definitive evidence, there will continue to be legitimate scientific controversy over the likely effects and costs of water fluoridation."

Why does the Minister not promote the comments of the director of the Medical Research Council, Dr. Paul Harrison? He said:

"But there is a lack of research on some important aspects, which is why we're highlighting the need for more research . . . Because of the wide use of toothpastes and other dental health care products containing fluoride, we need a better understanding of how much fluoride we're all absorbing."

Everybody else is worried, so why does the Minister say that it is safe to take fluoride? All those bodies have looked at the evidence and considered the studies.

In 1997, Wolverhampton fluoridated its water supply, so why did dental costs rise by 112 per cent? Should not those costs have been lower after fluoridation? We are not getting the right facts in this case.

I hope that hon. Members will vote for the democratic right of local authorities to retain control under amendment No. 8 and that they will vote against the fluoridation of public water supplies. That is a criminal act and it is illegal under various Acts passed by the Government.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. May I appeal to the House? It is obvious that only a short time is left for this debate so I hope that in future contributions, including those from the Front Benches, Members will bear in mind the fact that there is a great deal of interest in taking part.

Mr. Wiggin: I shall try to keep my comments as brief as possible, Mr. Deputy Speaker, but I want to address a large number of amendments.

Members on both sides of the House feel very strongly about amendment No. 8, which the hon. Member for Glasgow, Baillieston (Mr. Wray) has just discussed. We shall certainly press it to a vote and on the Opposition Benches it will be a free vote.

Mr. Greg Knight (East Yorkshire): Some time ago when we held a debate on the composition of the other place there was a series of genuine free votes. To indicate that they were genuinely free votes, the Government Whips Office put in Tellers for both sides. Has my hon. Friend received any notification from the Treasury Bench that Government Whips will be telling on both sides when we vote on this group?

Mr. Nick Ainger (West Carmarthen and South Pembrokeshire) *indicated assent.*

Mr. Wiggin: I see that the Government Whip is nodding. I am grateful to my right hon. Friend the Member for East Yorkshire (Mr. Knight) for making that vital point; if we are to have a free vote, free it must be.

Currently, the Bill gives strategic health authorities the role of consultation with local communities to determine whether fluoride should be added to their water supply. We want that to be undertaken by local authorities. The Minister has insisted that any decision to fluoridate water will be determined by "local" people after "local" consultation. Strategic health authorities are not local. The SHA for my constituency is in Coventry, which is a long way from Herefordshire so it is not local in any sense of the word.

Strategic health authorities are neither democratically elected nor accountable. Their accountability comes only through the Secretary of State, which is not a direct local mechanism. They do not match up with the Government's insistence on local consultation and I should prefer an element of democratic decision making with elected and accountable local authorities having that power.

Mr. Drew: I shall be voting with the hon. Gentleman on the amendment. Not only am I unhappy about the level at which the decision will be taken, but I have received two letters, one from the Greater Manchester SHA and one from my SHA, Avon, Gloucestershire and Wiltshire, urging me to support the provisions on the basis that we should have a fluoridated water supply. How can those authorities carry out open, honest and democratic consultations when they are telling us which way to vote?

Mr. Wiggin: The hon. Gentleman makes an extremely important point. We want not only democratic accountability, but at least proper information to be provided to all people, so that they can decide how they would like their water supplies to be treated. Of course, that is difficult if the strategic health authority has already made that decision.

8 pm

Andy Burnham: The hon. Gentleman makes a point about the decision being in the hands of the wrong body. Why did the then Conservative Government leave the decision in the hands of the health authorities when they passed the Water (Fluoridation) Act 1985?

Mr. Wiggin: I do not think that they left the decision in the hands of the health authorities. [HON. MEMBERS: "They did."] I thought that the decision was left in the hands of the water authorities. [HON. MEMBERS: "No."] I thought that that was what the Government were seeking to change. Anyway, like the hon. Gentleman, I was probably at school at the time, so I was not privy to the full debate.

Andy Burnham *rose—*

Mr. Wiggin: Hang on; let me answer the first question. The important point that the hon. Gentleman is trying to make is that the then Government probably acted—I am sure that they did—on the best scientific evidence at the time. One of the biggest criticisms of the Bill is that the York report has requested further research, but the Government have not carried it out. I can see that the hon. Gentleman is highly exercised, so I shall give way.

Andy Burnham: The hon. Gentleman asks me to explain further. The original Conservative legislation said that the health authorities would undertake the consultation, but that the water companies may choose to fluoridate on the back of the health authorities' request. The word, "may" is the loophole in the 1985 Act that people are exploiting to open a debate on the question per se, but the hon. Member responsible for that legislation—the right hon. and learned Member for Rushcliffe (Mr. Clarke)—is wholly in favour of the change that other hon. Members and I are proposing tonight.

Mr. Wiggin *rose—*

Mr. Butterfill: May I just make it clear that the previous legislation left it free to health authorities to recommend fluoridation, but that it was up to the water authorities to decide whether to go ahead and, since most of them were worried about getting sued, they did not do so?

Mr. Wiggin: I shall make some progress not only because it is important that hon. Members have the chance to make their own speeches, but because we have moved on about 20 years, and there seems little advantage in debating what happened 20 years ago.

Mr. Kevin Hughes: Water authorities will not take the decision because they are not convinced that it is safe and they fear they will be sued if they do so. That is what they fail to say.

Mr. Wiggin: I am grateful to hon. Members for all their interventions. One of the Bill's fundamental flaws is that it does not give us the decision on fluoridation, but the rights and wrongs of what has happened in the past are not for us to debate. I would prefer it if they were, but that is not the case, so I must make progress.

[Mr. Wiggin]

I would prefer to see democratic decision making, so it is right that such powers should be in the hands of local authorises, as elected and accountable bodies. Strategic health authorities have an overwhelming bias in favour of fluoridation. Such an issue needs neutrality—the point made by the hon. Member for Stroud (Mr. Drew)—with each local community given an equal amount of information from both sides of the debate, so they can make up their own minds.

The right hon. Member for Manchester, Gorton (Mr. Kaufman) asked in an earlier intervention why local authorities should take that decision. The answer is that it must be in their interests to ask their electorate and, when they get the answer, to act accordingly.

Mr. Kaufman: My question was not why. I find it very attractive that local authorities should take the decision. What I am interested in having elucidated to me is by what process the local authority would make its decision.

Mr. Wiggin: I shall come to my amendments slightly later on, but I would prefer a proper referendum to be conducted—every household should be consulted. We are talking about mass medication, whether we want to call it that or not, so we must have mass consultation to go with it. That is the least that we can do.

Mr. Simon Thomas: The right hon. Member for Manchester, Gorton (Mr. Kaufman) makes an important point, but it is also important to note that the Bill does not specify what the current consultation with the strategic health authorities—or, indeed, in Wales, with the National Assembly—should involve, so that criticism should be channelled at the Bill as well.

Mr. Wiggin: I agree with the hon. Gentleman, and I shall come to that in speaking to my amendments.

Richard Burden: The hon. Gentleman sees this as a health issue. Does he think that any other health issue should be decided by local authorities, rather than by part of the health service?

Mr. Wiggin: The hon. Gentleman puts his finger on the real misunderstanding. He talks about a decision being made by a local authority or by a strategic health authority; I am talking about local people being able to take that decision. That is why I would prefer local authorities to make the decision. They start from an unbiased position, so they can undertake proper consultation without pursuing their own agenda, and they are elected and accountable. None of those things applies to strategic health authorities, so we need to move on from whether they should make the decision or whether local people should make it. That is why the hon. Gentleman and I will not agree, but he can now understand why his comments are not the same as mine and are not relevant. It does not matter what other health decisions are made by local authorities because they are not covered by the Bill.

Mr. Bailey: The hon. Gentleman has not said what would happen if there were different types of local authority in an area—a county council, a district council or even a district council and a parish council—and they were at odds with each other.

Mr. Wiggin: The hon. Gentleman makes an important point. We have referred to local authorities, but I imagine that the county council would be involved in my area, for example. I have a unitary authority in Herefordshire, but a county council and a district council in Worcestershire, both of which are in my constituency. There are difficulties, but why would strategic health authorities do a better job? They are not accountable and not elected. *[Interruption.]* I will not ask the hon. Gentleman to respond, but I am sure that he will comment on that in his speech. In answer to his question, my feeling is that, so long as an authority conducts proper consultation, it will be able to make the decision. As the Minister said in Committee, the majority of people must be in favour of fluoridation before it takes place.

Mr. Alan Williams: Will the hon. Gentleman give way?

Mr. Wiggin: I will. I have been very generous; I do not see why I should stop now.

Mr. Williams: I appreciate that fact, and I am grateful to him for giving way. Does he not understand that he is giving the argument away? Either we believe in compulsory medication or we do not. If we do not believe in compulsory medication, it does not matter whether it is done by the Government, by a quango or by a local authority, it is still wrong. I believe that compulsory medication is wrong in all circumstances.

Mr. Wiggin: I am grateful to the right hon. Gentleman for that intervention, but it is wrong to say that I am giving the game away or behaving in any way like that. That is not what I seeking to do with my amendments. I want to ensure that the Bill, which only deals with whether fluoridation may or may not take place, guarantees accountability—that is the bit that is missing.

Mr. Kaufman: Will the hon. Gentleman clarify whether, regardless of the fate of any other amendment, he will nevertheless press amendment No. 6 to a Division, because that amendment refers to consulting all households?

Mr. Wiggin: I would love to press amendment No. 6 to a Division. I cannot confirm whether I will do so because we will be under a lot of time pressure; otherwise, the Bill will not receive a Third Reading. If we are successful with amendment No. 8, however, perhaps it will be possible to press amendment No. 6 to a Division. That is an important point, and I am grateful to the right hon. Gentleman for making it.

Amendments Nos. 34, 35, 36, 37, 38, 39, 40, 42 and 46 all relate to the same purpose: including the water undertaker in the decision-making process. The Bill only takes account of the health authority in such decisions, and those amendments would enable water companies, as well as health authorities, to initiate variations in arrangements to accommodate changes in

circumstances, including operational emergencies. Under the Bill, only health authorities can request changed arrangements, but it is only fair that water undertakers should also apply the same provisions. There should be statutory provision for water undertakers to make arrangements for changes in their obligations to take on operational contingencies. Those amendments would ensure that the water company, as well as the health authority, could request such a provision.

Amendment No. 37 would ensure that the decision on the level of fluoridation concentration could be taken by the water company, as well as the health authority. It is only fair that water companies have an input into what concentration of fluoride should be added.

Amendments Nos. 36, 38, 39, 40 and 42 would place the water companies on the same footing as health authorities in a disagreement over a requested variation. Water undertakers should be able to appeal to the Secretary of State and relevant authorities when the terms of a requested variation cannot be agreed. Again, that relates to the point made in amendments Nos. 34, 35 and 37 that express statutory provision should be made whereby water companies can request variation of their obligations to accommodate operational contingencies.

Amendment No. 41 would require that in the references of disputes under section 87B, the Secretary of State or the Welsh Assembly should be empowered to ensure that new or revised fluoridation schemes are operable and efficient. If a scheme failed to be so, entry into the arrangements would be refused.

Amendment No. 46 would add to the circumstances under which suspension of, or variation of, fluoridation takes place, and suggests the addition of necessary changes to source of supply. The boundaries of operational supply zones often have to be varied to accommodate seasonal changes in weather patterns and other operational exigencies.

Amendment No. 6 is very important. It seeks to ensure that every person affected by the proposed fluoridation scheme must be consulted, or at least invited to participate in the consultations. I had to concede that invitation because the Government do not intend to hold the proper referendum that I would have preferred. Consultation literature must be sent to every household in the affected area. In Committee, the Under-Secretary said:

"That is the sort of thing that we have in mind."

I welcome that comment. Furthermore, she added that

"we believe that some sort of door-to-door consultation must be part of the overall consultation."—[*Official Report, Standing Committee D*, 23 October 2003; c. 461.]

Is she therefore proposing that the Government will ensure that every door of every household in every area will be knocked on to discuss fluoridation? I find that highly unlikely. Equally, we must ensure that all households in an affected area receive neutral, unbiased information from both sides of the debate, and that the information is understood by all. Will that happen? I should like to see a referendum on a topic as controversial as fluoridation. Given its health effects—to say nothing of the civil liberties factor, to which reference was made—it is all the more vital to ensure that everyone has their say after a fully informed debate. We have still not had an answer as to what democratic result the Government consider right in order to fluoridate water supplies. Fluoridation will affect individual freedom, because people have to drink water. Their choice and right to drink non-fluoridated water—indeed, fluoride can even be absorbed through the skin when in the bath—will effectively be eliminated, unless the Government are going to give every opponent to fluoridation the money to buy bottled natural drinking water if they live in a fluoridated area, which, of course they are not. It is important that all households be consulted on whether they want fluoridation to take place, and if the Government are serious about their promise to let local communities decide, my amendment should be included.

On amendment No. 47, Water UK believes that, in relation to fluoridation of water supplies, there should be statutory provision by the Secretary of State for specifying construction and operational standards. This code of practice, prepared by the Secretary of State for water undertakers, is in the interests of safety and of the avoidance of arguments over the standards that have to be met and paid for. The amendment would provide clear assurances in that regard.

Amendment No. 48 is very similar to amendment No. 7, except that it adds a subsection (2) to accommodate licensed water suppliers in indemnity arrangements against all liabilities incurred in fluoridation. Amendment No. 7 would ensure that the Secretary of State grants indemnities to water suppliers that agree to fluoridate a water supply under clause 58; we should surely welcome that. In Committee, the Minister stressed that a water supplier that agrees to fluoridate should not incur any additional liabilities, compared with a water supplier with no fluoridation scheme. She is right, but my amendment seeks to be sure of exactly what liabilities are covered in the indemnity, what is excluded, and the costs. It should be expressly provided that the Secretary of State must indemnify water companies against all liabilities that they may incur as a consequence of fluoridation, other than those arising from their own fault or negligence. We want proper protection for consumers in all areas.

Amendment No. 48 adds to amendment No. 7 by attaching subsection (2) in order to accommodate licensed water suppliers. Of course, the question arises of why indemnities are needed in the first place. Is it because there is a risk associated with mass water fluoridation? And it is because of that risk that water companies must be protected against future action? However, just because we recognise that the Government may know of the dangers of fluoridation—hence the indemnity—does that mean that we can skip over the harmfulness of fluoride? As has been said, fluoride is a class 2 poison. We should not legislate without the necessary high-quality research. The high-quality research that the York review itself requested has not been undertaken; indeed, in Committee the Minister told us that it was marked as "a low priority". We need to assess the proportionality of the risk of tooth decay in children, and the risk posed by fluoride for people of all ages. The scientific research is

[Mr. Wiggin]

contradictory, and the satisfactory evidence is non-existent. The safeguards are clearly not in place. The matter is in no way resolved, so the clause in question should not be included. Giving an indemnity to water companies does not detract from the doubt and uncertainty that surrounds the issue; and it certainly is not a reason why we should accept fluoridation.

I want to know how much the proposed indemnities will cost, what legal advice is being taken, and whether the Bill fulfils its human rights obligations.

Mr. David Kidney (Stafford): On the York review's recommendation for further research and the Medical Research Council's 15 recommendations for such research, the hon. Gentleman points out that we have yet to receive the results. But even if this House were willing to legislate without knowing the results, would he think it odd that we consulted the public without their knowing the results?

8.15 pm

Mr. Wiggin: As I said earlier, it is important that the public be properly informed and consulted.

Mr. Butterfill: Does my hon. Friend accept that although the Government may be indemnifying the water companies, they will not get an indemnity themselves? There is no doubt that they will face legal action if they proceed with the Bill.

Mr. Wiggin: I share my hon. Friend's concern. I, too, have heard that the provision will be tested in law and I am very worried about that, because ultimately the consumers will pick up the bill, whether they wish to or not. For that reason, this part of the measure makes me extremely nervous.

Have the Government received the advice of the chief medical officer and the chief dental officer, commissioned in September 2002? We were promised in Committee that a great deal more information would be available on Report. We all look forward to knowing what that information is. If these amendments were accepted, they would provide assurances for all water undertakers that liabilities are covered by the indemnity arrangements, which would be most helpful.

Amendments Nos. 49 and 50 would enable water companies, as well as health authorities, to initiate changes to pre-1985 fluoridation arrangements, which would be fairer to water companies. Water undertakers should be included in statutory provisions that will affect their industry.

I look forward to hearing the rest of this debate. This is an extremely important issue, and I regret very much the sneaking of this clause into the Bill. It is clear that this issue needed a great deal more time in which to debate it.

Andy Burnham: In fact, the clause has not been snuck into the Bill; 150 Members of this House signed an early-day motion, which I tabled, on this issue. That shows the strength of feeling in this place—on both sides of the House—which the Government recognised by introducing the clause.

Today, we have an opportunity to correct a loophole in the law that has thwarted the will of the House for 20 years, and left health inequalities between rich and poor communities that are wider than they need be or should be. Tooth decay is almost entirely preventable, and water fluoridation has been shown to be a safe and effective way of preventing it. Yet we rarely get the chance—

Mr. Kevin Hughes: Can my hon. Friend justify his statement by saying by whom it has been so shown?

Andy Burnham: The justification is the figures, provided for every constituency, from the British Dental Association. In respect of five-year-olds, the constituencies with the best dental health in the country all have a fluoridated water supply. Those with the worst dental health are the poorest communities, which do not have a fluoridated water supply.

Mr. Lansley *rose—*

Mr. Kevin Hughes *rose—*

Andy Burnham: I shall make progress as others want to speak.

We have a once-in-a-generation opportunity to pass legislation that will have a rapid effect on the nation's health, particularly in our most deprived communities, and we must seize it. In fact, it was a Bill passed in 1985 by the previous Conservative Government that made water fluoridation legal, although pointing that out will not help me on this side of the House. The Government's proposed change simply gives effect to the spirit of that legislation.

Mr. Drew: I was under the impression that, when the clause was added, it was an all-party move that the Government did not instigate, but which they may have been sympathetic to. If the Government are in favour of fluoridation, let them say so, but they are not saying that. They are sitting on the fence and hoping that this place will vote in favour of fluoridation. Can my hon. Friend clarify that point?

Andy Burnham: I referred to early-day motion 247, which I tabled. It was signed by Members on both sides, including the right hon. and learned Member for Rushcliffe (Mr. Clarke), who introduced the original legislation—a powerful voice—and the hon. Member for Cheadle (Mrs. Calton) among many others. The Government are right because they are giving communities the chance to decide for themselves. I do not believe that a single Member of the House has the right to deny my constituents the ability to make their own decision on this issue.

Mr. Alan Williams: Does my hon. Friend not understand that he is not doing what he says? He is not giving his constituents the right to do what they want. He is taking one minority—a local government minority—and getting that to force-feed fluoride, as opposed to having a regional health authority do that. He is still force-feeding fluoride and compulsory medication.

Andy Burnham: I am not force-feeding anything to anyone. I support the amendment that gives effect to the original water fluoridation legislation that was passed by the Conservative party and incorporated in its privatisation legislation. It said that, on the back of consultation with local communities, health bodies should make a request to fluoridate. That was the spirit of the legislation that the House passed, and on what basis should we deny our communities the chance to choose for themselves in accordance with the spirit of that legislation?

Mr. Wray: When my hon. Friend reads the paper from the British Dental Association, does he not notice that inner London has the best dental care? The water in that area has never been fluoridated.

Andy Burnham: I am grateful to my hon. Friend for making that point. I am looking at the league table for the worst dental health in the country. If he does not mind me saying, Glasgow has the worst children's dental health in the whole country. When we know a safe and effective means of doing something for the children in Glasgow, we should do it.

On my hon. Friend's specific point, I see that Cities of London and Westminster is No. 10 on the list of the worst constituencies for children's dental health. Under-fives there have, on average, almost three missing, filled or decayed teeth. Right below that constituency are Kensington and Chelsea, which is at No. 11 on the list, and Regent's Park and Kensington, North, which is at No. 12. Inner London is right at the top of the league for the worst dental health in the country.

Mr. Wray: Glasgow also has the four most deprived areas in the whole of the United Kingdom.

Andy Burnham: My point is that, as a supporter of a socialist Government and member of the Labour party, I ask my colleagues in my party to vote for water fluoridation. We know that it is the most effective way of improving the dental health and quality of life of children in our poorest communities. We should all take that opportunity as members of the Labour party.

Mr. Kevin Hughes: Will my hon. Friend look at the British Dental Association report? Does he not see that in 19 of the best 20 constituencies for dental health the water is not fluoridated?

Andy Burnham: I have looked in detail at the figures and I point my hon. Friend to the constituency with the best dental health in the country. The best is Tamworth, where the water is fluoridated. Tamworth does not have the social profile of the wealthiest parts of the country, but it has the best children's dental health. I put it to him that that has something to do with water fluoridation.

I shall now attempt to make progress. This is a controversial issue and the Government deserve credit for taking it on and seeking to resolve it. However, I take the view that the issue has been allowed to become controversial not because most people oppose fluoridation—surveys of the public show that they do not—but because a noisy minority send long letters to Members of Parliament. The chief medical officer unequivocally endorses water fluoridation as the most effective means of improving the health of the nation. What Member of the House has more evidence than he does to make such a recommendation?

Mr. Etherington: My hon. Friend suggests that a majority are in favour of fluoridation, and he has already made the point that he is trying to do what he thinks is right for his constituents. A poll carried out by a local newspaper showed that more than 90 per cent. of my constituents were against fluoridation. I hope that he will bear that in mind when he talks about MPs being influenced by noisy minorities. That is not always the case.

Andy Burnham: The latest poll carried out by NOP found that 67 per cent. of people support fluoridation if it can be shown to reduce tooth decay—and it can.

Mr. Hughes: On a point of order, Mr. Deputy Speaker. I wish to apologise to the House and to my hon. Friend. Another hon. Friend has just pointed out that there is another page in the report and that I was looking at the wrong one.

Mr. Deputy Speaker: That was not a point of order for the Chair, but a personal correction. I hope that we can now proceed to allow as many Members as possible to speak before the debate concludes.

Andy Burnham: In my view, the health arguments do not stack up. They are chucked around by people opposed to fluoridation because they know that the civil liberties argument advanced by the hon. Member for Ceredigion (Mr. Thomas) is not strong enough. That is what it comes down to: a choice between the civil liberties of the individual and the common good, and particularly the common good of our most deprived communities.

I readily accept that there may be a cost to the individual's liberties in drinking one part per million of fluoride in water. But what is the benefit? Water fluoridation has been shown to improve the dental health of an entire population, cutting needless suffering and improving people's quality of life. Given that choice and that cost and that benefit, I will always opt for the common good over civil liberties. It is morally wrong for us to know of a safe and effective means of cutting children's suffering and then not give local communities the power to choose it for themselves. But that is what some propose we do tonight.

New clause 1 is a backward-looking piece of nonsense from the Flat Earth Society that deserves rejecting out of hand. It would end water fluoridation in parts of Birmingham and the west midlands without giving those communities any say about it whatsoever. On what basis does the hon. Member for Ceredigion have the right to do that to the communities that currently have water fluoridation?

Mr. Simon Thomas: Will the hon. Gentleman give way?

Andy Burnham: I have given way a lot and Mr. Deputy Speaker wants us to make progress. Just as

[Andy Burnham]

imposing fluoridation would be wrong, so is any effort to prevent local communities from accessing a proven health intervention used the world over.

Amendment No. 1, tabled by the hon. Member for Ceredigion, seeks to preserve the status quo, with private water companies in charge of the decision. This is an unashamed attempt to maintain a flawed system simply because the deadlock it will bring—and the choice that it denies to local communities—suits the hon. Gentleman's views. Surely the House should, wherever possible, facilitate local people taking their own decisions.

Amendment No. 8 has more to recommend it. If nothing else, by placing the decision in the hands of a local authority, it passes the democracy test. If passed, it would be a significant improvement to the current system, but it is, I think, superficially attractive for two reasons. First, the practicalities dictate that fluoridating a water supply should be a strategic regional decision, not a local matter. Secondly, it is a public health matter and, as such, should rest with those who are expert in public health matters and skilled at informing the public in these difficult areas.

For these reasons, the Government have rightly placed the decision in the hands of strategic health authorities. It is, of course, vital that SHAs conduct extensive and rigorous consultation before taking a decision to proceed with a regional scheme. If the decision were to go to local authorities, differences of opinion between them may render a scheme impractical. If, in an area such as Greater Manchester, there was one objection, that could be sufficient to render the scheme impractical. That could prevent those who voted in favour of water fluoridation from receiving it, which would be neither democratic nor fair. I suspect that the amendment is a wrecking amendment that has been dressed up to appear more attractive, but it should be resisted. Clause 58 should be allowed to remain as drafted.

I make two appeals to hon. Members on both sides of the House: first, choose the common good over civil liberty, especially given that the liberty concerns a negligible particle of fluoride and the good would substantially improve dental health in the most deprived of our communities; and, secondly, even if hon. Members are not persuaded of the case for water fluoridation per se, basic democracy demands that clause 58 remain unamended. I have seen at first hand general anaesthetics being administered week in, week out at Manchester dental hospital on children as young as five. Although the hon. Member for Ceredigion said that such procedures are not used any more, 2,000 such general anaesthetics are administered each year in Greater Manchester, but none is administered in Birmingham, which has fluoridated water. Should any hon. Member deny my constituents the chance to do something for themselves about that dreadful situation?

Norman Baker: I have two immediate regrets. First, the proposal should not be in the Bill at all because, irrespective of its merits, it belongs in a health Bill. Secondly, I regret the fact that I am only the fifth speaker, despite the fact that we are an hour and a half into a two-hour debate, which shows that we have had insufficient time. I guarantee hon. Members that my speech will be the shortest of those that we have heard so far.

8.30 pm

I am pleased that the hon. Member for Ceredigion (Mr. Thomas) tabled new clause 1, because we danced around the issue of fluoride for some time on Second Reading and in Committee. Is it appropriate to put fluoride in water? That is the nub of the issue and the question that people want answered, so I hope that we shall have the chance to vote on new clause 1 in half an hour.

Stephen Hesford: Will the hon. Gentleman give way?

Norman Baker: I shall not give way to any hon. Member who has already spoken, although I shall give way to hon. Members who have not spoken, if necessary.

Does fluoride give health benefits? I conclude that it does but that the benefits are limited. Are there health risks from fluoride? Probably not, but there might be risks, so we need to do further work on that. That equation is not sufficient to justify overriding civil liberties and the genuine opposition of at least a minority of the population to the adulteration of water—as they see it—by adding a medical substance. The hon. Member for Leigh (Andy Burnham) talked about choosing the common good over civil liberties, but civil liberties are the common good, so we should not mix up those two concepts.

In Committee, the Minister said with some sophistry—without wishing to be rude—that fluoride is not medication because it is not classed as a medicine. The whole purpose of adding fluoride to water is to derive a medical benefit. Hon. Members clearly have a view of whether that is right or not, but let us not pretend that fluoride is not a medicine. For the purpose of the Bill, it is treated as a medicine. Let us concentrate on whether it is appropriate to use the mass-medication process suggested in the Bill.

Mrs. Patsy Calton (Cheadle): Will my hon. Friend consider medication a little more? What does he think should be done about the fluoride that occurs naturally in some parts of the country?

Norman Baker: The hon. Member for Ceredigion dealt with that point when he drew a parallel with radon gas, which is naturally present in some parts of the country. We encounter environmental hazards during our lives about which we can do little—they are part of living on this planet. However, we do have the opportunity to decide whether to enhance or minimise those hazards. Some people believe that fluoride, as a man-made addition to water, is unwelcome because of its potential hazards. Adding fluoride to water is not necessary when one considers the ultimate behaviour of man.

Amendment No. 1 is superficially attractive. Although I happen to be against fluoridation, in Committee I voted against removing what was then clause 61—it is now clause 58—because it does not relate to whether it is right or wrong. New clause 1

relates to the principle of whether fluoride should be in water but clause 58 contains mechanistic provisions for the bodies that should decide the matter—the water companies, as is the case at present, or strategic health authorities, as the clause would provide. Hon. Members who want to vote against fluoride should vote in favour of new clause 1 because clause 58 relates only to who should make decisions on the matter. I am clear that it would be better, although not perfect, for the decision to be made by a strategic health authority rather than a water company, which is the basis of clause 58. That is why I favour new clause 1 but oppose removing clause 58.

Having said that it would be preferable for a strategic authority to make the decision, it would not be the best solution. If fluoride is to continue to be added to water, it is better for that to be decided by common consent with popular support. The decision will receive popular support if it is taken independently. However, SHAs are not independent because they have an agenda. They are not democratically elected and there is only a thin line between them and the Secretary of State for Health, which shows their democratic credentials. SHAs would not take a local decision because they are not local. It would be quite wrong to impose a measure that many people would consider to be an infringement of their civil liberties by a mechanism that was not independent, democratic or local, which would be the case if SHAs made the decision. If new clause 1 is unsuccessful and the House accepts the principle of adding fluoride to water, it is important for us all that there is a means of dealing with its addition in a way that commands public support. In that way, even those who do not want it will know that they have had an opportunity to have their say and had an input into the decision. That can be achieved by involving local authorities. They might not be perfect but they are local, democratically elected and accountable, which is more than can be said of strategic health authorities.

The drafting of amendment No. 8, for which I have considerable sympathy, is faulty. It refers to one local authority. There is, of course, no coterminosity between local authority boundaries and water company boundaries or even water supply areas within water companies. South East Water uses several different sources to supply people in my constituency. The direct link between a local authority and the water supply is not necessarily right. A combination of local authorities would be necessary to bring about a decision-making process. I do not pretend that that would be easy. It is better to have a difficult but justifiable situation, however, than an easy but unjustifiable situation, which is the case with the strategic health authorities.

I hope that we will vote on new clause 1 so that we determine the principle of the matter. It is a free vote for my colleagues, as I imagine it is for other parties, although I am not sure about Plaid Cymru. The Government Whip, the hon. Member for West Carmarthen and South Pembrokeshire (Mr. Ainger), shakes his head. Perhaps he has inside knowledge of Plaid Cymru's workings. I also hope that we will vote on amendment No. 8 because the accountability of those who take the decisions is important.

Mr. Alan Williams: I say to my hon. Friend the Member for Leigh (Andy Burnham) that when the subject was first debated on the Floor of the House I was on the Opposition Front Bench, which I left to join the Back Benches so that I could oppose the then Government's proposal. I did so for the same reasons that make me oppose it today. It is a matter not of whether fluoride is good or bad, but of whether compulsory medication is right or wrong. It is a fundamental right of every individual in this country, other than in a major national emergency, to say, "I do not want medication." It does not matter what part of the electorate is chosen to make the decision, whether it is the local authority or people voting in a national referendum, a minority will be forced to accept compulsory medication.

My hon. Friend said that 67 per cent. of people in a poll were in favour of fluoridation. That means that one in three people who replied did not want to be force fed fluoride, but in arrogance people who have just come into this House and do not understand the prime responsibility—*[Interruption.]*

Mr. Deputy Speaker (Sir Michael Lord): Order.

Mr. Williams: Those people do not understand that the prime responsibility of the House of Commons cuts across parties to protect the rights and privileges of the people of this country. People have the right to say no to medication. We cannot say no to a water supply, because we must have water. No one can pretend that fluoride is a matter of life or death. Professor Sheldon said that at best it gives an estimated benefit in the order of 15 per cent. Are hon. Members seriously saying that to get a 15 per cent. benefit we will force feed one in three people? It is as simple as that. If hon. Members miss that point, they do not understand what the House of Commons is about.

Sir Paul Beresford (Mole Valley): I obviously have a declared interest and, as such, will take a slightly different approach. I will not go through the facts and figures. Other hon. Members have the opportunity to do so. I want to touch on the caries aspect of the problem and my experience of fluoride in this country and elsewhere.

The proposal is a little start—a tiny step forward—but it is decades behind the United States, Australia and New Zealand. I was a child in New Zealand and graduated from dentistry there. We have three dental generations in New Zealand: my parents' generation, which has plastic teeth; my generation, which has our own teeth but heavily filled; and the next generation—my children's generation—most of whom have little or no sign of decay and no fluorosis. I speak as someone who has looked through a microscope at the teeth of living patients. The first place in New Zealand where fluoridation was introduced many decades ago was a little town called Hastings. There was a huge scream, and there were allegations of the type that we have heard tonight about cancer and brittle bones. There were even allegations about the process being used by the Nazis for torture, but it all proved to be absolute rubbish.

Research on the subject in the past few decades has been enormous. Fluoride occurs naturally in many water supplies throughout the world, so there has been

[Sir Paul Beresford]

a great the opportunity to look into its effects. In Hastings, the mayor made a brave decision to add fluoride to the water and there was, as I said, a scream. However, his biggest problem came from a local lady who said that a cup of tea would taste different. On day one, he pulled a lever, and the fluoride went in. There was an enormous number of complaints, but about six weeks later there was a small item in the paper saying that when the mayor had pulled the lever it was not connected to anything. A piece of machinery that was supposed to come from England had not arrived on the boat. However, New Zealand has had fluoride ever since, and it has been of tremendous benefit.

Much has been made of the fact that decay can be prevented by other means, which is true. Much, too, has been made of the fact that there should be expenditure by the Government to teach prevention. The Ministry of Health in New Zealand tried that years ago, and put a huge amount into prevention. There was an advertising campaign, and three special colleges for school dental nurses were set up—the population, I remind hon. Members, was only about 2 million. Those girls did drilling and filling sessions at every single primary school—as kids, we called them "the murder house" because we had an enormous amount of decay.

Once fluoride arrived, decay gradually disappeared and the need for those dental nurses was reduced. The population has more than doubled, as has the school population, but the number of schools for dental nurses has gone down from three to one. The girls are spending two thirds of their time teaching prevention, because they do not need to drill and fill.

When I arrived in Britain about 30 years ago and went to work in east London, I could not believe what I saw. The points made by the hon. Member for Leigh (Andy Burnham) are quite right, as are the points made on the postcards, which, I hope, Members have received. What I saw was disgusting and appalling. I spent a large proportion of my time extracting teeth or refilling teeth when dental decay had eaten around what I had done heroically the previous year to save teeth, not just in children but in adults. Last night, I spoke to an elderly dentist in New Zealand, who told me that before fluoridation, filling teeth heroically was like trying to fill a bath with the plug out—it was hopeless. When fluoride arrived, that changed.

I remember children and adults coming into my clinic with swollen faces and broken-off teeth. They had pus pouring out and were in considerable pain. They had sleepless nights and had to take days and hours off work or school. It was appalling. We used to run a general anaesthetic session every Thursday afternoon. That is not permitted now, because it is done in the hospitals, which have picked up the load that we had to deal with. We would put 18 to 20 patients through a huge series of extractions because there was no clinical alternative. That does not occur in New Zealand, Australia or the United States, where there is fluoride.

I was staggered by the working hours that were lost. On Monday morning, dentists would have queues of patients lining up to see them. That does not happen in areas with fluoride.

Mr. Kevin Hughes: Is the hon. Gentleman trying to say that that is all down to fluoridated water? I do not think that he can make that claim, because not even the York review and the General Medical Council are saying that. He is stretching the point a little.

Sir Paul Beresford: What I am saying to the hon. Gentleman is that, having looked at mouths in one country where there is fluoride in water and in another country where there is none, I believe that, in addition to the benefit of fluoride toothpaste and where decent tuition has been given, we can beat caries with fluoride in the water supply, topped up by other methods. We must recognise, however, that in trying to teach adults and children in a country where there is less than one toothbrush per person, we need fluoride to take the initial step.

8.45 pm

In the past, children who came out of a dental surgery—this often still applies today—would be petrified of dental care thereafter, which contributed to the difficulty. I now run a very specialist and extremely part-time dental practice doing advanced restoration. The only pain is in the white envelope at the end of the day. We are doing high-class work, but it is still vulnerable to decay, and people would be protected from such decay to a considerable degree if fluoride were included in the water supply.

Mr. Butterfill: Will my hon. Friend give way?

Sir Paul Beresford: No; my hon. Friend has been bouncing up and down like a yo-yo, and I shall leave things like that for a moment, as I wish to move on.

I have spent most of my life battling dental caries. I have been to conference after conference and read journal after journal, and I am absolutely convinced of the benefits and safety of a fluoridated water supply. Perhaps the best answer to those with health concerns, especially the hon. Member for Ceredigion (Mr. Thomas), who tabled the new clause, is to remember that almost all the All Blacks will have had fluoridated water all their lives, and they beat Wales.

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): I do not think I shall join that particular controversy.

Hon. Members have made my job of speaking to the Government amendments and winding up the debate difficult. I shall endeavour to address the arguments and not deal with individual amendments, as time will not permit me to do so. First, it is ironic that the hon. Member for Ceredigion (Mr. Thomas), who is in pursuit of liberties, is pursuing them through a whipped vote of his party, whereas many hon. Members are on a genuinely free vote. That is an extreme irony.

Clause 58 is an enabling clause. No one is forcing anyone to do anything here or anywhere else. The point is that the provision is not for the whole country and it is democratic, as we are going to local communities and the Bill enables those communities to decide for themselves. That is very important. While we might want to reduce demand for dentistry, as the hon. Member for Ceredigion said, we also want to improve

dental health, as the hon. Member for Mole Valley (Sir Paul Beresford) pointed out, which is why dentists throughout the country support the measure as well. It is not in dentists' interests in terms of their business—let us admit it—to support the measure, but they have done so because of their interest in dental health. And yes, brushing teeth is essential too.

Mr. Brian H. Donohoe (Cunninghame, South): May I refer my hon. Friend to a letter written by the Secretary of State on 6 November, which states:

"We are in sympathy with the amendment to the extent that we are resolved that local authorities should play a major part in reaching decisions"?

Why does she accept that regional health authorities should undertake consultation but not local authorities, given that local authorities are democratically elected, while health authorities are quangos of this Government?

Miss Johnson: Let me point out that my right hon. Friend the Secretary of State also said:

"we are equally certain that the overall process should be 'owned' by the Strategic Health Authority".

That is the case for just the reason that hon. Members have advanced—strategic health authorities have a strategic role in public health. That is why they are ultimately the right place in that regard. I shall deal with the question in more detail and return to the question of local authorities in a moment.

Several hon. Members *rose—*

Miss Johnson: I need to make some progress, as I have but 10 minutes. My hon. Friend the Member for Leigh (Andy Burnham) is right about dental health inequalities. I draw hon. Members' attention to a letter in yesterday's edition of *The Times* that was signed by my right hon. Friends the Members for Darlington (Mr. Milburn) and for Holborn and St. Pancras (Mr. Dobson), the right hon. and learned Member for Rushcliffe (Mr. Clarke) and Lord Fowler, all of whom were Secretaries of State for Health, and all of whom were supporting the fact that people should be able to choose fluoride under the existing clause. I do not need to point out that that is a very unusual collection of individuals who do not always bat together: in this case, it is important that they are doing so.

Mr. Morley: It is a dream ticket.

Miss Johnson: As my hon. Friend says, it is a dream ticket.

On compulsory medication, the hon. Member for Cheadle (Mrs. Calton) is right to say that as fluoride is a naturally occurring substance, fluoridation is no more medication than is exposure to many other trace elements. We need some fluoride in our diet; many vegetables, among other things, contain trace elements of it, just as water contains many trace elements.

We commissioned the University of York to review the evidence and, in response to its criticism of the quality of some of the evidence, we asked the Medical Research Council how it might be strengthened. It came to the conclusion that many of the suggested areas for further research were very low priorities, because the existence of many of the harms that hon. Members have mentioned could not be proved.

Mr. Kidney: After the MRC's response, the Government commissioned a study on one recommendation and asked the chief medical officer and the chief dental officer to report on the others. Does my hon. Friend have the results of that research, and can she share them with us before we vote?

Miss Johnson: We have provisional advice on the outcome of the research on bio-absorption of fluoride. The results are very encouraging. As they are still being peer reviewed, it would not be appropriate to discuss them now, but all the evidence will be available to local communities when strategic health authorities discuss the matter under the provisions of the Bill, if it is supported by the House.

On international comparisons, 400 million people in 60 countries benefit from optimally fluoridated drinking water, either naturally occurring or adjusted. That includes 64 per cent. of people in the US, 43 per cent. in Canada, 75 per cent. in Israel and 61 per cent. in New Zealand.

Mr. Butterfill: Can the Minister confirm that in certain parts of the United States and, indeed, Europe, fluoride-treated water has been withdrawn?

Miss Johnson: No, I cannot. Indeed, in Los Angeles, fluoridated water was recently introduced to a large additional population. I am not sure to what the hon. Gentleman refers.

The effectiveness of fluoride in reducing tooth decay is not as the hon. Member for Ceredigion suggests. The York study said that fluoridation would result in 15 per cent. more children having no tooth decay, which is better than the 15 per cent. reduction that he describes. In the end, it comes down to a balance of judgment. Hon. Members mentioned the 1,500 to 2,000 children in the Manchester area who have their teeth extracted under general anaesthetic each year and may thereby be placing their lives at unnecessary risk. That could be avoided by going down the path that the clause advocates in enabling those communities to decide for themselves. Six million people in this country drink fluoridated water. New clause 1 would remove that ability even from those who currently use fluoridated water. I hope that hon. Members of all parties are well aware of that.

There is 40 years' experience of fluoridation.

Mr. Kevin Hughes: If we were to hold a vote on fluoridation in Doncaster in which 40 per cent. voted against it and 60 per cent. in favour of it, what advice would the Minister give to the 40 per cent. who did not want fluoride in their water? What would they do?

Miss Johnson: My hon. Friend knows that we do not propose to hold referendums. However, whenever local opinion is in favour of something, some people will not support it. That is probably true in Birmingham where water is fluoridated.

[Miss Johnson]

The York report suggested that approximately 15 per cent. more people in fluoridated areas had fluorosis, not 48 per cent., the figure that I believe that the hon. Member for Ceredigion cited. From his considerable experience of dentistry, the hon. Member for Mole Valley described the way in which the matter is regarded and how minor it often is.

Amendment No. 8 deals with the involvement of local people. The Secretary of State for Health circulated a letter to all hon. Members that stated that we were in sympathy with the amendment to the extent that we are resolved that local authorities should play a major part in reaching decisions about whether an area should fluoridate. The views of local authorities will need to be taken into account at every step of the consultation. We are convinced that decisions should be owned at strategic health authority level.

Mr. Drew: Will the Minister give way?

Miss Johnson: I shall in a moment. As part of our modernisation programme, borough councils, unitary authorities and all the county councils have established overview and scrutiny committees, which have a remit to consider health services. We accept that local authorities have an important role in those matters.

Mr. Colin Challen (Morley and Rothwell): Will my hon. Friend clarify whether the results of any public consultation would be binding on health authorities under the Bill?

Miss Johnson: We are clear that health authorities should accede to the proposal to ask for fluoridation in their area if consultations ascertain that the local population is in favour of it. I was a local authority member for 16 years and I do not believe that local authorities are the right vehicle for the decision. In many cases, local authorities do not cover large areas. There is already an issue about the coterminosity of water companies with strategic health authority areas. The logistics, the size difference, the potential bureaucracy of bringing authorities together and the problems that some hon. Friends have outlined of local authorities running the process rather than being key components, as we envisage them, mean that the proposal is wrong.

Strategic health authorities are responsible for health decisions and it is therefore right that they are able to pursue the matter as the overall ring holder.

Norman Baker: Does the Minister envisage a one-size-fits-all solution in a strategic health authority or can local communities express their views such as the possibility of different solutions in the same health authority area?

Miss Johnson: That is an interesting point. We believe that the solution should apply to a strategic health authority area, but there will be issues with the water companies about boundaries and the relationships with them.

Mr. Donohoe: Will the Minister give way?

Miss Johnson: I want to move on to make one or two additional points. I have had little time to contribute to the debate.

In Bolton, 70 per cent. of five-year-olds have experienced tooth decay. On average, each child has more than three decayed teeth. There is no fluoridation in the north-west. In the west midlands and Crewe, only 23 per cent. of five-year-olds have experienced tooth decay. I believe that the case has clearly been made for allowing local communities to decide, and we are enabling them to do so.

I would like to draw Members' attention to the comments of the hon. Member for Salisbury (Mr. Key), who said in Committee that he had decided that he was not prepared to pass by on the other side, and that this was a question of balance and judgment. He said:

"I have decided that, in this instance, child health must take precedence over my scruples, prejudices and personal views on individual liberty and freedom."—[*Official Report, Standing Committee D*, 23 October 2003; c. 442.]

I urge other hon. Members to do likewise.

It being Nine o'clock, MR. DEPUTY SPEAKER *put the Question already proposed from the Chair.*

The House divided: Ayes 181, Noes 284.

Division No. 357] **[9:00 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, rh Michael
Arbuthnot, rh James
Austin, John
Bacon, Richard
Baker, Norman
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Benn, rh Hilary
Bennett, Andrew
Bercow, John
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Burgon, Colin
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Cameron, David
Carmichael, Alistair
Cash, William
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cotter, Brian
Crausby, David
Cryer, John *(Hornchurch)*
Davies, rh Denzil *(Llanelli)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donohoe, Brian H.
Doran, Frank
Drew, David *(Stroud)*
Duncan, Alan *(Rutland)*
Etherington, Bill
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grogan, John
Gummer, rh John
Harvey, Nick
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hurst, Alan *(Braintree)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lewis, Terry *(Worsley)*
Liddell-Grainger, Ian

Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McDonnell, John
MacDougall, John
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
McNamara, Kevin
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, David *(Glasgow Shettleston)*
Maude, rh Francis
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Mudie, George
Mumson, Dr. Andrew
Norman, Archie
O'Brien, Mike
Osborne, George *(Tatton)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Pope, Greg *(Hyndburn)*
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Purchase, Ken
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Ruddock, Joan
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Sheridan, Jim
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Steen, Anthony
Stewart, David *(Inverness E & Lochaber)*
Straw, rh Jack
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Tami, Mark *(Alyn)*
Taylor, Sir Teddy
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Trickett, Jon
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Vis, Dr. Rudi
Walley, Ms Joan
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
White, Brian
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, rh Alan *(Swansea W)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Wood, Mike *(Batley)*
Wray, James *(Glasgow Baillieston)*
Yeo, Tim *(S Suffolk)*
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Jim Murphy and Derek Twigg

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Atkinson, Peter *(Hexham)*
Bailey, Adrian
Baird, Vera
Baldry, Tony
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Bell, Stuart
Beresford, Sir Paul
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunt, Crispin
Borrow, David
Bottomley, Peter *(Worthing W)*
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Cairns, David
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Chidgey, David
Clappison, James
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cox, Tom *(Tooting)*
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Dowd, Jim *(Lewisham W)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gardiner, Barry
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Hammond, Philip
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Hayes, John *(S Holland)*
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hill, Keith *(Streatham)*
Hodge, Margaret
Hope, Phil *(Corby)*
Hopkins, Kelvin
Horam, John *(Orpington)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lucas, Ian *(Wrexham)*
Luff, Peter *(M-Worcs)*
Luke, Iain *(Dundee E)*
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Marris, Rob *(Wolverh'ton SW)*
Martlew, Eric
Mawhinney, rh Sir Brian
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret

Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oliver, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Page, Richard
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Portillo, rh Michael
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tapsell, Sir Peter
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Gareth *(Harrow W)*
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Tredinnick, David
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Walter, Robert
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Whitehead, Dr. Alan
Wicks, Malcolm
Widdecombe, rh Miss Ann
Wilkinson, John
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Young, rh Sir George

Tellers for the Noes:
Jim Fitzpatrick and
Joan Ryan

Question accordingly negatived.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [5 November].*

Clause 58

FLUORIDATION OF WATER SUPPLIES

Amendment proposed: No. 8, in page 75, line 23, leave out from 'a' to end of line 25 and insert 'local authority'.—*[Mr. Wiggin.]*

Question put, That the amendment be made:—

The House divided: Ayes 200, Noes 243.

Division No. 358] **[9.14 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, rh James
Austin, John
Bacon, Richard
Baird, Vera
Baker, Norman
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Bennett, Andrew
Bercow, John
Blunt, Crispin
Borrow, David
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Brooke, Mrs Annette L.
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Cameron, David
Carmichael, Alistair
Cash, William
Challen, Colin
Chidgey, David
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cotter, Brian
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Davis, rh David *(Haltemprice & Howden)*
Dhanda, Parmjit
Dismore, Andrew
Djanogly, Jonathan
Donohoe, Brian H.
Doughty, Sue
Drew, David *(Stroud)*
Duncan, Alan *(Rutland)*
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Fabricant, Michael
Fallon, Michael
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Garnier, Edward
George, Andrew *(St. Ives)*
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grogan, John
Gummer, rh John
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hayes, John *(S Holland)*
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, rh Gerald
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lewis, Terry *(Worsley)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
Lyons, John *(Strathkelvin)*
McCafferty, Chris
McDonnell, John
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
McNamara, Kevin
Maples, John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Mike *(N Warks)*
Organ, Diana
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Purchase, Ken
Quinn, Lawrie
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David

Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Coventry NW)*
Rosindell, Andrew
Ruddock, Joan
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Sheridan, Jim
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Steen, Anthony
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Straw, rh Jack
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tami, Mark *(Alyn)*
Tapsell, Sir Peter
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Tonge, Dr. Jenny
Tredinnick, David
Trickett, Jon
Truswell, Paul
Turner, Andrew *(Isle of Wight)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Walley, Ms Joan
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
White, Brian
Wiggin, Bill
Willetts, David
Williams, rh Alan *(Swansea W)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Wood, Mike *(Batley)*
Wray, James *(Glasgow Baillieston)*
Yeo, Tim *(S Suffolk)*
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Jim Murphy and Derek Twigg

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Atkinson, Peter *(Hexham)*
Bailey, Adrian
Banks, Tony
Barron, rh Kevin
Beard, Nigel
Beckett, rh Margaret
Bell, Stuart
Beresford, Sir Paul
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bottomley, Peter *(Worthing W)*
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Cawsey, Ian *(Brigg)*
Chaytor, David
Clappison, James
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cox, Tom *(Tooting)*
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Curry, rh David
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Dowd, Jim *(Lewisham W)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Farrelly, Paul
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Heppell, John
Hesford, Stephen
Hill, Keith *(Streatham)*
Hodge, Margaret
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Iranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Key, Robert *(Salisbury)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Marris, Rob *(Wolverh'ton SW)*
Martlew, Eric
Mawhinney, rh Sir Brian
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Olner, Bill
Palmer, Dr. Nick
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Portillo, rh Michael
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quin, rh Joyce
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Reiche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stevenson, George
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin

Stringer, Graham
Stuart, Ms Gisela
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Harrow W)*
Todd, Mark *(S Derbyshire)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Whitehead, Dr. Alan
Wicks, Malcolm
Widdecombe, rh Miss Ann
Wilkinson, John
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Young, rh Sir George

Tellers for the Noes:
Jim Fitzpatrick and
Joan Ryan

Question accordingly negatived.

Remaining Government amendments agreed to.

Mr. Wiggin: On a point of order, Mr. Deputy Speaker. I seek your guidance about whether a free vote means that the Government Chief Whip should herd her supporters into the No Lobby.

Mr. Deputy Speaker: I must tell the hon. Gentleman that that is not a matter in which the Chair becomes involved in any way.

Order for Third Reading read.—[Queen's Consent, on behalf of the Crown, and Prince of Wales's Consent, on behalf of the Duchy of Cornwall, signified.]

9.27 pm

Mr. Morley: I beg to move, That the Bill be now read the Third time.

The Bill has made steady progress through the House, and I thank hon. Members for their commitment in helping it reach this stage and for their contributions to interesting and thoughtful debates. In particular, I thank the Under-Secretary of State for Health, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson), for her work this evening on fluoridation, on which we heard some very good speeches.

The points raised on the Bill have not suggested that its principle is wrong. I am glad that the principle of the Bill has received so much support. Members have asked whether the Bill should go further, how far it should go or what should be in it that is not in it. I feel that our debates have answered the fundamental questions asked while clarifying our intentions and the Bill's scope. I am particularly pleased with the amendments that we have made today to strengthen the sustainable development duty on the consumer council, which was of particular interest to my hon. Friend the Member for Falmouth and Camborne (Ms Atherton). I am sorry that she cannot be with us tonight, but she will be pleased to know that we have addressed the points that she raised in Committee.

Hon. Members have welcomed the amendments intended to address the problem of private sewers, and I pay tribute to my hon. Friends the Members for Sherwood (Paddy Tipping), for Rugby and Kenilworth (Andy King) and for Stroud (Mr. Drew) and Opposition Members who raised that matter. As an estimated 50 per cent. of households are connected in some way or other to private sewers, the issue is not minor and requires much careful thought. Although it is unlikely that there will be quick, short-term solutions, the Government are committed to addressing the issue.

I enjoyed the debates, although I realise that concerns remain and that we have not reached agreement on some things. I very much hope that the assurances that I have given and put on record about the principles and about some of the affected groups and industries will go some way to address the legitimate concerns that have been raised.

The impact of the Bill on industries that abstract water, especially in relation to quarry de-watering, which is being introduced for the first time, understandably concerns people who will have to obtain licences when they previously did not have to. Like many of the resources on which we rely, water is not in infinite supply. Until recently, we thought that rain was not in short supply in this country and that our water stocks could always be replenished but, increasingly, demand is rising and our water supplies struggle to meet it. Recent drought warnings in some parts of the country are a timely reminder of that. It is thus important that all types of abstraction are controlled. The impact of quarry de-watering on other abstractors and the damage that it has sometimes caused to conservation sites should not be played down. However, the industry is legitimate and I hope that my reassurances will go some way to meet its concerns.

Abstraction licensing based on water consumption rather than on activity type or water use is the only real way to tackle the problem of managing demand. If we are serious about sustainable development, we need to be ready to make those changes and look for alternatives to our current water use as well as seeking ways to reduce demand.

In setting up new regulatory arrangements, it is tempting to be over-prescriptive, but experience tells us that we need some flexibility to allow the water services regulation authority and the consumer council for water to be managed and to shape themselves. Our role is to ensure that the minimum requirements are laid out to enable those bodies to carry out their functions in an open and transparent manner that benefits consumers, the industry on which they depend and other stakeholders. I can only reiterate that we are committed to best practice and, in the case of the authority, to follow the recent recommendations of the Better Regulation Task Force.

As we have just heard, fluoridation will continue to spark much debate. However, it is important to continue to stress that the Government's approach to fluoridation has not changed; we are simply placing the decision to add fluoride to local water supplies in the hands of those best placed to make a decision: local strategic health authorities, in consultation with their local communities.

Despite our differences of opinion, there has been agreement among Members on both sides of the House about the main principles of the Bill: to promote the sustainable use of water resources, strengthen the voice of consumers and achieve a measured increase in competition. Those principles bring challenges and the Bill meets them by reforming abstraction licensing to improve long-term water resource management; introducing provisions for the better operation and

regulation of the water industry and giving water consumers an independent voice; providing opportunities for competition for new entrants to supply water to large commercial and industrial customers; and promoting water conservation by undertakers and public bodies and, through them, by the public at large.

The Bill cannot deal with all water matters. In relation to our debates about such things as the water framework directive, it is important to think of the Bill as only one part of the wider water conservation and sustainable development picture. The Bill's contribution to that picture will greatly depend on the commitment to its principles beyond this place. Although the principle of sustainable development underpins the Bill, the measure is specifically about balancing the interests of the environment, consumers, water companies and other abstractors—a balance that we have sought to achieve throughout the Bill.

The Bill's Committee was one of the more constructive Committees on which I have served. The contributions from both sides were thoughtful and some good ideas were proposed. I end my speech by repeating that the measure forms part of an ongoing process to ensure that we take a sustainable approach to water, which is not an infinite resource—as we saw from the pressures put on us this year, the driest on record. We also face global pressures on water resources. The issues are important and the Bill goes a long way to meeting our commitment to sustainability in all aspects of Government policy.

9.34 pm

Mr. Wiggin: The Bill had the potential to make a significant and positive impact on the UK water industry's regulation, competition and environmental sustainability. Instead, the Government have missed many good opportunities to implement something constructive, open, democratic and fair. I agree with the Minister that contributions throughout the debates on the Bill have been thoughtful, constructive, helpful and heartfelt in their intentions. The Government's intentions may have been sound, but they have failed to deliver them, and I am disappointed about the huge gulf between what could have been achieved during the constructive debates in Committee and what has been allowed to pass.

First, the Bill fails to link water abstraction with planning. The application processes for abstraction and planning and their dates of commencement and expiry should be simultaneous, so that there is only one course of action to take for a business wishing to abstract. A business with planning permission should be able to abstract, as it is a requirement of the planning process that abstraction is environmentally safe. The delay created by such a separation will undermine the certainty that businesses require in the longer term. That will not provide a sustainable outlook for water abstractors and is the first example of the Government fracturing investment in the water industry. Such fracturing persists throughout the Bill.

Secondly, the Government must have severely dented investor confidence in the water industry through their alterations to abstraction licences. I tried to ensure that the period of abstraction licences should be determined only after the Environment Agency has taken into account the infrastructure, costs and investments associated with the abstraction. The presumption of renewal could have been made more explicit in the Bill, but the Government have failed to create an open and clear process that would provide the stability required by those making long-term investment decisions. I cannot understand why the criteria for licence renewal are not incorporated into the Bill.

Thirdly, I remain concerned for drinking water companies—the Minister did not mention them, but they constitute a very British industry—and the Bill's consequences for their long-term prospects. Of course, I refer to allowing small abstractors to drill boreholes into licensed abstractors' aquifers. We covered that earlier today.

Water conservation duties have not been given high enough priority. Despite the Minister constantly reminding us in Committee and today that the Bill is about water resource management, the provision on the first crucial step to managing water has been worded far too weakly. That is not in the best interests of the future efficiency of our water sector. Equally, it is important to voice once again my concerns about the powers of the water services regulation authority and the possible danger that they involve. By not stating that the posts of chairman and chief executive are separate, the Government could allow a monopoly on the control of the regulation of the water industry.

Another matter of enormous significance is the failure to connect the Bill with the EU water framework directive of 2002. Perhaps one day the Government will get around to introducing legislation to deal with the EU commitments that they signed us up to.

I regret that clause 58, on fluoridation of water supplies, was sneaked into the Bill and subsequently pushed aside other important water issues. That is a fundamental failure by the Government; the Bill was neither the time nor the place to include that clause. Although fluoridation may have swamped the other topics by comparison, consultation on the issue has still not been as in-depth and detailed as perhaps it should have been.

I am also concerned that strategic health authorities will not ensure neutral, comprehensive consultations, because they are certainly not the correct bodies to assess people's views objectively. That has been shown by the very close vote that we have just had. Strategic health authorities are not representative of local communities, but the Government have nevertheless steamed ahead with the arrangements and duly failed to live up to the promise of local determination. Instead, they have left the decision to bodies with clearly biased agendas. This is a sad day for democracy and freedom.

The ideas of sustainability and resource management behind the Bill are welcome, but, sadly, the principles have not been applied to the content. As for the Government's supposed commitment to sustainability, the UK ranks 91st in the world environmental sustainability index. That is a disgrace and perhaps a reflection of the Government's lack of commitment to this country's environment. I am saddened by the knowledge that the Bill will not further the sustainability of the water industry.

[Mr. Wiggin]

There has been much constructive and intelligent debate among hon. Members on both sides in Committee and today, but my hopes that such discussion would lead to improvements in the Bill have not been realised to the extent that I had hoped. I regret the waste of the available opportunities for improvement, and I fear that the lack of certainty caused by the refusal to put statutory assurances in the Bill will significantly undermine the industry's long-term investment future.

9.39 pm

Dr. Brian Iddon (Bolton, South-East): It was a pleasure to serve on the Bill, and I congratulate the main spokespersons on both sides of the House on demonstrating the necessary technical knowledge, particularly in the early stages, when we were talking about abstraction; it was such knowledge that saw the Bill through. I have not followed the water industry with particular zeal, but I have learned a lot by serving on the Standing Committee, which sat for 11 two-and-a-half-hour sittings. If not exactly a marathon, that was certainly a long time.

The memories that remain with me from the debate on abstraction include the hon. Member for Salisbury (Mr. Key) waxing lyrical on the watercress beds that I never realised I was looking at in that lovely view of Salisbury cathedral. To him, I therefore say, "Thank you for the memory." I was not so convinced by the golf course lobby. Given that I do not play golf myself, I did not shed too many tears about the sustainability of golf courses during our consideration of the sustainability argument.

Another lasting memory was my hon. Friend the Member for Forest of Dean (Diana Organ) telling us about the dry junior urinals that she had come across in a recently built school in her constituency. She asked us to spread the message, and I am doing so right now. But the funniest moment in Committee proceedings occurred when, as people were thinking about nothing in particular, the Clerk suddenly stood up and shouted, "Rats in the sewers!" I thought, "When? Now? Is a bubonic plague epidemic about to spread in London?" The shout was reminiscent of how the doormen shout the Divisions, and it surprised us all. It was a funny moment in the middle of such serious business. I congratulate those Members who promoted the adoption of private sewers. I never realised that there were so many private sewers throughout Britain. I can tell the Government that I have a lot of private street works, as well, which I shall be flagging up before too long.

To be serious for a moment, I asked the Whips if I could participate in this Bill because of the children in my constituency who suffer from bad dental health—an issue that the Minister mentioned today that was also mentioned in Committee. I said that I was ashamed to hear Bolton being mentioned so frequently in connection with bad dental health. I shall not spell out the statistics, but they are terrible. I wanted to participate in the Committee and to see the Bill through, as we shall shortly do, because the children in my constituency are suffering badly. They have no vote, and no knowledge of the health promotions that their households should be aware of.

I am delighted that the Lords supported the Bill by a ratio of 3:1, that the Committee supported it by a ratio of 14:6, and that there has been such a substantial majority across the political divide. It was nice to see people voting on the issue, rather than on its politics. I offer my thanks on behalf of the young children in my constituency, particularly those aged five and under. Depending on what the strategic health authorities and local authorities now decide, they could benefit from this important step forward.

I repeat that it has been a pleasure to serve on the Bill, and I congratulate all those who made such an important contribution to it.

9.43 pm

Norman Baker: I, too, thank those who were involved in the Bill. In particular, I thank the Minister for his generous response to the amendments—a response that was generous in the tone that he adopted rather than in the outcome. Still, that was a bitter pill with a sweetener attached. I also thank the hon. Member for Leominster (Mr. Wiggin), who approached the Bill very constructively. I congratulate him on his promotion to the post of shadow Secretary of State for Wales. It is good to know that, sometimes, the good guys get a lift up in this place, as well as the bad guys.

Having said nice things, I shall be slightly critical of the Bill for a moment. As we know, it was essentially a re-hash of what was dropped from the Utilities Bill, which shows that it had 2000 stamped all over it, rather than 2003. In the three years since then, the opportunity to move on has not been taken. The Bill totally failed to incorporate the water framework directive. In Committee, that was the directive that dared not speak its name. The Minister said that the Government had other ways of dealing with that matter but Scotland has a much better Bill as a consequence of the way in which matters are approached north of the border.

The Bill does not deal with the serious issue of water pricing, although Liberal Democrats did their best to raise it by referring to metering and to ironing out the differences in prices across the country. The Bill does not deal with water debt and only in passing with water efficiency. It does not deal with least-cost planning but it deals with fluoride, which is a health issue. It is interesting that the Under-Secretary of State for Health, the hon. Member for Welwyn Hatfield (Miss Johnson) insisted that fluoride was not a medicine, but went on to set out the medicinal benefits that would result from adding fluoride to water—some mistake, surely.

The Bill is good as far as it goes. It does not go that far, but it goes some distance and should be welcomed on that basis. I hope that the Under-Secretary is listening, because I am now being nice about the Bill. It advances the cause of the environment through its abstraction proposals and it introduces a duty on public authorities to conserve water. It deals with private sewers, an issue that Members on both sides have been keen to raise, and with strengthening the consumer voice. There are definite plusses with the Bill and that is why we voted for it on Second Reading. We shall do so again tonight in the unlikely event that there is a Division.

As with the Waste Emissions Trading Bill, my regret is not about what is in the Bill but what is not in it. It is a missed opportunity; we could have gone much further.

When the Department for Environment, Food and Rural Affairs gets slots for legislation—that does not happen often because the Home Office corrals most of them—let us hope that it will take the opportunity to introduce comprehensive Bills rather than Bills that go only some part of the way, even if it is in the right direction.

9.46 pm

Stephen Hesford: I have sat for eight hours on Second Reading and Report in an attempt to make a few points about fluoridation, so I hope that I can ask the House's indulgence to make one or two more points on that issue.

I congratulate the Government on introducing the Bill. It is long overdue. The unfortunate consequence of inadequate legislation in 1985 caused severe distress to many inner-city areas that will benefit from this measure if a strategic health authority feels it right to go to consultation and ask its local population whether they want their water fluoridated.

I draw attention to the York review that took place in 2000 and the Medical Research Council report of 2001–02. The Government set them up to look at the issue, which had become stalled when every water fluoridation application through the health authorities from about 1990 onwards was rejected by water companies for reasons that have been outlined in the House. The all-party group on primary care and public health, of which I have the honour to be secretary, thought that it was about time that the issue was revisited to consider what had happened between 2000 and the end of last year when we began to consider the issue. We organised consultation and we received written and oral statements from 17 witnesses on both sides of the argument.

The all-party group is the only group that I know to have examined the issue in the House and to have considered it from a neutral stance. We held three oral sessions and took evidence from the 17 witnesses. We reported, in effect, to the House, and although I do not want to overstate the role of the group, it is a valuable Back-Bench body that discusses issues that sometimes do not receive the limelight that they deserve.

When we reported in April, we came to the firm conclusion that fluoridation, as a public dental health measure, was a good thing. We said that it would be effective for the reasons that have been rehearsed today and that there was no evidence that it caused ill health. Of course, as hon. Members have said, more than 5 million people in this country currently benefit from natural and artificial fluoridation.

Members of the group reached the firm conclusion that the civil liberties argument could be rejected if, as we believed, the yardstick of public dental health was firm. A similar consideration applies to such measures as the compulsory wearing of seat belts and crash helmets. There is a civil liberty aspect to those measures but public health or road safety considerations outweigh that disbenefit.

Interestingly, when the group examined the MRC report and heard from the scientists who conducted the review, Dr. Harrison, who led the review, said that he believed that fluoride was safe. It was suggested earlier that there were 15 items that the review found outstanding but our questioning found only one—*[Interruption.]* It might be suggested that this has nothing to do with the Bill, but we have just voted on fluoridation.

The early-day motion in favour of fluoridation that was signed by 150 hon. Members has been mentioned, and the all-party group reported at about the same time that that motion was tabled. The report was sent to the then relevant Minister, my hon. Friend the Member for Salford (Ms Blears), who said that it was an important contribution to the debate on fluoridation. The group made the following recommendations and I am pleased that the House has confirmed its view tonight. It said that fluoridation was a public dental health measure, that the legislation needed amending and that health bodies should carry out open, effective and transparent consultation when recommending fluoridation to their populations. It also said that the Department of Health should amend the protocol to allow water utilities to be properly indemnified. Those measures have come to pass tonight, so I am delighted to have played a part in that and that the House has accepted the all-party group's recommendations.

9.52 pm

Mr. Robert Key (Salisbury): This has been a good, short Third Reading, so I shall be brief. The Minister for the Environment was right that the Bill was one of those of which it was well worth serving on the Committee. However, we shall have to return to several matters. I look forward to returning to the water framework directive, abstraction and Crown immunity. I look forward to addressing the price of water, which must be determined by metering in the future. I look forward to tackling sewerage systems that flood into clear and clean waterways and the price that we pay for that. I would like to examine Ofwat's role in future investment in the water industry because I believe that it is obstructive. I would like much more attention to be paid to planning consent linked to sustainability when considering water and sewerage. My message tonight is that the Bill has surely taught us to stop wasting water, if nothing else.

There is a lavatory in the No Lobby. Cold water was dripping from its tap on the evening of the Second Reading debate on 8 September. I reported that but the tap is still dripping. The House of Commons has wasted thousands of litres of water from one tap for want of a washer. It is time that we put our own house in order.

9.54 pm

Mr. Drew: I shall try to be as commendably brief as the hon. Member for Salisbury (Mr. Key), who, for the purposes of our deliberations in Committee, I considered an hon. Friend because we worked together to make the Bill better. Although some of us will campaign outside this place to ensure that fluoride does not get added to our drinking water, that was the one sore point in an otherwise consensual piece of legislation.

I want to emphasise the role of flood relief. I hope that my hon. Friend the Minister will take that forward because it is as important as sewerage. Some of us are pleased that it is in the Bill, but other legislation also needs to be introduced. The cohesion in Committee and the importance of flood relief deserve to be mentioned.

[Mr. Drew]

As hon. Members said, we will return to other issues, but let us not underestimate the importance of flooding as a key consideration.

9.55 pm

Hugh Robertson (Faversham and Mid-Kent): I want to say a few brief words about the Bill's effects on the horticultural sector. The Minister is aware that I have one of the few constituencies in England where fruit farming is the predominant agricultural type. Many of my constituents are deeply worried about the effect of the Bill on trickle irrigation. Their concerns centre on two things: the cost of trickle irrigation schemes and the regulatory impact of such schemes. My hon. Friend the Member for Leominster (Mr. Wiggin) dealt with many of those concerns in Committee, for which I thank him. I am sure the Minister will agree that fruit farming should be supported.

Mr. Morley: Perhaps I can give the hon. Gentleman some reassurances on trickle irrigation. When it comes to abstraction licences and costing, the Environment Agency will be structured in a way that recognises trickle irrigation as a much more efficient use of water.

As I will not contribute to the debate further so that others may speak, I take this chance to thank Committee members. In addition, I will miss the hon. Member for Leominster (Mr. Wiggin), who is leaving his post as shadow spokesman on the Department for Environment, Food and Rural Affairs to become shadow spokesman on Wales. He is obviously the nearest thing the Conservatives have to a Welsh MP. I also thank the excellent officials who worked so hard in supporting the Bill and drafting amendments.

Hugh Robertson: In which case, I simply thank the Minister for that assurance.

9.57 pm

Mr. Simon Thomas: I want to refer to one thing that has not been mentioned. Changes have been made to the Bill's measures whether they be on fluoridation or private sewers, at all its parliamentary stages. I have been here four years and it is rare for that to happen. So that is a positive event to acknowledge.

One thing that we did tonight, which we did not have an opportunity to debate but should be noted in passing, was to provide a better definition of sustainable development. We debated that in Committee. I am glad the Minister saw sense on the nonsensical initial definition of sustainable development. What is in the Bill now is far better for consumers and whatever authority is involved. That will be more important in the long term than anything else in the Bill because it sets down the principles, which are more vital than the details. If we get the mindset right, the details will follow. The Bill is important for getting the mindset right.

9.58 pm

Mr. Redwood: I remain disappointed by the Bill. It will not tackle the problem of rising water tables under many of our big cities. If more competition were introduced, more companies would come forward to tap into those resources and solve two problems at once. The Bill will not solve water shortages. Indeed, it seems animated by a wish to ration and control water use rather than to tackle shortage. Again, if competition were strengthened that would go a long way to dealing with water shortages without damaging the environment. There is nothing damaging about using the water cycle more often as water makes its way from the mountains to the sea.

I am disappointed by the flooding provisions. Many of us have had flooding problems in our constituencies and we often find that we do not get an answer because of the conflicts between the Environment Agency, the local council and the water companies. Although I understand that the Minister has worked through the Bill to tackle those issues, the solution will not be perfect. Conflicting powers remain and we will find that the three different bodies involved will deny responsibility and make it difficult for us to get the solutions that our constituents want.

I am worried about price—

Norman Baker: Will the right hon. Gentleman give way?

Mr. Redwood: There is hardly enough time.

We have very expensive water. Again, competition would tackle that. There is nothing in the Bill to deal with the absence of a national water grid, yet we have an embryo national water grid between the various main pipes in the regions and with the canal network. It would be good if more work were done, through the industry, to find a way to get a national water grid so that we can transfer more water more readily from the wet areas of the country to the drier areas where there are more people and rising water demand.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

SITTINGS OF THE HOUSE

Ordered,

That

(1) at the sittings on Wednesday 12th, Monday 17th, Tuesday 18th, Wednesday 19th and Thursday 20th November, the Speaker shall not adjourn the House until any Message from the Lords has been received and any Committee to draw up Reasons which has been appointed at that sitting has reported; and

(2) from Thursday 20th November until the end of the current Session of Parliament, the Speaker shall not adjourn the House on any day on which a message from the Lords Commissioners is expected until that message has been received.—*[Ms Bridget Prentice.]*

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 12th November, notwithstanding the provisions of Standing Order No.16 (Proceedings under an Act or on European Union Documents),

the Speaker shall put the Questions necessary to dispose of proceedings on the Motions in the name of Mr Chancellor of the Exchequer relating to Stamp Duty Land Tax not later than three hours after the commencement of proceedings on the first Motion; *proceedings may continue after the moment of interruption; and* the Orders of the House of 28th June 2001 and 29th October 2002 relating to deferred Divisions shall not apply. .—*[Ms Bridget Prentice.]*

REGULATORY REFORM

Motion made, and Question put forthwith, pursuant to Order No. 18(1)(a) (Consideration of draft deregulation, etc., orders),

That the draft Regulatory Reform (Business Tenancies)(England and Wales) Order 2003, which was laid before this House on 17th September, be approved. .—*[Ms Bridget Prentice.]*

Question agreed to.

Mr. Speaker: It may be convenient for the House to take motions 5, 6 and 7 together.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6)(Standing Committees on Delegated Legislation),

Investigatory Powers

That the draft Regulation of Investigatory Powers (Communications Data) Order 2003, which was laid before this House on 11th September, be approved.

That the draft Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003, which was laid before this House on 15th October, be approved.

That the draft Regulation of Investigatory Powers (Intrusive Surveillance) Order 2003, which was laid before this House on 11th September, be approved.—*[Ms Bridget Prentice.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6)(Standing Committees on Delegated Legislation),

Sea Fisheries

That the Fishing Vessels (Decommissioning) Scheme 2003 (S.I., 2003., No. 2669), dated 14th October 2003, a copy of which was laid before this House on 16th October, be approved.—*[Ms Bridget Prentice.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6)(Standing Committees on Delegated Legislation),

Postal Services

That the draft Postal Services Act 2000 (Consequential Modifications) Order 2003, which was laid before this House on 14th October, be approved.—*[Ms Bridget Prentice.]*

Question agreed to.

Science and Technology

Ordered,

That Mr David Heath be discharged from the Science and Technology Committee and Dr Evan Harris be added.—*[Mr. McWilliam.]*

OFFICE OF THE DEPUTY PRIME MINISTER

Ordered,

That Dr John Pugh be discharged from the Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Committee and Mr Adrian Sanders be added.—*[Mr. McWilliam.]*

TRANSPORT

Ordered,

That Tom Brake be discharged from the Transport Committee and Mr Paul Marsden be added.—*[Mr. McWilliam.]*

Dementia

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Bridget Prentice.]*

10.2 pm

Mr. Tony McWalter (Hemel Hempstead): As often happens with Adjournment debates, constituents initiated this debate—in this case, the family of a woman with dementia. However, this issue became my preferred topic for a debate not because of a constituent but because of the remarks of two Ministers, one for education and the other for local government. They made it clear that there will be continuing, welcome increases in the resources vouchsafed for education, but they also suggested that there will be a continuing squeeze on the total resources that local authorities can expect to spend. The implication of both those statements for a service that is not educational and is grossly underfunded is that it will have to persist with a resource level not very different from what it currently receives. That has certainly happened with social services.

In my area, Hertfordshire, because, ironically, improving prosperity has resulted in a boom in house and land prices, the prospect of a person with dementia getting the package of care that they need is no different from what it was when the Government took office in 1997. The closure of care homes, as well as full employment and the need for people to earn more money than would normally be paid to someone working with dementia patients, mean that it is difficult indeed to find staff to look after people in residential homes. I know that the Government's good intentions have never been in question, and there have been many initiatives designed to repair one bit of the system or another. The national service framework for older people, for instance, published in 2001 and regularly updated, shows that much new investment in health will unquestionably be directed at improving the condition of older people. However, most of the needs of someone with dementia, whether in a mild, intermediate or severe form, are categorised not as health needs but as needs for social care. The regime for social care varies throughout the country, but throughout England and Wales, while those who work in the field do so with dedication and determination, as far as sufferers and their carers are concerned, the regime is unresponsive, harsh and unyielding. One has only to contrast the stories that one hears from constituents about how wonderful the health service has been with those that one hears about the terrible problems that they have had with social services to feel that those harsh remarks are justified.

If dementia is a cruel illness, we owe those who suffer from it and those who try to care for them a high degree of consideration and kindness. What happens instead is that, sadly, we look at these matters from an entirely economic perspective. Governments begin with the thought that an adequate system would be dreadfully expensive, and then devise ways of saving money, often without any real attention to the fact that this cruel illness is made a great deal more savage because we fail to apply normal political intelligence to it.

This debate has two themes: resources and morality. I shall spend more time on resources than ethics, but I want to reflect on how those with dementia and their carers are dealt with. In a sense, it does not matter whether the Government point to 50 initiatives or 500 or whether they tell me that they have increased resources by 50 per cent. or 100 per cent. What one needs to do is focus on the lived experience of those touched by the cruelty of dementia, and the experience of those who love them and want them to have their pain, bewilderment or loss attenuated. Those who love and care for those with dementia want their own exhaustion, sense of grief and loss, fear and emotional needs to be given proper consideration, but the experience of people now facing this problem in their lives is terrible in most cases. They are categorised as having not a health need, but a need for social care and support, and that system is scandalously complex, economically punitive and shamefully unresponsive.

We know that the Government accept that the consequences of dementia could be attenuated—even the most recent communication on the national service framework for older people, dated 25 September this year, makes that point—but what comes over time and again is the need for a national strategy on dementia. To expect each local authority to cope as best it can, each with a different history and philosophy and a different resource base, is to assume that muddling through is, for the most part, the best that can be done. It is not.

I speak of these matters with some passion because I think that, in part, people with dementia are seen only as a problem and not as having a continuing contribution to make to the quality of our lives. Perhaps I can mention my own case. Shortly after I first met a lad called Jack, then aged five, we were in a home for people with dementia where he was visiting his great aunt Ruth. I was struck by how the residents responded to him as he chatted to them and played with his toys, as well as by the way in which this child dealt with each of these people as a friend. The gentleness of Jack's mother and her consideration for her aunt Ruth were striking. It was clear that she had visited the home on many occasions and that residents looked forward to her visits. Jack's mother became my wife and he became my stepson. He is now 6 ft 2 in tall and at university, and I still think that the people in that home had a strong and positive formative influence on him, as they did on me and his mum.

If that story sounds a little too personal, it is not unusual. Currently featured in "EastEnders"—so it must be a common occurrence—is a storyline in which Kat will finally realise that Alfie is the man for her because she can see in him a considerateness for his gran, who appears to have dementia, that her rich beau would never display—at least I hope that is how it will work out.

People with dementia are part of society, and the way in which we treat them in part defines who we are. The home that I mentioned was a private home with very large fees, and most people could not think of being helped there. The care that most people receive is a great deal less effective than that which was given to my adopted aunt Ruth.

In our society, we claim to have built consideration for those with dementia into the governmental system, but of course there is no single system. Central Government delegate it to local authorities, but then say that they are expected to spend a standard amount on social services. Local authorities never treat reviewing the standard spending assessment—SSA—as a priority; most who have that responsibility spend well above their SSA for social services because they are humane, but they know that the service that they provide falls pitifully short of being able to hear a cry of pain and to respond to it appropriately.

Dementia has many forms—some milder, some more pronounced and some extreme—but for many sufferers, and for all if they live long enough, the final solution is to live in a residential home, probably for the rest of their natural life. In Hertfordshire, the amount of money that the county council pays for someone who is reliant on public resources falls far short of what care home providers think appropriate. SPAIN—the Social Policy Ageing Information Network, a conjunction of various bodies that do work in this area—suggests that it is about £85 short per patient per week. The county has done its best, but last year, after hard negotiations, it had to agree a 7.9 per cent. increase in the rate that it pays for residential care, although the Government were, yet again, expecting a settlement well below that figure.

Even at that level, many operators of residential homes try hard to close them down, because the land that then becomes available is so valuable that they can secure their own economic circumstances and retirement by selling it. People from Hertfordshire are living in homes hundreds of miles away in Wales, the Isle of Wight and Liverpool—although, Mr. Speaker, I have heard no cases of them being sent to Glasgow, so we are at least that humane. Splitting families up in that way has a devastating effect on people. That is the reality behind the national service framework claim that

"There are serious shortages of suitable care homes in some areas . . . and few local authorities have yet developed sufficient services to help people with dementia continue living at home."

Those are the Government's own words.

Once someone is in a home, there is a continuing squeeze on money. If they are in a private home and have to subsidise it out of their own family resources, there is always the prospect that they may end up living so long that they have to move from a place that is comfortable, and where they have a more manageable existence, to a place where they know no one and their circumstances are decidedly less commodious. Caring families facing the prospect of their relatives having to make such a move, or people facing dire economic consequences for themselves if they try to hang on, are presented with an invidious choice.

What makes residents of a comfortable home insecure, and what makes it so difficult for families to find a place for their relative with dementia, is the spectre of what counts as health care and what counts as social care. For example, health care assistants count, paradoxically, as social carers. A Kafkaesque labyrinth of funding complexity is involved when they are employed. That results in lengthy delays in the appropriate resources that are eventually allocated to people with the illness.

I have a constituent whose niece is willing to help with her social care. That includes helping her to clean herself after she has excreted. What would be the health consequences if she did not have such help? Help with the preparation of food is social care, but how costly is it to cope with the health needs of someone who is malnourished? Of course, looking after elderly people with dementia is demanding and it is not surprising that many vacancies remain unfilled, given the low wages and career development prospects.

Sadly, one way in which people sometimes cope is through the prescription of neuroleptic drugs. The use of such drugs has escalated to the point where many people with the complaint no longer have the quality of life that my adopted aunt Ruth enjoyed nearly till her death.

I thank the Alzheimer's Society and Andrew Chidgey for their help in preparing for the debate. I conclude by quoting the words of the Social Policy Ageing Information Network, which is composed of many of the charities that deal with such matters. Its report concludes:

"We urge the Government to act decisively to bring social care for older people into line with the ambitious programme for the NHS. The good intentions are there, the resources to carry them through are not.

Piecemeal measures",

which include amounts of £300 million to patch up some parts of the system,

"are not enough—they merely serve to divert the pressures from one part of the system to another. What is needed is a fundamental review of funding for older people across the whole spectrum of social care. Without such a boost, neither older people's needs nor the Government's modernisation objectives for the NHS"—

let alone the needs of those with dementia—

"can be met."

10.17 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I congratulate my hon. Friend the Member for Hemel Hempstead (Mr. McWalter) on securing the opportunity to debate this important issue. However, I cannot possibly agree with his comments about Glasgow. Having lived there for several years, I must leap to the defence of that fair city. If that ensures that I am called promptly in future debates, that is even better.

My hon. Friend described some of the problems that face people with dementia and their carers. Dementia can doubtless have a dramatic effect on individuals, their families and friends. My hon. Friend is right to take the matter seriously and raise it in the House.

Debates such as this are bound to concentrate on what is going wrong. I should therefore like to start by saying that a great deal is going right as regards how we care for people with dementia. It is important to put that into context, because about 600,000 people in this country have dementia in various degrees of seriousness. When dementia is diagnosed, it is important that the individual and the family approach it as far as possible with a positive outlook. That is difficult if we give the impression that it is awful for everybody all the time.

[Dr. Stephen Ladyman]

Many people have a high quality of life for many years because the disease progresses relatively slowly in some cases.

Lady Hermon (North Down): Will the Minister give way?

Dr. Ladyman: I shall in a moment, once I have made some progress.

Some of the care and support comes from people's families and friends, who work tirelessly to ensure that partners, parents and neighbours are cared for in the best possible way. However, the statutory and voluntary sectors provide much support. They increasingly provide a range of person-centred services. The statutory and voluntary sectors also provide a range of support services to enable carers to continue caring.

Lady Hermon: I am most grateful to the Minister for taking this intervention. I had not intended to intervene, particularly in another hon. Member's Adjournment debate. As the wife of a dear husband who has only recently been diagnosed with Alzheimer's, I urge the Minister to consider the fact that, somehow, GPs should look much more closely at the symptoms. I went to our GP five years ago, but my dear husband was diagnosed only last year. With the greatest respect to the Minister, he can tell me how much is being done now, but early diagnosis would have helped my husband and our two children a great deal.

Dr. Ladyman: First, may I offer my sympathy to the hon. Lady and my best wishes to her husband? I entirely agree that, if we can diagnose these conditions and begin to manage the problem much earlier, it is often much easier to deal with the matter. Early diagnosis and early intervention in long-term conditions can often be key to their proper management, and I am sorry that that has not happened in her case.

The point that I was making was that many people who have been diagnosed with dementia can have many happy, quality years of life before the condition becomes serious. If there is a positive aspect to the situation, it is that people in the hon. Lady's situation should be aware of that. A story that I often tell is that it is reputed that, not that many years ago, one of our own Prime Ministers was diagnosed as having dementia while still living at No. 10 Downing street, and stayed there and ran the country for a year or so after he had received the diagnosis. It is important, therefore, that we put this into perspective. Such a diagnosis is not an immediate death sentence, and we need to manage the condition as positively as we possibly can. I think that that was probably the thrust of the argument of my hon. Friend the Member for Hemel Hempstead. There is a great deal of quality of life to be drawn from even the most difficult of situations.

Let me give an example. Hon. Members might have heard of the Jackdawe scheme, a specialist home care service in Nottingham for people with dementia, which recently won a health and social care award. On average, the people using the service receive 10 hours of care a week, and the care provided is in line with what they need, not with a fixed menu of services. Most people with experience of the service speak of the quality of life of those who are being cared for in the project.

As my hon. Friend intimated, most people do not want to go into a care home, and one of the things that the Government are doing is to look for alternatives to that. We have put a huge amount of money into intensive home care packages for older people, including those with dementia, and many people with dementia can be kept in their own home for a considerable period. About 27,000 more intensive home care packages are in place already.

We can also make available the extra care model of housing, an example of which is Alexandra House in Coventry, which I visited fairly recently. I met a lady with dementia and her husband—who was in his mid-eighties—who was looking after her, living in their own flat in that extra care community. For about a decade, he had done nothing but look after his wife, and that was now taking its toll on him. Because they were living in an extra care facility, however, she was able for the first time to get the care that she needed, and he was able to take a break from caring and to start to lead his own life again. I met him on the day before he was due to start a computer course at the local adult education college, at the age of 87. He was able to leave his wife for the first time in many years because he was confident that she would be looked after when he was out of the house. There are, therefore, many alternatives to care homes, and we must explore them.

My hon. Friend talked about the shortage of care home beds for people with dementia for whom that is the only option. He criticised the Government for leaving the responsibility for that in the hands of local councils, but the reality is that that is where we place the responsibility for judging local capacity. We cannot possibly judge it from Whitehall, because we do not know the situation in his area or in other areas around the country. We therefore put a responsibility on local councils to do that planning, and we have given them adequate resources to do so. My hon. Friend talked about the resources available in his area, and about Hertfordshire's financial position, but since 1997 we have increased by 25 per cent. over and above inflation the funding for personal social services across the country.

My hon. Friend talked about standard spending assessments. Actually, we do not have those any more: we have formula spending shares, which reflect deprivation levels and other local issues, and determine how much each council receives. Councils are, however, supposed to top up spending on those services from council tax. That is what council tax is for—to add extra money. We give councils responsibility for judging local needs, and trust them to balance the availability and capacity of services against those needs.

The availability of care home places is also an issue when social services departments are working out how to reduce the number of delayed discharges from acute hospitals. To enable acute beds to be used to maximum effect, Hertfordshire offers patients and their relatives the opportunity to move to the homes of their choice, but in the interim, until a vacancy becomes available, people may have to wait in homes that are not in Hemel

Hempstead. That, I think, is the position described by my hon. Friend, in which people find themselves outside their local communities.

Hertfordshire has a block contract for 60 nursing home beds for people suffering from dementia, all of which are in the Hemel Hempstead area. A further 74 beds are contracted with nursing homes in Luton and Harpenden. I am assured that Luton is the furthest area in which people are placed and that, if relatives experience problems visiting the home, the council uses the carers grant to assist them. At least, that is what I am told. If my hon. Friend has evidence to the contrary, I hope he will bring it to my attention, because when councils tell me porky pies I take that seriously. There is also access to 460 residential care home beds for people suffering from dementia who do not require nursing care—all in Hertfordshire.

As I said earlier, the local authority offers choice through the preferred choice option. When people have been placed outside Hertfordshire, they return to the Hemel Hempstead area as soon as there is a suitable vacancy. Some take up that option; others do not.

My hon. Friend mentioned the important issue of carers. Most people with dementia are cared for at home, and we have made extensive efforts to improve support for carers. We shall more than double the money currently given to councils to support carers. It is £100 million this year, £125 million next year, and £185 million by 2006. Councils can use that money to give people short breaks from caring, and to provide them with other help.

Let me stress a point that I always stress when speaking about this subject. We have introduced a regime enabling carers to demand their own assessments. Many carers do not realise that they can go to their local social services departments and demand assessments of their needs. I urge them all to do so.

My hon. Friend mentioned pre-nursing care, personal care and the costs involved. In October 2001 the Government delivered their commitment to bring in free care from registered nurses for people paying all their own nursing home fees. That also applies to people receiving nursing care at home. It ends the anomaly of people having to pay for care in nursing homes that would be provided free in residential accommodation or at home.

The Government recognise that caring for someone with any form or level of dementia often requires the involvement of a registered nurse. The complexity of the problems experienced by sufferers, including behavioural change, means that frequent review and supervision of their care may be needed to maintain their safety, nutrition, personal hygiene and so forth. All those important functions are delivered as part of nursing care, and the national health service now fully funds that care.

As for personal care—described as "social care" by my hon. Friend—in responding to the royal commission on long-term care we decided not to make personal care free for everyone. However, I can tell my hon. Friend that some or all of the personal care costs of almost seven in 10 people are met by the state.

Those whose personal care costs are not met by the state have assets in excess of £19,500. By making that decision, we will be able to redirect an additional £1 billion a year by 2006 into services for everybody. Were we to provide free personal care for such individuals, we would not have as much money to spend on other services. The intensive home care packages, the carers grant, and the so-called access grant, which makes the services available to allow us to keep people in their own home, are all paid for by not making personal care free for people who have significant assets. If we made personal care free for such individuals, all that would disappear—we would be unable to provide that level of support, and all older people, including those with dementia and mental health problems, would suffer as a result.

I put it to my hon. Friend and to you, Mr. Speaker—you have an interest in these matters from the Scottish perspective—that the Government in Scotland came to a different view. They decided to fund personal care for everybody. Now, more people in Scotland than in England are having to enter care homes, and in a few years that divergence will be very dramatic indeed. People in England will start to see the merit of the Government's decision, and I suspect that people in Scotland will start to ask their Government why they took the line they did.

In addition to what I have described is something called NHS continuing care. When an individual's medical needs outweigh their personal care needs, as sometimes happens to people with dementia, they become eligible for NHS continuing care, whereby the NHS pays not only for their nursing care and personal care, but their accommodation costs. That is the third level of care, about which people who engage in this debate often forget. It is true that the ombudsman criticised—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-eight minutes to Eleven o'clock.

House of Commons

Tuesday 11 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON LOCAL AUTHORITIES BILL *[Lords]*

Order for consideration read.

Bill to be considered on Tuesday 18 November.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

Afghanistan

1. **Gregory Barker** (Bexhill and Battle): If he will make a statement on the proposed constitution for Afghanistan. [137395]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The draft Afghan constitution was published on 3 November, following a process of popular consultation. It will be discussed and approved at a constitutional Loya Jirga which is expected to take place in Kabul in December.

It is for the Afghan people to decide on the form of the constitution, but the UK has made it clear to the Afghan Transitional Administration that, while we understand that the constitution must reflect Afghan culture and traditions, we also expect it to respect Afghanistan's international obligations and commitments in the area of human rights.

Gregory Barker: I am grateful to the Minister for that response, and it is clear that we have come a long way in the past couple of years, but what assurances can he give the House that the powerful regional warlords will buy into the constitution and the democratic process? That is especially important given that the respected group Human Rights Watch, which is based in New York, said recently that a climate of fear exists in every region of Afghanistan, and that numerous candidates have received death threats and want to stay away from the elections due to take place after the Loya Jirga has been held.

Mr. Rammell: First, it is important to make it clear that significant progress has been made, despite the difficulties that the hon. Gentleman has outlined. The Afghan economy grew by some 30 per cent. last year. Children—particularly young girls—are back at school, and hundreds of schools, hospitals and clinics have been rebuilt and repaired. Clearly, the security situation outside Kabul is not as good as it is in the capital. We need to work with the Afghan authorities to improve law enforcement, but the draft constitution contains significant safeguards that will ensure human rights and the protection of all the Afghan people. We will work with our Afghan partners to realise that.

Joan Ruddock (Lewisham, Deptford): I congratulate the Afghan Transitional Authority and the British Government on the progress that has been made to get to a point that many thought would never be reached. I have read the draft constitution in English only, but it contains elements that do not seem comprehensively to protect the rights of women. My hon. Friend the Minister rightly said that that matter is not for us to choose or determine, so will he say what assistance the Government will give to ensure that Afghan women are present in numbers at the Loya Jirga, that they have security, and that they are able to make their voices heard so that they may determine the rights of Afghan women under the constitution?

Mr. Rammell: May I first pay tribute to my hon. Friend for the significant work that she has done on the rights of women in Afghanistan? She raises an important point: it is for the Afghan authorities to determine these matters, but we provide advice and assistance. When I visited Afghanistan in July, I took the opportunity—as all my colleagues do—to seek out the views of women and to ensure that they are involved in the political process. The draft constitution contains significant safeguards, especially in respect of Afghanistan making it clear that it will abide by the UN charter and the universal declaration on human rights. I welcome my hon. Friend's congratulations on the progress that has been made, but we are entering a critical phase and we must remain focused on the issue.

Mr. David Heathcoat-Amory (Wells): Earlier this year, a Minister visiting Baghdad said that it was the Government's intention to give the Afghan people a final say on their constitution in a national referendum. Is it still the Government's policy to give the Afghans a say on their new constitution but to deny the British people a say on the European constitution?

Mr. Rammell: It is fascinating to observe that the old stories are still running, even after a change of leadership and of Front-Bench personnel. The previous Conservative Government held no referendum on Maastricht or on other changes, and we will take this issue forward in exactly the same way.

Mr. Michael Ancram (Devizes): Although we welcome the new constitution as a potential element for stability in Afghanistan, does the Minister agree that it can be only one stabilising element at best, which on its own will not be enough? Does he agree that eliminating opium poppy production—as I saw for myself when I visited Afghanistan in July—would also contribute to future stability and that failure to do so will cause

further instability? Given that Britain is officially responsible for international efforts to eradicate that problem and given that, in 2002, the Government promised to reduce poppy cultivation by

"70 per cent. in five years",

what progress has been made towards achieving that target?

Mr. Rammell *rose—*

Mr. Ernie Ross (Dundee, West): Congratulate him on his appointment.

Mr. Rammell: I thank my hon. Friend; I was just about to congratulate the hon. Gentleman on his promotion. I think that the hon. Gentleman makes an important—*[Interruption.]* My apologies. The right hon. Gentleman makes—*[Interruption.]* The shadow Foreign Secretary makes an important point about the progress that is being made on stability through the draft constitution. Nevertheless, the situation in regard to drug production remains difficult. We have always said that it will be a long haul; a 10-year plan is in place and if the shadow Foreign Secretary considers those countries where there has been significant progress on tackling drug cultivation—for example, in Pakistan and Thailand—he will see that one could not have expected significant progress to have been made by this stage. However, the building blocks, in terms of law enforcement and alternative livelihoods, are in place to create a situation in which we are confident that over the five to 10-year period the problem will be removed.

Mr. Ancram: I am grateful to the Minister for his kind remarks; I take them in the spirit in which they were intended.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): We are very pleased, Michael.

Mr. Ancram: I am always pleased to please the Foreign Secretary.

Is not the true problem, which is not in any way covered by the constitution, that opium production has risen from a starting point in 2001—in terms of the five-year target—of 185 tonnes to 3,400 tonnes in 2002 and 3,600 tonnes in 2003? Does the Minister agree with the International Monetary Fund, which warned in September that Afghanistan was in danger of sliding into what it called a "narco-state"? Why were the Government's predictions so wildly and dangerously out of line? What has gone wrong?

Mr. Rammell: The specific year to which the shadow Foreign Secretary refers is the year when the Taliban, using all the repressive measures at their disposal, stopped cultivation while continuing to process and traffic to feed the regime financially. If the shadow Foreign Secretary looks at the figures for this year, he will see that, yes, there has been a small increase, and given the experience in Pakistan and Thailand, that is in line with what one would expect at this stage of the redevelopment of Afghanistan. As the infrastructure is improved, there is initially a small increase in production. However, with the other measures that are being taken, especially for alternative livelihoods and for the enhancement of law enforcement throughout the country, we remain confident that the objectives can be met.

Iraq

2. **Mr. Bill Wiggin** (Leominster): If he will make a statement on the recent attack on the Red Cross in Iraq. [137396]

3. **Mr. David Stewart** (Inverness, East, Nairn and Lochaber): If he will make a statement on his assessment of the future role of aid agencies in Iraq. [137397]

6. **Mr. Graham Allen** (Nottingham, North): If he will make a statement on the situation in Iraq. [137400]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): Life in many parts of Iraq is better than it was before military action began. Power, water and sewerage have been restored. Schools, universities and hospitals are in operation. A new currency has been introduced. Economic activity is rising, as is oil production. Not least, there are now remarkably free and active media, where before information was tightly controlled by the Saddam regime. Opinion polls taken in Iraq show consistently high levels of support for the removal of Saddam by the coalition.

I am the first to accept, however, that the security situation in parts of Iraq, especially in Baghdad and the so-called Sunni triangle, remains unsatisfactory. Terrorist attacks have led to the withdrawal of the international staff of aid agencies and non-governmental organisations. This morning, I spoke to Dr. Jacob Kellenberger, president of the International Committee of the Red Cross, who assured me that the closure of the Red Cross offices in Baghdad and Basra was on a temporary basis and that it was being kept under close review. Many agencies continue to operate with local staff, and every effort is being made, not least by the coalition, to ensure that aid gets through.

Mr. Wiggin: The House will be aware that this is the first time that the Red Cross has been directly attacked. Is it true that the person suspected of co-ordinating those attacks is Izzat Ibrahim al-Douri, Saddam Hussein's No. 2? Will there be an increase in the amount of intelligence available to find out about that?

Mr. Straw: The hon. Gentleman is right to say that this is the first time, so far as I know, that ICRC offices anywhere have been attacked. The ICRC has had an extremely fine record of working for people in a number of conflict situations. As Dr. Kellenberger told me this morning, it is always first in, last out, and it has an exceptional reputation for integrity and independence from the occupying powers, as is required of it given its responsibilities to secure the enforcement of the Geneva conventions.

As for Mr. al-Douri, I, too, have seen those reports, but I can offer no further comment on them. Of course, we accept that part of the effort to improve the security situation, along with direct military action and an

improvement in the overall environment in which the majority of Iraqis work and live, is an improvement in intelligence.

Mr. Stewart: Will my right hon. Friend join me in congratulating the aid agencies on the work that they carry out in Iraq in very difficult circumstances, as I experienced a few weeks ago? What contingency plans does he have to ensure that humanitarian aid continues to be delivered to the Iraqi people?

Mr. Straw: I do indeed know of my hon. Friend's experience in Basra as a member of the parliamentary forces partnership arrangement. I am extremely grateful to him for spending three days in a tent in Basra, experiencing life with the military there. We are working very hard indeed through the coalition and now increasingly through the civilian Government, under the governing council and the Iraqi ministries, to ensure that aid gets through. The proof of that is that so much of life is now much better, not just than it was in the immediate aftermath of the military action but well before it, not least as a result of the better partnership between the coalition authorities and the aid agencies, many of which continue to use their local staff.

Mr. Allen: The Foreign Secretary will know better than anyone that there was some dispute over the legal basis of the invasion of Iraq, but I know that he takes second place to no one in his desire to rebuild both the global coalition against terrorism and the United Nations. Can he tell the House whether—in case we were ever to take on a murdering butcher in future—he is working on restoring and strengthening the legal basis on which the UN and, indeed, a coalition of nations might act?

Mr. Straw: I am grateful to my hon. Friend for what he says and the manner in which he says it. The legal argument about whether military action was justified in respect of Iraq emphasised the fact that the legal basis for military action contained in the UN charter, which was agreed just after the last world war, is no longer fully adequate to cope with today's threats. It copes very well with the traditional threats of action being taken by one sovereign nation against another, but it no longer copes with the new set of threats from rogue and/or failing states, terrorism and weapons of mass destruction. How exactly we resolve that is difficult, but it is a matter to which we are applying ourselves, to which the United States is applying itself and to which the European Union in its important draft security strategy, to which we have contributed, is also applying itself, and I undertake to keep the House informed of developments.

Mr. Menzies Campbell (North-East Fife): Is it not a simple truth that the efforts to bring about the reconstruction of Iraq and to establish democracy there simply cannot be allowed to fail? Is it not equally true that the achievement of those objectives is likely to take a much higher degree of commitment than was first envisaged? Do not those facts require the British Government to be entirely honest with the British people about how long that may take and how much it may cost?

Mr. Straw: We are not going to allow our efforts to fail. We are absolutely determined about that, and it is interesting that the whole international community is of the same opinion, whatever view may have been taken about the military action in the first place. We have been as explicit as we can with the British public, as we are required to be and as we must be, about the long-term prospects. The truth is that I cannot say how long we will have to stay in Iraq, any more than anyone could have said how long we would be in Kosovo or Bosnia. But I can say that we will be there until the job is completed. I hope very much that, in a short while, we will be there at the invitation of a sovereign Iraqi Administration.

Tony Baldry (Banbury): When the reconstruction plans for Iraq were promulgated, it was assumed that much of the cost of reconstruction would come from Iraq's own oil. Because of the disruption, that is not happening, and consequently donors must give more money and the Department for International Development's budget has been raided to the tune of £100 million, which will mean a withdrawal of UK bilateral development aid to most of Latin America, central Asia and elsewhere. When does the Foreign Secretary anticipate that Iraq will be able to start paying something towards its own reconstruction costs?

Mr. Straw: I am afraid that I do not accept the premise of the hon. Gentleman's question. All the oil revenues are paid into the Iraqi development fund, which, under resolution 1483, is explicitly for the benefit of the Iraqis and nobody else. It was always anticipated that in addition to the revenues that the Iraqis might be able to generate, because of the huge damage done to the infrastructure of Iraq and the squandering of its wealth, a substantial international aid effort would be required, including contributions from the United Kingdom. Nor do I accept for a second that DFID's funds have been raided to pay for reconstruction, which is now a very high priority. I say gently to the hon. Gentleman that we have more than doubled our aid programme overall in the last six years, from the shadow of what it should have been when we came to office. My right hon. Friend the Secretary of State for International Development has made it very clear that 90 per cent. of the funds of DFID, which are related to poverty alleviation, remain entirely untouched.

Mr. Tam Dalyell (Linlithgow): Is it not fundamental, as was recognised at Nuremberg in 1945, that whatever crimes men may or may not have committed, they are entitled to a trial? Why has not a trial started of Tariq Aziz and others? In the case of Tariq Aziz, is it on account of his medical condition?

Mr. Straw: I accept the basis of my hon. Friend's point that it is fundamental that when there is evidence against people, they must be subject to proceedings, and steps are being taken to establish appropriate tribunals within Iraq.

Mr. Michael Ancram (Devizes): We share the general concern at the deteriorating security situation in Iraq. Does the Foreign Secretary share the view of his Government representative Sir Jeremy Greenstock that the current security threat emanates largely from elements originating from outside Iraq, and can he identify those elements? In the light of what he had to say about intelligence earlier, does he also share United States administrator Paul Bremer's analysis in *The Times* yesterday that the terrorist attacks will

"be more of a problem in the months ahead unless the intelligence gets better"?

What steps is he taking to address this apparent intelligence deficit?

Mr. Straw: May I repeat the congratulations to the right hon. Gentleman on his survival in the shadow Cabinet, a matter on which I am something of an expert? May I also say that I noticed in *The Daily Telegraph* that the new team has been described as "lean and mean"? Although I have great admiration for the right hon. Gentleman's many sterling qualities, lean and mean is not the first description that comes to mind. He asked me two specific questions. First, yes, I do agree with Sir Jeremy Greenstock. We cannot tell for certain, and if we knew for certain, dealing with the terrorists would be that much easier. We believe, however, that terrorist actions are, in turns, taken either by remnants of the Saddam regime, by outside terrorists or by a mix of both. Ambassador Bremer was entirely correct to say that terrorism will become more of a problem unless intelligence is improved, and a considerable effort is now being made by the coalition and coalition forces to do just that.

4. **Mr. Tom Clarke** (Coatbridge and Chryston): What the Government's policy is in respect of the Kurdish population in northern Iraq and other parts of the region. [137398]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): Relationships between the Kurdish population in the north and other parts of the region are a matter for the Iraqis. Representatives of the Government and the coalition provisional authority meet regularly with a wide variety of political groups in Iraq, including representatives of the Kurdish population, to hear their views. We are fully committed to maintaining relationships with the Kurdish population throughout Iraq.

Mr. Clarke: Is my hon. Friend in a position to give the Government's response to the unanimous decision of the Kurdish National Assembly to assert that in the new Iraq, Iraqi Kurdistan should be regarded as a single federal region embracing Kirkuk and Mosul, and that it should be protected against both threats and interference from any neighbouring states?

Mr. Rammell: We have made it clear from the beginning of the process that we believe that the territorial integrity of Iraq should be protected. Nevertheless, we try to uphold the human rights of all Iraqis, including the Kurds. The appointment of my hon. Friend the Member for Cynon Valley (Ann Clwyd) as the Prime Minister's special envoy on human rights in Iraq has helped significantly in that regard.

Sir Patrick Cormack (South Staffordshire): As the Prime Minister made plain last night in his speech at Guildhall, our Government are working in close co-operation with the American Government on all aspects in Iraq. In view of that, will the Minister confirm that when President Bush is here next week, he will address both Houses of Parliament, as Presidents Clinton and Reagan did, and as our Prime Minister addressed Congress?

Mr. Speaker: Order. That is far too wide.

Mr. Harry Barnes (North-East Derbyshire): Is not an important area in which the Kurds could work together with others in Iraq—Shi'a, Sunni, Turkomen, Assyrians, Christians and Jews—the federal trade union movement that is developing quickly in Iraq, in which people work together as teachers, railwaymen and oil workers? What is being done to facilitate the newly emerging movement, which is in desperate need of such facilitation?

Mr. Rammell: I thank my hon. Friend for that question because he has long argued that a way to confront some of the historical divisions that exist is through the legitimate pursuit of trade union activity. In that regard, I am pleased that we in the Foreign Office are considering all that we can do to help. Indeed, my right hon. Friend the Foreign Secretary met the TUC general secretary and other leading trade unionists last week to discuss that very issue.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Going back to the question asked by the right hon. Member for Coatbridge and Chryston (Mr. Clarke), may I suggest to the Minister that now is the time for the occupying powers to call together a true international convention to decide what is to happen to the Kurdish people in the north of Iraq? Many of us were concerned about the plight of those people prior to and during the conflict. Thankfully, things are not as bad as we feared, but it is time to regularise the position, and for the self-determination of those people to be recognised by the international community rather than the occupying forces.

Mr. Rammell: I welcome the fact that the hon. Gentleman acknowledges that improvements are being made in Iraq and I understand his concerns about the position of the Kurds. We take that up at every opportunity with all our partners in Iraq and the Iraqi governing council. However, it is critical that we do not impose solutions from the outside on the constitutional

structure that Iraq and the Iraqi people should eventually agree for themselves. That will be critical, but the Iraqis must take the process forward.

Pakistan/India

5. **Mr. Peter Pike** (Burnley): What discussions he has had with representatives of the Governments of *(a)* Pakistan and *(b)* India on progress in dealing with the Kashmir situation. [137399]

7. **Mr. Andrew Dismore** (Hendon): If he will make a statement about cross-border terrorism in India. [137401]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I spoke to both the Indian and Pakistani Foreign Ministers by telephone on 29 October, and met Pakistani Foreign Minister Kasuri on 4 November in London.

I welcomed the measures proposed by India and Pakistan to improve further relations between the two countries and encouraged both sides to implement quickly the steps on which they agree and to work together to close the gap on those where there is less common ground, including the Srinagar-Muzaffarabad bus link. I hope that both sides can continue to work together to resolve their outstanding differences, including in respect of Kashmir.

Mr. Pike: At a time when we see some encouraging signs between India and Pakistan, does my right hon. Friend agree that it is important that we give every encouragement to both countries to resolve a problem that has existed for 54 years too long? It is a major problem between those two countries and for that part of the world. Does he agree that it would perhaps be helpful if the United Nations were able to monitor equally on both sides of the line of control and publish openly in the public arena its view on the incursions or alleged incursions on either side?

Mr. Straw: My hon. Friend, who has taken a close interest in the continuing dispute, is right to point out that it has gone on for 54 years and remains unresolved. However, there are some hopeful signs, and although there is long-standing suspicion between both sides, the fact that a number of confidence-building measures are already in place is a good augury for the future. I promise my hon. Friend and the House that we in the United Kingdom will remain actively engaged with this, and offer to help both sides in any way they wish. It is a bilateral dispute, but with obvious international implications.

As for the United Nations monitors, they are on the Pakistani side, but are subject to restrictions by the Pakistani Government, and there would also be restrictions by the Indian Government if they were allowed to operate on the other side. In the short term, I do not see a wider future for such monitoring, although we are examining that carefully. In the end, it is for the parties themselves to agree on the monitoring arrangements that could be put in place. Meanwhile, what is crucial to further stability in the area is a clear reduction in cross-border terrorism.

Mr. Dismore: I am pleased that my right hon. Friend has welcomed the 12 confidence-building measures proposed by the Indian Government, but will he do all that he can to ensure that Pakistan ceases its support for cross-border terrorism, and hands over for trial the suspects behind many of the terrorist outrages that have taken place in India, including Dawood Ibrahim, who was responsible for the 1993 bomb that killed 300 people in Mumbai, Masood Azhar, leader of Jaish-e-Mohammed, and Hafiz Mohammed Saeed, leader of Lashkar-e-Tayyaba, who is wanted in connection with the attacks on the Indian Parliament building? Those people are being harboured in Pakistan, and if Pakistan is serious about trying to take the issue forward, they have to be handed over and properly tried.

Mr. Straw: We have taken our own action with respect to some of those suspects to freeze their assets. When I was Home Secretary, I proposed the proscription, which the House accepted, of a number of terrorist organisations operating from the Pakistani side of the border. My hon. Friend makes an important point, and we continue to encourage the Pakistani authorities to ensure that the obligations that they have publicly given to crack down on infiltration across the border into the Indian side of the line of control are observed in practice.

Rev. Martin Smyth (Belfast, South): I share the Foreign Secretary's support for the advances that have been made. However, does he accept that internal terrorism, both in India and Pakistan, is not helping the relationship between the two countries?

Mr. Straw: Of course I accept that, and we applaud the work of Prime Minister Vajpayee and Deputy Prime Minister and Home Affairs Minister Advani in dealing with terrorism within India, and all the courageous efforts by President Musharraf to deal with terrorism, not least al-Qaeda terrorism within Pakistan.

Mr. Crispin Blunt (Reigate): I note that in response to two recent written parliamentary questions the Foreign Secretary and his colleagues declined the opportunity to say that Pakistan is not a state sponsor of terrorism. However, despite all President Musharraf's efforts, the fact of the matter is that Pakistan Government agencies, including the Pakistan army, use artillery fire to cover the infiltration and extraction of terrorists from Kashmir. Should it not therefore be explicitly stated that Pakistan is a state sponsor of terrorism and that that behaviour must stop?

Mr. Straw: We have to make our own judgments about that, but I repeat what I said to my hon. Friend the Member for Hendon (Mr. Dismore)—we acknowledge the undertakings that the Pakistani Government have given publicly about ending cross-border terrorism. We and the United States in

particular, but the whole international community as well, look to the Government of Pakistan to ensure that those undertakings are properly carried out.

Mrs. Ann Cryer (Keighley): Does my right hon. Friend agree that a very sad aspect of the dispute is that two of the poorest countries in the world can provide themselves with large nuclear armaments and other weapons yet cannot afford to give their poorest people pure water, housing, and basic health care and education?

Mr. Straw: I agree with my hon. Friend that disproportionate expenditure on defence diverts much-needed resources from other matters. The United Kingdom played its part in helping both sides to pull back from what was literally the brink of nuclear war early in the summer last year. We shall continue to play that part and to urge both India and Pakistan to sign up to the non-proliferation treaty, and we look forward to a situation in which there are no nuclear weapons in that part of the world.

Cyprus

8. **Kevin Brennan** (Cardiff, West): What recent consultations he has had with the Government of Cyprus concerning the reunification of the island.

[137403]

The Minister for Europe (Mr. Denis MacShane): The Foreign Secretary and I met the Cypriot Foreign Minister, Georgios Iacovou, on 3 November. We told him that we hoped that all obstacles and opposition to the Annan plan would be dropped in order to allow a united Cyprus to enter the European Union on 1 May next year.

Kevin Brennan: Is there now a case for making settlement of the Cyprus question a precondition of accession talks with Turkey for membership of the European Union? In particular, can the Minister envisage a situation in which Turkish Cypriots are criminalised by Turkey as a result of their taking EU passports as citizens of the new Republic of Cyprus?

Mr. MacShane: Clearly, any citizen of Cyprus who wants a passport that will become an EU passport after 1 May should be allowed to get one. Settlement is not a condition in the sense that the Turkish Government have to meet the Copenhagen criteria within the next 12 months to start accession talks, but it is clear in everybody's mind in Europe that, for Turkey, the road to Europe lies to some extent through Cyprus. That is why we say to the Turkish Government that they would gain enormously from a united Cyprus, one of whose chief officials would be a Turkish-speaking Cypriot sitting at the table negotiating with the Government in Ankara. Although it is not a condition, the political reality is that a settlement of the Cyprus problem and a united Cyprus entering the European Union next May would be an inestimable boost to Turkey's aspirations to European Union membership.

Mr. Adrian Flook (Taunton): In any recent deliberations about the future of Cyprus and reunification, has the matter of Britain's sovereign bases been discussed?

Mr. MacShane: The issue of the sovereign bases is raised, but they are precisely that—sovereign bases. I think that the Cypriot Government understand full well that Britain's sovereignty over those bases remains absolute.

Jim Knight (South Dorset): The Minister has already talked about the political reality of the link between reunification of Cyprus and Turkey's accession to the EU. In that context, is he aware of the growing calls for a question on Turkish accession to the EU from those demanding a referendum on the EU constitution in France? Does he agree that that is a very dangerous move?

Mr. MacShane: I regret the fact that those calling for a referendum in France are increasingly saying that one of the issues on the referendum ballot paper should be Turkish accession to the EU, with a view, of course, to getting a no vote. That shows the dangers that arise once one goes down the plebiscite road and ignores the parliamentary road of ratifying the EU constitution. I think that Turkish accession would be greatly hindered if the populist plebiscite campaigns against the European constitution treaty gain real force in Europe or in this country.

Mr. Richard Spring (West Suffolk): Given the report of the European Commission that the resolution of the problem of Cyprus is a serious obstacle to Turkey's accession to the EU, which we fully support, does the hon. Gentleman agree that, whatever the outcome of the important elections in north Cyprus, every effort must be made to get a resolution in the next six months, before our friend the Republic of Cyprus formally joins the EU on 1 May?

Mr. MacShane: I agree very much, and I pay tribute to the hon. Gentleman, who has put forward very positive positions in discussing Cyprus and Turkey in his travels around Europe. I am glad that he has been maintained in his position as shadow Minister for Europe. It is vital that everyone in Ankara and Nicosia, north and south of the green line, do all that they can to seize this historic opportunity to allow a united Cyprus to enter the European Union. I believe that that will give a tremendous boost to Turkey's aspirations to start accession talks in due course.

Iran

9. **Mr. Eric Illsley** (Barnsley, Central): What further discussions he has had with the Iranian Government about Iran's nuclear capacity since his visit there.

[137404]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I discussed a range of issues of mutual interest with the Iranian Foreign Minister, Kamal Kharrazi, on 4 November, including the agreement that the three European Union Foreign Ministers had reached with the Government of Iran on 21 October. The next stage in the process, which we all hope will lead to full compliance by Iran with its obligations, follows the publication of the report by the International Atomic Energy Agency yesterday and its consideration by the IAEA board on 20 November.

Mr. Illsley: I am grateful to my right hon. Friend for that response and I congratulate him on his successful visit to Iran with his two European counterparts. Can he confirm that Iran will abide by the agreement that he and his counterparts reached while they were in Iran, and stop the enrichment of uranium?

Mr. Straw: I am grateful to my hon. Friend for those remarks. Whether Iran has finally decided to abide by its obligations is a matter that will be considered in the light of the IAEA report, which became available only yesterday. It raises some serious issues, which we are studying. I am glad to note that yesterday the Iranian Government informed the director general of the IAEA that they had decided to suspend, with effect from yesterday, all reprocessing and enrichment-related activities in Iran. Specifically, they had decided to suspend all activities on the Natanz site; not to produce feed material for enrichment processes; and not to import enrichment-related items—an undertaking that we had sought and which the Iranian Government had given in the agreement reached on 21 October. I am glad also that the Government of Iran have made what appears to be a much fuller disclosure than they have ever made before. We all now have to analyse it and will reach decisions—I hope—on 20 November.

Mr. Hugo Swire (East Devon): While I do not wish to denigrate the good work being carried out by Mohamed el-Baradei and his colleagues at the IAEA, some worrying questions remain unresolved—not least the Iranian definition of enriching uranium, which is too narrow. What progress is being made in tracing the country that originally supplied Iran with the equipment that has enabled it to produce highly enriched uranium? Once that country is identified, what action will be taken against it?

Mr. Straw: On the latter point, great effort is being made to identify the country concerned and appropriate action will be taken, according to the nature of the information that we have and its provenance. On the first point, everyone accepts that there have been worrying questions about Iran's previous nuclear-related activities. Dr. el-Baradei has been worrying about that, which is why he has been so involved—alongside the rest of us—in hoping to secure a full and complete disclosure in respect of past activities, as well as for future obligations.

Llew Smith (Blaenau Gwent): While I support the Government's attempts to get Iran to abide by the non-proliferation treaty, will my right hon. Friend inform the House what this country and the Government are doing to ensure that we too abide by the non-proliferation treaty, to which we are a signatory, and in particular in relation to article 6, under which we are committed to negotiate away in good faith our nuclear weapons of mass destruction?

Mr. Straw: As my hon. Friend knows, we are a signatory of the non-proliferation treaty, but as one of the permanent five members of the Security Council, for historical reasons that the House understands, we are in a special category within the treaty as a nuclear weapon state. However, we fully acknowledge our obligations under article 6 and all the other articles. Indeed, the UK is further ahead in implementing its obligations under article 6, and the other articles, than almost any other country in a comparable position.

Mr. Gary Streeter (South-West Devon): May I say on behalf of the Opposition that we welcome the Foreign Secretary's recent visit to Iran and the Government's constructive engagement with this important issue? But at a time when the negotiations between the international community and the IAEA and the Iranian Government over their nuclear capacity are so delicately poised, how helpful does the Foreign Secretary think that it was for the Prime Minister recently to describe Iran as a rogue repressive state? Is not this a time for clear-headed statesmanship rather than headline-seeking megaphone diplomacy?

Mr. Straw: I think that congratulations to the hon. Gentleman are in order, and I am happy to offer them.

If the hon. Gentleman reads the Prime Minister's remarks, he will clearly see that he was referring to Iraq, and that he made a separate point about Iran.

Western Sahara

10. **Mr. John Grogan** (Selby): If he will make a statement about Government policy towards Western Sahara. [137405]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): The Government seek a just and durable outcome to this long-running dispute that allows the people of Western Sahara to exercise the right to self-determination. We fully support the efforts of the United Nations and the United Nations Secretary-General and his personal envoy, James Baker, and wish to see both sides become flexibly engaged in the search for a long-term solution.

Mr. Grogan: Given that Western Sahara is the last open file at the United Nations Decolonisation Committee, and that the Polisario front has accepted the Baker peace plan, what steps are the Government taking to urge the Moroccan Government also to accept the plan?

Mr. Mullin: We are urging both sides to take the Baker plan seriously. The United Nations Security Council unanimously agreed it in resolution 1495. The

plan is a compromise—it offers something, but not everything, to both sides—and we want them to get together to sort out its implementation.

Iraq

11. **Gareth Thomas** (Clwyd, West): What discussions he has held with other Foreign Ministers on the effect of the security situation in Iraq on the prospects of aid agencies continuing their work in Iraq. [137407]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The Foreign Secretary regularly discusses Iraq, including its security and reconstruction, with his counterparts. Throughout Iraq, security for most people is improving. We will not be deterred in our efforts to rebuild the country—indeed, we are doing all that we can to ensure that the security that is required for the aid agencies to do their work continues.

Gareth Thomas: I am grateful to the Minister for that response, but does he accept that the targeting of aid agencies in Iraq is a very grave development? What practical steps can the Government take at ground level to enable those agencies to carry out their crucial work?

Mr. Rammell: I thank my hon. Friend for making that important point. We certainly deplore the targeting of aid agencies. Whatever view one has taken on this conflict, it is abominable to see those forces targeting people who are doing their level best to bring security and relief to the Iraqi people. To provide some context, however, security is improving throughout Iraq for most Iraqis—indeed, 80 per cent. of attacks take place in a limited area to the north and north-west of Baghdad. Nevertheless, concerns remain, and we are doing our level best to help in those circumstances. The coalition provisional authority is working closely to improve security for those important aid agencies and we recently committed £6 million to that end through the Department for International Development.

Mr. Alistair Carmichael (Orkney and Shetland): Is the Minister aware of the report published this morning by Medact, the medical charity, which outlines the real difficulties that are faced by aid agencies and local Iraqi authorities in re-establishing public health programmes? In particular, does he agree with its authors' conclusion that, for the security situation to be improved sufficiently for that to happen, the lead must be taken not by the occupying forces, but by the United Nations?

Mr. Rammell: That report was published this morning, and we are studying it in some detail. I would not want to underestimate the fact that there are still difficulties on the ground in Iraq. Nevertheless, one of the worst aspects of Saddam's regime was the appalling public health situation, and despite the difficulties, real improvements are taking place. That is testified to by the views of ordinary Iraqis, especially those advanced in opinion polls, which show that more than two thirds back the actions that were taken and want those that are being taken to continue.

Intergovernmental Conference

12. **Ms Gisela Stuart** (Birmingham, Edgbaston): If he will make a statement on the progress of the intergovernmental conference. [137408]

The Minister for Europe (Mr. Denis MacShane): Yesterday, the Foreign Secretary and I updated the Standing Committee on the Intergovernmental Conference in detail on progress at the IGC. The IGC has so far met four times. In its latest discussion, it covered reform of the system of Council presidencies, the scope of qualified majority voting and non-institutional issues. The next meeting of the IGC will be on 18 November.

Ms Stuart: I am grateful for that reply. The assumption is that the IGC should be completed under the Italian presidency. Assuming that the Minister agrees that it is more important to get the text right than to finish it, and therefore that having to wait until the feast of the epiphany would not be a disaster, have there been any discussions with the Irish Government about how they might take the IGC over if it had to run on into their presidency?

Mr. MacShane: I am not sure that we should wait for three wise kings to solve the problem of the intergovernmental conference. We and our European partners would like to see it finished under the Italian presidency, but that will require compromise in respect of the acceptance of the positions that 25 sovereign states—including this one—are putting forward. We are, however, keeping our fingers crossed and aiming for completion under the Italian presidency.

Miss Anne McIntosh (Vale of York): Following close examination of the text, is the Minister convinced that this country's energy supplies will be safe?

Mr. MacShane: Article III-130 of the proposed constitutional treaty states:

"the Council of Ministers shall unanimously adopt European laws or framework laws establishing . . . measures significantly affecting a Member State's choice between different energy sources and the general structure of its energy supply."

In that sense, unanimity—or the veto rule—seems to be underlined. However, article III.157 states:

"Union policy on energy shall aim to . . . ensure the functioning of the energy market",

which our energy companies want, because we want to open up Europe's energy market; that will happen under qualified majority voting. It also states that policy will aim to

"ensure security of energy supply in the Union".

There is some question on that clause, which we are looking at. I shall meet a delegation from the all-party British offshore oil and gas industry group, and my right hon. Friend the Foreign Secretary has written to energy industry leaders about this issue. The matter was also discussed at length in the Standing Committee on the Intergovernmental Conference yesterday. The hon. Lady is right to draw the House's attention to it.

Mr. Wayne David (Caerphilly): Does the Minister agree that the proposals in the draft constitution to strengthen the Council of Ministers underline the fact that the EU is an association of independent sovereign states?

Mr. MacShane: That is right. It is important to nail at the Dispatch Box the propaganda lies of those who talk about a European superstate. We are talking about 25 independent sovereign states coming together to strengthen the workings of Europe. For 500 years, it has been English, then British, policy not to allow a continental grouping to come together from which we would be isolated or in which we would have no influence. I find it odd that the isolationist tendency on the Conservative Front Bench has been strengthened in the reshuffle. We shall maintain Britain as an active partner in Europe and defeat the Tory isolationists.

Angus Robertson (Moray): In yesterday's Standing Committee on the Intergovernmental Conference, the Foreign Secretary gave an assurance that the UK Government would seek to rescind or amend the controversial energy chapters that have already been mentioned in this question. Will the Minister for Europe repeat the commitment of the UK Government to have those chapters removed entirely from the draft treaty? When will Government representatives be able to come to the House to confirm that that has happened?

Mr. MacShane: As I have said, I shall receive a delegation of hon. Members on this issue. I am not sure whether the hon. Gentleman is speaking for the energy industry when he seeks to remove any reference to the need for an open market in energy, because that is something that the British Government have always stressed in any discussions on this matter. A requirement for unanimity is contained in article III-130. However, I pay tribute to the hon. Gentleman's persistence in the Standing Committee. The Committee, which was set up by the House, has had two sittings. Just one Conservative Member attended the first, and only two out of the 165 attended last night. They talk about the importance of Europe, yet they do not even turn up at the Standing Committee set up to discuss the issue. That is a disgraceful performance.

Saudi Arabia

13. **Lawrie Quinn** (Scarborough and Whitby): What recent representations he has received about travel advice for UK citizens travelling to Saudi Arabia.

[137409]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): On 24 October, I agreed changes to Foreign Office travel advice to Saudi Arabia to say that we believe that

"terrorists may be in the final phases of planning attacks".

Tragically, the abhorrent attack that took place last weekend showed how important it is for Foreign Office travel advice clearly to warn British nationals of the threats that they face overseas. I would like to take this opportunity to repeat my utter condemnation of the hideous barbarity of the terrorist action that took place in Riyadh over the weekend. These murderers have shown absolute contempt for Islam and for peoples of all nations. This was indiscriminate murder of men, women and children of various nationalities, but overwhelmingly those of the Islamic faith.

I have sent heartfelt condolences to the families and friends of the victims, and a message to that effect to Prince al-Saud, the Saudi Arabian Foreign Minister. The British ambassador in Riyadh, Sherard Cowper-Coles, to whom I spoke yesterday, and his staff, will remain in close contact with the Saudi authorities about this.

Lawrie Quinn: I am sure that all hon. Members want to associate themselves with the actions taken by the Foreign Secretary following the deplorable attack at the weekend. Given the travel advice to British nationals, can he update the House on the effectiveness of that advice? How will it impinge on commercial activities between the two kingdoms?

Mr. Straw: Terrorist attacks are designed to disrupt the economies and ordinary life of the countries in which they take place. That is an inevitable consequence of the recent attacks in Saudi Arabia. That said, the Saudi authorities are doing everything they can to detect and deter those terrorists. There is a large expatriate British population in Saudi Arabia, as well as a great number of visitors. Our travel advice is constantly updated. We take it very seriously indeed. It can only be as good as the intelligence we receive, and all the time we have to set a balance between ensuring that, above all, proper warning is given, as we were able to give on 24 October in respect of the information that we had received, while, at the same time, not doing the terrorists' job for them, which is to bring normal life completely to a halt.

Dr. Julian Lewis (New Forest, East): I congratulate the Foreign Secretary and his intelligence sources on their timely action. Does he agree that one reason why Saudi Arabia is suffering is the fact that it is now seriously addressing the terrorist problem in its midst? Will he do everything he can to encourage the Saudi authorities not to be deterred by those terrorist responses, because only when the cancer is cut out will it be safe for people to travel to that country and to live in the countries of the middle east?

Mr. Straw: I am grateful to the hon. Gentleman for what he says. I am in absolutely no doubt of the overwhelming determination of the Saudi Government and the Saudi authorities to detect the terrorists who committed those outrages in order to deter others. Significantly, this action has been condemned in unqualified terms by senior religious leaders in Saudi Arabia, which is a message not only to those in Saudi, but across the whole Islamic world.

Israel

14. **Mr. Mark Lazarowicz** (Edinburgh, North and Leith): What recent discussions he has had with the Israeli Government about the building of the security wall. [137410]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): On a number of occasions, my right hon. Friends the Prime Minister and the Foreign Secretary have made clear to the Israeli Prime Minister and Foreign Minister our concerns about the route of the fence. It should not be built in the occupied territory. Baroness Symons raised the matter with the Israeli Foreign Minister during her visit to Israel on 30 September. Indeed, we have taken numerous other opportunities to raise this critical concern.

Mr. Lazarowicz: I welcome my hon. Friend's clear statement on the Government's behalf about the construction of the wall, but he will know that the continued construction of a separation wall, as well as inflicting misery on the Palestinians, particularly those living near the wall, is also jeopardising whatever slim hopes are left for a middle east peace process. In the light of that, will he tell the House what the Government are doing to try to take forward the middle east peace process?

Mr. Rammell: I thank my hon. Friend for that question. I would not wish to underestimate the fact that we are gravely concerned about the prospects for peace in the middle east. In that regard, it is vital that both sides realise how much is at stake. We certainly remain fundamentally committed to the road map. It is the only mechanism that we can see for the issue to be resolved. If such a structure did not exist, it would have to be invented. It is therefore critical that the Palestinian Authority make efforts to stop the terrorists and, at the same time, that the Israelis commit, through parallel moves, to tackling settlements, the fence, freedom of movement and the halting of extra-judicial killings.

Richard Ottaway (Croydon, South): The Minister rightly says that he is fully committed to the success of the road map. Does he accept that, in the view of many people, it will not succeed without a major diplomatic initiative? It must be properly resourced, and there must be full commitment on the part of a major worldwide institution, such as the United Nations or the European Union, rather than the current rather under-resourced effort.

Mr. Rammell: The implementation of the road map remains a critical diplomatic priority for the Government. We raise it at every opportunity. A strong United States-led commitment to the road map-based process is also critical. I believe that that commitment is there; certainly the case for it has not changed. Additionally, we need a strong role for the Quartet—closely following road map implementation through the reports of monitors, and making an extra effort when it detects problems or deficiencies.

Let me reassure the hon. Gentleman and the House that we consider this matter hugely important, and take every opportunity to press it forward diplomatically.

Identity Cards

12.30 pm

The Secretary of State for the Home Department (Mr. David Blunkett): With permission, Mr. Speaker, I shall make a statement on identity cards and the publication of an explanatory paper, a copy of which is available in the Vote Office.

The Government have decided to begin the process of building a base for a national compulsory identity card scheme. We intend to proceed incrementally, starting by establishing a database and introducing new technology in passports and driving licences. As I explained in the policy paper published in July last year, a scheme of this scale and complexity would always have to be phased. As I said then,

"it will, by its very nature, take some time should the government decide to legislate to get the card into place."

The House will know that since making my statement I have been consulting widely on, for instance, issues relating to secure verification and identification.

We are on entirely new territory here. It appears that many people think we are talking about an old-style card with a photograph; we are not. We undertook the consultation because of the enormity and pace of change. Such change makes it increasingly difficult to protect and authenticate the identities of those seeking work or trying to avail themselves of free public services—but the development of specific personal identifiers, known as biometrics, offers us an opportunity to do just that. It would mean that identity could not be forged or duplicated. Techniques such as fingerprinting, face recognition and use of the iris allow us to develop a database capable of foiling attempts to duplicate or steal identity. Such developments will enable us to deal with growing threats to the security and prosperity of Britain from identity theft, fraud and illegal migration.

Two developments have emerged since our earlier discussions of identity cards: the changed world in which we are operating, and the introduction of new biometric identifiers. There is almost universal international support for the idea of developing such identifiers. The United States, for instance, is about to introduce a scheme requiring people to have biometric passports if they wish to benefit from existing visa waivers. Those without them will increasingly find themselves exploited and targeted by international criminals. In such circumstances public demand for action would become overwhelming, and without these developments Britain would have missed an opportunity to protect ourselves and promote the best interests of individuals and families.

The security services have indicated to me that they would value improved methods of verifying identity and counteracting the use of multiple identities. It is obvious that terrorist networks would target the countries that had made the least progress in developing the capacity to provide this protection.

All of us know that identity fraud costs us dear. As individuals, as corporate entities and as a nation, we are open to tremendous exploitation. It is therefore common sense to prepare now for the future.

As I have indicated, it would not be possible to issue cards to the whole population through a big bang approach, even if that were desirable. We therefore intend to proceed in two phases. In phase 1, we would begin to issue biometric identifiers through the renewal of passport and driving licences. As I said in the consultation paper last year,

"as well as being convenient for the general population, building on the driving licence and passport systems would help to spread demand for the new documents and avoid delays in issuing them promptly".

As soon as the database was available, we would commence issuing identity cards to EU and foreign nationals seeking to remain in the country. We would also make available an optional card for those who do not have, or wish to have, a passport or driving licence.

We will move ahead now with all the necessary preparation, but the final decision on a move to the second stage of the scheme, which involves compulsion, will rest with Parliament. Clearly, the Government will only take a step of that magnitude after a rigorous evaluation of the first stage, when we are confident that there is widespread take-up and acceptance of the scheme and that the benefits outweigh costs and the risks.

We would also need to be sure that the concessions were working satisfactorily for those on low incomes and other vulnerable groups. Finally, we would need to be satisfied that all the technical, financial and administrative preparations were in place for the final roll-out in order to deliver the benefits that we have described. Draft legislation will allow further consultation on all these issues.

Parliament would determine under strict criteria what identifiers were necessary on the chip contained in the card and, therefore, what should be held on the database itself. It would not be necessary, for instance, to hold the address of the individual on the face of the card, as with current driving licences, therefore reducing rather than increasing risk.

Let me now turn to a number of issues that I know have been of public concern. In relation to cost, were we to add biometrics to existing identity documents, which I think most people believe is inevitable, we would incur all the expense and the technological development necessary, but without securing the gains. These include clamping down on illegal residents, illegal working and the exploitation of free public services.

The ID card scheme will make it possible to make all these benefits available to those who might not need, or want, a driving licence or passport and who could not otherwise afford such an identity document. We will provide a free card for 16-year-olds, a concessionary charge for those on low incomes, including those in retirement, and the option of a lifelong card for those renewing at the age of 75—*[Laughter.]* Well, under Labour, you live longer.

We are also looking urgently at how benefits in the business and commercial world can further reduce the overall cost, again in a way that would not be possible by updating passports and driving licences.

To avoid accusations of underestimating the cost, we have chosen to build in a substantial contingency. We estimate that the basic cost, over a ten-year period, would be £35. All but a very small amount of that would

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be necessary in introducing biometrics in any case. The addition would be in the region of around £4, spread over the ten-year period. We will ensure that the basic cost of a card could be paid for by individuals in a variety of ways. Some people could choose to pay incrementally, through mechanisms such as saving stamps and credits.

Simon Hughes (Southwark, North and Bermondsey): On the never-never.

Mr. Blunkett: Yes, like BBC licences, for instance.

I emphasise that it will not be compulsory for anyone to have to carry the card with them, any more than it is with the driving licence today. Although use of the card would be very helpful to public services, it would not be necessary to present a card to access those services until the scheme became compulsory. Clearly, however, as the card will be the most reliable form of identity, gradually it will become commonplace and convenient to use it. Of course, no one will be denied access to emergency services because they do not have a card.

To protect the private details of individuals, Parliament will prescribe the information to be held on the chip and on the database. Information would be limited to that required to verify identity. Privacy and confidentiality would be an essential part of the system. The protection of civil liberties would be assured in a way that is not the case for a whole range of commercial identifiers and card systems in widespread use at the moment.

Let me make it clear: no one has anything to fear from being correctly identified, but everything to fear from having their identity stolen or misused. Focus groups and polling evidence demonstrate that there is around 80 per cent. support for identity cards. As the cost of secure identification will be necessary with or without ID cards, I believe that the proposals that I am setting out will win widespread support.

This is about asserting our sense of identity and belonging; about our citizenship; about reinforcing the balance between rights and responsibilities. That is why I commend this statement to the House and why I am asking for a sensible and thoughtful debate. This is all about addressing the future and having the courage to modernise and to take on the challenges of the 21st century.

David Davis (Haltemprice and Howden): I thank the Home Secretary for his courtesy in allowing me advance copies of his statement and the paper. I begin by paying tribute to my predecessor, who has now been promoted to shadow Chancellor after doing a brilliant job as shadow Home Secretary. I say to the Home Secretary that, inevitably, there will be a difference in style in the coming months and years, but I shall endeavour to extend to him just as much courtesy as did my predecessor.

Last summer, the Home Secretary announced that the Government were consulting on introducing identity cards. He stressed that they wanted an open and enthusiastic debate to take place across Britain. The loudest debate that I have witnessed is the internal argument in the Government, usually conducted via leaks to the Sunday newspapers.

The statement that we heard from the Home Secretary today is the result of that argument. It is a compromise and a 10-year deferral, designed to appease the Prime Minister and those in the Cabinet who support introducing ID cards, and the Foreign Secretary and others who believe that such a scheme will not work. Indeed, I have a copy of the now famous letter from the Foreign Secretary to the Home Secretary. The Home Secretary said on the radio this morning that that letter is out of date—after four or five weeks. Let me quote from the Foreign Secretary's letter:

"I remain unconvinced by the overall policy. I believe that the proposed plan is flawed, and that no tinkering with particular issues will be able to resolve what is a fundamental political matter."

There are two fundamental issues at the heart of the debate on ID cards: first, do they work, and secondly, what are the implications for civil liberties? On both counts, the Government have failed the test today. On the first issue, let me quote just one of the Foreign Secretary's five major attacks on this policy:

"we must be clear we will never be able to require from all people the production of a card to access employment or services. There will be large numbers of people who will be entitled to both without a card, starting with EU nationals, who will be able to stay and work here for three months without any official documentation. Other groups both of UK citizens resident abroad and other categories of third-country nationals will also need exceptions. This is an obvious loophole for illegals to exploit, given poor security of some EU documents."

So my first question to the Home Secretary is: what is his response to that criticism, and will ID cards really tackle illegal immigration? The Home Secretary says that it will not be compulsory to carry the cards, so what happens when the police stop somebody in the street who does not have an ID card, which, under his proposals, would be perfectly legal? What will the police officer do? Will he ask them to bring their card to a police station in, say, five days' time? The innocent law-abiding citizen will of course do exactly that, despite the inconvenience. The illegal immigrant, however, will just disappear. So the second question is, does the Home Secretary really think that this is a workable proposal?

What of the terrorist threat that the Home Secretary referred to? How would an ID card have prevented the events of 11 September? He accepts in his proposals that foreign nationals will be able to spend three months at a time in the United Kingdom without an ID card. Does he seriously think that foreign terrorists having to divide their visits to the UK into three-month periods—or, even more simply, having to change their foreign documents every three months—will much handicap them? How does he intend to deal with that?

The Home Secretary also mentioned benefit fraud. As a former Public Accounts Committee Chairman—[HON. MEMBERS: "Ooh!"] Clearly, this is not known on the Government Benches. As a former PAC Chairman, I can tell him that the vast majority of social security fraud results from people making false claims about their health or economic circumstances, not about their

identity. I am not sure what difference the scheme would make in this regard, either.

The second major issue is, what are the implications of all this for civil liberties? Here, the Home Secretary's statement and his paper are worryingly opaque. Two questions need to be answered. First, precisely what information will be held at any time on compulsory ID cards? Secondly, who will have access to them? The implication of his statement and his paper is that Parliament will be asked to vote on the principle of an ID card, and that the details will be introduced later by regulation. That is unacceptable. We cannot approve ID cards on the basis of vague promises and generalisations. The Home Secretary will no doubt try to reassure us on the question of who has access to information on the cards. But when the Regulation of Investigatory Powers Act 2000 was introduced, we were told that only the police and a few agencies would have access to private communications. Now, that list has been expanded massively, by regulation, to include bodies ranging from local authorities to the Post Office. I fear that exactly the same encroachment of state interference in private lives will happen if ID cards are introduced in this country.

This Government do not have a track record of respect for individuals and their privacy, or, indeed, for their reputations. We have witnessed in many affairs—such as those involving Pam Warren, Rose Addis and Martin Sixsmith—the Government's willingness to seek and to use private information against ordinary people. There is nothing in today's statement about serious safeguards to prevent such abuses from happening again.

There are huge costs associated with this policy, but the Government have failed to advance any convincing arguments as to why these cards should be introduced. This is a compromise and a massive deferral. It is the latest headline-grabbing initiative to cover splits in the Government. As the proposal stands, it will not stop terrorists, catch fraudsters or deter illegal immigrants, but it will cost the taxpayer billions.

Mr. Blunkett: I should genuinely like to welcome the right hon. Member for Haltemprice and Howden (David Davis)—and, of course, his colleagues—to his place on the Front Bench. I do so genuinely in the spirit of knowing that there will be a different style of opposition. I also wish his predecessor good fortune in his new role: he always did his homework, he was always thoughtful and he always had something meaningful to say at the Dispatch Box. I rest my case.

Are we clear about whether the right hon. Gentleman is, in his first outing, in favour of moving forward, first, to introduce biometric identifiers to existing documents and, secondly, to make them universal by introducing compulsion and having an ID card, or is it a matter of being against deferral? There was a contradiction in what the right hon. Gentleman said. If someone is against deferral, they should by all means come forward with a set of suggestions about how to issue more quickly the biometric identifiers and therefore a card that would work or to clarify whether it should be introduced outside the passport and driving licence framework, which allows us to proceed in a phased, incremental and technologically acceptable way.

The right hon. Gentleman asked me about the Foreign Secretary's concerns, but I have been able to meet all of them. The specific concerns were about issues surrounding EU nationals. We have been able to satisfy the EU that it is perfectly feasible to translate the residence permit into an ID card, and we will do so. Anyone staying in this country more than three months will, wherever they come from, be issued with an ID card, and I hope to proceed with that as soon as the system is up and running. All the other concerns have been satisfactorily addressed, including the numbers to be dealt with.

I am now bound to move on to the question of the benefits. There will be no exemptions from the scheme. That is what compulsory means: when it is introduced, there will be no exceptions, so no one can defraud the system or pretend to be someone else. Illegal migrants would not only have to present the card if they wanted to work, but would have to do so if they wanted to draw on existing services. Given that we have a free national health service and that the current chairman of the Conservative party advocated an NHS card only a few months ago, I presume that such a card would have to be universal and compulsory to stop illegal migrants accessing it.

As to the police, there would have to be safeguards, but we would have to give them the ability to require acquisition of the card if they believe that someone has committed an act that amounts to an arrestable offence. That seems a perfectly sensible way forward, and with the use of new technology, the biometric could be taken in or out of the station. That is how we are currently developing the livescan system.

The right hon. Gentleman raised a very serious issue about terrorism. I said in my statement that the security services had informed me that they thought that the card would be valuable. They did so because a third of known terrorists and terrorist network supporters use multiple identities in this country in order to ply their dreadful trade by raising money and providing support. That is the basis on which I believe that an identity card of the sort that we are outlining today would make a difference.

The right hon. Gentleman asked me about fraud and benefits. In fact, I did not say "benefit fraud"; I said "fraud", referring to the £1.3 billion lost through private and public fraud. If we are talking about benefits, I have never ever publicly indicated that an ID card would solve benefit fraud or be a major contributor to solving it, though we believe that about £100 million a year would be saved in benefit and related systems from introducing an ID card.

Finally, there is the question of civil liberties. Yes, the right hon. Gentleman is right that we need to set out what will be on the card and how it will operate. Incidentally, the Regulation of Investigatory Powers Act did not lay down a series of tight parameters which were then expanded. The Act did not lay any down, and the parameters were being operated in the private sector. It was the private sector that required us to lay down by order, rather than in the legislation, the areas that required regulation under the 2000 Act. I hope that, when the right hon. Gentleman feels more secure in his shadow post, he will catch up with the crucial details that make a difference.

[Mr. Blunkett]

The central question that the right hon. Gentleman asked me was whether the civil liberties issues and the requirements on the chip in the card and on the database would be spelled out in the Bill. The answer is yes. However, if we are not clear this afternoon about where the official Opposition stand on whether the scheme is being delayed too long or on whether it amounts to too much, perhaps they could enlighten us later. They could explain how they square their position with the apposite words said on 23 September 2001:

"Britain is the easiest country in Western Europe in which criminals and terrorists can lose themselves. If we are serious about tackling this problem there is one obvious remedy—identity cards."

Those were the words of the new leader of the Conservative party.

Mr. Mark Oaten (Winchester): I thank the Home Secretary for advance notice of his statement, although the contents would, frankly, have been no surprise to anyone, because he seems determined to push ahead with ID cards despite considerable opposition from his own party. As was not the case with the official Opposition, I want to make the Liberal Democrat position crystal clear: we are fundamentally opposed to ID cards.

The Home Secretary plans a stage-by-stage approach. Can he confirm that he will review each stage, and that if the changes to passports and driving licences that he plans result in major difficulties, he will abandon his plans to move ahead with ID cards? He has been able to provide us with the cost to individuals of ID cards, but can he give a commitment today on the Floor of the House that the new passports will not increase in cost for individuals? He has great faith in the use of biometrics, but can he confirm that he has no plans to introduce ID cards without biometrics? On ID cards themselves, does he acknowledge the problems surrounding the falsification of cards and the false sense of security that can be created in respect of terrorism?

Finally, can the Home Secretary provide information on the costs to Government of the initial phase that he is planning and the projected costs of introducing ID cards? Does he not recognise that the billions of pounds involved in the ID card project would be much better spent on providing more police in this country to make our streets safer and tackle crime? That is what the public want—not a card that will do nothing to tackle fraud or terrorism.

Mr. Blunkett: I welcome the hon. Gentleman to his post. As applies to all Liberal Democrats, the freedom to change one's mind comes frequently and often—and that applies to ID cards. The hon. Gentleman, now representing the Liberal Democrats, was in favour of ID cards when he voted in favour of a ten-minute Bill less than a year ago. He is certainly, in his own words, "fundamentally opposed": he is fundamentally opposed to anything that gets in his opportunist way. That is what it is all about.

Mr. Oaten: Answer the question.

Mr. Blunkett: So let us deal with the questions. Will we refuse to increase the charge for new passports? How could we possibly say here, now, that there will be no new charges for new biometric passports in the future? What a very silly hon. Gentleman. Of course we cannot give such a guarantee, but the real issue is whether the Liberal Democrats want to block the introduction of biometrics in passports. If that happened, how on earth would we be able to deal with the American situation that I outlined, and the development—just beginning in the Schengen countries—of biometric visas and ID cards? I thought that the Liberal Democrats were in favour of Schengen and Europe-wide developments—or is that another fundamental principle that they have abandoned this afternoon?

No, we will not introduce non-biometric ID cards. That was what the hon. Gentleman asked me. Yes, we will be able to deal with falsification. The creation of a database on which the specific identifier will be held will prevent people from being able to duplicate identities, or to pretend to have someone else's identity, because it will be possible to check that against the database.

The hon. Gentleman asked about initial costs. We have estimated total set-up costs and revenue over the first three years at around £36 million, £60 million and £90 million, respectively. Finally, he asked whether it would not be better to spend the money on more police. I thought that the Liberal Democrats were mounting a campaign claiming that council taxes were far too high. I thought that they were preparing for next year, when they would say that local councils should not raise too much money, and that central Government should meet more in the way of costs. The charge under debate will be met by each person who receives a card for a service from which he or she will benefit.

Is that cost to be met through national or local taxation, according to the Liberal Democrats? How will they explain to electors that money raised through a greater charge on the council tax is to be diverted to pay for the biometric ID, passport or driving licence, and that it will not be used to pay for local policing? Of course they do not know how they will explain that, as they are totally confused and muddled.

Several hon. Members *rose—*

Mr. Speaker: Order. It is now time for questions from Back-Bench Members. I must inform the House that hon. Members must ask only supplementary questions, and that they must keep their questions brief.

Mr. John Denham (Southampton, Itchen): I can tell my right hon. Friend the Home Secretary that the Home Affairs Committee agreed this morning to hold an inquiry into all aspects of the scheme, including the practicalities of the draft legislation. However, does he agree that there is an issue of principle confronting Parliament? We wish to live in a world where millions of people can move in and out of the country every week, for work, business and leisure. At the same time, we want to ensure that valuable public services—education, health, the benefits system and housing—are available only to those who are entitled to them, and that those who work here meet their obligations to pay tax and national insurance. Is not the issue of principle that there must be an effective system of personal

identification? That would ensure that people were free to travel, and that individuals had clear entitlements and obligations.

Mr. Blunkett: I agree entirely with my right hon. Friend. That is precisely the issue that the rest of the developed world is addressing. We must not be left behind, so that is why we acting today to ensure that we address the matter openly and sensibly.

Mr. Edward Garnier (Harborough): Will the Home Secretary accept that the latest technology must be used if the new identity cards are introduced, and that complaints about biometric developments are beside the point? However, both history and logic tell us that an effective system requires that carrying an identity card is compulsory for everyone. Is not that the principle with which he must come to grips—whether he is prepared to breach people's civil liberties and make carrying the card compulsory?

Mr. Blunkett: On his first question, the hon. and learned Gentleman is entirely right: biometrics are going to be with us, with or without ID cards. On his second question, the Government have accepted the principle that he outlined, and we are clear that to achieve the full effect—on illegal working and the illegal use of free public services—we would have to move to compulsion. I accept that.

Andrew Bennett (Denton and Reddish): Does my right hon. Friend accept that he is naive if he expects the Home Office to be able to introduce this card without major problems arising, given its track record? Is not he naive also in thinking that criminals will not find a way to subvert the system? Is not the fundamental problem that carrying a card must be made compulsory, and that people will have to have it with them at all times? Otherwise, it will not deliver all the benefits that he hopes for.

Mr. Blunkett: I do not accept my hon. Friend's final point—not least because it will be possible to reference the identifiers against the ID base, without using the card. That will be a technological change for the future.

My hon. Friend spoke about the problems involved in introducing the card, but every Department—not least my own—faces a challenge when introducing and developing technology. However, it should be noted that, although the UK Passport Service faced huge difficulties, the satisfaction rate that it achieves is now 99 per cent. Also, we are turning around work permits in 24 hours. So there is hope for the Government, and it is possible for public service to work. We intend to make sure that it can work.

On my hon. Friend's second question, of course organised criminals will attempt to duplicate the cards fraudulently. However, it will be a major challenge to duplicate the irises of people's eyes, or all three biometric identifiers. Any Government who do not believe that they should take on and defeat those people are desperate and despairing.

Mr. Peter Lilley (Hitchin and Harpenden): Will the Home Secretary confirm that all asylum seekers already must have an identity document, that all have been fingerprinted since July 1993, and that no illegal immigrant can obtain benefits or work legally without a unique national insurance number? To get such a number, people need to claim asylum, and present the relevant documents. The Home Secretary does not require anyone to carry the documents to which I have referred, so how will extending the requirement to possess an ID card to British citizens help to control illegal immigration one iota?

Mr. Blunkett: I can certainly confirm that I introduced the asylum registration card for asylum seekers, but I must contradict the right hon. Gentleman on one point: from 2000, all asylum seekers who presented themselves to the authorities were fingerprinted, but the fingerprinting facility was not automatically available from 1993 onwards.

I can confirm too that our scheme will catch illegal residents, immigrants and workers. I did not mention asylum seekers. The ones who will be caught will not be able to identify themselves; if they try, however, it will be possible to show that the relevant identifier is not present in the database.

Mr. Gwyn Prosser (Dover): Is my right hon. Friend aware that my constituents in Dover, on this side of the channel, are overwhelmingly in favour of compulsory identity cards? More important, police and immigration officers in France, on the other side of the channel, cite Britain's lack of an ID regime as the primary pull factor that attracts illegal immigration over here.

Mr. Blunkett: I can confirm entirely that, whenever Britain raises the issue of the pull factor on illegal migration or asylum, other countries in Europe point decisively to the fact that we do not have an ID card scheme. That is the experience of previous Governments too. Our scheme will be materially different from, and much more secure than, the schemes that operate in Europe at present. To make their systems more secure, other countries are moving towards the provisions that we have set out today—namely, the use of specific identifiers.

Lady Hermon (North Down): I may not be exactly a David Trimble lookalike, but I can say, on behalf of my right hon. Friend the Member for Upper Bann (Mr. Trimble), that Ulster Unionist Members support ID cards—at least those of us who take the party Whip do. I can say that because no one else is here.

May I remind the Home Secretary that long hours were spent on the Electoral Fraud (Northern Ireland) Act 2002, which introduced electoral identity cards in Northern Ireland, because thousands of people, especially elderly women, did not have driving licences or passports? Will the Home Secretary, in conjunction with the Secretary of State for Northern Ireland, include electoral identity cards in the biometric technology?

Mr. Blunkett: First, may I say that the hon. Lady looks fine from where I am standing?

I shall talk to the Deputy Prime Minister about the hon. Lady's proposal as it has wider implications, but I think she is right to say that there should be links to electoral registration. That would be very welcome indeed.

Mr. Stephen McCabe (Birmingham, Hall Green): I am a convert to the idea so I understand that people may have anxieties. My constituents tell me that they do not want an excessive charge, but they are fed up with the excessive charges made on them at present due to people who illegally use our public services and put extra strain on the police and security forces. Is not that what we need to tackle?

Mr. Blunkett: My hon. Friend is entirely right. His comments are reinforced by an hon. Member who told me at the last Home Office questions that

"taxpayers have an equal right to be able to ascertain the identities of those citizens who wish to claim benefits . . . I wish him well."—[*Official Report*, 27 October 2003; Vol. 412, c. 18.]

That individual—the hon. Member for Bromsgrove (Miss Kirkbride)—has just been appointed to the Opposition Front Bench. I agree with both of them.

Mr. Douglas Hogg (Sleaford and North Hykeham): While I acknowledge that there may be policing and other benefits from identity cards, I am troubled by the civil rights implications. Does the Home Secretary understand that many of us suspect that in order to make the policy effective he will require the compulsory carriage of the card at all times and the production of the card to a police officer, and that he will have to give police officers the right to arrest in the event of non-production? Surely, that will be sus writ large, with all the associated abuses and problems, so will the Home Secretary give the House a guarantee that the requirements that I have just mentioned will not be incorporated in his proposals?

Mr. Blunkett: Such requirements will not be incorporated because it is not necessary. The police have told us that if they suspect that someone is undertaking something that is an arrestable offence, they would require proof of identity. If the person could not prove their identity, the police would of course apprehend them and would try to find out their true identity. The point of the card is not the card itself, but that it offers an authorised method of proving true and verifiable identity. That is at the root of what we are trying to do.

Mr. Kevin Hughes (Doncaster, North): I congratulate my right hon. Friend on his statement. Is he aware that there is a great deal of support for his proposals, not least from members of the Labour party? In a survey that I made recently of Labour party members in my constituency, 92 per cent. were in favour of the proposals. Their message to me and my message to my right hon. Friend is, "Get on with it as soon as possible".

Mr. Blunkett: I always feel better when I know that I have the Labour party behind me.

Mr. Simon Thomas (Ceredigion): Now that the Government have come clean about this identity tax—a poll tax to end all poll taxes—is not it clear that one piece of identity fraud has been revealed: the fraud that the Labour party is the party of civil liberties, personal freedom and the rights of individuals in this country? If the Government go ahead with their proposals and make them compulsory, what guarantees of civil liberty will we have? Will we have a written constitution? Will we have a right of access to personal information held about us by the Government? Will we have the right to privacy? Those questions need to be answered before we tackle compulsion for ID cards.

Mr. Blunkett: If it were heat not light that we wanted to emerge from the Welsh nationalists, we should all be well away.

The answer to the hon. Gentleman's question is clear. As I indicated, Parliament will lay down what will be on the chip and on the database. Parliament will determine the civil liberties protections. I have already spelled out the fact that we do not expect the chip or the database to hold more information than is already required for passports and driving licences. One would have to be particularly wild to suggest that passports and driving licences have taken away people's liberties—[HON. MEMBERS: "He is wild".] Yes, my hon. Friends are probably right.

Tony Wright (Cannock Chase): I recently discovered my identity card, which was issued in 1948, and feel that I was neither more nor less free then than I am now. Is not a lot of nonsense talked about the civil liberties side of the matter? The only issue that really matters is whether the system will work, and for it to work it will have to be compulsory. Surely that is not an add-on extra; it is integral to the scheme.

Mr. Blunkett: That is precisely why I sought the agreement of the Cabinet to the principle, and that agreement was secured. I agree with my hon. Friend. After all, only a few months ago, Frederick Forsyth, whom I respect as a writer although not as a political thinker, and I both had our identities stolen. In my case, bizarrely, it was so that the BBC could demonstrate that it could obtain a driving licence in my name. Well, good luck.

Mr. Richard Shepherd (Aldridge-Brownhills): Did I understand the Home Secretary correctly when he said that someone who did not produce a card would be taken, under compulsion, to the police station? It seems logical. But what about the millions of mothers on the school run, for example, who pick up primary school children? If they fail to carry their card, will they be taken to the police station? These proposals hit at—

Mr. Blunkett *rose—*

Mr. Shepherd: No, no, Home Secretary.

The proposals hit at the very sense of liberty of British citizens who have the freedom to move around without being impeded in perfectly lawful tasks.

Mr. Blunkett: I can definitely, definitely confirm that picking one's child up from school is not an arrestable offence, nor will it require people to carry the card or to present it—as long as the teachers know which child they are handing over to which parent.

David Winnick (Walsall, North): I, for one, welcome the Cabinet discussion that took place; it was a good thing for the democratic process. Is my right hon. Friend aware, however, that those of us who strenuously

oppose the proposals do not believe that an identity card will bring about what he has been describing? If it would do so, I should be willing to change my mind, especially in respect of terrorism. I hoped that the scheme would be dropped, but as it has not been I accept that this is the best possible compromise until—shall we say?—another time.

Mr. Blunkett: I am grateful for the qualified support of my hon. Friend. There are people who genuinely disagree with the whole principle as regards where we are going—even on biometrics. There are those who disagree with the previous scheme, which did not include biometrics, identifiers and safeguards. I believe that my hon. Friend was opposed to the latter scheme and I hope eventually to be able to win him over.

Mr. Owen Paterson (North Shropshire): The Home Secretary is setting great store by the value of biometrics, but what evidence is there that criminal gangs and sophisticated terrorists will not get ahead of the technology and produce workable forgeries that will render this oppressive exercise both expensive and pointless?

Mr. Blunkett: I have to work with the best advice available and currently it would be extraordinary if even the most sophisticated criminals could duplicate identities in the way that has been described. We are not simply talking about duplicating what is on the chip, but what is on the database. When the card is presented, what is read on the screen must accord with what is on the database. If it does not match, that person is automatically disqualified.

Lynne Jones (Birmingham, Selly Oak): My right hon. Friend will be aware that the kind of totalitarian state envisaged by George Orwell does not spring up overnight. He needs to proceed cautiously with this venture. In what way did the consultation on entitlement cards inform the decisions that he has told us about in the statement today?

Mr. Blunkett: We consulted for a year. We had a lot of local consultation, including using local radio and local newspapers. One of the reasons why we now describe the card as an ID card is precisely that public opinion showed that people were clear about what that term means and that they prefer it to the term, "entitlement card". We also undertook focus groups across the country, all of which, whatever their ethnicity and socio-economic make-up, produced the same level of support and very similar questions.

Dr. Vincent Cable (Twickenham): Does the Home Secretary acknowledge the criticism made by his colleague, the Secretary of State for Trade and Industry, who has pointed to the extreme technological sophistication of the information technology that would be required and the fact that the National Audit Office says that only 30 per cent. of such systems have ever succeeded in the past? What assurances has the right hon. Gentleman had from those in the IT industry that they can make the system operate other than at vast cost to the taxpayer?

Mr. Blunkett: We now have an entirely new process in place. The Office of Government Commerce undertakes gateway reviews. We have been through a pre-zero gateway review already—we would not have reached this stage without doing so—and we will go to the next stage of the gateway review and clearance in January. We will not proceed—this will need to be done in parallel with the Bill—to set up the system until the further stage has been gone through later next year and we are satisfied, both internally and from external verification, that the scheme can and will work. We will have to do that to introduce biometrics in passports. My hon. Friend the Minister for Citizenship and Immigration will shortly announce a pilot programme for biometrics in passports, just as we have already begun a pilot programme for biometrics in visas.

Mr. Jon Owen Jones (Cardiff, Central): Is it not axiomatic that those on the left should defend the welfare state? Does the Home Secretary agree that no welfare state can be sustainable unless it prescribes and defines those who are entitled to its services? Can he give any indication or estimate of the number of people or the cost to the health service of people using it who are not entitled to do so?

Mr. Blunkett: My right hon. Friend the Secretary of State for Health, who helpfully joined us earlier, for which I was grateful to him, is undertaking such work. He and I believe that we could be talking about hundreds of millions rather tens of millions of pounds. We know of no way, nor did the Opposition until today, to protect us from the misuse of those free services other than to have a form of identification that entitles people to use them by dint of being citizens of this country, not for another reason. Given that we have the only free health service in the world, such a system would be a major safeguard against those who would want to erode the health service and those who would use any excuse to encourage people to be against that free service. Such a system would ensure that we protect the health service from those who misuse it.

Angela Watkinson (Upminster): Identity cards would be very effective in controlling those law-abiding people who volunteer to have them and who hold legal driving licences and passports, but those people do not need identifying and controlling. The challenge is to control criminals and those people who are in this country illegally, so how will the Home Secretary overcome the problem of fraudulently held cards and those people who hold no cards at all and who work cash in hand?

Mr. Blunkett: There are two reasons why the full benefits cannot be attained without compulsion. The crucial issue is not presenting a card, but verifying the identity on the database. Someone could pretend to be someone else, but they could not do so once the card had been swiped and their identity had been shown to be false on the database. That is the crucial difference, and I will clearly have to explain it time and again over the years ahead. This is not a photograph on an old-fashioned card, but the ability to use a database—as with credit cards, loyalty cards and a plethora of commercially available cards, which often do not have the safeguards that we are talking about—to identify

[Mr. Blunkett]

whether people are who they say they are, and those who believe that the commercial sector should not be doing that need to say so.

Brian White (Milton Keynes, North-East): The Home Secretary will be aware, as his earlier responses show, that the commercial sector is developing schemes to link identity to uniqueness. Given the history of leading-edge technology not delivering the objectives set, will he give an assurance that he will work with the private sector in considering authentication standards and that he will consider a dispersed system, rather than a single database, which, once breached, is the least secure form of database?

Mr. Blunkett: Now that we have agreed the principle and I have reported to Parliament, we can open serious discussions with the commercial sector in relation not simply to the justified safeguards to which my hon. Friend refers, but to the commercial possibilities for Britain in being ahead of the game worldwide, as other countries rapidly move to adopt similar systems. If we can do that, we will have a double gain of protecting our people, while promoting our economic and trade interests.

Mr. Henry Bellingham (North-West Norfolk): The Home Secretary has said a great deal about driving licences and passports, but what about other official forms of ID, such as military identification cards, Government passes and MPs' passes? Can they not be configured so that they can contain biometric data?

Mr. Blunkett: Yes they can, which is why the Secretary of State for Defence is so strongly in favour of the proposals and has been helpfully supportive of me in the consultation process.

Mr. Frank Field (Birkenhead): As a third of all taxpayers' money goes in supporting the social security budget, does the Home Secretary accept that that budget above all others offers the richest pickings to those gangs specialising in identity fraud? Will he therefore give us some idea of when he expects the Government to be able to introduce the first ever secure gateway to our benefits system? That will not only give huge financial gains—perhaps enough to pay for this programme—but increase substantially the support for the welfare state that already exists in the country because taxpayers will know that their taxes are going where they should go.

Mr. Blunkett: I accept entirely the principle enunciated by my right hon. Friend. People will want that security. I cannot give an exact date, partly because of the issues that have been raised this afternoon, but not by my right hon. Friend. It is very strange that the people, including those in the press, who have berated me for being too slow ask all the types of question rightly asked this afternoon that indicate that we have to take our time to get it right. Starting now allows us to be ahead of the game; starting in five years' time would take us five years down a road on which we would have to adopt all the same careful steps that I am enunciating this afternoon.

Mr. Crispin Blunt (Reigate): Given the issues involved and the difficult compromises between civil liberties and effectiveness in tackling benefit fraud and so on, would it not be appropriate for the proposals to be decided on a free vote in the House?

Mr. Blunkett: At the moment, I have not got round to the nature of the voting pattern, but I am delighted to say that I will have with me a number of Opposition Members—Front Benchers, as well as Back Benchers—if we have a free vote. I have mentioned two of them this afternoon: the right hon. and learned Member for Folkestone and Hythe and the hon. Member for Bromsgrove. I am encouraged that, with all sorts of doubts and concerns, Labour Back Benchers are united today in believing that we need to move to a modern era, to take on the challenge of the future. That is very encouraging indeed.

Mr. Derek Wyatt (Sittingbourne and Sheppey): As the House knows, I have an interest in technology, although I am not a technologist. There are 80 million cellphones in the United Kingdom, with 80 per cent. coverage—much more than passports or driving licences. Can biometrics be used in cellphones? Will my right hon. Friend consider that as a way to add to the identity system?

Mr. Blunkett: I do not want to be totally facetious, but they would have to work a damn sight better than my mobile phone works.

Mr. Colin Challen (Morley and Rothwell): I welcome my right hon. Friend's incremental approach to this subject. Of course, the brand-new thing being proposed is the introduction of encrypted information on the cards. Will he consider setting up some kind of independent regulator, such as the Data Protection Registrar, who could be approached by members of the public who want to check the contents of their cards, because that has been a very important aspect of controlling data protection until now?

Mr. Blunkett: First, the commissioner has offered to work closely with us in making sure that what we do is compliant. Secondly, I have made it clear that Parliament must lay down what is held on the chip, and that anything held on the chip over and above that would be illegal if we had not authorised it. In years to come, individuals may request that their cards hold their emergency treatment requirements, but that will be a different matter entirely.

Mr. Martin Salter (Reading, West): The Home Secretary is well aware of my strong support, and that of my constituents, for his proposals. Can he tell the House what comments he has received so far from the police in relation to the concept of the introduction of ID cards?

Mr. Blunkett: The police service at every level are in favour of them, and they understand the parameters, as I have laid them down this afternoon, within which they would work.

Mrs. Ann Cryer (Keighley): Does my right hon. Friend accept that, as an old-fashioned socialist who believes in state provision from the cradle to the grave and the planned economy that is necessary for that provision, I believe that it is essential that we have some idea for whom and for how many we are providing? An identity scheme could help us to do just that and to cut out the cost of those who do not qualify.

Mr. Blunkett: I am grateful for the support of my hon. Friend and I agree with the thrust of her question. I shall reserve my position for the future and think about the question of the planned economy.

Points of Order

1.31 pm

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): On a point of order, Mr. Speaker. I am concerned about a letter that I received from an editor of a major newspaper following queries that I had raised about sexual harassment and bullying at News International. The letter was a thinly disguised attempt to warn me off.

I recently received an unsolicited copy of a letter to News International's lawyers from a firm representing a victim of serious sexual harassment. The allegations had been made against Stuart Higgins, one-time editor of *The Sun*. I understand that the eventual settlement involved a payment of about half a million pounds, with a condition of silence imposed on the victim. As far as I am aware, no proper disciplinary hearings took place and other senior staff appear to have colluded with what was by any standard extremely offensive and destructive behaviour.

The police were not called when hate mail was being sent to the victim on News International stationery. I do not know whether either the offence or the settlement was reported to Rupert Murdoch, although I think that that would have been likely. There was no attempt to deal with the underlying problem of sexual harassment and bullying, and my contacts tell me that it was not an isolated case. The solicitors' letter tends to confirm that.

I must raise this matter with you, Mr. Speaker, because after I had written to Les Hinton, the chief executive of News International, I received a letter from Rebekah Wade, editor of *The Sun*. The letter asked me how many complaints of sexual harassment had been made to me, while chairman of the parliamentary Labour party, by my staff—the parliamentary Labour party staff—and by MPs' staff. In fact, I had received none. It is impossible to see the letter as anything other than a threat, as I had not approached any editors—I had approached only the chief executive's office.

It must be a matter of serious public concern when a major multinational media group uses its editors to threaten a Member of Parliament who is carrying out a legitimate inquiry into that group's employment practices. As I am asking other employees who also suffered abuse to contact me or their lawyers, it is important that editors and management understand that this House will not tolerate explicit or implicit threats against its Members when carrying out their proper duties. I ask you, Mr. Speaker, to make it clear that Members of Parliament have those duties, and that they should be allowed to pursue them without threats or warnings of any type. I am a strong defender of legitimate investigative journalism, but the press cannot and should not expose others while covering up their own problems.

Mr. Speaker: In order to help the hon. Gentleman, the best thing that I can do is fully to investigate this matter. If he will allow me, I will do so.

Mr. Graham Allen (Nottingham, North): On a point of order, Mr. Speaker. You did a great job in allowing dozens of Members of Parliament to speak in response to the statement, but a large number—perhaps a dozen—were unfortunately not able to make their

[Mr. Graham Allen]

points. May I ask you again, as the guardian of Back Benchers' rights, to ensure that Front Benchers do not take more than half the time allocated for the statement? May I please ask you to consider that matter again, as I know that you have done previously?

Mr. Speaker: I thank the hon. Gentleman for raising this matter. I do not think that the Front-Bench statements today were unduly long, but there have been occasions when some Ministers and Opposition spokesmen have taken an undue length of time with their statements, and I will bear that in mind.

Kevin Brennan (Cardiff, West): On a point of order, Mr. Speaker. I seek your guidance on the announcement by the new shadow Chancellor, the right hon. Member for West Dorset (Mr. Letwin), whom I informed of my intention to make this point of order, that he intends to retain his remunerated directorship with the investment banking arm of N. M. Rothschild and Sons Ltd. Could not such an arrangement be misinterpreted as lobbying for reward or consideration, even when such lobbying was inadvertent and arose out of the normal duties of the shadow Chancellor? What is your advice in relation to such potential conflicts of interest?

Mr. Speaker: My advice to the hon. Gentleman is not to raise such a matter on the Floor of the House. It is not a matter for me.

Group Personal Accident Insurance (Regulation)

1.36 pm

Jim Sheridan (West Renfrewshire): I beg to move,

That leave be given to bring in a Bill to prohibit employers from benefiting from the death or illness of employees as a result of group insurance policies taken out without the employee's consent.

This Bill aims to regulate group personal accident insurance, otherwise known as dead peasants' insurance. May I begin by congratulating the Scottish press on highlighting this sharp practice and, more so, the Scottish Trades Union Congress on its support and advice in preparing the Bill.

There are many disturbing aspects to group personal accident insurance, and none more so than employers being able to take out life insurance on their employees without the knowledge or consent of that employee or their family. Employers can then cash in the policy when the employee dies and keep the money for corporate coffers.

Group accident cover includes compensation for death, loss of limbs and so on, and explicitly states that the company may be the sole beneficiary of such a policy. That appears to suggest that a company can be the beneficiary of a policy when an employee has died or lost a limb without them or their family ever having realised that the policy existed. The criteria for compensation would appear to be attached to the loss that the individual will suffer rather than that of the firm. If that is the case, it is entirely inappropriate that the company should be the beneficiary.

That begs the question: how is compensation for the loss of a limb by an individual reconcilable with compensating the company? I may be old-fashioned, but I find it obscene that employers can profit from the death of their employees. It also has the potential to undermine safety at the workplace. What is equally concerning is the ambiguous position that surrounds any direct or indirect tax exemptions for companies that indulge in this immoral practice. I hope that this Bill, if successful, will flush out those companies that participate in such a scheme, and legislate against the practice.

To date, it has been extremely difficult to establish detailed facts relating to which companies are exploiting this system due to their reluctance to volunteer any information, although it is estimated by some industry insiders that those types of policies account for 30 per cent. of the life insurance market. Indeed, a study carried out in 2002 for Royal Sun Alliance by Continental Research found that nearly half all mid-sized or smaller UK companies take out such policies or similar ones, such as key-man insurance policies, which are targeted mainly at chief executives.

The clandestine practice has been imported into the UK from America, where there is anecdotal evidence of corporate profit being made from the untimely deaths of employees. For example, a young man in America died of AIDS, and although his employer received more than £200,000 in death benefits, his family did not receive a single penny—or cent—from the company. The major cases that are being pursued in various states in America

against dead peasants' insurance centre on the tax situation regarding the schemes. It is possible, in some states, for the premiums to be tax deductible, even if there is a corporate beneficiary. The situation in the UK is, at best, unclear. There appear to be circumstances in which premiums could be tax deductible, but I am unable at this point to be more specific about something that is fraught with complications.

The implications of the schemes for health and safety in the workplace are more important. It could be argued that it is unrealistic to propose that the existence of such policies has a direct link to undermining health and safety at work in the UK, although such a link has been made in America. However, companies are allowed to choose whether the policy should be confined to covering accidents at work or accidents that happen anywhere.

A more direct link can be made with best practice culture. The trade union movement rightly argues that the best care of employees is of benefit to both employees and employers. Any insurance policy that mitigates the damage to the employer of not following best practice should be viewed as highly suspect.

The Bill would not stop good employers taking out life insurance for their employees, but it would provide that they should ask for the consent of employees and their families beforehand. The policies should not be a vehicle for making profits for a company.

Like the Government, the whole trade union movement and I want British business to invest in best practices for staff development and consultation, health and safety and effective management structures. Group personal accident insurance will make no positive contribution toward that, but it has the potential to undermine employee confidence.

Question put and agreed to.

Bill ordered to be brought in by Jim Sheridan, Mr. John Lyons, Jim Dobbin, Anne Picking, David Hamilton, Mr. Siôn Simon and Mr. John MacDougall.

Group Personal Accident Insurance (Regulation)

Jim Sheridan accordingly presented a Bill to prohibit employers from benefiting from the death or illness of employees as a result of group insurance policies taken out without the employee's consent: And the same was read the First time; and ordered to be read a Second time on Friday 21 November, and to be printed [Bill 175].

Orders of the Day

Arms Control and Disarmament (Inspections) Bill *[Lords]*

Not amended in the Standing Committee, considered.

Order for Third Reading read.

1.44 pm

The Minister for Europe (Mr. Denis MacShane): I beg to move, That the Bill be now read the Third time.

I am pleased that we have reached Third Reading of this important Bill. I thank right hon. and hon. Members for their support in getting it to this stage.

Colleagues who have followed proceedings on the Bill will recall that it is essentially a technical measure, but it might be useful to remind them of the background to the adapted conventional armed forces in Europe treaty—CFE treaty. The original CFE treaty was signed between NATO and former Warsaw pact countries in 1990. Its aim was to reduce holdings of military equipment and to establish a secure and stable balance of forces in Europe to eliminate the capability of a surprise attack or the initiation of large-scale offensive action. It limits holdings—on a bloc-to-bloc basis—of five categories of heavy weapons: battle tanks, armoured combat vehicles, artillery, combat aircraft and attack helicopters. An intrusive inspection regime was established as part of the treaty so that states parties could verify each other's holdings of those weapons to ensure that they were kept within treaty limits. The Arms Control and Disarmament (Inspections) Act 1991 implemented certain provisions of the treaty and enabled us to ratify it.

The adapted CFE treaty was signed in 1999. It limits the same five categories of heavy weapons but replaces the bloc-to-bloc limits with national and territorial ceilings. The adapted treaty also encourages greater transparency by providing for enhanced international inspections. It allows new states that are not party to the original CFE treaty to join, but only after all 30 signatories have ratified the adapted treaty. The UK has not yet ratified the adapted treaty, but we are keen to do so once Russia meets the commitments that it made to Georgia and Moldova at the Organisation for Security and Co-operation in Europe summit in Istanbul when the treaty was signed. This short, technical Bill therefore makes necessary changes to the existing legislation so that we will be ready to ratify once the conditions are right.

On Second Reading and in Committee, hon. Members expressed reservations about the fact that the Bill contains powers that provide for future amendments to the CFE treaty relating to inspections that require implementation in the UK to be given effect by way of Order in Council. I once again assure hon. Members that the purpose of that provision is to allow small, technical changes to the 1991 Act to be taken forward without the need to use up valuable parliamentary time. The Select Committee on Delegated Powers and Regulatory Reform in the other place has confirmed that it considers that level of delegation and control to be appropriate.

The report on the Bill by the Select Committee on Defence recommends that the Ponsonby rule should be applied when we decide to proceed with ratification of

[Mr. Denis MacShane]

the adapted CFE treaty. As the Government confirmed in their response to the report, the Ponsonby rule will indeed be applied. When the Secretary of State decides that the time is right to ratify the adapted CFE treaty, and thus that we are in a position to make the commencement order to bring the Act into force, we will notify the House of our intention.

Ratification of the adapted CFE treaty will be an important step towards creating the right security environment in Europe. It will be a clear sign of our willingness to work with the other states parties to the treaty to ensure a safe and prosperous future in Europe. I thank right hon. and hon. Members for their support in getting the Bill this far.

1.48 pm

Mr. Richard Spring (West Suffolk): I have no intention of unnecessarily detaining the House by rehearsing points about the Bill that have already been made. I thank the Minister for setting out the background to the Bill. The Opposition have tabled no amendments and the clarifications that we sought on Second Reading and in Committee have broadly been given.

In the light of that, we have no objections to raise on Third Reading. As we have done throughout the Bill's passage, we merely state our support for its contents and recognise the important role that the 1990 treaty has played in bringing greater stability to Europe. We hope that the 1999 agreement, which the Bill will implement in UK law, will continue to add to that peace and stability.

I thank the Minister for his helpful responses to our queries. In the spirit of the bipartisan co-operation that has marked the Bill's consideration, which is to be applauded, we look forward to its final passage into law.

1.49 pm

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): Sadly, the Bill's significance is not matched by the attendance in the Chamber this afternoon. Nevertheless, as we discussed on Second Reading and briefly in Committee, it offers an important extension of arms control and inspections. In an era of rogue states and international terrorism, we should not lose sight of the threat of world war, which the end of the cold war has reduced significantly. Like the Minister and the hon. Member for West Suffolk (Mr. Spring), we urge Russia to resolve its difficulties with Georgia and Moldova, and hope that the treaty can be ratified as soon as possible. Like the Conservatives, we continue to support the Bill.

1.50 pm

Peter Bottomley (Worthing, West): On behalf of Back Benchers from all parties, may I congratulate the Minister and Opposition spokesman on what they have said about the Bill today?

1.51 pm

Angus Robertson (Moray): It would be wrong to miss the opportunity to have a full house so, on behalf of the main Opposition parties in Scotland and Wales, may I give the measure our wholehearted support? Having recently returned from Georgia, I am aware that there are unresolved issues in the Caucasus, relating to this important measure. I sincerely hope that the federal Government of Russia will look closely at their commitments in Georgia. In general, however, the Bill is important and commands the respect of the Scottish National party and Plaid Cymru.

Question put and agreed to.

Bill accordingly read the Third time, and passed, without amendment.

EUROPEAN UNION (ACCESSIONS) BILL (PROGRAMME) (NO. 2)

Motion made, and Question proposed, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following provisions shall apply to the European Union (Accessions) Bill for the purpose of supplementing the Order of 21st May 2003:

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

Subsequent stages

2. Any further Message from the Lords may be considered forthwith without any Question put.

3. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Gillian Merron.]*

Question agreed to.

European Union (Accessions) Bill

Lords amendments considered.

Clause 2

FREEDOM OF MOVEMENT FOR WORKERS

Lords amendment: No. 1, in page 2, line 16, leave out from "instrument" to the end of line 17 and insert—

(5A) Regulations may not be made under this section unless a draft has been laid before and approved by a resolution of each House of Parliament.

(5B) But, in the case of regulations other than the first set of regulations under this section, subsection (5A) does not apply if it appears to the Secretary of State that by reason of urgency they should be made without being approved in draft.

(5C) Where by virtue of subsection (5B) regulations are made without being approved in draft, the regulations —

(a) must be laid before Parliament, and

(b) cease to have effect at the end of the period mentioned in subsection (5D) unless they are approved during that period by resolution of each House of Parliament.

(5D) The period referred to in subsection (5C)(b) is the period of 40 days —

(a) beginning with the day on which the regulations are made, and

(b) ignoring any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

(5E) The fact that regulations cease to have effect by virtue of subsection (5C)—

(a) does not affect the lawfulness of anything done before the regulations cease to have effect, and

(b) does not prevent the making of new regulations.

1.52 pm

The Minister for Europe (Mr. Denis MacShane): I beg to move, That this House agrees with the Lords in the said amendment.

The Bill was thoroughly debated on Second Reading, in Committee and in the Lords. The Government have been willing to accept amendments, and this afternoon we shall consider the Lords amendment, which is designed to subject the regulations to affirmative resolution, so that issues about controlling the movement of people from the enlarged European Union with the 10 new accession countries can be brought to the House rapidly for debate and decision. I do not want to rehearse arguments that have already been made at the Dispatch Box, in Committee and in another place, and invite the House to support the Lords amendment.

Mr. Richard Spring (West Suffolk): We welcome the Lords amendment as a proper response to concerns expressed by the Delegated Powers and Regulatory Reform Committee and others. In Committee, we, too, expressed concern about the lack of parliamentary scrutiny of regulations that could be made under clause 2, and I am satisfied that the amendment will resolve that problem. However, I hope that the Minister can help me with one remaining concern.

New subsection (5B) will allow an exemption from new subsection (5A) for reasons of urgency. Can the Minister explain exactly what is meant by that? New subsection (5B) will give the Government some discretionary power to act without parliamentary approval, so they must be explicit about what they intend to do with it. What kind of situation could be described as urgent, and what time scale of events constitutes a reason of urgency?

The accession of the 10 countries is an important and historic process, and was unanimously agreed in the House of Commons. It is not only an economic and political imperative but a moral one. I very much look forward to a union of 25 countries coming together in what I hope will be a more flexible and diverse European Union. The amendment is an important addition to an important Bill.

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): I echo what the hon. Member for West Suffolk (Mr. Spring) said. We are debating two significant Bills this afternoon, although the Minister may characterise them as simple, straightforward and technical measures. For the record, will he explain what special circumstances may give rise to an order being in place for 40 days before ceasing to have effect? That seems to be a short period, but it applies only to parliamentary sitting days. If the House is in recess, the period in which those temporary measures apply will be quite considerable. It would help the House if he clarified how the provision will be used, as well as the nature of the temporary measures.

Apart from that, I join the hon. Member for West Suffolk in endorsing the Bill and the amendment.

Angus Robertson (Moray): It must be a unique development in the House of Commons for the Labour and Conservative spokesmen, the Liberal Democrats, the Scottish National party and Plaid Cymru to be in absolute agreement on a measure twice within half an hour. I, too, would like to put on record our wholehearted support for the Bill and its progress. The reuniting of our continent is a truly historic event. Enlargement will result in the European Union being made up overwhelmingly of small and medium-sized countries, and in future a draft European constitution will not preclude internal enlargement. We hope that in time both Scotland and Wales will take their rightful place at the top table in the European Union. One step at a time, however—that is not for discussion today. Like other spokespeople, I should like to underline our support for the Bill and its progress.

Peter Bottomley (Worthing, West): This is probably the first time for nearly 60 years when it has been possible to debate Europe when there has not been a period of major conflict, at least in western Europe. One reason for that is, I half jokingly believe, the neo-colonialist nature of the European Union. Countries in the east and south of Europe are doing their best to match the standards that the EU and the Council of Europe require of their members. That potential spread of peace, harmony and prosperity is important.

Associated with that is the fact that one has to be about 65 to have experienced national service. It is to be hoped that our experience of living in a country with a volunteer army, which does not need to be used in north-western Europe, can soon be repeated throughout the rest of Europe. One of the greatest scars on Europe was created by the disintegration of the former Yugoslavia. Similar problems are occurring on the fringes of Russia, and sometimes within that country as well. Political

[Peter Bottomley]

arguments about the details of EU treaties or methods of enlargement should not disguise the fact that, if a political system meets the objective of avoiding unnecessary international war and unnecessary persistent and widespread civil war, we are doing our duty in the service of politics.

Mr. MacShane: I welcome the speech of the hon. Member for Worthing, West (Peter Bottomley), who made some important points. Yesterday, I had the pleasure of meeting the Defence Minister of Serbia and Montenegro, which wants to modernise its army and place it under civilian and democratic control. Britain is seeking to help it, so we can finally close the chapter of the Milosevic era. The Defence Minister made the important point that the European Union is more than simply a trade zone, as it has ideals and values. It has had an extraordinary impact on the democratisation of the enlargement states, as well as increasing the rate of reform and modernisation there. We hope that it will do the same in the accession states.

Chancellor Kohl was mocked a decade or more ago when he said that the European Union was about war and peace, but I believe that he was right. As all party representatives have made the point that we are as one on enlargement, I hope that we will move swiftly to a successful constitutional treaty, which is necessary to make enlargement work well, and bring it to the House for similar cross-party ratification in the new spirit of European unity that has emerged since the recent reshuffle. I think that I had better stop while I am ahead.

I was asked important questions about the amendment's reference to urgency in bringing regulations before the House. The answer is that the Government's attitude to the issue is precautionary. Research suggests that it is unlikely that there will be a large-scale influx of workers into the UK after enlargement. However, the Government will monitor carefully the policy's impact on the UK labour market. The Department for Work and Pensions will handle that monitoring using existing sources of data and information, and it will use informal mechanisms to consult stakeholders inside and outside the Government. If, contrary to expectations, serious disturbances arose in the labour market, we would expect the monitoring to show them up. In such circumstances, action might need to be taken swiftly. I shall not cite specific examples, as I do not want any hypothetical examples to be taken to constitute a definitive list. The Government would prefer to maintain the necessary element of flexibility to meet whatever exigencies might arise.

That is why we have put the urgency procedure mechanisms and language into the Bill. We think that public and parliamentary interest is likely to be most acute when the first regulations are made, as they will fully liberalise access to our labour markets by citizens of the eight states affected by the treaty's transitional measures. For that reason, the Government have sought to put beyond doubt their intention to gain parliamentary approval for the first set of regulations before they come into force. That is why the amendment generally requires regulations to be laid in draft before parliamentary approval and subsequent commencement. Of course, it also allows the Secretary of State to bring regulations into force prior to resolutions of both Houses "by reason of urgency". In cases where that urgency procedure is used, the Secretary of State will need to secure resolutions within 40 days. Without such resolutions, the regulations would lapse at that point. I believe that that gives a parliamentary lock on the matter.

We are grateful for the Lords amendment. I hope that, with the approval of the House, the Bill can now pass into law.

Lords amendment agreed to.

United Nations

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kemp.]*

2.2 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): I am pleased to open this important debate on reform of the United Nations. The United Nations is frequently mentioned in this House when we debate foreign policy issues, but it has rarely had the detailed attention that it deserves. That is why we decided in September to publish a Command Paper setting out the immense breadth of the UK's role in the UN, why we followed up its publication with a debate in Westminster Hall and why we have initiated this debate.

Angus Robertson (Moray): I cannot disagree with a word that the Under-Secretary has said so far, but does it not concern him slightly that, in a debate that he has billed as so important, only three Back Benchers are present?

Mr. Rammell: That is a good debating point, but if anybody should be subject to criticism on that score, it is all of us. The hon. Gentleman knows as well as I do that on a one-line Whip, as now, attendances are not always as high as they might be. Nevertheless, this is a significant and important debate. When the same subject was discussed in Westminster Hall, a number of contributions were made, although I do not recall whether he was present.

In the debate that took place at the General Assembly in New York in September, many contributions focused on the important need for reform of the United Nations. The Government believe that that is a vital issue that deserves broad public and parliamentary attention. Indeed, that is why we have gone out of our way as a Government to ensure that we give opportunities—I think that they are unprecedented—to debate these issues, as we did in Westminster Hall and are doing today.

On a day on which we commemorate those who sacrificed their lives in two world wars, we need little reminder of why the United Nations was needed in 1945. Today, when two fifths of the world's population live on less than a dollar a day and there is a conflict in the Democratic Republic of the Congo that has probably already cost at least 3 million lives, to take just one current example, it should be equally obvious to all of us how much the United Nations is needed.

The drafters of the UN charter were sufficiently visionary to ensure that its aims in respect of a collective approach to security underpinned by respect for human rights and economic and social development sound just as important, relevant and fresh today as they did when the charter was established. In an increasingly interdependent world, we need collective approaches as never before. We certainly pursue such approaches through the EU, NATO, the World Trade Organisation and international financial institutions such as the World Bank and the International Monetary Fund, but the only comprehensive global organisation is the UN, and I believe that it has a unique and significant role to play. That is why, ever since a Labour Government invited the General Assembly to hold its inaugural session in London in 1946, we have placed the UN at the heart of Britain's foreign policy.

Support for the UN does not, however, mean unconditional backing for current structures, activities or methods of working. I genuinely believe that real friends of the UN should be the ones who ask the toughest and most challenging questions of it. I have often found that those who profess the strongest political support for the UN have only the scantiest knowledge of its workings and shortcomings. I do not think that we do the UN any service by hiding away from that fact.

That is why the Government have been a strong supporter of the Secretary-General's reform programme, which has sought to focus work in the secretariat on the highest priority areas, in line with the goals identified by world leaders at the millennium summit. The millennium development goals that emerged as a result of that summit can be seen as evidence of the progress that the Secretary-General's reform programme has already instituted at the United Nations. Today, the 191 UN member states agree that the organisation must focus its work on the key priorities that were agreed at the millennium summit, and not on others. The objectives focus on concrete and measurable outcomes, rather than process. I believe that that is what Governments and peoples around the world want the United Nations to concentrate on.

Mr. Gary Streeter (South-West Devon): I agree with where the Under-Secretary is taking the debate. Has he seen any evidence in the past two or three years that the UN is achieving a new focus on its stated priorities?

Mr. Rammell: May I welcome the hon. Gentleman to his new post and congratulate him on his appointment? I was just about to give an example in which fundamental change is taking place. I believe that the reprioritisation required by the process that I have described gives rise to some tough decisions for all of us.

Let me take an example close to home. Many hon. Members will have had contact with the United Nations information centre in London over the years, and will rightly have valued the service that it offers. Nevertheless, the Secretary-General has rightly said that, in the age of the internet, information on the UN in western Europe can be more efficiently delivered through a single hub in Brussels. As a result of that change, resources can be focused on higher-priority activity elsewhere, including developing the information capacity of the developing world. Painful though it was to lose our information centre, we believe that that was the right decision. It is in such changes that we all need to hold our nerve and support the overall process of change that is taking place.

We need further progress in the direction of reform and we are encouraging others to accept that other low priority activities and programmes should be ended. We want to ensure that new activities have built-in reviews and end dates, so that programmes must prove their value rather than simply drifting on indefinitely. That is a critical point. Anyone who has visited the UN and looked in detail at how the system works—as several hon. Members have done—will recognise that

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committing the UN to a programme that carries on regardless of changed circumstances and priorities is not acceptable.

Angus Robertson: The Minister mentions institutional reform. He will be more aware than most that many countries in the UN would like reform to the way in which the Security Council works, which would enable other countries such as Germany and Japan to take on a more permanent role. What is the Government's policy on that question and on the suggestion for a permanent representative on behalf of the European Union, who might be able to speak in the Security Council on behalf of all 25 members of the Union?

Mr. Rammell: I shall address that issue later in my speech, but we support an enlarged permanent membership of the Security Council, especially regarding Germany and Japan. We do not advocate membership for the European Union; the current structure of the Security Council provides membership for sovereign states, not for bodies such as the European Union.

The General Assembly has an important role to play in the process of prioritisation, but if it is to be effective, it must get its own house in order. In his recent millennium declaration progress report, the Secretary-General described the Assembly's "repetitive and sterile debates", and its

"agenda crowded with items that either overlap or are of interest to only a few states".

He rightly called for improvements.

One important innovation might be to move away from set-piece interventions. It is right that the general debate that opens each year's Assembly should consist of prepared speeches. It is the opportunity for world leaders to set out their vision of the UN's developing role and to influence the political agenda for the year ahead. It gives us all a chance to take the temperature of world opinion—and that is an important opportunity. However, the remaining months of the General Assembly should not consist simply of ambassadors talking past each other in formal sessions, as too often happens at the moment. We should look for opportunities to have debates on matters of real and topical importance, where the views of different countries are listened to and receive a legitimate response.

The agenda needs also to give due priority to the most important subjects. It is open to question whether resolutions to establish an international year of rice or an international year of mountains have really added significantly to the greater good of the international community. It cannot be right that the General Assembly should be the forum for pursuing individual hobby-horses.

Part of the problem is the way that the General Assembly operates for the most part as a series of large blocs. Sometimes those are electoral groups and sometimes they are groups that reflect a genuine commonality of interest, as with the EU or the Arab group. Some organisation on such lines is clearly essential if we are to avoid 191 member states expressing a separate view on every issue. However, too often, the Assembly operates as an extended negotiation between two monolithic groupings—the developed world and the non-aligned movement. That division hides the real diversity of views within their memberships as negotiating positions are brought down to a lowest common denominator, and we should try to avoid that situation. Ministers and our missions in New York and Geneva are active in reaching out across those divides and encouraging constructive engagement from individual countries. We take care to include UN issues in bilateral discussions at ministerial and official level with key partners in the developing world, and we have institutionalised regular dialogue with some key partners, such as India. We will look for further opportunities to break down the barriers and will be encouraging our partners to do more in that area.

We are not alone in seeking General Assembly reform. Following his election in September, the General Assembly's President, Foreign Minister Julian Hunte of St. Lucia, has been quick to raise the banner of reform. He has launched his own initiative to streamline and revitalise the General Assembly, building on many of the ideas that we have been promoting, as set out in our Command Paper. Other UN members are also pursuing separate reform initiatives complementary to those going on within the General Assembly framework. I was particularly pleased recently, when visiting Mexico, to discuss the establishment of a friends of reform group, led by the Mexican Government, whose membership will be drawn from across the UN. Already, countries such as Canada, Sweden, South Africa, Japan, Argentina and Algeria have joined in the discussions. Although the intention is that the permanent five members should not become members of that group, there is much in common with our own agenda and I intend to follow the Mexican initiative closely and feed in to the process.

We also want to encourage reform of the subsidiary bodies of the General Assembly. The most important of those is the Economic and Social Council, or ECOSOC. This body has the primary responsibility for overseeing the work of the UN's various funds, programmes and agencies. It can, therefore, potentially ensure that the UN's contribution in many parts of the world is coherent and co-ordinated, and that there is no duplication of UN effort. A UN working group that sat from January to June this year decided that ECOSOC should produce a multi-year work programme. That will begin to improve the situation significantly, and we will work hard within that promising climate to make some meaningful improvements to how those bodies operate and function.

The UN, under Kofi Annan's stewardship, has also recognised that a successful organisation needs an effective administration to deliver its priorities. The Secretary-General has drawn on his experience at the heart of the administration to shape the reform agenda that he initially launched back in 1997. Much has been done, but there is still room for improvement. As a friend and strong supporter of the UN, that is an argument that we should make.

In September 2002 the Secretary-General launched the latest round of his programme of reforms with a

report entitled "Strengthening the UN: An Agenda for Further Change", which was fully supported by the UK Government. The latest reform agenda includes many important items such as priority setting, management of human resources, financial management, working practices and ensuring appropriate staffing levels. All of that is crucial to providing an efficient administration that can deliver priority activities and go on to achieve the objectives set for the UN by the international community. We will certainly not resile from continuing to play a leading role in pushing for reform of UN bureaucracy.

I should also mention that this year's session of the General Assembly will agree the UN's budget for the next two years. As a large contributor to the UN, we want to ensure that the budget is focused on UN priority activity, to ensure that the organisation is as efficient and effective as possible. Linking spending to priority activity is an essential part of the overall reform process. However—and this point is sometimes lost in our debates on the issue—it is important to stress that our aim is not to cut budgets, but instead to ensure that the organisation delivers better value for money and spends its resources on the issues that are of concern to us and to the whole international community.

Hugh Robertson (Faversham and Mid-Kent): The Minister mentioned the budget, and he will be aware that a high proportion of it comes from the United States, Japan and the European Union. Does he consider that that proportion is too great and does he think that a larger amount should come from other countries that currently contribute very little?

Mr. Rammell: This is a difficult process and is part of the ongoing debate. Some nations—Japan is one of them—have significant concerns about the level of their contributions. That is why it is crucial that we scrutinise in detail proposals for further UN expenditure. Over time, we may see increased contributions from countries that currently do not contribute so much. But all that should be focused on ensuring that we are spending the money on the right priorities, not simply the spending for spending's sake that advocates of the United Nations sometimes appear to promote.

Much UN reform is a gradual process in which we have been engaged for many years. The UN is a body that has, rightly, continually evolved as it has been faced with new challenges. It can come as a surprise, for example, to realise that the UN charter makes no explicit mention of peacekeeping, even though blue-helmeted forces are now one of the UN's most familiar manifestations. From the first simple observer mission in Palestine in 1948, UN peacekeeping has grown into a complex set of tasks in which political, humanitarian, policing and military elements are closely woven together. The UN is now running throughout the world some 13 simultaneous peacekeeping operations involving some 42,000 military and civilian personnel, who are soon to be increased by the 15,000-strong mission in Liberia—a mission that we have strongly supported. The UK has been at the forefront of the Secretariat's efforts to implement the Brahimi report of August 2000 on peace operations. We are encouraging the reforms that are under way through a programme of assistance under the UN strategy of a global conflict prevention pool, and we will continue to work in the Security Council to ensure that peacekeeping operations have robust, but realistic, mandates.

Peacekeeping is a good example of gradual evolution having worked well for the United Nations—although there is undoubtedly still more to do—but there is also a case for a more strategic review. That is why we welcome the Secretary-General's announcement of a high level panel to examine the way in which the UN handles threats to international peace and security. Kofi Annan has chosen people of high calibre with a wide variety of experience in dealing with the UN, including our own David Hannay. We welcome their appointment. The panel offers a real opportunity to break the deadlock on reform. The Secretary-General's backing for the reform agenda is fundamental and key, but it is encouraging that support goes much wider than that: I have been convinced through my contacts with a wide range of countries that there is, at long last, a critical mass of interest that will genuinely move the reform agenda forward.

The Secretary-General's panel was launched against the background of differences in the past year about how best to deal with the threat posed by Iraq's failure to comply with its obligations under 10 years of Security Council resolutions. Some may see the primary issue for the panel as being how the international system can better constrain unilateralism. However, the wish to pursue multilateral solutions should not become a means of enforcing inaction—rather, the panel should consider how we can ensure that we have the means and the political will to tackle collectively the threats that face us.

Subsequent disputes over military action have obscured the fact that the Security Council was united in holding Iraq to be in breach of its obligations under previous Security Council resolutions. The problem was not that the Security Council disagreed over the nature of the threat, but that when it came to the point, its members could not agree to follow through on the serious consequences that had been so clearly threatened in resolution 1441. In that regard, I welcome the comments that the Secretary-General made in his contribution to the UN General Assembly. He said that

"it is not enough to denounce unilateralism, unless we also face up squarely to the concerns that make some States feel uniquely vulnerable, since it is those concerns that drive them to take unilateral action. We"—

the international community—

"must show that those concerns can, and will, be addressed effectively through collective action."

That is an important point that goes to the heart of some of our debates in recent months on the role and position of the United Nations within the international community.

When such serious issues are at stake, it is perhaps not surprising that there are disagreements. The views on all sides of the Security Council, particularly on Iraq, were sincerely and strongly held. That is not a sign that the institution of the United Nations has failed. However, such circumstances give us an opportunity to look afresh at how the Security Council works and at how it can—as I believe that it should—maintain its pre-eminent position in the maintenance of international

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peace and security. The Security Council holds a privileged place among the UN's institutions, in that it alone can create binding legal obligations on the whole membership. Those responsibilities must be backed up by the trust of the wider UN membership.

The Government have long argued that the Security Council's effectiveness would be enhanced by broadening its membership so that it better reflects the modern world. The hon. Member for Moray (Angus Robertson) alluded to that. It is idiosyncratic, to say the least, that the permanent membership of the Security Council largely reflects the outcome of the second world war—an event that took place more than 50 years ago. In particular, we would like representatives of the developing world to gain permanent membership. We have therefore argued that the Council's membership should be increased from 15 to 24, including five additional permanent members. We support Japan and Germany's candidacies in recognition of their political and economic weight and their broad contribution to the United Nations. In our view, the other three seats should be filled by countries from the developing world—one each from the African, Asian and Latin American regions. We have made it clear that we see India and Brazil as the pre-eminent candidates for the latter two regions, but it is of course primarily for aspirants to make their own cases within their own regional groups.

Hugh Robertson: I am sure that all hon. Members would agree that increasing the numbers to give greater representation is desirable, but is not the key factor what happens to the veto? If the use of the veto were to be extended across the Security Council, that could produce not better action, but more inaction.

Mr. Rammell: That is an important point. However, an increase in permanent membership does not have to go hand in hand with an increased possession of the veto, which we do not advocate, and which could lead to a permanent gridlock in decision making.

Angus Robertson: Will the Minister clarify that? Is he advocating a two-tier system of permanent members of the Security Council? Alternatively, if membership were to be extended, would it not make sense to take the veto away from the five member states that currently have it, so that there is equality across the Security Council?

Mr. Rammell: That is a good debating point. If we reflect, however, on the circumstances in which the United Nations was originally established, one of the reasons for the creation of the veto was to prevent certain pre-eminent nations and global powers from simply walking away, as in the case of the League of Nations. We have to deal with the realities and practicalities of the situation. We certainly do not advocate the removal of vetoes. If we are to move forward with an enhancement and expansion of the permanent membership, a significant increase in the possession of vetoes would not help the process of reform.

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): The Minister gives an important enough response to the question put by the hon. Member for Moray (Angus Robertson), but he avoids its starting point, which is the idea of a two-tier permanent membership of the Security Council. How exactly would he sell that to the Germans, the Japanese or anybody else?

Mr. Rammell: I think that I have answered the question. I want an expansion of the permanent membership, but we have a long way to go in achieving that. We therefore need to work with all our international partners to create the consensus that will enable us to take the situation forward.

Institutional reform of the Security Council can help to build wider support for its actions, but changes in its membership alone cannot provide an answer to the security challenges that face us. We should ask ourselves what the charter's call to uphold international peace and security means in the modern world. It must mean facing up to threats from international terrorism. We have made a good start by setting up the Counter-Terrorism Committee—a unique mechanism of peer review to spread good practice in the fight against terrorism—but we must maintain the political momentum behind it by ensuring that it focuses attention on the most serious shortcomings and tackles those countries with least commitment to the fight against terrorism.

That must also mean considering the threat from proliferation of weapons of mass destruction. It is striking, noteworthy and worrying that the Security Council has not discussed this as a generic issue for something like a decade. We therefore welcome the impetus given to the subject by President Bush in his speech to the General Assembly in September. We are currently in consultation with partners to decide how the Council can best fill this gap in its agenda. I believe that it is important for us to do that.

In revisiting the definition of international peace and security, we should also bear in mind how notions of state sovereignty have evolved since the founding of the United Nations. We have all rightly become used to the idea that one country's internal decisions on, for example, environmental or economic matters can become a cause for global concern. We also recognise—even if some of our closest partners, regrettably, sometimes do not—that these problems should be the subject of collective responses. Similarly, the governance, internal security and stability of an individual country are legitimate subjects for international concern and, where appropriate, collective action. Internal conflict quickly draws in neighbours, and repression by Governments leads to outflows of refugees. A breakdown in the rule of law can lead to the export of organised crime. All those factors can destabilise entire regions. The international community should not use the excuse that they are internal matters as a reason for waiting until they develop into full-scale regional emergencies. We need better systems of conflict prevention, drawing in the whole UN system.

We should also look again at the criteria that we use to decide when the international community should intervene. There is no guarantee that the Security Council would be any more willing to intervene today if

it was again faced with a situation like the Rwandan genocide or the Serb actions in Kosovo. No one should be in any doubt that, in some circumstances, it is right, acceptable and just for the international community to intervene in another sovereign state. What happened in Rwanda in 1994 provides the most powerful argument in support of that. It was a damning indictment of the international community of the time that action was not taken.

Starting with the speech made by the Prime Minister in Chicago in 1999, the Government have put forward to the Security Council some possible criteria for intervention, and it is time to look at that issue again. We suggested then that we needed to build a better understanding of the circumstances and conditions in which the international community could act when conflict prevention failed. Intervention can take a number of forms, and the use of force should always be a last resort. We believe that the development of a set of pragmatic understandings on action in response to humanitarian crises would help the Security Council—acting on behalf of the members of the UN as referred to in the charter—to reach consensus when such crises occur, thus ensuring effective and timely action by the international community. Action should be taken only to prevent genocide or major loss of civilian life that could destabilise other states and threaten international peace and security. In those circumstances, force should be used only as a last resort and when a Government have demonstrated their unwillingness or inability to end large-scale civilian suffering within their jurisdiction.

There also has to be a pragmatic element. The scale of actual or potential human suffering must justify the risks and dangers of military action, and there must be clear and relevant objectives and the military means to ensure a high probability of success. The use of force in such circumstances should be collective and limited in scope to actions necessary and proportionate to achieving the humanitarian objective. It must also respect humanitarian law and the Geneva conventions. That, however, is only one possible way of expressing the conditions under which intervention should take place. I believe that it is timely and important that we are having a debate on this issue.

Alan Howarth (Newport, East): The criteria that my hon. Friend has just sketched out reflect what has happened in the history of Iraq over the past 10 years. Do we not need reforms that would ensure that United Nations resolutions were not flouted, and that there would be no more failures to enforce them over such long periods and with such calamitous consequences?

Mr. Rammell: My right hon. Friend makes an exceedingly important point. One reason that we ended up in that situation over Iraq was that, over an extraordinarily long period, Iraq had flouted the will of the international community through the United Nations, and the international community—through the UN—had effectively sat back and allowed that situation to develop. I referred earlier to discussions with the Mexican Government about their ideas for reform, and one of the issues that they are considering—and which we should all consider—is how we can ensure that the international community enforces the relevant Security Council resolutions.

We also need to consider how the UN can better deal with post-conflict situations. Some two thirds of all conflicts reignite within five years and the international community needs to do more to break that cycle of violence. There is much expertise within the UN system and in national Governments, accumulated from a wide range of post-conflict situations. That needs to be drawn together in a more readily accessible form.

During our recent presidency of the Security Council, in September, we started work on one aspect of that, namely, the transition to justice and the rule of law. As part of that process, the UN Secretary-General has agreed to produce a report setting out the UN's experience in this area and making recommendations for future action, to help to ensure that the components of a justice system in a post-conflict society—police, prisons and an equitable legal system—are put in place. Justice and the rule of law are essential building blocks for stability and prosperity, without which a secure political and economic framework cannot be constructed. The UN has progressively become more involved in this area, but so far in a rather piecemeal fashion. We envisage that it will use the current exercise to develop a more coherent and targeted strategy for future action. It could also provide a more systematic way of co-ordinating individual contributions in this area by the international community.

It is right that the UK should seek to influence the debate on UN reform. Our own interests are global, and many of them are better advanced in partnership with others. An effective UN is the right body to achieve much of that. We are also well placed to exert that influence: first, as a permanent member of the Security Council; secondly, from next January, as the fourth largest contributor to the UN's regular budget; thirdly, as the provider of more than £600 million worth of support to the UN in 2002, nearly two thirds in the form of voluntary contributions; and fourthly, as a provider of key personnel across the UN's operations. The full breadth of our UN contribution is astonishing, as can be seen from the Command Paper produced by the Government, and we intend to participate fully in the debate on UN reform. The programme of reform is one to which Members from across the House can subscribe and I commend this agenda to the House.

2.37 pm

Mr. Gary Streeter (South-West Devon): This is an important time in the life of the United Nations. That significant organisation must face many tough choices if it is to adapt to the new geopolitical realities of the modern world, so I welcome this timely debate. I am delighted that my first speech in my new role in our foreign affairs team should be on such a crucial issue, and I thank the Minister for his kind welcome to me, earlier in the proceedings.

May I take this opportunity to place on record my own and my party's appreciation and respect for the dangerous but vital work being undertaken by UN personnel in Iraq, and indeed across the world? May I also record our appreciation of all those who have suffered injury or given their lives while working in Iraq with the UN to build a better future for the Iraqi people?

Much that I say here today will have a familiar ring to it, because my party and my right hon. Friend the Member for Devizes (Mr. Ancram) have made

[Mr. Gary Streeter]

considerable efforts to develop and state our policy in respect of reforming the United Nations over many months. None the less, much of it deserves restating in the context of this debate. That is not simply a way of saying that I have only just taken over and have not had the chance to create my own thoughts on the matter; much of our stated policy needs to be repeated and underlined today, and I know that the subject is held to be particularly important by many of our electorate, who care passionately about these global issues.

I consider myself always to have been a strong supporter of the United Nations, and I agree with the Minister that the organisation's strongest supporters should also be its strongest advocates for change. In a speech in Oxford, my right hon. Friend the Member for Devizes addressed the need for dialogue to be at the centre of international relations today. He stated:

"Dialogue is not only the first step but also the continuing staircase to the understanding and tolerance we must build."

He went on to say that it was his firm view

"that an understanding of the past provides the background that is necessary to inform dialogue. It discloses the sources of the fears that in turn have given rise to bitterness and hatred. It rapidly becomes the basic building block of discourse. Knowing how and why the knots of hatred and mistrust came to be tied is the only route to loosen, to unravel, and eventually to undo them."

That goes to the heart of why the UN remains so important. Among many other things, it is surely a forum for dialogue.

In an increasingly interconnected and globalising world, dialogue as a means of preventing the spilling over of disputes into conflict is more important than ever. Dialogue builds the understanding that dispels the fear that can give rise to conflict, and the UN is undoubtedly the foremost forum for the promotion of dialogue, understanding and tolerance as well as the peaceful resolution of disputes.

As a small aside, I recently returned from North Korea. If ever there was an example of a country becoming isolated, North Korea is it: 23 million people live in a closed society and, unfortunately, it has or is on the brink of having nuclear capability, so dialogue, contact and engagement are critical in ensuring that things do not go wrong. We can bring that unique country into the family of nations, and I am sure that the UK and the UN have an important role to play in that.

Recent events surrounding the conflict in Iraq have served to underline weaknesses in the UN that have been in play for some time. The Foreign Secretary—in this very Chamber, on this very day—admitted that today's machinery has been shown to be inadequate to cope with such a fast-changing world. The lead-up to conflict with Iraq and its aftermath led to gridlock in the Security Council after France, back in February, made it explicitly clear that it would veto any second resolution, thereby preventing any progress from being made.

The UN, the European Union and NATO all suffered damage in the Iraq crisis as their multilateral machinery showed itself to be unable to cope with the stresses and strains of national interest and disparate viewpoints. Humpty Dumpty fell off the wall spectacularly. The question, posed back in September, remains valid today: have recent events truly undermined the effectiveness of the Security Council or only its reputation in Washington? How can we repair the damage? Can Humpty Dumpty be put back together again?

First, we must understand how we have come to a position where the UN appears to be out of touch with some realities of the geopolitical landscape. As the Minister said, the UN was in many ways a product of the post-second world war climate. It developed during the cold war in the context of two superpowers and their attendant blocs balancing one another in an uneasy equilibrium in which neither had a free hand to act internationally due to the nuclear balance. Balance and compromise were, in many ways, the watchwords.

With the fall of the Berlin wall and subsequent events, that international power structure was swept away, but many international institutions and much international thinking failed to recognise that and to adapt quickly enough. Just as there is often a tendency to fight the last war, both in reality and perhaps in general elections, so there can be a desire to stick with institutions that were designed to keep the last peace.

After the collapse of the USSR, the reality was that only one power remained—a hyperpower, to use the current term. That hyperpower—the United States of America—possesses military, economic and technological power that gives it a dominance unknown in history. I recall one fact to which the Prime Minister himself referred in this Chamber some months ago, and it must be true because he said it: the military might of the United States of America is equivalent to that of the next 27 strongest countries put together. If that is absolutely true, what a terrifying and sobering thought it is—unparalleled dominance indeed.

No longer does the balance that dominated the UN's coming of age exist. The United States can, if it wishes, do anything it desires. It has the means to do so and, as its recent national security strategy shows, it has the will to do so if it perceives a threat to its national interests. That reality has driven US policy in areas such as Iraq where it perceives a threat to exist.

America was often accused of unilateralism in its actions before the recent conflict in Iraq. It was accused of using its power, irrespective of the UN, to carry out its policy objectives whether the world liked it or not. The Administration felt that the UN's view was already clear, as expressed through many resolutions, the latest being resolution 1441. The US believed that the UN had a duty to enforce its resolutions or be seen as powerless, and thus redundant. The French Government, however, viewed matters differently. They felt that the UN would make itself redundant if it simply agreed with the US, rather than retaining its right to say yea or nay.

To many in Europe, and indeed around the world, America seemed to be saying that it hoped the world backed it, but, if not, that did not matter, because America would go ahead anyway. Multilateralism and consensus appeared to be holed below the waterline in this new world of conviction diplomacy. In reality, of course, matters were more complex. Recent events in Iraq have shown that the world is not unilateral and, as

Joseph Nye recently argued, America cannot "go it alone". Acceptance is vital for power to be effective.

It is time for a reality check. The UN must recognise the dominant position of the US. In turn, the US must be encouraged to act through the UN. The UK has a unique and historic role to play as a friend of America and a believer in the UN to help to square that circle. I urge the Government to continue their efforts to make that work.

President Bush is well aware of the need for international co-operation in international affairs. He knows that America cannot really go it alone, hence his going to the UN to secure resolution 1441 and his attempts to secure a second resolution. He has further shown that he recognises the UN's value by channelling much of the reconstruction work in Iraq through the UN by way of the recent resolution, and we remain hopeful that all members of the international community will strive to work together to put that country back together again.

The UN has never been free from the constraints imposed by great power politics and there was never a golden age when pure multilateralism and consensus politics functioned irrespective of national interest. Throughout the cold war, America and the USSR exercised the veto in defence of their allies or their political stance, one versus the other. So let us, appreciating that backdrop, briefly examine how the UN might be made more effective, bearing in mind the stark reality of current geopolitics.

The UN charter—the document from which all else in the UN flows—aspires to save people from war, practise tolerance, promote human rights, justice and respect for international obligations, and

"promote social progress and better standards of life".

Those objectives remain as valid as they were 50 years ago. They also show that there is far more to what the UN does than simply the top-level political and diplomatic work that most people see acted out in the Security Council. A host of other aspects of its work deserve recognition and perhaps greater prominence in thinking through the UN's future role.

The debate on the future and reform of the UN is highly important, as my right hon. Friend the Member for Devizes said in a lecture earlier this year, which I encourage hon. Members to read if they have not already done so. He argued for the need to expand the Security Council, as well as exploring areas such as the growing debate on peacekeeping versus peacemaking.

I very much welcome the Minister's speech and the one that he made last June. We know that his commitment to reforming the UN and to modernising it so that it can adapt to the modern world are genuine and beyond doubt, but I pause to reflect for a moment on whether he has thought through all the points that he has put forward over recent weeks.

One thing that the Minister talked about today is expanding the Security Council by bringing in Germany and Japan, and perhaps India, Brazil and another country from Asia. However, he also talked about those countries perhaps coming in without the power of a veto. When pressed, I am afraid that his answers were not as satisfactory on that point as they might otherwise have been. This important area requires further consideration.

I am also concerned that one of the things that this organisation suffers from more than perhaps any other is the paralysis of an overweening bureaucracy. I do not see too much in the Minister's proposals that will strip away some of that paralysing bureaucracy, make decision making more streamlined and make the implementation of decisions more effective. That being said, we recognise his commitment to the debate and wish him well in taking forward the Government's arguments.

I welcome the UN's willingness to address the question of reform, which the Annan proposals strive to do. I welcome them also, and the discussions that have been held at the UN, as I do the Secretary-General's assurance that the process of considering reform will be deep and ongoing. It is important that the reform process keeps up with events, which, of course, are developing all the time.

We were pleased to note the attendance of so many world leaders at the discussions earlier. Our Foreign Secretary attended, but it is surely a matter of regret that our Prime Minister was not able to do so. Few things are more important than the existence of modern and effective global architecture to head off conflict and build a peaceful, prosperous world, and the UN is the pre-eminent organisation when it comes to trying to do that. It really does deserve some quality time from the Prime Minister.

The UN is, of course, as much about humanitarian and social work as it is about global politics. Peacekeeping and, increasingly, peacemaking play a vital role in preventing the spread of conflict and concomitant problems; but the UN's humanitarian and economic aid work is central to the tackling of the root causes of many of our current problems. We all know that global instability results from global poverty. We want to place on record again our support for the millennium targets requiring us to bear down on global poverty and some of the worst abuses and excesses that we see on so much of the planet.

I urge the Government to make more use of the UN in respect of difficult problems such as that in Zimbabwe, perhaps by tabling a resolution to internationalise the situation using both the UN's political clout and its humanitarian resources to help that deeply troubled country. I do not understand why the Government still refuse to table such a resolution; perhaps the Minister will explain.

Many Members have travelled the world and seen some of the excellent work done by many UN organisations, subsidiary bodies and agencies over many years. The World Health Organisation successfully co-ordinated the international response to the severe acute respiratory syndrome crisis, and has been combating various lethal diseases in developing and developed countries for decades. The International Atomic Energy Agency has been doing vital work, not least in Iran recently—although I note that, in a recent article in *The Economist*, Mohamad el-Baradei of the IAEA set out in persuasive terms his analysis of his organisation's shortcomings and of possible reforms. Perhaps we could hear the Government's response to some of those thoughts as well. The World Food

[Mr. Gary Streeter]

Programme is relieving starvation in areas afflicted by famine, not least in North Korea, and the United Nations High Commissioner for Refugees continues to relieve the suffering of people made homeless and stateless by conflict and natural disasters.

Everywhere we turn, the UN is active. I sometimes pause to wonder whether it is too active, whether it spreads its resources too thinly, and whether it tries to do too much. There is, perhaps, a case for doing less and doing it better. The Minister mentioned recent decisions to prioritise and focus on core business. I should like to see a greater focus on particularly important aspects of security and humanitarian work.

Perhaps I may be permitted the observation that some UN agencies suffer from an excess of bureaucracy and poor planning. In considering how we can best reform the UN, we must strive to take every opportunity to minimise such constraints on effective action. Might there be in some areas—particularly on the humanitarian side—a more enabling role for the UN? Could much more of the implementation of its policies be subcontracted to non-governmental organisations and other agencies, rather than its doing so much of the work itself with, sometimes, less than effective outcomes?

Like my predecessor in our last debate on this subject, I have tried to offer a broad-brush view from the Opposition Front Bench, safe in the knowledge that Members in all parts of the House will have important and well-informed contributions to make on more specific matters. The key underlying concept for the modern United Nations must be a blend of idealism and realism that recognises both the noble aspirations of the organisation and the practicalities of the modern world. It is a difficult balance to strike, but an important one to seek.

The United Nations may have been conceived in a different era, but if it can adapt to the changing needs of the international scene it will be able to make a crucial contribution for many decades to come—a vital contribution to global stability and prosperity, which are issues of concern to us all.

2.54 pm

Valerie Davey (Bristol, West): I congratulate my hon. Friend the Minister on initiating our second debate on the United Nations since the summer recess, and on his strong commitment to it. I also congratulate the Government on their report on the United Kingdom in the United Nations, a valuable document to which I am sure we shall often return.

That document uses the word "revitalisation" rather than the word "reform" when referring to the UN's future, and I too prefer it. Within the last few years various proposals have been advanced, and various groups have expressed concern about how the UN could be re-established to meet the needs of the 21st century; but none of those involved anticipated what would follow in Iraq, or indeed the more immediate results of the attack on the UN itself in Baghdad on 19 August.

As has already been pointed out, our debate takes place on an auspicious date. To hold it on Armistice day is indeed fitting. The hon. Member for South-West Devon (Mr. Streeter) reflected on the UN's history, but the crisis we now face and the challenge posed to so many people associated with the UN were brought sharply into focus by the 19 August attack. I was shocked to the core that that building, and the UN's work, had been challenged in such a way. As the days passed, there arose a sobering reflection on the understanding of the UN by the perpetrators of the act—and whether the UN itself fully aware of the difficulty it had got itself into. Was it prepared? Had it done enough work? Was it allied too closely to the coalition groups? A range of questions emerged from the incident, serving as a catalyst for the wider questions that we have all been asking for years.

That focus, as it were, led to many personal tragedies, and in particular to the death of the individual sent by Kofi Annan, Sergio Vieira de Mello. I shall say something shortly about his life and his contribution to the UN.

All of us who are here today are committed to reform and revitalisation of the UN. But before becoming involved in what is potentially a fairly arid debate on the number of seats on the Security Council and the order in which its members sit, where buildings will be sold or relocated, or the nature of the General Assembly, let us pause and reflect—as my hon. Friend the Minister did—on the reasons for the UN's establishment, and on its new nature. What is to be its role in the 21st century?

I think that the millennium projects have given a lift to the concept of the UN, and given it a new focus and priority that are to be welcomed; but, like my hon. Friend, I am concerned about intervention in sovereign states where human rights have been virtually abolished and humanitarian aid for large numbers of people is disintegrating. What should the protocols be? We know how complex and difficult the situation is, but the UN must be prepared to view it as a new aspect of its work.

Many people—I admit to being one of them—are ever hopeful that the UN will prevent war, will stop war when it has started and, when war has ended, will be there to pick up the pieces, provide humanitarian aid and re-establish democracy. That is a huge agenda, given that at the same time we want the UN to deal with natural disasters by doing all the humanitarian work for which it has such a good reputation. I readily accept that none of that will be done without reform. Tedious, painstaking committee work will be essential for the reform of the United Nations. I commend the work that the Government are doing to bring that about.

Last December, in a speech in the General Assembly, the Polish Foreign Affairs Minister said that he was looking forward to what he called "a group of sages". Whether Kofi Annan reflected on that and whether his new panel of international statesmen—I gather it is all men, unfortunately—is a reflection of the Polish Minister's consideration, I do not know, but the Polish Minister was certainly reflecting on the need for fresh impetus to be given to the work of the United Nations and for a reinforcement of the basis for the United Nations mandate. No one is asking for the basis of the United Nations charter to be changed, but many people around the world are looking for a reinvigoration of the claims on each individual nation, within the concept of

a multi-nation, multilateral organisation. In his speech, the Polish Minister asked that the group of sages draft a document to

"provide an inspiration to and a basis for the work of the United Nations".

It is that element of renewing inspiration that prompted my request to speak in the debate.

Often following a tragedy, I gain huge inspiration from obituaries, and that was the case following the death of Sergio Vieira de Mello on 19 August. I understood the work that he had done. According to commentators, he was a hugely accessible, non-bureaucratic, hard-working and inspirational United Nations administrator. He was a Brazilian educated in France. He worked for the United Nations High Commissioner for Refugees in Geneva, made links and did work in Bangladesh, southern Sudan, Cyprus and Mozambique. He then represented the UNHCR in northern Latin American countries, went to the Lebanon, Vietnam, Cambodia, Bosnia and Kosovo before going to East Timor and Iraq, where after a short time he met his death.

The life of Sergio Vieira de Mello should be capturing the imagination of others, particularly young people, and inspiring them to take on that work. I hope that in this country we take on board the fact that civics is not just about the state within Britain and Europe. We should teach young people the context of the United Nations. The UN flag used to fly at schools and public buildings on 24 October. I did not check whether it did so this year; I think that I may have been disappointed. We need to allow young people to see that the United Nations is a key factor in many of the things in which they are interested.

Recently, to my delight on the doorstep, a young person asked me in rather longer terms than I shall express it whether, if she wanted to be involved in aid, she should go into charity work or politics. That young person of 14 has since visited the House and she is thinking that she will be an aid worker first and perhaps enter politics later. We should inspire with the work of the United Nations, too, because I would like young people to be challenged by that work. The UN is not just UNICEF, a charity to deal with those concerns. It does not just meet the needs of the many destitute people of the developing world. It is not just a humanitarian organisation. It is a hugely political organisation, whose role we need to clarify. It should inspire young people.

Mr. Crispin Blunt (Reigate): While I entirely agree with the hon. Lady about the need for the UN and the UN ideal to be an inspiration, does not the tragic example of Mr. Vieira de Mello illustrate the problem? She has made clear the inspirational quality of his life and mentioned his obituaries, yet according to the UN report on what happened in Baghdad, he ignored advice from two teams of UN security specialists to move his office to a safer place, saying that

"he would leave the matter to his successor".

Is not the problem that we are wrestling with that, while the UN is an inspirational institution, the reality of how it carries out its functions is sometimes a long way short of what is desirable or optimal?

Valerie Davey: The hon. Gentleman makes a good point. He underpins exactly what I was intimating in terms of 19 August. That tragedy showed that the United Nations had huge questions to answer about the single building that it was occupying in Baghdad, let alone about the buildings in Washington, London and elsewhere. The hon. Gentleman is right to say that huge mistakes were probably made, which allowed, in part, that tragedy to take place. I accept all that, but the inspiration of the organisation and many individuals within it would enable young people to come together and to do the work. Dialogue is simply one to one; we need the group factor. We need people from different countries, especially young people, to be inspired to take on that work.

I do not know in what way Vieira de Mello's life will be commemorated, but the idea of scholarships, and of young people getting to know the work of the United Nations better and sharing in some of its work, would be a fitting tribute. I want to ensure that in all the education work we do, and in all the scholarships we offer, the United Nations is an integral element. It should not be a matter of saying that the United Nations is over there. We are a strong member. We are, we hope, leading the way in Europe. We should also make an important contribution to revitalising the United Nations.

3.7 pm

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): As the hon. Member for Bristol, West (Valerie Davey) said, it is fitting that we should have this debate on Armistice day and reflect on the causes that gave rise to the need for a United Nations organisation. I also welcome the hon. Member for South-West Devon (Mr. Streeter) to his new position and commend him for participating in the spirit in which many of the debates on the issue have been held in the past few months, fresh from the difficulties that the House had during the Iraq debates.

Two months ago, when we debated the United Nations in Westminster Hall, the Minister promised that the occasion was to be an annual event, in response to which there were cross-party pleas that in future the debate should be held in the main Chamber. I do not think that a Minister has often responded so positively or so quickly, and he deserves appropriate credit for that.

Liberal Democrats hold a deep-seated commitment to the United Nations and a belief that the United Kingdom, as one of the five permanent members of the Security Council, must give a firm lead on matters of international peace and security. The UN remains the only truly global institution with universal membership and universal principles, which bestow upon it a unique legitimacy. Its remit is vast. Beyond peace and security, the UN and its agencies work diligently to improve the economic and social condition of people across the globe. The UN has also performed a valuable and unique role in assisting countries in transition in recent years. However, in the past year the UN has rarely been out of the headlines, often for the wrong reasons, as the world has grappled with the situation in Iraq. The organisation has had to come to terms with the August tragedy in Baghdad, where it found itself in the front line

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and lost 22 of its personnel. As the hon. Member for South-West Devon said, this House and the country should never lose sight of the danger in which members of the UN organisations put themselves daily. In response to that terrible event, one commentator reported that the grief at UN headquarters was heightened by the sense that those who died were not simply working for an institution, but rather serving a cause. That encapsulates the complexities of the UN, which adds up to more than the sum of its intergovernmental parts. It also illustrates the difficulties we face in contemplating reform of the organisation.

The Secretary-General, Kofi Annan, has set out his concerns more boldly than most. In a press briefing in September, he said that, on peace and security, he was not sure

"whether the consensus and the vision that the Millennium Declaration expressed are still intact. Member States have been sharply divided about some of the most fundamental issues that this Organization was set up to deal with . . . I think all States need to take more account of global realities, and of each other's views and interests. They must set a higher priority on finding common ground and agreeing on common strategies, rather than striking out on their own. And if they do not want others to strike out on their own, they need to show how multilateral systems really can deal with the problems that are of concern and worry to others."

Hear, hear to that.

The Secretary-General highlighted key institutions such as the Security Council as being in need of reform. Never mind the recent difficulties that have been much debated; the world has changed and, to a large extent, the UN has not. In nearly 60 years, the UN has increased its membership from 51 countries—when the world population was 2.5 billion—to 188 countries, with a world population somewhere in the region of 6 billion. In that time, the institutional structure of the UN has barely changed. The need for reform is self-evident.

Liberal Democrats have long supported the expansion of the Security Council. We support the enlargement of the Security Council to include Germany and Japan and to include an additional member each from Latin America, Africa and Asia as new permanent members. We would add the caveat that any new members must have a clean bill of health at the UN and have no outstanding UN resolutions with which they have not complied.

The work of the UN has changed, as has the world in which it operates. The Security Council has on occasion become more proactive and has undertaken field missions to Indonesia and East Timor, Kosovo and the Democratic Republic of the Congo. This trend is to be encouraged, but such missions must be adequately resourced and member states must follow up on the recommendations of the Security Council. The Security Council must give conflict prevention a higher priority in its work, and must develop a more systematic and professional approach to the prevention of conflicts.

Mr. Blunt: On the operation in the Congo, what does the hon. Gentleman have to say about the EU setting up its own force there, separate from the UN? Surely it would have been better for the EU to act in support of the UN by joining the UN force, and by helping to provide Security Council resolutions to enable the force to act effectively.

Mr. Moore: My understanding—I stand to be corrected—was that the EU was approached to carry out its functions in that matter and that it does so under the auspices of the UN. *[Interruption.]* I am sure that if the hon. Gentleman speaks in the debate, he will explore that issue further.

One area that has not been touched on this afternoon, but where there is a glaring need for reform, is the number of outstanding Security Council resolutions that gather dust and which have been ignored or not been complied with. Surely a UN designed for the 21st century should have systems in place to ensure that, in future, the terms of Security Council resolutions are not allowed to gather dust. In that respect, the Secretary-General should undertake an annual resolutions review to determine which obligations are outstanding and what action needs to be taken to comply with them.

The Iraq conflict threw the international order into chaos because it challenged the existing notions of sovereignty and what is or is not legal under the charter. There is a legitimate debate about this area, some of which has been rehearsed here this afternoon; there is no need to repeat the finer points.

Earlier today—as the hon. Member for South-West Devon said—the Foreign Secretary highlighted the need to reform the charter to take account of failing and rogue states. There are echoes here of the Prime Minister who, in his much-quoted keynote speech in Chicago on 22 April 1999, said that the

"most pressing foreign policy problem we face is to identify the circumstances in which we should get involved in other people's conflicts".

In September of that year, the Secretary-General—in his address to the General Assembly—noted that

"no legal principle—not even sovereignty—can shield crimes against humanity".

If we are to make progress in this area, there must be a clear framework for intervention, defined and qualified by formal criteria and principles. It is important to remember that humanitarian intervention could in itself serve as a deterrent to future conflicts. It is also important that those criteria and principles are understood in the wider UN.

We believe that a framework of humanitarian intervention should also recognise that the objective of any intervention should be a better state of peace. The UN and its members must be prepared to commit not only to peace enforcement, but to the provision of substantial economic resources in the long term once stability has been restored.

Hugh Robertson: I agree with the hon. Gentleman about the basis for humanitarian intervention, but unless the criteria are tightly tied down, we can get Mogadishu-type situations; indeed, UN forces in Bosnia encountered similar problems. Unless the two parties involved in the country concerned want to resolve the conflict, it is extremely difficult for the UN force to do it for them. If the UN tries to do that, those delivering humanitarian aid get sucked into the conflict, becoming targets and a part of the problem.

Mr. Moore: The hon. Gentleman makes an entirely fair point. Clearly we need to ensure that the parties to

a conflict make every effort to end it, and ensure that they are committed to peace. I cannot help but feel that, in so doing, the UN would be a great deal more credible if it had a set of guiding principles and criteria on the basis of which it was prepared to commit an intervention force to a particular country or region. That is what we lack at the moment, and that is where much of the pain and grief of the past year has come from.

There must be a better way of planning for the aftermath of conflicts and the reconstruction efforts that flow from them. The unseemly diplomatic battles after the end of the formal conflict in Iraq should not be forgotten. Even yet, the situation is far from clear.

The International Criminal Court has become a major tool of the international community in advancing the rule of international law in general and international humanitarian law in particular. Britain's role in bringing the court into being deserves praise, but it is sad to note that the British Government appear at the same time to be undermining the cohesion of the European Union on the issue and assisting in the bilateral article 98 immunity agreements that the US is keen to introduce with many countries. There will be looming difficulties in coming months as the US and the EU clash over their approach to the court in their relations with third countries. Hopefully, the Minister will be able to make the British stance clear in that regard.

The Government wrote in 2000:

"We strongly urge all countries to sign and ratify the Rome Statute of the International Criminal Court, so as to consolidate and extend the gains we have achieved in bringing to justice those responsible for crimes against humanity. There can be no stronger measure to break the culture of impunity that has for so long shielded those guilty of crimes against humanity."

I hope that the Minister can stand by that commitment today.

Peacekeeping has long been recognised as one of the key areas of UN activity, producing successes and, sadly, also many failures. There is a well-recognised need to develop the UN's capacity for peacekeeping, and we support the creation of an early-warning intelligence-gathering unit. A capability for the rapid establishment of operational headquarters in the field should also be developed. That would allow for better co-ordination of UN peacekeeping missions in the early stages of an operation, especially between UN headquarters and those in the field. Once deployed, UN peacekeepers must be able to carry out their mandate professionally and successfully. That means that UN military units must be capable of defending themselves, other mission components and the mission mandate. Rules of engagement need to be sufficiently robust, so that UN contingents are not forced to cede the initiative to hostile elements. No longer must UN blue helmets stand by while the most serious crimes against humanity are being committed.

Peacekeeping has become central to the United Nations and is perhaps the most important yardstick by which its performance is measured nowadays. The funding of peacekeeping therefore needs to be placed on a firmer basis. In short, we firmly believe that the doctrine of peacekeeping, which evolved in the 1950s in the context of interstate conflict, is no longer valid for the intra-state conflicts of the 21st century. Many of those conflicts throw into sharp focus the millennium development goals, and through emergency aid and long-term assistance the UN does much of its most valuable work. It is, as one commentator put it, a

"court of last resort for millions of refugees, child soldiers and the impoverished".

We need to ensure that it is fit to do that job.

We firmly believe that a review and strengthening of UN finances are long overdue. The scope of UN responsibilities and the hopes invested in the organisation are immense, but the budget for the core functions is just $1.25 billion a year. That is significantly less than Birmingham's annual budget for 2000–01, and about 4 per cent. of New York city's annual budget. UN resources are simply not commensurate with its global tasks. Non-payment of dues should not be tolerated, and we must hope that the Government will support efforts to get back-payments brought up to date.

Before concluding, I want to pay tribute to Britain's own major contribution to the United Nations. The Liberal Democrats believe that for many generations, Britain has lived up to its position as a founding member and permanent member of the Security Council. Although we have at times profoundly disagreed with the UK Government's approach to key issues such as Iraq, we recognise that Britain's role in the UN has none the less always been a strong one. Indeed, the diplomats based there are some of the finest to be found.

The UN has no right, divine or otherwise, to exist. It must be relevant to the principles that underpin it, and fit to achieve the objectives that we set it. We still need an international body that is devoted to peace and security on one hand, and to development and emergency assistance on the other. The principles therefore remain valid—indeed, perhaps more than ever. But no one can deny that the UN's organisational and political structures need wholesale reform. We should support the efforts of Kofi Annan and the president of the General Assembly—and, indeed, of this Government—with enthusiasm, or, as the hon. Member for Bristol, West put it, in a way that inspires. Through that, we can hope to produce an institution fit for the 21st century.

3.24 pm

Alan Howarth (Newport, East): The United Nations has changed in the years since 1945. Its membership has greatly increased, the Security Council was enlarged in the mid-1960s, and the Counter-Terrorism Committee was set up recently, after 11 September. As the Government's Command Paper notes, the UN has responded to the great changes of decolonisation and the end of the cold war, and the new challenges of HIV/AIDS, the proliferation of weapons of mass destruction, and civil conflict.

The UN's mission, affirmed in 1945 so eloquently, movingly and indeed succinctly in the preamble to the

[Alan Howarth]

charter, remains valid: to maintain peace, to advance human rights, to uphold international law and

"to promote social progress and better standards of life in larger freedom."

At the millennium Assembly in 2000, Heads of State and of Government reaffirmed those principles, while defining their priorities for the new century:

"the fight for development of all the peoples of the world; the fight against poverty, ignorance and disease; the fight against injustice; the fight against violence, terror and crime; and the fight against the degradation of our common home."

As the Secretary-General has said in his report of 9 September 2002:

"The need for an effective multilateral institution—one dedicated to the service of humanity as a whole—has never been more acutely felt than in the current era of globalisation . . . The challenge ahead is to strengthen our capability for collective action."

Of course, the UN has its contemporary successes. Large amounts of aid are delivered, increasingly in partnership with non-governmental organisations and the private sector. Relatively unpublicised good work has been carried forward in the reconstruction of Sierra Leone, for example. The world is a very much better place in innumerable ways because of the presence and activities of the UN and its agencies.

The world, however, while pinning many hopes on the UN, is all too conscious of its deficiencies. How could it have happened that the UN, while claiming to defend Bosnia, effectively abandoned it, tacitly co-operating, it has been seriously argued, with Serbian ethnic cleansing? On one occasion, Serbs were even reported as wearing blue berets provided by UN troops. How could it be that at least 800,000 people, out of an original population of 7.5 million, were massacred in Rwanda, with the warnings of the UN commander in Rwanda and his pleas for more soldiers and matériel seemingly dismissed in New York?

Can the UN truly claim to have been doing all that it could to end the continuing conflict that has cost 2 million lives in the eastern Congo? We know of the miseries of Liberia. We know that the Taliban's abuses of human rights and the failure of Government in Afghanistan were neglected, while al-Qaeda used the haven of that failed state to build its capacity. We know that great areas of the world have become poorer now than they were 10 years ago. We know that for years on end, the UN has failed to enforce its own resolutions, which have been routinely breached by Iraq and by Israel. We can see now the results of the failure to plan adequately for post-war reconstruction in Iraq—a responsibility, however, that is as much the international community's as the UN's. One can make that distinction in this context. We have seen the culpable failure of security that permitted the tragic terrorist bombing of the UN headquarters in Baghdad on 19 August, and the consequent evacuation of the UN's international personnel from Iraq.

No one is a shrewder critic of the UN than its Secretary-General, Kofi Annan. In his report of 9 September 2002, building on the reforms begun in 1997, he set out a whole programme of reform. He advocated a more representative and open Security Council; changes in the procedures of the General Assembly and the Economic and Social Council; better prioritisation, abandonment of obsolete concerns and a sharper performance by the Secretariat; better co-ordination of UN agencies, committees and activities; a reformed budget process as a lever for further reforms; fewer meetings and less paper. In 2001–02 Kofi Annan noted—unbelievably—that 15,484 meetings were held and 5,879 reports issued. He also advocated fewer conferences and better follow-up in respect of those that are held; reform of the office and procedures of the United Nations High Commissioner for Human Rights; better communications, and much else. I am glad that the Government are giving vigorous support to the Secretary-General's agenda.

As my right hon. Friend the Prime Minister has pointed out, however, the issue is less institutional than political. Without the will for reform among Governments and if agreement cannot be reached on how to deal with the difficult problems of international affairs, it is no good railing against the UN. Governments do not find it difficult to genuflect to the great abstractions and the broadly stated principles of the charter. What is hard, apparently, is to make generosity of vision a practical reality.

Kofi Annan rightly upbraided the General Assembly on 23 September this year:

"The last 12 months have been very painful for those of us who believe in collective answers to our common problems and challenges".

He drew attention to terrorism in many countries; violence in the middle east and Africa; the threat of nuclear proliferation in the Korean peninsula; and, of course, the position in Iraq. He reminded the General Assembly of the consensus expressed three years ago in the millennium declaration, but said, as the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) reminded us,

"recent events have called that consensus in question".

He put it to the General Assembly:

"We have come to a fork in the road. This may be a moment no less decisive than 1945 itself . . . I respectfully suggest to you, Excellencies, that in the eyes of your peoples the difficulty of reaching agreement does not excuse your failure to do so."

He then announced a high-level panel to take a hard look at fundamental issues and at the structural changes that may be needed.

The panel's task of analysis and prescription is difficult and the diplomacy required for nations to reach agreement will be yet more so.

We are looking at a world in which there is no longer a balance of power and where the nature of the state and of threats to peace and security have been changing profoundly. Globalisation, communications technology, modern weaponry and migration all mean that borders and sovereignty—and therefore state identities—have different, perhaps less, meaning from what they used to have. States in which Governments have collapsed and poverty is desperate—failed states—may be incapable of undertaking the responsibilities that UN principles require of them.

Multinational corporations and financial markets, the arms trade, international organised crime and the drugs trade create and characterise global power structures that are very different from those of 1945. The crises of migration and water shortages require new

thinking and new accommodations. The communications revolution, transmitting news and images instantly across the world, has profound implications for global politics. The rise of fanatical ideologies interacting with poverty and hopelessness, the absence of democracy and the risks of proliferation of weapons of mass destruction present the most dangerous pathology and the most pressing case for renewal of the UN.

It is far too dangerous to sleepwalk further into this new world of the 21st century. Countries are now tempted to claim a right of pre-emptive action in self-defence to take out the threat of terrorism equipped with WMD before an attack occurs. The Secretary-General rightly expresses deep concern about the proliferation of the unilateral use of force outside the bounds of article 51 of the charter. Equally rightly, as the Minister reminded us, Kofi Annan said that it is not enough to denounce unilateralism unless we face up squarely to the concerns that make some states feel so vulnerable, and he invited discussion on the criteria for early authorisation of coercive measures to address certain types of threat.

International law has always evolved—from the Pax Romana to the religious peace of Augsburg, from the treaties of Westphalia and Utrecht to the Congress of Vienna, from Versailles and the League of Nations to San Francisco and the peace of Paris in 1990—as jurists and statesmen have sought to reflect the interdependent development of strategy and constitutionalism, the new realities of insecurity and power.

In a sense, honourable and learned differences of opinion about the legitimacy of the coalition's intervention in Iraq are by the way. What matters is that the international community develops authoritative ways as a community to deal with the problems of today and tomorrow, which are different from those of 1945 or the 1980s. The alternative will be a capricious, mainly well-intended, but often blundering American hegemony seeking to police a Hobbesian international chaos.

3.34 pm

Hugh Robertson (Faversham and Mid-Kent): It is a great pleasure to follow the right hon. Member for Newport, East (Alan Howarth). His was a very lucid and balanced speech, and I hope that it will not embarrass him if I say that it was hard for me to disagree with anything he said. It was an excellent contribution.

I have a direct personal interest in the UN. As a young Army officer, I served in the UN force in Cyprus in 1988. In 1994, I returned to Bosnia for six months, with the UN High Commissioner for Refugees. I have always supported the UN but, in common with many hon. Members, I am not blind to its problems.

It would be fair to start by saying that there are a number of areas in which the UN has done exceptionally well. The UN General Assembly is a parliament of nations, with 191 members. Any state that becomes a member signs the UN charter and pledges to uphold its principles. In this world, that is worth having on its own.

The UN Economic and Social Council—ECOSOC—co-ordinates the economic and social work of the UN and its family of organisations. It has five regional committees that promote economic development and co-operation in their regions. Other bodies focus on human rights, social development, women, crime prevention, drugs and environmental protection. Other UN bodies do fine work in their own fields. They include the UNHCR, UNICEF, the UN Development Programme, and UNESCO. In addition, specialist agencies are linked to the UN through co-operative agreements. They include the International Monetary Fund, the World Bank, the World Health Organisation and the International Civil Aviation Organisation. The UN has a considerable record of achievement, of which it can justifiably be proud.

In addition, the UN millennium development goals were announced at the millennium summit in September 2000. The pledges made then, among others, were to halve poverty and hunger by 2015, to achieve universal primary education, to combat HIV/AIDS, to ensure environmental sustainability, and to bring down the level of child mortality, which are all extremely worthwhile.

I believe, however, that debt relief is key. Globalisation should be used as a force for good, by giving developing countries access to markets that currently are denied to them. It is daft to give developing countries debt relief, yet deny them the ability to export their goods. It is vital to break the link between dependency and debt.

The UN has done good work in a number of other areas, but it has also attracted criticism. Peacekeeping is one example, and several other hon. Members have spoken about it. The House may be surprised to learn that the UN has been involved in 56 operations since 1948, but the record is rather mixed.

There are two types of UN peacekeeping operations—chapter VI operations, when the Security Council acts in a persuasive capacity, and chapter VIII operations, when the resolutions are mandatory, and the measures adopted are coercive.

A number of chapter VI operations have been extremely successful, such as those in Namibia, Cambodia, El Salvador and Mozambique. In Cyprus, the UN force maintains the peace but until recently the intransigence of the parties involved has resulted in a lack of progress. Even on the Golan heights, the UN has managed to maintain a level of peace, but the situation has, of course, yet to be resolved.

Recent chapter VI operations have developed and become more all embracing. They do not deliver only a military solution, but involve delivering humanitarian aid, organising elections, and administering states' economic and social development. In many ways, Bosnia offers an extremely good example of all that.

I believe that the history of UN operations teaches us three things. If chapter VI operations are to work, they require a measure of co-operation from the participants. That means, first, that the parties involved must agree to stop fighting and settle their differences. Secondly, there has to be an acceptance of the UN's negotiating and peacekeeping role. Thirdly, adequate manpower and financial resources must be made available. Without that, it is extremely difficult for an operation to be successful.

For those reasons, the chapter VIII operations have fared less well. The sanctions that often act as a precursor do not always work as a coercive device that

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falls short of military force. Arms embargoes, oil embargoes and wider economic measures have not worked in places such as Iraq, Somalia, Liberia, Haiti, Angola, South Africa and, many years ago, in Southern Rhodesia. There were many ways of getting round such sanctions.

The military structures built into chapter VIII operations do not always work well. The contributing countries almost always insist on a measure of command and control, or want it delegated to an organisation such as NATO. For entirely understandable reasons, unless they have some control, western Governments are often unwilling to commit troops to stop people killing one another. Hon. Members will be aware of the wider feeling that the essence of the UN is incompatible with the use of force in such circumstances. We have to acknowledge that the UN's peacekeeping record has been mixed. If it is to be successful, it is crucial that the parties involved want to stop fighting and to settle their differences.

I want to touch on two other points where the UN's record is mixed, the first of which is justice. We have already talked about the International Court of Justice at The Hague, but there is more to international justice than a court. Events during the build-up to the war in Iraq showed that the legal backdrop of the UN needs updating, as the Foreign Secretary said at Question Time today. That should hardly surprise us, as those legal bases were drawn up more than 50 years ago, since when the world has changed considerably. As countries increasingly use the UN to establish the legitimacy of their actions, a rethink of the whole matter is vital.

The second point relates to human rights. Put brutally, many UN members have failed to live up to the principles embodied in the universal declaration of human rights. It may be invidious to name particular countries, but Burma, Algeria, Iraq, Sudan and, most notably, Zimbabwe are only a few examples. As hon. Members are aware, Libya was recently elected chair of the UN Commission on Human Rights. That is clearly wrong.

When we consider the balance sheet, we see that the UN has excelled in many things, especially in the economic and social sphere, and has done much that is positive, such as peacekeeping, on which its record is more mixed. As I pointed out, much remains to be done on justice and human rights.

What is to be done about reforming the United Nations? I have six suggestions; three are practical and three are more theoretical. My first practical suggestion is that the financing of the UN needs to be reformed. Certain countries pay disproportionate sums; the United States, the EU and Japan pay approximately 75 per cent. of the contributions, which is far too much. The US contribution has a marked effect on military operations and, in effect, gives the US a form of veto over peacekeeping operations.

We should work for a new system in which the United States and Japan pay about 10 per cent., the EU pays about 35 per cent. and a much greater percentage—about 45 per cent,—comes from others. The Gulf states, Singapore, Malaysia, China, Russia, India, Canada and Australia, to name but a few, could all contribute much more than they do currently.

Secondly, the structure of the UN should be reformed. That suggestion should not be surprising; the format was established in the post-war climate and flourished during the cold war, but the world is now a different place. Threats are less local and more globalised, and include terrorism, drugs and immigration and environmental issues. The structure of the UN must reflect that. A wide-ranging review should be conducted, and the Minister mentioned that such work is under way. It should include such things as the powers of the Secretary-General, which, by any standards, are extraordinarily wide at present. The subjects for debate at the General Assembly need clarification. Kofi Annan has described the debates as repetitive and sterile. The number and powers of members of the Security Council must be examined. I would support an increase in the number of members, but we must be careful about increasing the right of veto in case that merely leads to inaction.

There needs to be a streamlining and refocusing of UN agencies. As I said at the start of my speech, we have a huge number of UN agencies, which could be restructured and refocused. We need to examine the way in which the UN interacts with non-governmental organisations. I saw a number of good examples of that in Bosnia, where the connection between the UN and NGOs was not great. The UN stood at the top of the pile and very much believed that it was in charge of the process, and a lot of the NGOs felt that they did not get the support that they required from the UN as the lead agency.

Across the UN, working methods and decision-making processes need to be improved. We must improve the transparency of the entire organisation. The responses to the crises that we face in the modern world must also be examined. They need to be much more wide-ranging, not just military, diplomatic, humanitarian, legal and so forth. The structures currently do not reflect that. As everyone would agree, there is too much bureaucracy and waste.

The final practical suggestion is that the UN should seek actively to recruit and retain better-quality staff. The organisation can only be a reflection of the standard of the people who work in it. I shall share with the House a horror story. When I was working with the UN in Bosnia, a permanently employed UN civil servant, who occupied one of the key positions in northern Bosnia, could neither read nor write English, yet he was expected to fill out weekly returns. In the current era, that is simply unacceptable.

Too many people occupy senior positions because they are their country's representatives, rather than because they deserve to be there on merit. Too many special representatives of the Secretary-General—SRSGs—in individual countries are there because they know the right people at the right time. I should have thought that, if we are to make any progress with the UN, it must have in place a proper recruiting structure, open to everyone, with appropriate educational opportunities for all those who enter its service.

We might also take a look at some of the UN's governing principles. Ever since it first began, the UN has supported the integrity of states within their existing frontiers. However, as we all know, many of those frontiers are artificial or unrealistic. A good example is our experience in Bosnia, where a viable country was

created by using new frontiers. There are other recent examples in places as diverse as Nagorno-Karabakh and, possibly more controversially, the Turkish Republic of Northern Cyprus. The UN must not ignore that sea change.

In common with many other hon. Members, I support the desire for more effective preventive action. Action must be taken to defuse crises before they explode into warfare. The agenda for peace and the Secretary-General's annual report for 1993 focused on exactly that topic. It has been alive for 10 years, yet I have not seen an enormous amount of constructive action. Effective proactive measures are vital if many of the threats that we face in today's world are not to come about.

Finally, on a military basis, we must look at the command and control of the forces that the UN deploys under chapter VI or chapter VIII. There needs to be a proper military staff at the UN headquarters and the Security Council needs to be in strategic, political command, with the day-to-day control of operations delegated to an SRSG or to its force commander. The current set-ups, which are often too complicated, simply do not work well.

In conclusion, as I said at the outset of the debate, I am still extremely supportive of the UN. It has achieved a great deal in nearly 60 years of its existence. One can genuinely say that the glass is half-full, not half-empty. However, everyone would agree that the UN needs reform. I have made a number of suggestions, particularly about its structure, financing and recruitment policy. Other hon. Members will have other good ideas, as has the Foreign and Commonwealth Office.

The more that I thought about the subject and revisited a number of case studies, the more one central factor became obvious: the UN can certainly defuse crises, separate combatants and set the stage for negotiations, but it often cannot solve the underlying disputes—only the parties themselves can do that. To that extent, the UN is not so much a tool as a mirror: its failings are very often our failings. Some years ago, Lord Caradon, the former head of the UK's mission, said while examining the United Nations:

"The faults and weaknesses of the UN lie not in the charter or the organisation but in the defects of its most powerful members".

In my view, the UN needs reform, but many of Lord Caradon's sentiments remain true today.

3.50 pm

Mr. Alan Campbell (Tynemouth): I am grateful for the opportunity to contribute to this important debate. It is a pleasure to follow the hon. Member for Faversham and Mid-Kent (Hugh Robertson), who spoke from practical experience of having worked under the United Nations.

As most hon. Members have said, it is appropriate that the debate is being held today, when we remember those who gave their lives in wars, from one of which came the United Nations. It is also appropriate, however, that it is being held against the backdrop of a very different war in Iraq, the build-up to which brought the United Nations to the brink. Almost a year ago, I was fortunate enough, along with other Members, to visit the United Nations. People have expressed their admiration for the contribution that Britain has made over the past 60 years to the organisation's work, but everyone whom we met there also expressed the same admiration for our efforts, even though it was a very difficult time.

At the time of our visit, there were grounds for optimism that the Iraq situation could be resolved peacefully through the United Nations. The Security Council had not only passed resolution 1441 but had done so unanimously. We now know, however, that that optimism was misplaced and short-lived. The failure of the Security Council to agree a so-called second resolution led not only to the UN being parked in the crisis, but to a very different solution being chosen. That raised serious questions about whether multilateralism could survive, and whether the UN had a role in future crisis management and resolution. Rather than push questions about reform on to the back burner, it has brought those questions further forward.

I want to make some general points before moving on to specific areas. First, there is the fundamental question that my right hon. Friend the Member for Newport, East (Alan Howarth) mentioned: how does an association of 191 nation states not only survive but function effectively in a world in which the power of nation states, domestically and internationally, is increasingly challenged? It is perhaps ironic that when the cold war ended new nation states came forward and rushed to join the United Nations, which was rightly seen as a sign that they had arrived on the world stage. They must work within a global environment that is very different from that of even a decade ago, however, and for some of them it is a struggle to deal with the challenges of globalisation, especially when their authority at home, and the order that exists there, extends little further than their capital cities.

There is a temptation, of which there has been a hint in today's debate, to blame bad governance. There is no doubt that, around the world, there are Governments who can rightly be criticised and who have made matters worse. The United Nations continues to have an important role in encouraging good governance, but many of the problems associated with globalisation—global poverty, famine, drought, AIDS, refugees from civil wars or international terrorism—do not respect national boundaries. Not only do some nation states struggle to come to terms with those problems, but their failure to do so worsens the situation and exports problems not just to surrounding areas but further beyond. It seems to me that the United Nations is uniquely placed in those respects and already has many crucial programmes in place. It has the capacity to be more than just the sum total of 191 constituent parts, and is still the world's foremost transnational as well as international organisation. It must adapt if it is to remain relevant, however, and it must change if is to survive, and it must do so as radically as it did during the 1960s and 1970s to meet the challenges of decolonisation.

Problems such as famine, world poverty and AIDS are now endemic. Those problems are hugely important, but it is likely that headlines will reflect the civil wars that rage throughout the world or the threat from international terrorism for the foreseeable future. For that reason, if for no other, reform of the Security

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Council is crucial because it is charged, under the UN charter, with maintaining international peace and security.

The Minister has already made it clear that the UK supports an enlarged Security Council, so I hope that we will use the presidency to press the case for reform. We must be prepared to reform not only the permanent membership of the Security Council, but non-permanent membership. If permanent membership of the Security Council is to reflect the reality of economic power, it is difficult to make a case against such membership for Germany or Japan. However, if we are to avoid, as we must, the charge that the Security Council is a rich nations' club, we must also recognise the case for regional powers. There is a case for India or Pakistan to join the Security Council. There is clearly a case for Brazil to be a member. Although no one has mentioned it this afternoon, there is a case for an African state to have permanent membership—a case can be made for South Africa. If we ask more of South Africa as a regional or even a continental power, that should be reflected in the permanent membership of the Security Council.

Angus Robertson: I support the hon. Gentleman's argument about the Security Council. I do not know whether he intends to touch on the question of retaining the veto for the current permanent five members. Does he think that there are inherent dangers in creating a two-tier permanent membership of the Security Council?

Mr. Campbell: I am grateful to the hon. Gentleman for raising that point. I would have raised it specifically but I have not yet reached a conclusion. I started by thinking that we must examine the veto with a view to getting rid of it or changing it fundamentally. I then realised that the Security Council faces a big danger, not if it goes ahead to do something or if it does nothing, but if it gets caught in the middle. If the veto were removed, it would formalise divisions in the Security Council, which would be a terrible outcome. If it does nothing, we may have to live with that, and if it does something, that is fine. However, if it is divided, fundamental questions must be asked. A two-tier system of permanent members would be unacceptable, but I have yet to reach a conclusion.

My hon. Friend the Minister said that, if permanent membership was reformed, it would be the job of the countries that form continents to decide their representatives. There is a strong case to be made for countries such as South Africa because its membership would give the United Nations an effective way to link directly with African efforts to prevent conflict and restore peace in the continent. I fear that instability might otherwise go unchecked, which might encourage western powers to take unilateral or even joint action in the form of expeditionary forays into Africa to try to remove a threat or restore order. I wonder whether that would result in a 21st century scramble for Africa or an equally bad scramble from Africa, if it was decided to leave it to its fate.

A reformed Security Council will be effective only if it works within a reformed system of international law. The Security Council has a responsibility to prevent, as well as to react to, conflict. That raises fundamental questions about issues such as self-defence, pre-emption and sovereignty. We live in a world in which threats may not take years or even months to develop because they may strike more quickly and might not come from a nation state. We urgently need a much better set of guidelines for action, whether on humanitarian or human rights grounds, or in response to a threat from rogue states and international terrorism.

When we visited the UN, the Counter-Terrorism Committee was in the early stages of its work under the superb chairmanship of our ambassador, Sir Jeremy Greenstock. There are already grounds for optimism, as all the states that have signed up have taken positive steps. However, it is increasingly clear that the CTC has a long-term job to do, and that it requires resources. It should be a permanent body, not just a sub-committee of the Security Council. It should have a wider remit so that it can tackle the proliferation, not just of weapons of mass destruction but of conventional weapons. That is not an easy task, as we discovered on our visit. We discussed the CTC with the permanent representative of a middle eastern state who said that his Government were fully signed up to the war against terror, and were prepared to condemn terrorism without reservation, except in the case of Hamas, which, in his Government's view, was a group of freedom fighters. That underlines the extent of the problem.

The General Assembly debate that we listened to made a Labour party meeting on a wet Saturday morning seem interesting and relevant—[HON. MEMBERS: "No!"] I assure my hon. Friends that it did. The trend to involve other non-governmental organisations in the work of the General Assembly should be encouraged as a catalyst for change. There are, as has been mentioned, plans to reform the secretariat, but appointments are often short-term and do not seem to be based on a system of merit. There is certainly very little performance appraisal. The key question remains, is there a will to reform and, if so, what is the time scale? A week can be a long time in UK politics, but a year or even a decade can be a short time in UN politics.

Finally, we must invest not only in the work of the UN but in the UN itself. The UN headquarters building physically reminds people that the organisation is stuck in the 1970s, or in an even earlier period. The communications division of the secretariat is oddly out of touch with the 24-hour news-conscious world. It does the UN little good when images of weapons inspectors in Iraq are flashed up on television screens around the globe and they look startled as they are set upon by the world's media. This is not just an issue for the developed world, as we live increasingly in a global media environment. The UN often has to win hearts and minds in trouble spots around the world, and may well face another battle to win hearts and minds in donor countries, where people may question whether it is relevant in the long term. That is a battle that neither the UN nor any of us can afford to lose.

4.3 pm

Mr. Andrew Robathan (Blaby): Like the hon. Member for Tynemouth (Mr. Campbell) and, I suspect, all contributors to our debate, I support the United Nations, although I often do so because it is the only

show in town. I agree with much that the Minister said, and should like to talk about the effective use of taxpayers' money and how it is spent by the UN.

I have seen many UN operations around the world, both with the International Development Committee and in other capacities. Its staff drive large white 4x4s, they are on fairly large salaries and pensions, and their children's school fees are paid. They pay attention to their careers, have weekends off and usually occupy the best villas in town. I remember that in Sarajevo there were no vehicles on the streets in 1997 except UN 4x4s, and all the best villas around the city were occupied by UN personnel. However, I do not have a problem with that. If people are sent regularly to some ghastly spot they need to be well looked after.

Others have spoken of Bosnia, Srebrenica, Rwanda and the Congo, where conflict is now going on, but I should like to concentrate specifically on the effectiveness of UN aid, which is paid for to a large extent by UK taxpayers—I think that we are the fourth largest contributor—with regard to mine action. In July 1998, we passed into law the Ottawa convention; indeed, I was here at the time. Article 5 says:

"Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control, as soon as possible but not later than ten years after the entry into force of this Convention for that State Party."

Of course, the convention was very much a UN document. Those statements were made in 1998, and five years have already gone by. After the second world war and six years of war across the European continent, it took approximately five years to clear almost all the mines that had been laid in Europe. My point is that, as the Ottawa convention and what happened after the second world war show, mine clearance is a finite, short-term problem.

I should declare an unremunerated interest, as I am chairman of the trustees of an organisation called the HALO Trust, which is the largest humanitarian demining NGO in the world. It clears mines in Abkhazia, Afghanistan, Angola, Cambodia and a host of other countries, and started its activities in Afghanistan in 1988. I use the HALO Trust as an example, but other NGOs could be cited, such as the Mines Action Group, which often work under the aegis of the UN. Since 1988, the HALO Trust has cleared well over 1.5 million land mines and pieces of unexploded ordnance worldwide. The income that it used for such clearing last year was $36 million, and it employs a total of 5,500 staff, of whom only 30 are expatriates—a ratio of about 1:200 expatriates to national staff. On that income, it is reckoned that the HALO Trust cleared approximately 30 per cent. of the mines lifted and cleared around the world last year.

The HALO Trust has been operating in Afghanistan since 1988, and throughout the conflict, apart from a couple of times when it had to stop operations under the Taliban. It has three expatriates there and 1,900 local staff, 1,500 of whom are down on their hands and knees clearing ground. In 2002, it lifted 75 per cent. of the mines cleared in Afghanistan. We had money from the United Nations in Afghanistan, but trying to get it out of the UN was like trying to get blood from a stone. The fact that the money was not forthcoming from the UN led to people being laid off. At the same time, when the UN distributes money to implementing partners, it takes a slice off the top for administration. That money is not for administration in New York, which is paid for by core funding, but the slice is up to 13 per cent.

I turn now to United Nations mine action. What is it? The United Nations Development Programme website states that mine action is an

"interagency consultative process, involving several other agencies, to develop a collective, comprehensive and coherent UN system policy on all those activities which aim to address the impact as a result of landmine contamination."

I hope that that is entirely clear. UNMAS, the United Nations Mines Action Service, describes itself on the UNDP website as

"a coordinator and facilitator at the field level."

I thought that mine action was about clearing mines. The same website states:

"UNDP works in mine action rather than demining . . . Mine action is a comprehensive term encompassing four main components: Mine awareness and risk reduction education; minefield mapping, marking and clearance; victims assistance and rehabilitation; and advocacy at the international level. . . . Secondary components are management and institutional arrangements."

I think that hon. Members can see what I am getting at, but I should like to give a final quote from the UNDP. It says:

"National ownership over mine action at country level is essential for short-term effectiveness and longer-term sustainability . . . National institutions need to be built from the ground up."

That is exactly what NGOs such as HALO do, so one has to ask who actually does it. The website also states:

"UNDP's primary collaborators do not encompass assistance to victims of a more medical nature. This aspect of victim assistance is better managed by UNICEF, WHO and others."

So UNMAS and UNDP do not blow up mines or deal with the after-effects of mines, so my question is, what exactly do they do?

The website continues:

"There are situations where a mine clearance operation is needed quickly to defuse a potential humanitarian catastrophe. In these . . . situations . . . a wide range of actors"—

here it gives a list, including the HALO Trust—

"may be better placed to respond to the need. UNDP should avoid becoming involved in these emergency situations, except to provide full logistical support to our partners. UNDP's primary interest is in building national structures able to successfully clear mines into the long term."

We might term that last task "capacity building", but the Ottawa convention mentions a period of 10 years, and experience has shown that unless someone lays more mines, they are a finite problem. The role of UNMAS therefore includes facilitating, co-ordinating, management and capacity building. It involves people in headquarters, not people clearing mines.

UNMAS has 13 expatriates in Kabul in Afghanistan. What exactly are they doing? One of UNMAS's roles is co-ordination, and we agree that everybody needs co-ordination, but it can be achieved nationally by Government, even in a country that is being rebuilt, assuming that no corruption is involved. In Angola, which I visited recently with the hon. Member for Putney (Mr. Colman), co-ordination was achieved between the NGOs and they did not need an

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overarching body. HALO took responsibility for clearing one province and the Mines Advisory Group took responsibility for another. Co-ordination can be achieved with a lighter touch.

UNMAS does not need 13 expatriates in Kabul. The UNDP agrees, as we can see from its statement to the mine action support group meeting on 9 October about Sri Lanka:

"Due to the fact that parts of Sri Lankan territory still are under the control of non-state actors"—

that means terrorists—

"there is no central mine action coordination centre yet . . . Despite the lack of a central mine action coordination, the cooperation of both the Sri Lankan government and the LTTE"—

that is the Tamil Tigers, if memory serves—

"with UNDP and NGO's is satisfactory and provides overall compatibility of mine action policies."

So co-ordination can be achieved, according to the UNDP, without the UNDP's assistance.

Anyone who has examined the costs and the funding of the United Nations will know that it is opaque and confused—to put it mildly. We funded more than 5 per cent. of the UN's activities last year and are the fourth largest contributor. The UN website for mine action says that $206 million is spent on that activity alone. It says that the organisation plans to have 8,000 de-miners. It does not have them yet, and I would like to know where they will be based. HALO fields a de-miner for $6,300, so the UN—on its funding—should have more than 31,000. On its own figures, it spends $154 million on co-ordination and other headquarters functions. I put it to the Minister, and to his colleague the Secretary of State for International Development, that that is not why we give money for humanitarian work to the UNDP. That is not implementation: it is bureaucratic waffle under the heading of co-ordination.

Finally, I turn to the NGO perspective as expressed in the HALO Trust's annual report. Five of the largest mine clearance NGOs—Danish Church Aid, the Danish Demining Group, Handicap International France, Norwegian Peoples Aid and the HALO Trust—met as a group that was initially called the NGO Task Force. In August this year, they reformed into a group called the NGO Perspective on the Debris of War. The group agreed to the following statement:

"Victims and communities affected by the debris of war deserve better support than they are currently getting from the mine action community. The mine problem is finite, straightforward and relatively simple to solve. However, mine action processes are becoming over-complicated and, as a consequence, unjustifiably expensive.

We, five experienced NGO mine action operators, are concerned that under the current circumstances the obligations of the Ottawa Treaty cannot be met."

What are the implications of that? Although donor funding for mine clearance is increasing—we all welcome that—it appears that there may not be the corresponding drop in casualties. At some point, donors such as DFID will say, "What's the point? We're going to walk away from these escalating costs," and the clearance agencies will have to abandon numerous areas of mine clearance for mine-affected communities.

HALO believes that donors, including the UK,

"should now review their funding priorities and decide what elements of 'Mine Action' really contribute to casualty reduction and the relief of poverty. The review should not be done by the established circle of mine action consultants who have advised on policies during the past 10 years—as they are likely to justify their previous advice. HALO is convinced that there are . . . hundreds of millions of dollars being spent that have little or nothing to do with casualty reduction or the relief of poverty. A whole 'Mine Action' industry"—

one might even say circus—

is feasting off international donor funding—an almost continual stream of conferences, consultants, publications, studios, re-writes, IT systems",

and so on. If we want Afghans, Cambodians and Angolans to live without a constant threat of landmines over the next few years, we need to switch funding from so-called "mine action", which is peripheral, to actual mine clearance.

I used the HALO Trust as an example, but other NGOs could be so used. UN mine action costs UK taxpayers and others a great deal of money, which should be better spent, but mine action is itself only one among many issues. I very much hope to hear the Minister say that the Government will hold the UN to account and will review the funding for mine action and other humanitarian work.

4.17 pm

Mr. Tony Colman (Putney): It is interesting to follow the advocacy of the hon. and gallant Member for Blaby (Mr. Robathan) on behalf of the HALO Trust. Having accompanied him to Angola when we were both members of the International Development Committee, I heard him take up those charges with the United Nations. I hope that the Minister may want to take the matter further, because it is an extraordinary situation.

I declare an interest as chair of the all-party group on the United Nations and a member of the United Nations Association.

At 11.30 on this Remembrance day, a ceremony took place at the Cenotaph in Whitehall, as it does every year, to remember those who have died in the service of the United Nations. Last year, that service was led by Sergio Vieira de Mello. This year, of course, we mourned his sad death, and also that of Fiona Watson, who was formerly a researcher in the international section of the Library, in that terrible explosion on 19 August. That brings home to us the importance of having this debate today.

Last week, I was honoured to chair the meeting for the Ralph Bunche memorial lecture, celebrating the 100 years since the birth of Ralph Bunche, who was perhaps a predecessor to Mr. Vieira de Mello, covering the years from 1945 to 1971, when he died. It was a very inspiring lecture, given by Sir Brian Urquhart, whose biography of Ralph Bunche I recommend. It is well worth reading, and I shall be delivering it back to the House of Commons Library soon. The meeting was full—standing room only—with ambassadors, members of the diplomatic corps, Members of this House and the other place, and members of the public attending. That demonstrates the concern, which people are now understanding, that the United Nations is the key game in town—indeed, the only game in town—and that it needs to be supported, talked up and respected.

A number of hon. Members have referred to the excellent Command Paper—Cm 5898—entitled "The United Kingdom in the United Nations", and I congratulate the Minister on publishing it this September, and, as others have said, on having the second debate on the Floor of the House on this subject within three months, as many of us had advocated.

Several hon. Members have talked about reform of the Security Council, but I would like to talk about other reforms. I suggest that there are areas into which the UN should have gone but has not yet fully done so, in terms of new specialist agencies. I accept that some might need to be folded within others, but I want to draw to the attention of the House an article in the *Financial Times* of 10 November, headed "Plan for UN to manage internet 'will be shelved'." The subject is to be discussed at next month's world information summit in Geneva, and I strongly suggest that we do not shelve the proposal. We should get the book out and ensure that the internet comes under the auspices of the United Nations, presumably within the International Telecommunication Union.

A second area that I would like the Minister to consider is one on which I challenged the Secretary of State for International Development in the House last week: taxation. The under-secretary general for social affairs at the United Nations General Assembly special session for finance and development two weeks ago said that if we were looking at world taxation and accounting systems, they should come within the UN. There should not be an international taxation system that is the same for every country, but the UN should have governance over the mechanisms and processes.

A third area is migration. It is extraordinary, given the enormous migratory flows around the world—I am talking about economic migrants, not refugees—that there is no basis on which the UN has a locus in that area. There is the International Organisation for Migration, but it is outside the United Nations.

A fourth area is the World Trade Organisation. We have the United Nations Conference on Trade and Development—UNCTAD—but in a sense the WTO was the organisation that got away in 1995. It should have come within UNCTAD at that time, and many of us would like to see greater moves being made to that end.

There are two areas in which the United Nations has specialist agencies that are in need of reform. The hon. and gallant Member for Faversham and Mid-Kent (Hugh Robertson) mentioned the International Civil Aviation Organisation, which is based in Montreal. It has 188 member states, meets every two years, and decides what goes on in our airports and aeroplanes, and how airlines use the air. It has a wide range of programmes and sets environmental rules for the world.

Paragraph 209 of the Command Paper states that the ICAO has developed

"a universal, effectively mandatory, programme of safety oversight audits."

At its next meeting, which I believe is in February 2004, I suggest, on behalf of those who have problems living near the approach to Heathrow airport—as we certainly do in Putney—that it could examine the issue of night flights, which needs to be dealt with across the world, and that of noise. I was pleased to see today that Cambridge university and the Massachusetts Institute of Technology are developing silent aeroplanes, which seems like a good idea, and considering the issues of pollution and whether a fuel tax might be a good idea.

The ICAO is largely a closed organisation, where the discussions are not open to the public. It is extremely important that we should continue to have high-level ministerial representation there. We should also ensure that this Parliament has representation at that next meeting, and that NGOs can fully lobby and be involved in decision making in respect of a UN agency that needs reform.

The next area that should briefly be mentioned is the International Atomic Energy Agency, which was referred to by the hon. Member for South-West Devon (Mr. Streeter) and my hon. Friend the Member for Tynemouth (Mr. Campbell). I have a particular interest here—my Nuclear Safeguards Bill eventually became the Nuclear Safeguards Act 2000—in terms of UK ratification of the additional protocol to the nuclear non-proliferation treaty. I am pleased to see in the documentation the fact that there is to be a significantly increased budget in respect of the IAEA's safeguards work. Obviously, all of us are pleased that the efforts that have been made with Iran have borne fruit, as the Iranian Government have accepted coming within the work of the additional protocol. That is a good example of the UN moving forward on a new agenda.

I would like all weapons of mass destruction to come within an IAEA framework. I am sure that we all agree that it is a great shame that the chemical and biological weapons conventions seem to be stalled, but I suggest that the world will understand if we can advance the cause and move things forward.

I want to move on to the wider role of reform, which other hon. Members have not mentioned. What is the role of Parliaments in relation to the UN system? I was pleased to discover that, finally, the UN has given observer status to the Inter-Parliamentary Union. That is the first time that this has happened. Individual delegates from national Parliaments have been given the right to initiate resolutions and to speak, but plainly not to vote. There is much discussion about whether there should be a parallel Chamber to the UN General Assembly, so that discussions can take place among Parliaments alongside those among Governments. If it is now the norm, as it appears to be, to have IPU meetings alongside the ministerials at the WTO, why not do the same at the UN General Assembly if we are looking to reform the UN and increase its legitimacy?

Another area is ensuring that the role of civil society is much fuller and more properly looked after. A major piece of work is being done on that, and I urge all Members to encourage their constituents to engage in it, as there is a real sense of disempowerment among many NGOs. That was picked up by the hon. Member for Blaby, who talked about that on the ground, as it were, but it is felt also at the UN in New York and in Geneva.

The next area was picked up by my hon. Friend the Member for Bristol, West (Valerie Davey)—how do we promote the UN's importance, the hope that the UN gives, the role of the World Federation of United Nations Associations and the UN associations in the UK? I pay tribute to Sir Richard Jolly, chair of the UK United Nations Association, and Malcolm Harper, the chief executive.

[Mr. Tony Colman]

When I was at Cambridge university, I was chair of the UN association, which had some 7,000 members—nearly three quarters of the student population. It was rather larger than the Labour and Conservative clubs. That was in 1963–64. Such involvement among the student community is something that I would like to be revived. However, there is a tremendous network of UNAs out there in each of our constituencies that we need to support. I pay tribute to my own Putney UNA—chairman Dave Crookenden, vice-chair Rob Storey and secretary Jo Stokes. I am very proud to be its vice-president.

I believe that the United Nations is the one hope for the world. At today's Remembrance day service in Putney, the final prayer ran as follows:

"Let us pray for the peace of the world . . . and for men and women the world over that they may find justice and freedom and live in security and peace".

The United Nations is, I believe, the only way forward.

4.30 pm

Mr. Crispin Blunt (Reigate): It is a pleasure to follow the hon. Member for Putney (Mr. Colman), who speaks with such authority about the UN and his contribution to the UN association. I agree with him about Fiona Watson's contribution. I hope that the House finds a way of recognising it permanently, as we should recognise the contribution of other servants and, indeed, Members of the House who have gone on to do other things and have lost their lives in the service of this country—or, as in this instance, the service of the international community.

I am sure that Sir Brian Urquhart will be delighted by the hon. Gentleman's endorsement of his book, and will regret only that he had to borrow it from the library rather than buying it.

I am not certain that I can logically go as far as the hon. Gentleman and agree that the UN is the only hope for the world, but I do not think anyone could dispute its enormous importance. After all, in September 2002 the President of the United States—a president leading a Republican Administration—found it necessary, amid all the fears about the isolation of the US, to go to the UN and justify his appeal for global support for what it wanted to do in Iraq in terms of Security Council resolutions that already existed. To sweeten the pill, he announced that the US would rejoin UNESCO. That demonstrated that even the United States, the hyperpower referred to by my hon. Friend the Member for South-West Devon (Mr. Streeter), needs the support of the entire international community. The UN is the only body that exists for that purpose, and if it did not exist we would have to invent it.

I do not agree with critics who have tried to make parallels with the League of Nations and have said how ineffective the UN is. Almost every nation in the world—if not every nation—belongs to the UN: even Switzerland, having sat on the sidelines for so long, has now decided to join. It is easy to list the UN's failures, and I shall list some of them shortly, but it is the best—probably the only—body to deal with not just security issues but all the issues of world governance arising from the 12 UN agencies. I am thinking of the World Health Organisation, the international aerospace agreements mentioned by the hon. Member for Putney, and all the other subsidiary bodies.

I agree with the hon. Member for Bristol, West (Valerie Davey) about the importance of the aspiration and inspiration that the UN must provide. The UN did not give explicit approval for the military operations involved in the recent conflicts in Iraq and Kosovo, but the international community and the powers that had taken action had to return to it to secure authority for the subsequent operations and political developments in those places. It is, however, seriously undermined by its administrative and practical failures as an organisation.

A week ago, the *Financial Times* published a report of a serious corruption inquiry involving the UN Office on Drugs and Crime. There is the extraordinary business of charges being made by a senior official in the United Nations office that tackles drugs and crime. That body is involved in a fight to deal with corruption within its own organisation. The report went on to highlight the complaint of Samuel Gonzalez-Ruiz, whom it described as

"a former head of Mexico's anti-Mafia unit who advises governments on fighting corruption".

It said that he

"quit his post last week in protest at what he called 'corruption and mismanagement' in the agency, including 'misappropriation of funds', 'nepotism' and 'traffic of influence . . . In his resignation letter"—

he said that

"management ignored repeated reports of wrongdoing by officials, despite having detailed evidence. He charged that whistleblowers were routinely punished and that perpetrators were sheltered by senior management."

He went on to say:

"I do not have the stomach to be promoting a fight against organised crime and corruption around the world when I am working in an office that tolerates administrative and in some cases criminal violations".

That is too often the experience of people on the ground with the United Nations. It is not typical, but it happens much too often for any of us to be comfortable with how the United Nations works.

My hon. Friend the Member for Faversham and Mid-Kent (Hugh Robertson) referred to his experience of a senior UN official in northern Bosnia being unable to carry out simple functions. While working for Sir Malcolm Rifkind when he was Secretary of State for Defence and then Foreign Secretary, I visited United Nations operations in Bosnia and elsewhere. As a British soldier, I visited fellow British troops wearing blue berets in Cyprus and saw the administration there. We sometimes see brilliant United Nations officials of all nationalities carrying out their work but there appears to be the most astonishing inconsistency in performance. People are put into post simply because they come from a particular nation that has to have bums on seats—jobs have to be distributed to people from those nations. Frankly, they are a serious let-down to the whole organisation.

To be fair, I want particularly to commend the efforts of the current Secretary-General to tackle that problem. He is the one who appointed Martti Ahtisaari to report on the consequences of 19 August—the bombing in Baghdad and the wider consequences for the United

Nations. If an organisation is prepared to paint as deeply unflattering a picture of the way it works as he does, there is hope that that organisation is becoming significantly more self-critical and will improve. However, we cannot be complacent when Martti Ahtisaari identifies unclear chains of command, flouted guidelines, a lack of accountability and naivety about the security environment. That naivety led to the tragedy on 19 August. Frankly, it is totally unacceptable that an international organisation of the stature of the United Nations working in Baghdad in August 2003 displayed that naivety. It led to that tragedy, with all the consequences for the work of United Nations organisations in Iraq.

The scale of that disaster, combined with what has happened to the International Committee of the Red Cross in Baghdad, is a serious setback to everything that the international community is seeking to achieve in Iraq and a serious setback for the people of Iraq, even if they are hostile to what the occupying powers are doing. One can hardly think of a greater own goal than the combination of those two attacks, not least in the case of the Red Cross, part of whose responsibility is to check on prisoners whom the occupying forces have taken to ensure that they are properly looked after.

The hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore), the Liberal Democrat spokesman, drew our attention to the United Nations Congo operation. I intervened on him. He made the point about the European Union's contribution to those operations. He said that the EU contributed to the operation at the request of the UN. The trouble is our lack of commitment to the UN, as demonstrated by the fact that that request had to be negotiated between the EU and the UN. The EU was not prepared, in effect, to support unconditionally the ongoing operation in the Congo, probably for sound military reasons. No responsible Defence Minister answerable to a Parliament in the EU would have been prepared to commit troops to the UN force as constituted in the Congo.

We must ask ourselves why we were prepared to allow a UN force to go to the Congo under chapter VI authority if it was ill-equipped to command and control the troops under its command and to deal with them safely to the standards on which we would have insisted had our troops been part of the original operation. We must ask ourselves searching questions. We were asked to contribute to the operation, but we were not prepared to do so. Are we saying that because the force was under the command of an Indian general under chapter VI, and because the troops were from developing countries, it did not matter if the force could not do things properly as it was never going to have the military weight to make a sensible military contribution to addressing the appalling conflict in the Congo? If so, the idea of first and second-class UN operations must be addressed.

I want to refer to reform and to make some constructive suggestions. We are not talking about the immediate future, but a debate such as this allows us to do some medium to long-term thinking. The UN has been in existence for 50 years and plainly it will develop in strength and importance because there is no alternative. It will be the vehicle, reformed as it will be, that will give us the authority of international law and the international deployment of troops.

I want to concentrate on security, not least because I know something about it. The three Back-Bench speakers from the Conservative party are all former servicemen and I hope that the House will forgive us for focusing on the security dimension of the UN, which is the most important element. All the relief work is important, but one cannot do that if one does not have a secure environment.

On the Secretariat and the reform that is taking place to it, Kofi Annan deserves commendation and support and the Government have made it clear in their Command Paper that Kofi Annan has their support. However, I want to contrast what the Government say about the secretariat with what they later say about the reform of the Security Council. It is right that the UN secretariat's abilities and energies need to be harnessed to ensure that all appointments are made on merit. That would appear to be blindingly obvious.

Until the United Kingdom and every other contributor to the UN is prepared to surrender Buggins's turn when it comes to handing out jobs, we will never have appointment on merit. It is a huge problem, because every single contributor to the UN within every international forum competes for their men and women to have posts within the organisations. Somehow we have to break the cycle, and the UK, as a sizeable nation, should be uniquely placed to take an internationalist outlook on the reform of the UN. We should no longer look at things through the prism of what would appear to be a short-term national interest. Our long-term interests are absolutely bound up with making this organisation as efficient and effective as possible.

Angus Robertson: On the question of Buggins's turn, does the hon. Gentleman concede that following that logic, it would make sense to reform the Security Council so that there would be no need for the UK and the other four permanent members to have a permanent seat and a veto? Does he foresee that as being part of his analysis against Buggins's turn?

Mr. Blunt: In a sense, the hon. Gentleman is extending the point too far, beyond the reality of today's world of international relations and security. It is undoubtedly true that the nations with the largest economies make the greatest contribution to world security, and historically those are the countries that have had the veto. There is now a debate about extending permanent membership and whether the nations that will become permanent members will come with a veto. But I am jumping ahead, so if the hon. Gentleman will forgive me I shall deal with the secretariat before considering the Security Council itself.

I commend what the Government said about initiatives such as targeted training, funding internship programmes, support for graduates—particularly from developing countries—and addressing appraisal systems. One would hope that, if the UN is prepared to be self-critical in the manner of Martti Ahtisaari's report, such self-criticism could be extended to the personnel management of the entire UN. On term limits for senior posts, two four-year terms is usually the sensible limit, but the Government appear to be suggesting that that should be reviewed and the terms made longer. It is plainly in everybody's interests that

[Mr. Blunt]

the UN, even in respect of its most senior posts, should begin to acquire people whose only loyalty is to the UN, so that they do not then return to whichever country they came from. The UN career path should attract the best and brightest of the world's graduates. The UK's best and brightest used to join our own diplomatic service, and the best and brightest of the globe should be attracted to the UN.

There is a horrifying contrast between the language that the Government used about the secretariat, and that used about reform of the Security Council. The Command Paper states:

"The United Kingdom remains committed to a Security Council that is representative of the modern world, efficient and transparent."

I doubt whether we wanted to be committed to one that is representative of the ancient world, inefficient and opaque. On examining the rest of that paragraph, we realise that it actually says very little. That is in sad contrast with what is said about the reforms of the Secretariat; in that regard, lots of specific proposals are made and supported.

We know that, like the previous Government, this Government want the Security Council to expand. The Prime Minister has put on the record—as have other Ministers and the previous Administration—the difficulties in achieving that, but it is self-evident that the nations that make the greatest contribution to security ought to be permanent members of the Security Council. That plainly means India in the first instance, which not only has a huge population but has made a very significant contribution to UN security operations around the world. It almost certainly means Japan and Germany, given their economic weight, and Brazil. People are wondering whether, if an African country is to join, it will be South Africa or Nigeria, and in some senses that is a difficult call. South Africa has a global reputation and appears to have a rather more accountable and satisfactory Government, yet Nigeria is the most populous nation in Africa and is a regional power in its own right. Here, we hit the difficulty of making qualitative judgments between different candidates for permanent membership of the Security Council.

Are we really proposing to give all those nations a veto? We need to reflect much more on the whole question of the veto. It is worth looking ahead 40 or 50 years, by which time the economy of India might be as large as that of the EU as a whole and the economy of China might, on current projections, be even larger. In those circumstances, the British and French veto may come to look a little odd. We shall have to contemplate the enlargement of the Security Council and a rather more internationalist outlook than we have to date. The world is changing and it will take an awfully long time to secure a satisfactory position for the reform of the UN. We must take a much longer-term view.

Plainly, there are British interests—as there are French—to protect, but we must examine how the veto has operated and what value it has to the United Kingdom. The fact that we are prepared to consider that issue, which goes beyond the position that any Government have adopted until now, might begin to open up a debate about the future of the UN and the future structure of the Security Council. If we, as a country committed to international security and one that has made and will continue to make a huge contribution, are prepared to acknowledge that such a debate should take place, that does not amount to an abandonment of the British position. It does not necessarily mean abandonment of the veto if what we secure in return is unsatisfactory. However, if we are not prepared to begin to deal with the issue—including Buggins's turn in relation to posts—and face up to how the world will look 30, 40 or 50 years ahead, it is difficult to see which other nations will lead the debate.

The UK has, because of our history, our heritage and our inheritance of the Commonwealth, a particularly proud record as a contributor to global affairs. We have contributed all around the globe over the past 200 years. We have had special relationships with countries as diverse as New Zealand and Hungary, for example, and we are the second biggest investor in Mexico. The UK has an outlook on the world and a huge amount to contribute to the debate on reform of the UN. I hope that the Government will be prepared to engage imaginatively in that debate and perhaps go slightly further and consider options other than those that might be viewed as the most politically safe back home.

4.53 pm

Tony Worthington (Clydebank and Milngavie): I am pleased to follow the hon. and gallant Member for Reigate (Mr. Blunt). I have never before experienced having three gallant Gentlemen sitting on the Opposition Benches and I think that I shall report it to the Royal Society for the Protection of Birds—*[Interruption.]* It is a strange experience.

Let us not get carried away in congratulating ourselves on having this debate. Other than a debate in Westminster Hall a couple of months ago, this is the first time in 16 years that I can remember having had a debate on the United Nations on the Floor of the House. How many debates have we conducted on the UN over the past 60 years? Would we need more than one hand—or even one finger—to count them? Is this the first?

We are very poor at dealing with international issues. I congratulate the Minister on this debate and on the annual report, which is a step forward. I recognise what the Foreign Secretary says in the preface—that the report necessarily requires more background and history than subsequent ones will need—but it reads as if it has been edited by a particularly strict primary school head teacher who does not want to frighten the children. Some lively bits have been squeezed out. I shall refer to them in my speech, but we should have been given the whole truth, and not the edited version.

As well as looking at the reform of the UN and its family of organisations, we should look at how we—as a country, and as people—relate to the UN. We are told repeatedly, and correctly, that the UN is merely the sum of its members. I am sorry that my hon. Friend the Member for Putney (Mr. Colman) is not here, but we rely on bodies such as the UNA to keep us abreast of UN activities.

I am pleased to say that my hon. Friend the Member for Putney has returned to the Chamber. I can tell him that I was just paying tribute to Putney, and saying that we need to build support for the UN, through Parliament as well as the UNA.

It is a cliché to say that the world is becoming more globalised but, like many clichés, it is substantially true. More global institutions are being set up to cope with what is going on in the world. In my remarks, I subsume the World Bank, the International Monetary Fund and the World Trade Organisation. We should consider ending the strange anomaly that means that we talk separately about the Bretton Woods institutions and the UN organisations. They belong together, and we should see them as our collective response to common problems.

Our scrutiny of the vast family of organisations in the UN is inadequate. The debate has been valuable, as it has allowed the House to hear from people with specialised perspectives. For instance, the hon. Member for Blaby (Mr. Robathan) displayed specialist knowledge of UN mines operations. We must use expertise such as that.

I am pleased that the public are waking up to these matters, and demanding that we perform better in matters such as debt and world trade. About two years ago, the Trade Justice Movement campaign mounted the biggest lobby that this House has ever experienced. The House must recognise the importance of such events, or risk being seen to be irrelevant.

It is sad that so little time in the Chamber is devoted to international affairs. I applaud the fact that we now have Westminster Hall, and consider it a great step forward, but we must use this Chamber more effectively as well. Remarkably, for all the discussion about the reform of Parliament, little has been said about how we can relate better to the UN and its very substantial son and daughter bodies.

It seems extraordinary that nothing requires Ministers from the Department for International Development to appear in the House of Commons from one year's end to the next, apart from departmental Question Times. We tried to insert a requirement in the International Development Act 2002 for an annual DFID debate. Although the legislation was the first for decades, we failed to get that commitment. Yet DFID is important, because it is the Department that relates to many of the UN organisations.

Our relationship with UN organisations can have strange consequences. Are we reacting satisfactorily? Like other hon. Members, I shall use personal examples to show how that question has struck me.

To his credit, my hon. Friend the Minister said in his opening speech that there was appalling genocide in Rwanda nearly 10 years ago, when about 1 million people were slaughtered. How did the House respond? House of Commons activity consisted of a few parliamentary questions, and two Adjournment debates that I was lucky enough to obtain by lottery. Have hon. Members considered the propriety of debating—or not debating—genocide by lottery? Could it happen again? Yes, it could. There was no response on that matter from either Front Bench, and the UN Security Council, with our active involvement, was strenuously finding a way to do nothing about Rwanda while the slaughter continued. If anyone doubts that, they should read the books of Linda Melvern and Fergal Keane. We cannot be satisfied that our response to an international event of that magnitude was to do nothing.

We have done nothing in other places in the world. I am one of the few Members to have visited Liberia. I went there years ago and the place horrified me. The problems went on and on and nothing happened; we did nothing about Liberia.

It is not just during catastrophes such as the one in Rwanda when we should exert more influence at the UN. Although the annual report is a valuable step forward, there has been a general failure to report. Many highly significant issues remain—for example, the International Criminal Court, which was mentioned by the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore). Labour Members were proud when, just before the last general election, we passed the International Criminal Court Act 2001. At last there was a standing court that would bring the most evil men in the world to justice. We ratified the UN treaty and, at almost record speed, the necessary 60 nations were signed up to bring the ICC into existence.

The court is working on its first cases but, as the hon. Member for Tweeddale, Ettrick and Lauderdale said, it is under siege from the United States, which not only does not want to sign up to the ICC but is actively trying to bring it down by bribing and bullying smaller states. We have mounted less than rigorous opposition to such acts. We have been accused, whether fairly or unfairly, of accommodating the United States in that respect. The British Government have not uttered a word; no statement has been made.

I said earlier that a primary school head teacher seemed to have taken everything of interest out of the annual report. There are about three pages dealing with various special courts—the Khmer Rouge tribunals, the international tribunal on Rwanda and so on—with only three lines about the International Criminal Court. There is no reference whatever to the fact that there was a major row in the UN Security Council about the ICC and bilateral treaties. We must have a better mechanism for reporting back on what our Government are doing. The annual report provides that to some extent, but we need to find out what is happening in each of the UN organisations, with a report from our representatives.

I belong to Parliamentarians for Global Action, which recently celebrated its 25th birthday. The organisation campaigned vigorously for the ICC with—I am delighted to say—the support of the Foreign Office, which provided funding so that, as the UN Security Council said, the PGA was a key factor in getting people involved. Like my hon. Friend the Member for Putney, I get my information about what is happening at the ICC from Parliamentarians for Global Action, which is based in New York, rather than from anything that goes on in this place. There must be accountability to the House.

There is a general trend towards the establishment of such parliamentary organisations. My hon. Friend the Member for Putney and I also belong to the Parliamentary Network of the World Bank. The World Bank recognised that it could not go on being isolated. It could not go on simply relating to Governments; it had to relate to parliamentarians. One of things that we are doing is setting up a parliamentary implementation watch, whereby we report back on various World Bank and other international conference decisions, so that

[Tony Worthington]

parliamentarians around the world know what is happening. At the moment, it is very difficult to know about such things.

Let me give another example of the international bodies that many hon. Members may remember. I have always had a particular interest in population, development and reproductive health, so I belong to the all-party group on that subject and to the European group, and so on. The annual report states that the UNFPA—the United Nations Population Fund, which is the body to which we in Europe relate—

"has been an effective and outspoken champion for reproductive health and rights, but has been the victim of attacks and unsubstantiated allegations from religious conservative groups who take a different view on these issues."

Let me put that into English. The religious conservative group that has been attacking the UNFPA is the US Government.

The US Government withdrew all their funding from the UNFPA, withdrawing services to hundreds of thousands of people around the world. To counteract that, the EU and the British Government stepped in to ensure that the UNFPA had the same funds as it would have done if the US had contributed. I hope that those points will be made in future annual reports, because we want to know about them. We want to know not just what the organisations were set up to do, but what the areas of contention are.

Many parliamentarians in the House and in other Parliaments are working together, for example, to set up an e-Parliament. I do not know whether that will come to anything, but it is intended to use the resources of global technology to keep parliamentarians in touch. My hon. Friend the Member for Putney visited Albania with the parliamentary network and parliamentarians from other countries to see how the poverty reduction strategies were working there.

Mr. Blunt: A junket and a half.

Tony Worthington: That is the first time that the words "junket" and "Albania" have been heard together, but I had better move on.

Those joint enterprises are very valuable in bringing together the developing world and the developed world to subject the international organisations to scrutiny. As I said earlier, there is a real danger that, unless we as hon. Members sharpen up our act in relating to international matters, our constituents will ignore us. There is no doubt in my mind that various major NGOs in this country have more influence on Governments and international organisations than we have as parliamentarians, because we tend to ignore such issues or deal with them very badly.

Another issue that the Minister mentioned, which I hope will be explored thoroughly in talks about reforms, is conflict prevention and post-conflict reconstruction. There are an enormous number of low-level conflicts around the world that may explode into much more serious conflicts, in relation to which we must do preventive work. After conflict, we have the sheer difficulty of making sure that our intervention is successful. To see how not to do it, we need only look at what happened to the Americans—the most powerful nation in the world—in the person of General Jay Garner. That is the covered-up and never-talked-about bit of the Iraq story nowadays. The person who was put in charge of Iraq's reconstruction, his team and his philosophy had to be replaced within about a month because their approach was not working. It is complicated, difficult, dangerous work, which requires much more than armies and police; it requires people with expertise in legal services, education and water provision, and it needs to be done in a sensitive and aware way.

I am pleased that, in this country, we now have an NGO—Peaceworkers UK—working on the issue, because until its involvement, that work did not have a focus. I am delighted that the Minister will meet a delegation of MPs and Peaceworkers UK during the next few weeks to see whether our response can be more coherent. I use the word "coherent" not in a critical sense; it is inevitable that when things are done in a higgledy-piggledy way—through the Organisation for Security and Co-operation in Europe, the EU, the UN or the Department for International Development—we neglect the overall picture, which is to make sure that we have a balanced, skilled team that we can send out to such situations. Peaceworkers UK is raising in an intelligent way the issue of how we can respond to the emergencies that spring up.

To conclude, let me point out that, as has happened in this debate, when people talk about the United Nations they tend to have in their minds political bodies such as the General Assembly and the Security Council. Unfortunately, as tends to happen all the time, people concentrate on the couple of pages at the beginning of the document about the UN Security Council and the General Assembly, and not the 30 pages about the family of the UN. We do not realise the sheer skill involved. I accept the criticisms, too, but sometimes we must be grateful that an organisation such as the Office for the Co-ordination of Humanitarian Affairs exists, organises Governments, UN organisations and NGOs when sometimes millions of people can be in trouble, and finds the resources to deal with that. We also need to consider the World Food Programme, the World Health Organisation, to which we turned when severe acute respiratory syndrome looked like being a huge problem, UNICEF and so on.

The United Nations Development Programme has had some criticism today, which may be justified, but it is generally very serious about political capacity building and is worthy of esteem. My hon. Friend the Member for Putney and his colleagues would have recently seen the work of the United Nations Relief and Works Agency in Palestine, which has been looking after Palestinian refugees for as long as the UN has existed.

We tend to ignore all of those organisations and we do not esteem them enough. I hope that the annual debate will continue to take place, but I hope that the Minister will recognise that we need more than that. We need to look at how we organise ourselves, perhaps through the Select Committee structure—the Foreign Affairs Committee cannot cope with global issues on its own—and at how we relate to those organisations in a much more sensible way than we do at present.

5.14 pm

Angus Robertson (Moray): I am in a slightly curious position because I have taken part in three debates today during which I have found myself almost entirely in agreement with almost every word that has been spoken by hon. Members on both sides of the House. It is even more extraordinary that I cannot disagree with a single word of a contribution made by a Scottish Labour Member—the hon. Member for Clydebank and Milngavie (Tony Worthington). I am enjoying today's proceedings greatly and I underscore the fact that I would certainly sign up to much of what he said. I apologise to hon. Members that I was unable to be here for much of the early part of the debate, but I was firefighting on fishing and whisky, which are important to my constituency. I shall be brief because I have to attend other meetings on those issues.

Despite those important meetings, I was especially keen to participate in the debate for two reasons. First, the Scottish National party and Plaid Cymru are long-standing supporters of the United Nations. They support multilateralism and a forum in which the different nations of the world may meet and work under international law. Given the peroration of the hon. Member for Tynemouth (Mr. Campbell), in which he described the new and emerging nations that are queuing up to join the UN, he be would be disappointed if I did not again put on record my wish that Scotland will take its rightful place, as a normal country, as a member of the United Nations in due time.

My second reason for wanting to speak is because I worked as a diplomatic correspondent before I became a Member of Parliament. I was based in Vienna for seven years and as a member of the United Nations Correspondents Association, I covered the various organisational parts of the UN that are based in that city—it is the third United Nations headquarters. I should put it on record that I worked for the United Nations as a trainer of its staff in Vienna, so I have a personal and political interest in its work.

I, too, put on record my appreciation of the staff of the United Nations and the many people who have worked on its behalf, not least servicemen and women who have laid down their lives. I fully endorse the suggestion of a permanent memorial in the House to Fiona Watson.

I shall touch on three points, the first of which is reform. The hon. Member for Putney (Mr. Colman) gave us a long list of sensible proposals, which I would support. The hon. and gallant Member for Reigate (Mr. Blunt) touched on staffing, which can be, euphemistically speaking, occasionally problematic. Every hon. Member knows that there are staffing issues in the United Nations and I hope that the Government will examine that closely. The extremity of the need to ensure that people of specific nationalities secure posts regardless of their alleged talents undermines the United Nations, so that needs reform. Serious questions are often asked about the way in which the budget of the United Nations is managed, so the Government should examine that closely.

Many hon. Members have talked about reform of the United Nations Security Council, as did I in an intervention. It is interesting to contrast the UK Government's support for a Security Council of 24 countries—that is not an unreasonable number of members—with their opposition to a European Commission of 25 members, which is roughly the same size. They say that such a Commission would be unworkable, but I think that both a Security Council with 24 members and a Commission with 25 members would be manageable.

The Minister said that the question that I asked about the inequality of permanent member states was a good debating point. If the Governments of other countries such as Germany and Japan raised the point, it would be more than a debating point because it would be central to their worries about reform of the UN Security Council. We need proposals on reforming that structure so that everyone feels that they have an equal say and are of equal standing within the UN Security Council.

Mr. Rammell: For the information of the House, is the hon. Gentleman advocating that there should be 10 permanent members of the Select Committee, all with a veto?

Angus Robertson: No is the simple answer. I believe that serious consideration should be given to getting rid of the veto altogether. Either we should trust the UN system or put in what some people would regard as safeguards. There is a strong precedent in the approach taken by both the Conservative and Labour parties to vetoes in the European Union. Margaret Thatcher, of course, was responsible for getting rid of the largest single number of vetoes in the history of the EU, and the Labour Government now want to get rid of even more. A precedent on getting rid of vetoes has therefore been set by the two largest UK parties in the House, and I believe that we should consider seriously the prospect of getting rid of the veto in the UN Security Council. Either we believe wholeheartedly in the UN system or we do not. That does not mean that there are not associated problems, but we should look at the possibility of getting rid of the veto.

Secondly, we need to respect the UN institutions and their decision-making processes. I was disappointed by the way in which both the UK and US Governments dealt with Iraq. Having mandated UN arms inspectors to carry out a job, we went over their heads and did not let them finish their work, despite the fact that they were asking for more time. We then got involved in unilateral military action without a specific UN mandate. Like everybody else, I welcome the fact that Saddam Hussein is no longer in power in Iraq, but I am less happy about how that was achieved. In future, I hope that the UK Government and every other member state of the UN will pursue military action only when they have gone the full distance to secure a mandate from the UN Security Council.

Thirdly, I want to put on record my appreciation of a frequently overlooked aspect of peacekeeping and peacemaking: the contribution made by small countries. Hon. Members have rightly praised the role of countries

[Angus Robertson]

such as India that have made significant peacekeeping contributions. However, some peacekeeping missions would not have worked without the contribution of countries such as Ireland or Austria—small, neutral or non-aligned European states that have made a significant contribution in places such as Cyprus, the Lebanon and elsewhere. In UN operations in many small and medium-sized countries, their military have had the moral authority and capability to deliver on the ground.

I am particularly concerned, therefore, about reports about the amalgamation or disbandment of Scottish military regiments. I sincerely hope that when the Ministry of Defence outlines its plans on the future of the UK military it does not proceed with such plans, as they would undermine the UK's ability to deploy forces in UN missions. The Scottish National party is strongly in favour of a well-funded, capable Scottish military that can take part in UN-mandated missions. Anything that would undermine the integrity of the Scottish regimental structure concerns me greatly.

In conclusion, I am glad that the Minister said that the Government support strongly the strategic review on reform of the UN. We need to look at the UN system, but we should also look at the Bretton Woods institutions. The hon. Member for Clydebank and Milngavie raised the problems associated with the World Trade Organisation and the World Bank. Unfortunately, that PR battle has been lost, and many people who are sceptical about globalisation hold those institutions in contempt. We need to ensure the integrity of the entire international decision-making and representative system so that we can bring the world community together and advance as one world.

I firmly support a multilateral route, not a unilateral one. The United Nations is the hope for the world, and Kofi Annan is well placed as one of the most able Secretaries-General for a long time to help to pursue that agenda. I firmly support it, and I hope that the Government will too.

5.24 pm

Mr. Rammell: With the leave of the House, Mr. Deputy Speaker, I should like to respond to the debate.

At the start of the debate, the hon. Member for Moray (Angus Robertson) commented on attendance. We have had an exceedingly good debate, which has been genuinely—I am not saying this merely to curry favour—well informed by a significant number of hon. Members. In the short time that is available—I have an hour and a half, but I assure the House that I do not intend to use it—I wish to respond to some of the points that have been made.

The hon. Member for South-West Devon (Mr. Streeter), who speaks today from the Conservative Front Bench, underlined his strong support for the United Nations and agreed with the Government that strong supporters of the UN should be strong advocates of change and reform. Interestingly, he pointed out that we have moved from a cold war situation in which there was, to some extent, an equal balance of forces in the world to a situation in which, to use his words, we live with one hyperpower. His point was that, whatever view we take of that situation, it is a reality that we must face up to. He rightly argued that the UN must recognise the position of the United States, which should be similarly encouraged to act through the UN. I strongly agree with him on that point.

The hon. Gentleman also endorsed the arguments for expansion of the Security Council, and pressed me with regard to the veto. A number of hon. Members referred to the same issue, so it is important for me to make it clear that the Government support an increase in permanent membership of the Security Council and the inclusion of a further five permanent members. Clearly, the question of the veto will have to be considered in respect of those new permanent members. There would be a risk of increasing gridlock in decision making if all 10 permanent members had a veto. In those circumstances, there are key questions that all of us will have to face. Would 10 vetoes help the UN to grasp and tackle the key issues that it and the international community face or would they risk marginalising the UN? Would the wider membership want an increase in the number of vetoes? Is it realistic to expect the five current permanent members to give up their vetoes? I shall return to that issue later, but either way, any change will require the support of two thirds of the whole membership, including the five current permanent members.

The hon. Gentleman also raised a question that has been a constant refrain from the Opposition Front Bench in recent months—why the UK Government have not tabled at the Security Council a resolution on the current appalling circumstances in Zimbabwe. I refer him to what took place in March at the Office of the UN High Commissioner for Human Rights in Geneva. A resolution rightly condemning human rights abuses in Zimbabwe was tabled, but even on such a tightly defined issue a blocking majority, including a significant number of members of the existing Security Council, opposed the resolution. The idea that we would table a resolution in the full knowledge that it would probably be defeated would serve merely to reinforce Robert Mugabe's position and entrench him in it.

Mr. Blunt: On human rights and resolutions in Geneva, does the Minister accept that it is not only in respect of Zimbabwe that there is cause for concern? In 1997, the Government inherited a position in which resolutions about China's abuse of human rights were regularly carried in Geneva with British support while we were negotiating the handover of Hong Kong. After 1997, under the Labour Government, such resolutions did not attract British support. The Government's rhetoric about human rights is very strong, but it is entirely legitimate for the Opposition to seek action rather than merely rhetoric.

Mr. Rammell: I agree, but although I want action, I do not want to see a resolution that makes us feel awfully good about ourselves, but whose rejection in the Security Council simply serves to reinforce and entrench Robert Mugabe in the position that he and his regime currently hold. The situation is very serious and all of us should focus on how we can tackle it. Some of the efforts that we are currently making, especially to urge others in the region to take a lead on the issue, are as important as anything that we can do in terms of passing resolutions or making proposals.

My hon. Friend the Member for Bristol, West (Valerie Davey), in a powerful contribution, expressed her shock about the events of 19 August and the fact that the United Nations had actually been attacked and vilified in that way. Whatever view people have of the conflict in Iraq, the experience of people and organisations seeking out the United Nations and its representatives to attack and kill them is extraordinarily difficult to comprehend. It shocks and concerns all of us.

As many hon. Members did, my hon. Friend also rightly sought to underline the need to seek agreement on the criteria for international intervention in a sovereign state's affairs. She also paid moving tribute to the late Sergio Vieira de Mello. She then argued for the need to engage younger people in our debates on international affairs and the United Nations. As I attend meetings around the country on UN issues, it strikes me that they are full of people from an older generation—I am choosing my words carefully—who have the post-war experience of the importance of the UN, but too often there are too few younger people with a similar understanding and commitment. We all have a responsibility to do everything in our power to raise awareness and improve education on those issues.

The hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) rightly paid tribute to UN staff who place themselves in danger in performing their everyday activities. He also rightly drew attention to the fact that as the UN has expanded the structures have failed to keep up with the increase in size; that is an important point. He underlined the need for a clear framework for intervention.

The hon. Gentleman also raised the issue of the International Criminal Court. He said that the UK Government were assisting bilateral immunity agreements in contravention of the ICC statute and that that was splitting from the EU position. That accusation is completely without foundation. We have made it clear that we believe that bilateral non-surrender agreements are allowed under the existing ICC statutes, provided that they follow the framework set out in the EU guiding principles and are consistent with the language of article 16 of the Rome statute. We have done nothing to contradict that position and we have made it clear that we will not sign a bilateral non-surrender agreement that does not conform with those principles. If the hon. Gentleman has evidence that shows that we are acting otherwise, I would welcome it if he put it forward.

Tony Worthington: Does that mean that discussions with the United States about a bilateral treaty are not ongoing?

Mr. Rammell: We have had one discussion with the US on that issue, in which we made it clear that any agreement would have to be consistent with the EU guiding principles. No further discussions have taken place and we await a response from the United States. It is important to debate such issues on the facts, not what some people believe the facts to be.

The hon. Member for Tweeddale, Ettrick and Lauderdale made a point about UN resources needing to be commensurate with UN tasks. I have some words of caution on that point. The UK is the fourth largest contributor to the UN—£600 million—but the hon. Gentleman advocated, by implication, a significant increase in resources for the UN budget. I could not advocate that until the UN has reformed the way that it works. Simply demanding more resources for the UN is not the best way to achieve the efficiencies and prioritisation that we need.

My right hon. Friend the Member for Newport, East (Alan Howarth), in a telling contribution, rightly highlighted some of the arguable failings of the UN in Bosnia, Rwanda and elsewhere, and the failure of the UN to enforce certain resolutions. He was right to highlight the key role of the Secretary-General and underlined the fact that he is in many senses one of the most astute and well-informed critics of the way that the UN currently works.

The hon. and gallant Member for Faversham and Mid-Kent (Hugh Robertson) made a well-informed contribution to the debate based on his previous activities and work in UN operations. He underlined the importance of debt relief and the arguments for reform of the World Trade Organisation. I wholeheartedly agree that we need to give developing countries access to world markets: the Government have strongly advocated that, and we will continue to do so.

On the financing of the United Nations, it is important to be clear that the amount that a member state pays is based on its national income or capacity to pay. Bluntly, that means that richer states pay more and poorer states pay less. We pay about 5.5 per cent. of the UN budget. That methodology is fixed until 2006, so there is no prospect of changing it before then. It is worth stating for the record, however, that we believe that the current arrangements are broadly equitable.

My hon. Friend the Member for Tynemouth (Mr. Campbell) spoke knowledgeably about the way in which the UN works in the light of his experience of working with, visiting and observing it in New York. He pointed out that if it is to remain relevant and to survive, it needs to change, reform and adapt; and he highlighted the importance of its focusing on key issues such as civil wars and threats from international terrorism.

My hon. Friend referred to expanding not only the permanent membership, but the non-permanent membership, of the Security Council. Perhaps I did not articulate the Government's position clearly enough. We advocate not only five new permanent members, but five new non-permanent members. With regard to the non-permanent members, however, we need to debate within the UN and the international community the need for a firmer set of criteria to determine which nations take on non-permanent membership. Too often, such decisions are based on a regional Buggins's turn. As for my hon. Friend's comments about representation on behalf of Africa, we agree with him that that is important.

The hon. and gallant Member for Blaby (Mr. Robathan) referred to the importance of the Ottawa convention, of which the Government have been an exceedingly strong supporter. As regards mine action, I will give him a response now, but I am happy to talk to him about those issues at a later stage. The Government are generally satisfied with the work of the United Nations Mine Action Service—UNMAS—and it is our chosen partner for global mine action co-ordination. We believe that it does a good job in assessing projects

[Mr. Rammell]

and deciding where funding should go—particularly in the case of Sudan. DFID's voluntary contribution is £4.7 million; obviously, we work with UNMAS to seek value for money. I shall happily take that discussion further with the hon. Gentleman.

My hon. Friend the Member for Putney (Mr. Colman) made an important contribution as chair of the all-party group on the United Nations. I pay tribute to the work that he and his colleagues undertake on this issue: such work has never been more timely and important. He rightly drew attention to the thoughts that we should all have about Sergio Vieira de Mello and about Fiona Watson, who worked in this House.

On my hon. Friend's suggestion that new specialist agencies are needed, I offer a word of caution. I am not convinced, for example, that the plan to manage and regulate the internet through the United Nations is achievable, or even desirable. If we cannot achieve consensus on many of the key international issues that we face, the idea that we would be able to do so in relation to regulating the internet is challenging, to say the least.

Mr. Colman: Does the Minister accept that the current system of regulation through a private company based in California is not an acceptable way forward?

Mr. Rammell: That just underlines how difficult it is to resolve this issue. If the UN is to work, and to be seen to be credible, it needs realistic and tangible mandates. If we seek to resolve every issue in the world through the UN, however detached those issues are from the fundamental issues, I am not sure how much that would advance its cause.

My hon. Friend rightly underlined the importance of the International Atomic Energy Agency. An example that demonstrates that importance is the work that has recently been done to bring together the European Union and the international community through the UN in Iran. I also strongly agree with my hon. Friend about the role of Parliaments in relation to the UN system. Like him, I welcome the observer status that has been given to the Inter-Parliamentary Union; we need to do more to engage parliamentarians in this way. I wholly agree, too, with what he said about the United Nations Association, which is a good organisation and a force for good in all our communities.

The hon. Member for Reigate—[HON. MEMBERS: "And gallant".] The hon. and gallant Member for Reigate (Mr. Blunt) clearly articulated his support for the United Nations and for the fact that it is crucial to the resolution of many of the international challenges that we face. He also rightly argued that the UN is seriously undermined by its administrative and bureaucratic failures; we should not resile from articulating that point. He pressed us on the veto, which was mentioned by many hon. Members. We are not arguing that we should give up our possession of the veto. We continue to earn the use of it through our responsible use of our position on the Security Council. Our economic weight, our financial contribution and our contribution to peacekeeping and other UN missions continue to justify our permanent membership and possession of the veto. Nevertheless, the UK Government and other permanent members of the Security Council should use the veto with restraint, and in accordance with the principles of the charter. Whenever this issue is debated, people are shocked to discover that we have not used our veto since 1989. I think that that underlines the responsibility and restraint with which we have used that power.

My hon. Friend the Member for Clydebank and Milngavie (Tony Worthington) made a telling contribution based on his own significant experience of these issues. I was not a Member of the House in 1994, but the fact that there were only two Adjournment debates on the subject of Rwanda at that time, given the shocking and appalling horrors that were taking place there, underlines yet again the fact that the House and all of us in the international community ducked that issue. I strongly believe that we need to focus on the criteria for humanitarian intervention, because we cannot allow the international community to walk by and ignore a situation like that again.

I am pleased to see that the hon. Member for Moray is still with us, despite the pressing needs of the whisky industry.

Angus Robertson: This is serious.

Mr. Rammell: Of course it is, and I welcome the contribution that the hon. Gentleman made to the debate, the strong support that he gave to multilateral action at the UN, and the detailed knowledge of the UN that he displayed, given his previous working experience. I was pleased to be able to pin him down on one issue, which was that he was advocating the giving up of the veto by the current permanent members of the Security Council. I reiterate a point that I made in response to an earlier intervention that he made, which was that if we look back to the founding of the United Nations, we remember that we learned from the League of Nations the lesson that if key significant international players did not possess the veto, there would be a real danger of their walking away from those international structures. That issue needs to be taken on board.

We have had an exceedingly important debate, and it has struck me throughout our discussions that there is a significant degree of consensus on these issues. All of us, in our various ways, are committed to the United Nations. We believe that it is a force for good in the world, but we also believe that it needs to change and reform in response to changing international circumstances. Crucially, it must face up to the key international challenges that the international community faces. If it does so—I believe that it will—we shall see it continue to develop and prosper, and to help us to build the kind of secure future throughout the world that we all want to see.

Mr. Nick Ainger (West Carmarthen and South Pembrokeshire): I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

Fisheries

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

5.44 pm

Ann Winterton (Congleton): I am grateful for the opportunity to draw to the House's attention the deep concern felt by members of the United Kingdom fishing industry. It should be said right at the outset of the debate that the so-called demise of cod stocks in the British sector is a clever way to disguise the implementation of European treaty obligations ratified by this Parliament and has little or nothing to do with conservation, which the Government always give as the excuse.

Eleven years ago in a speech given in Shetland, a senior representative of the European Commission, Ruth Albuquerque, warned the fishing industry that the way forward envisaged by the Commission for restructuring the industry would involve thousands of fishermen losing their jobs. That is indeed what happened, but we have to examine why, as at that time fish stocks were very healthy indeed. How could she predict with such confidence that so many jobs would be lost in the industry? The answer has everything to do with the Iberian expansion of the European Economic Community in January 1986.

A year ago, Struan Stevenson, Chairman of the European Parliament's Committee on Fisheries, stated categorically that the draconian proposals that are now a reality had nothing to do with conservation. He also said that they were part of a European federalist agenda to hand over the bulk of European fishing to Spain. The European Commission will exploit scientific recommendations to close down the British white fish sector as a golden opportunity to help it to meet its target capacity cuts in one fell swoop. Spain, which has the largest fleet, would therefore dominate the EU's fishing industry.

Last month, the EU Fisheries Commissioner, Franz Fischler, stated that as Spain and Portugal have been fully integrated in the common fisheries policy, all rules that could have been considered discriminatory have been abolished, and from now on EU measures will apply equitably to all member states.

On 20 October, the Foreign Secretary made a statement to the House on the European Council and I was delighted to hear him, in response to a question from the hon. Member for Perth (Annabelle Ewing) at column 389, clearly confirm that EU fisheries law was the basis on which the UK acceded to the EEC in 1973. That means the principle of equal access to a common resource without discrimination.

Furthermore, so that the Minister is aware of this if he is not already, the purpose of the EU fisheries management plan is to balance the EU resource, which includes the decreasing third-country agreements, to the EU fishing capacity without increasing fishing effort. That is as a result and as part of the Spanish treaty of accession. As other nations join and continue to join the EU, which have fishing capacity rather than fishing resource, how does the Minister expect the fundamental equation to be balanced?

The answer, I suggest, is very simple. Something has to be lost, and that something is the northern EU fleet, which is comprised mainly of the British fishing fleet. I hope the Minister has been following the extracts printed by the *Daily Mail* of the excellent new book by Christopher Booker and Richard North, "The Great Deception", which is to be published later this month. The Minister will note that the original EEC members suddenly agreed the principle of equal access to Community waters only hours before the UK formally lodged its application for membership and only after successfully stitching up the common agricultural policy against British interests.

Angus Robertson (Moray): Is the hon. Lady aware that civil service documents released under the 30-year rule not only support her case, but state in detail that the UK Government maintained that the Scottish fishing industry and those in it were expendable?

Ann Winterton: I shall be using precisely that word shortly. I am delighted that the hon. Gentleman has intervened. I understand that the debate can go on for longer than we expected, and that we have the evening before us to deal with some of the issues that are so important in his part of the world.

What I have described was the start of a process that would lead to the eventual and deliberate destruction of our fishing industry as foreign boats invaded our traditional fishing grounds. Thanks to the rules of the father of the European Union, Jean Monnet, there was no way in which we could opt out, as the principle of equal access had been agreed before the United Kingdom joined what was then the European Economic Community. The civil service memorandum that I mentioned revealed that the then Conservative Prime Minister's team were aware of the dangers, but believed that they could not afford to waste their limited negotiating capital on resisting. Their chosen policy was to avoid the subject of Britain's fisheries as much as possible, and to accept secretly that in the wider interest fishermen must be regarded as expendable.

From that moment, what the extracts in the *Daily Mail* describe as deliberate deception began. Monnet had succeeded in infecting Britain with his brand of devious and dishonest politics. It may be said that there is nothing new in that, as we know only too well today. Before the Government blame the Conservative Government of the day for the present situation, let us not forget that it was a Labour Administration who, on 1 January 1977, handed the European Union our 12-to-200-mile median line fishing zone. The Fishery Limits Act 1976 created the zone, and immediately handed competence for fisheries to the EEC. Since then each successive Parliament has been to blame, and responsibility rests with this Parliament today.

Let me remind the Minister of a letter sent by his Department, on behalf of the Prime Minister, to a Shetland skipper, Mr. Magnus Stewart, who—like so many others—has had to leave fishing prematurely as a direct result of the throttling regulations introduced to achieve full integration of fishing policy. It stated:

> "In domestic Law, the United Kingdom Parliament is indeed still Sovereign, and could repeal all or parts of the 1972 European Communities Act, through which legislation is given effect in the United Kingdom".

I hope the phrase "still sovereign" does not indicate that the Government plan to reduce the competency of Parliament further.

[Ann Winterton]

I was heartened recently to receive a written answer from the Minister for Europe stating that the United Kingdom would honour its international treaty obligations until such time as Parliament decided to repeal the Acts that give effect to them. It is not just Parliament's power to repeal Acts that is important in this regard, because Parliament can also amend Acts. It has done so on numerous occasions, an example being the European Communities Act 1972 itself.

The crux of this environmental and social disaster rests entirely with the Government and indeed the Minister, who continually bases his case on "sound science". What science? The quota system introduced in 1983 was supposed to have been introduced for conservation reasons, but we now know that it was intended to be used as the tool of integration. It was and still is a destructive measure creating huge discards of mature fish. We are told by the scientists that there are few cod stocks in our seas at present, yet fishermen are still catching cod. What are they supposed to do with them—dump them over the side dead, or land them illegally? As the so-called sound science says that there is little or no cod, perhaps fishermen should deposit all the cod they catch over quota at the Minister's door, so that we can see how much there is; it is usually dumped unseen back into the sea to pollute it.

It is not surprising that scientists think that there are no cod when they use outdated modelling methods, testing in the same marine locations each year with antiquated and obsolete fishing gear, but that is all part of the game. As everyone knows, climate change has altered the characteristics of all marine species, with fish stocks continually moving. How convenient it is to use the so-called demise of cod to bring about, in the Monnet fashion, the extermination of another fine British industry. The No. 10 strategy unit never started with a completely clean sheet but was given orders to work within the common fisheries policy. I pose the question again: who gave those instructions in Downing street?

The Minister had a letter printed in *Fishing News* on 31 October defending the scientists. How successful have International Council for the Exploration of the Sea scientists been since they set themselves up 100 years ago to be the experts in managing the areas outside the territorial waters in the north Atlantic? They have failed miserably.

The proof is to be found in the Faroe Islands, which, since 1948, has been a self-governing overseas administrative division of Denmark. The advice of ICES brought the Faroese people close to bankruptcy, but seven years ago they saw the light. The people of the Faroe Islands ignored the advice of ICES and introduced the exact opposite policy on fishing. They fished down their stock to match the then available food source. They then set about rebuilding the food source, and the stock was increased to match the increased food supply. As a result, they no longer face bankruptcy. They have built a thriving fishing and fish processing industry, with all the associated infrastructure and employment, and are experiencing a shortage of skilled labour because of the success of their fishing policy.

The recommendations of ICES are the exact opposite of that successful policy: fish down the food source and stop fishing for white fish to increase the mature stock, which in turn require additional food source that has been destroyed. It is rather like hon. Members saying that the strangers cafeteria has insufficient food to satisfy present demand, but that we shall keep it open to the general public. The result would be that we either all starved together or went elsewhere. People can move elsewhere and, as fish recognise no boundaries, that is exactly what they do: they go where the food source is strong.

I was delighted that, at Prime Minister's questions, the hon. Member for Orkney and Shetland (Mr. Carmichael) asked about industrial fishing that destroys the food source. Back came to reply:

"we must convince the others"—

other European Union member states—

"so that we get a majority behind our position at the Agriculture and Fisheries Council."—[*Official Report*, 22 October 2003; Vol. 411, c. 636.]

The Prime Minister hopes that we can do just that. His position is the same as that of the Minister's predecessor, now the Minister for the Environment, the hon. Member for Scunthorpe (Mr. Morley), who was one of the most experienced Fisheries Ministers, holding that role both in opposition and in government. He told us year after year in debates in the Chamber of his concerns about industrial fishing. Unfortunately, all he succeeded in achieving was a temporary closure around the Isle of May in the firth of Forth, which was introduced in order to benefit bird life, so fishermen again were not helped by the measure. There is no hope that the UK can do anything with just 10 votes and the Prime Minister knows it.

This year's sand eel fishery was a disaster, mainly made up of sand eel fry, which are the size of matchsticks, and not the full-grown sand eels that are normally devoured by cod. They no longer exist, yet sand eel quotas have never fully been caught. Even cookery programmes on the television suggest that we should buy not wild cod, but farmed cod. That makes the situation far worse, as the wild cod's food is taken to feed the farmed cod, which need eight times more food in weight than wild cod. What utter madness.

The supposedly sound scientific advice is fatally flawed, but flawed for a good reason. It is used as a disguise to complete the integration process and comply with the treaties that the Government believe must be upheld for the wider benefits of our membership of the European Union; "wider benefits" being the excuse used by both a former Conservative Prime Minister and our present Prime Minister, with our fishermen and the marine resource considered expendable then and now.

Ten years ago, the then chairman of the Scottish White Fish Producers Association, Mr. Tom Hay—today, the chairman of the Fishermen's Association Ltd.—warned fishermen of the dangers of the contents of ICES's advisory committee on fisheries management report published in November 1993. He also warned the industry to be under no illusion as to the seriousness of the intended attack on its livelihood and the viability of UK vessels. ICES was saying the same then as it is

today, and this has been going on or a long time. Frankly, it is a miracle that marine stocks have held up so well in the face of what I can only describe as a political slaughter. Sadly, as the House will know, the industry is disappearing at an ever-increasing rate before our very eyes.

The Fishermen's Association Ltd. last week asked scientists in Aberdeen how it is that fishing pressure must have been as great, if not greater, on haddock stock as it has been on cod; yet we are told by ICES that we have the largest haddock stock for 30 years, while the spawning stock biomass of cod is at an all-time low. There is constant fishing effort on haddock rather than cod, so why have haddock stocks not been destroyed? ICES believes that the white fishing vessels present a threat to the cod stocks within the British sector of Community waters, but there are hardly any UK vessels left in that fishery—so where are these vessels based?

Neither should the Minister go on about the so-called over-fishing of the Newfoundland grand banks. The true reason for cod's disappearance from the banks is climate change, as the cod move eastwards towards Greenland and Iceland and into the Barents sea due to colder water. The thawing ice pack is making ocean waters colder, which are drawn down the eastern seaboard of north America. To keep using this as an example of what could happen if ICES's advice is not followed is disingenuous to say the least.The same principle applies on this side of the Atlantic ocean; that is, using cod to hide political aspirations. It is time the truth came out so that people can judge for themselves.

There is only one answer: for national control over waters formerly established by old Labour, but apparently not wanted now by new Labour, to be returned to Parliament in Westminster. The central control of European Union fisheries is an environmental and social disaster, and it is no good saying either that regional advice councils will be the solution. Commissioner Fischler has already made it clear, in respect of the Baltic cod stocks, that fisheries management is exclusively within Community competence and that treaty revisions strengthening the principle of subsidiarity do not apply.

I accept—everyone would, for obvious reasons—that national control cannot solve climatic change, but it can at least run fisheries free of political interference, and, indeed, of integration within the EU, and can respond quickly to benefit whichever species is suitable for the changing British waters, thereby allowing stocks to prosper alongside a thriving fishing industry.

In an article entitled "No compromise on cod", last week's *Fishing News* quoted the Minister as saying that not all in the fishing industry want national control, and that some say privately that they do not support that policy at all. I should like the Minister to answer that point when he responds, because in my view those people should either put up, or shut up. He has a good opportunity to tell us today who those people are and to which organisations they belong. In doing what they are allegedly doing, they are undermining the prospect of any recovery in the fishing industry in the British sector.

6.6 pm

Mr. Alan Reid (Argyll and Bute): I am grateful for the fact that we have some extra time, because it has given me the chance to speak in a debate that I had not intended to speak in. I apologise to the hon. Member for Congleton (Ann Winterton) and to the Minister for not giving them prior notice of my wish to speak; it was only once the extra time became available that I realised that I could do so.

I congratulate the hon. Lady on securing a debate on this very important subject, but she will probably not be surprised to learn that I disagree with her proposed solution. Coming out of the common fisheries policy and achieving national control is not the solution. Although it is technically possible for Parliament to pass an amendment to European Community legislation so that we can come out of the CFP, it would not be possible to do so without leaving the EU entirely.

Ann Winterton: I am sorry to disagree with the hon. Gentleman—I do so in what I hope is a pleasant way—but I have taken advice on this issue, and he is completely wrong: we do not have to come out of the European Union if we decide not to continue within the CFP.

Mr. Reid: My understanding is different, but if the hon. Lady sends me copies of the legal advice that she has received, I should certainly be interested in exploring the matter further.

The way forward is to establish regional management committees that have real power. The regional advisory committees that were agreed at last year's December Council are certainly a step in the right direction, but only a very short step—they have nothing like the correct powers that regional management committees should have. Fishing is best managed by those who work in, and have a stake in, the industry; moreover, scientists should also be involved. Power should be given to regional management committees, rather than such decisions being taken yearly through political machinations in Brussels. The hon. Lady is right: we should take the politicians out of the discussions and set up regional management committees that involve fishermen, the fish processing industry, and various other stakeholders and scientists. It is the people who have a stake in the survival of fish stocks in their own areas who should be taking the decisions.

Ann Winterton: Does the hon. Gentleman accept that these new councils will have no teeth whatever but will be mere talking shops, and that the CFP will continue as it has done for the past few years, because we have no power over the situation? Does he further accept that his own party is split on the issue of national control? His colleague, the hon. Member for Orkney and Shetland (Mr. Carmichael), fully supports it, as does the Scottish National party.

Mr. Reid: I agree that the regional advisory councils set up in December have no teeth and are woefully inadequate in respect of the powers that they need. It was, as I said, a step, but only a very short step, in the right direction. What is needed is for management power to be devolved to regional management committees, which should not just be advisory councils. My party's policy is clear: we believe in fundamental reform of the common fisheries policy, but not through national control, which I believe is unachievable. Fundamental reform is required, but it will certainly take a long time to negotiate.

[Mr. Reid]

I want to turn to what will take place at this year's December Council. Cod stocks are clearly in a poor state, but other stocks in the North sea are, on the whole, doing very well. For example, the haddock stock is now at a 30-year high, the whiting stock continues to increase, saithe is clearly within safe biological limits and prawns are abundant. It is now definitely established that the cod by-catch from fishing for prawns is negligible, and there is no justification whatever for cutting back on fishing for prawns, because earlier arguments no longer apply: scientists have shown that the cod by-catch is negligible.

It is possible to separate the key cod grounds from the key fishing grounds for other species. I was sent a map by the Scottish Fishermen's Federation, which shows the key cod grounds in the North sea. They represent only a small proportion of the North sea as a whole, and fishing for other species can continue in other parts without causing any risk to cod. Recovery measures should be focused in the key cod areas; in the remaining areas, where other species are abundant and there is barely any cod at all, fishing should be permitted for the other stocks. That is a plan that I hope the Minister will consider and pursue at the December Council.

The advice from the International Council for the Exploration of the Sea is very crude in simply saying, "Stop the fishing." Whether that would cause cod to recover, we certainly do not know, but we do know that it would mean the end of the Scottish fishing industry. Like most industries, fishing is not one that can simply be switched on and off. If fishing were to cease, fishermen would go bankrupt. The only way to avoid bankruptcy would be for the Government to pay more money for decommissioning. As well as fishermen going bankrupt, the fish processing industry would go out of business. Even if cod returned in years to come, the fishing industry could not simply be switched on again.

Ann Winterton: The hon. Gentleman makes a strong case about what will happen if we continue as we are. However, he tells us that his party wants fundamental reform of the common fisheries policy, so will he tell the House how that will be achieved? Without unanimity, it will never be achieved, so it is whistling in the wind. Secondly, did he note what I said about the Faroe Islands, which did the opposite to what ICES advised and developed a vibrant fishing industry over the past few years? Would it not be better for this country to follow such a policy?

Mr. Reid: As I said, my party's policy is to have fundamental reform. We have to convince people and win the case in Europe. It does not require unanimity, because these matters are decided by qualified majority voting. It will be for the Minister when he goes to Brussels for the December Council to negotiate and seek to persuade our European partners that fundamental reform of the CFP is in the interest of the whole of Europe, and that powers to take decisions should be devolved to regional management committees.

Ann Winterton: How does the hon. Gentleman believe that such an outcome can be arrived at? What benefits Scottish fishermen will be an equal disbenefit to the Spanish. Are the Spanish likely to agree to such a proposal? I am sure that Spain has more clout in the Fisheries Council than we have.

Mr. Reid: I am sure that the hon. Lady will agree that wiping out stocks of cod or any other fish will not benefit any country. I would hope that we could persuade other countries through the strength of our arguments.

Our scientific knowledge of what goes on under the sea is very limited. We do not know why cod stocks have declined in the North sea but appear to be prospering further north. Global warming may be responsible, but we simply do not know. To stop all fishing and cause the demise of the fishing industry is not the solution.

I commend to the Minister the proposal from the SFF, which was that the key cod grounds in the North sea should be identified and conservation measures adopted in those areas, but that fishing for other abundant stocks elsewhere in the North sea should be allowed to continue.

6.16 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): I congratulate the hon. Member for Congleton (Ann Winterton) on securing this debate. Her constituency is landlocked, but she is a doughty fighter for UK fishermen. I also congratulate the hon. Member for Argyll and Bute (Mr. Reid), who took advantage of the extra time for the debate to make a speech that I know was based on his great local knowledge of his own constituency. His speech contained a lot of common sense.

The hon. Member for Congleton regaled us with her usual litany of criticisms of the common fisheries policy. She sees it as the source of all the difficulties that beset the UK fishing industry, but I have difficulties with that view. As I am sure she knows, fish stocks do not respect national boundaries; they are migratory by nature. Realistically, any regulatory system must be agreed among the countries whose fishermen exploit the fish stocks as they move around. Therefore, if there were no CFP, we would have to negotiate one—and a management system—with all the countries involved. We would have to negotiate and agree management measures for the stocks, and the extent to which the different fleets had access to the fishing grounds and the stocks. That would be no more or less than a common fisheries policy.

Of course, that is not to say that the CFP has no faults. On the contrary, it has been rightly criticised for failing, up until now, to deliver many of its key aims. For example, in many cases it has not ensured healthy fish stocks or a profitable fishing industry, and it has not always brought fishing capacity into line with fishing opportunities. However, it would be wrong to conclude from that that we would be better off without the CFP, or outside it.

What would be the point of pulling out of the CFP, even assuming—and I shall give the hon. Member for Congleton the benefit of the doubt on this—that the necessary treaty amendment could be negotiated? If that happened, it would be necessary immediately to set up negotiations—with the EU, and between the EU and Norway and the EU and Greenland and so on—on

arrangements that cover precisely the same ground. The whole proposition is risible. On many occasions I have said that it is a cruel deception of UK fishermen to argue that proceeding in that way would bring about the sustainable future for our fishing industry that is, of course, our primary aim.

The hon. Lady asked a specific question, in which she quoted from a letter that I wrote to *Fishing News* last week. It is not for me to speak on behalf of individuals or organisations, as they can speak for themselves. However—and she may correct if I am wrong—I have not heard of any of the leading UK fishing organisations currently pressing for national control.

The truth is only too clear. The solution to the problem of an inadequate CFP is to negotiate one that is adequate. That is what we set out to do at the review of the CFP that was completed at the December 2002 Council of Ministers. We not only set out to do that, we achieved all our objectives in respect of the guiding principles and goals in what might be called the first phase of CFP reform—that is to say, the adoption of a new basic CFP regulation.

Ann Winterton: I like the Minister enormously but I cannot believe his complacency as he reads that speech from the Dispatch Box. We have had 30 years of the common fisheries policy, which has brought about the worst environmental disaster ever for our fishing industry; yet his only answer is to offer more of the same and to say that things will be better tomorrow when we have negotiated this or that. Is he not just a little bit—just a tad—concerned that things will not turn out as he expects?

Mr. Bradshaw: I am very concerned, and not at all complacent about the future of the UK fishery and our fishing industry. I was about to explain how we would address that. The hon. Lady's simple, neat solution—national control—is a cruel deception of our industry. We have to reform the CFP in a sustainable way that can guarantee future profitability for our industry.

We achieved all our objectives in December 2002. The new regulations include much more robust commitments from the Council of Ministers to conserve or, where necessary, recover commercial fish stocks in line with scientific advice. They put environmental considerations at the heart of the CFP and reiterate relative stability, the mechanism for dividing EU fishing opportunities among member state fleets in accordance with their historical track record. The hon. Lady ignored that important historical defence in her speech.

The regulations renew the rights of coastal member states at 12 miles. From the end of 2004, they require for all members the cessation of subsidies for the building of new fishing vessels, which the UK has not paid for many years. They also provide for the setting up of regional advisory councils to give fishermen and all parties with an interest in commercial fish stocks a more direct input into the process of setting policy and managing fish stocks. Those will not be merely talking shops. I agree with the hon. Member for Argyll and Bute that it is important that we develop those initiatives into proper regional management structures with teeth. That is certainly the Government's aspiration.

Not only does the new CFP give us a stronger basis for action, but we have already seen examples of such action. This year there has been the prompt development by the Commission of the proposals for regional advisory councils; the adoption by the Commission, at the UK's request, of emergency measures to protect against damage from fishing the unique cold-water coral formations known as the Darwin Mounds; and the adoption of an EU measure to restrict shark finning. We could not have achieved that important progress outside the CFP, nor could we have achieved through unilateral action many of our other vital aims for the conservation of fish stocks and the environment in which they live.

Ann Winterton: Can the Minister explain the Government's failure to restrict industrial fishing? Should not that be a priority?

Mr. Bradshaw: I share the hon. Lady's concern about industrial fishing. She will know well that for many years it has been the Government's policy to oppose industrial fishing, but we have lacked adequate scientific proof of our case. This year we have expended considerable sums of money to collect that evidence. We shall present it to the Commission, where we are already winning friends. I am sure that the hon. Lady has read carefully the latest International Council for the Exploration of the Sea scientific advice—although from what she says, I suspect that she will not take much notice of it—which recommends a cut in industrial fishing, and we shall press for that at the Council in December.

The depletion of key stocks of vital interest to UK fishermen is clearly, from a UK point of view, the most pressing problem to be addressed under the CFP. The scientific advice on cod is no better this year than last, and that alone highlights the urgency of the problems. However, that is further highlighted by the severity of the interim EU recovery measures—in the form of days-at-sea restrictions—that we introduced at last December's Council.

The hon. Lady's position seems to be that the measures introduced bear unfairly on the UK and are, in some way, designed to take fish away from the UK and give them to Spain and other member states. I can only describe that as a misconceived view. The UK fleet has the major share both of the depleted stocks and of many of the stocks caught with them in the mixed fishery.

If the permitted levels of fishing and catches have to be cut, relative stability protects our share of what is left, but the cuts inevitably bear heavily on us because of the extent of our involvement. The consequences are harsh for UK fishermen, but they are necessary to provide for the long-term sustainability of the industry, and they are not unfair in the way the hon. Lady claims. Throughout the UK, £60 million of public money has been made available this year, through decommissioning schemes and related measures, in recognition of that impact and to bring capacity more into line with opportunity.

We now have this year's ICES advice on the state of commercial fish stocks, and we are in the run-up to the all-important December Council, which will determine the catch levels and recovery measures to be applied in 2004. The advice does make generally bleak reading—it identifies some slight encouraging trends in key cod fisheries in the North sea and Irish sea, but does not

[Mr. Bradshaw]

consider those a robust basis to relax the push for recovery. As last year, zero catches are recommended for a number of stocks. However, the state of some other species—both hon. Members mentioned haddock—is assessed to be such as to permit healthy fishing opportunities, subject to the very considerable proviso that by-catch and discards of cod must be eliminated.

The hon. Gentleman said a lot of common-sense things about the problem of by-catch in a mixed fishery and drew attention to the very positive contribution made by the Scottish Fishermen's Association report on that. I have read that report and we will certainly bear it in mind when we enter the negotiations. My Scottish colleague, Ross Finnie, and I want whatever is recommended for cod to be decoupled, so far as is possible, from other fish stocks, and we are always keen to see evidence of where that decoupling is possible, either in the form of technical measures or areas where it is possible to fish for haddock without catching cod in large numbers as a by-catch. However, we must await the Commission's indication of what total allowable catches and quotas it now proposes to put alongside the proposals for a more permanent cod recovery plan, which it already has on the table.

Given the seriousness of the impact that possible outcomes will have on fishermen's activities, I can understand why people such as the hon. Lady are inclined to question the scientific advice and the integrity of the CFP under which such things are done. Although I acknowledge the uncertainty in parts of the scientific analysis, the science still fully justifies the recommendations for firm action. The CFP measures represent the best and, indeed, the only possible route to address the problems that we face.

The hon. Lady catalogued a litany of what she alleged were the failures of the ICES science, but I would say in return, especially in reference to what she said about the grand banks, that the decimation of stocks in that and the other examples that she cited has been the result not of scientific predictions, but of politicians not taking courageous and difficult decisions and ignoring scientific advice until it was too late. I have a challenge for her—she and her alternative scientists could always commission a piece of work and have it published and peer reviewed in a scientific journal. So far that has not happened, and I wonder why.

Ann Winterton: I must admit that the scientific papers that have been peer reviewed have not said anything that is worth listening to. The Minister makes no mention whatsoever of climatic changes in the seas off the grand banks. Why not? Why has he not answered the questions that I asked in my speech? Why have the Faroe Islands been successful, having totally ignored the so-called scientific advice? If it had followed it, it would now be out of fishing altogether.

Mr. Bradshaw: The point that I am trying to make is that, in one or two examples off the United States and Canada and in examples in our own CFP, some scientists and others would argue that one of the reasons why their advice has not brought success is that it has not been heeded. Indeed, the hon. Lady will know that the scientific advice last year was for a complete closure of the cod fishery around the United Kingdom, but we in the Council of Ministers did not agree to that. I am not saying—neither would the scientists, I think—that climate change plays no role in the movement of fish and in the state of fish stocks. Again, if the hon. Lady is keen to set up alternative fisheries scientific research and perhaps find someone to fund, carry out, publish and peer review that research, I should be extremely pleased to read whatever those scientists come up with. That has not happened so far, and I wonder why.

Ann Winterton: I can tell the hon. Gentleman why—because it is not necessary to go to those lengths. It is quite simple that if we destroy the food source, such as the sand eels and the tiny fish that are destroyed by industrial fishing, and we bring in a system in which more fish are dumped dead at sea than are landed, surely we know the reason why there are fewer cod in the sea. It is because of those two things. The scientists, with all their wisdom, their peer review and their great intelligence, apparently cannot say to the Minister that industrial fishing is one of the major causes of what is happening in our seas in the British sector at present. It seems to me as simple as that.

Mr. Bradshaw: I suggest that neither the hon. Lady nor I are the best people to make judgments on the reasons for the decline or otherwise of fish stocks. Every one of those eminent international marine biologists agrees on the basic correctness of the ICES advice. I repeat my challenge to her—

Ann Winterton: Will the Minister give way?

Mr. Bradshaw: No, I will not. I have been very generous. All I will say is that I hear all sorts of reasons given to me by members of the Conservative party and some people in the fishing industry as to why there has been a decline in cod stocks—climate change, the seals, the whales, ocean currents—but a consensus exists throughout international science that the single most important impact on our marine environment and on fishing is man. It is as simple as that.

Ann Winterton: Will the Minister give way?

Mr. Bradshaw: I will give way for one final time, and then we really must go home.

Ann Winterton: The Minister is very generous. May I suggest to him that he sends scientists to meet the marine biologists and scientists in Namibia, which repatriated its fishing waters on independence? It has successfully regenerated hake so that it now has a vibrant fishing industry and fish processing industry. What I have spoken about tonight has been done in Namibia, a supposedly third-world country. If the Minister sent his scientists down there, they might learn a thing or two.

Mr. Bradshaw: I am sure that my scientists are already well aware of what has happened in Namibia. They and I are keen to learn from the experience of successful fisheries management wherever it is in the world. I think that the hon. Lady will find, however, if she studies these matters in detail, that those examples of successful fisheries management are based on scientific advice in exactly the same way as ours.

We are therefore engaged in a process of examining the latest scientific advice, interpreting what it is telling us, and consulting affected UK interests so that we can agree on the UK line for the December Council. When I say "we", I of course mean the Fisheries Ministers of the whole United Kingdom. That UK line is to be formulated in the coming weeks, but I am sure that it will have the aim of achieving measures that respect the scientific advice, are aimed at bringing about the recovery of stocks when that is necessary, find ways of exploiting the more healthy stocks when that can be done without jeopardising recovery, and are equitable in the way that they impact on the different national fleets, fishing communities and member states with an interest in the stocks concerned.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes to Seven o'clock.

House of Commons

Wednesday 12 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

Cotonou Process

1. **Tony Lloyd** (Manchester, Central): If he will make a statement on the representations he has received about the development aspects of the Cotonou process. [137783]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): We are engaged in ongoing discussions with European partners and others on the future of European development and co-operation, including that provided to African, Caribbean and Pacific states under the Cotonou agreement. My right hon. Friend the Secretary of State will meet European partners to discuss that issue, among others, in Brussels on 17 November at the General Affairs and External Relations Council. My right hon. Friend has received a representation from Traidcraft on economic partnership agreements—the trade pillar of the Cotonou agreement—and the Department of Trade and Industry, which leads on this issue, holds regular meetings with non-governmental organisations on those negotiations to discuss their concerns.

Tony Lloyd: I am delighted to know that Traidcraft has made representations to my right hon. Friend the Secretary of State. Will the Minister confirm, however, that there is real concern among the NGOs—but, more importantly, among the ACP countries—that the Cotonou agreement may act to sabotage the gains that were made in Cancun? In particular, if the European Union sees the Cotonou agreement as a way to drive region-by-region agreements, to the disadvantage of the poorest people, it will be disastrous in development terms. Will he make it clear that the Government will not go down that road, but that we will instead offer ways to provide practical support to developing countries to ensure that they can negotiate properly with the EU?

Mr. Thomas: I can give my hon. Friend that assurance. As we have made clear in the House and as other members of the negotiating team have made clear, getting the Doha development round talks back on track is absolutely fundamental to our agenda. In that context, we recognise that we have to start from where the negotiations left off, and not move off into the sort of regional or bilateral negotiations that have been feared by a number of countries. So we remain absolutely committed to getting multilateral negotiations back on track that seek to achieve the development objectives that my hon. Friend and, indeed, the developing countries want to see.

Michael Fabricant (Lichfield): Is not the real obstacle to the Cotonou process the subsidies that are provided to farmers in the EU and in the United States, producing unfair competition with farmers in Africa and other parts of the developing world? What can the Minister do, at least in the EU, to try to ensure that the common agricultural policy is reformed and still ensure that the US can lower its subsidies, too, as a consequence?

Mr. Thomas: The hon. Gentleman is broadly right about the importance of making progress to reduce the adverse impact of agricultural subsidies. I am sure that he will have welcomed the historic decision taken in June this year by the EU in respect of the CAP negotiations that allowed us to make progress at Cancun. We are also seeking to secure a reduction in subsidies in relation to other EU commodity regimes, such as those for cotton and sugar, to continue the sense of progress that is being made.

Colombia

2. **Lynne Jones** (Birmingham, Selly Oak): What progress is being made in Colombia towards the achievement of millennium development goals. [137784]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): Colombia is on track to achieve most of the millennium development goals. Good progress has been made towards the targets to achieve universal basic primary education, to eliminate gender disparity in primary education and to reduce maternal mortality. Progress towards the goal of reducing by half the proportion of people living on less than $1 a day remains fragile owing to the recent economic crisis.

Lynne Jones: According to UNICEF education spending needs to increase by 50 per cent. if Colombia is to achieve basic education for all by 2015, yet the high level of indebtedness and the increased military spending owing to the conflict are squeezing out social spending. What help can the Government give to Colombia to ensure that it meets its commitment, given in London, to honour the UN recommendation that a consistent strategy will be developed to reduce illiteracy and unemployment and increase access to health care, education and housing?

Mr. Thomas: I hope that my hon. Friend will be reassured to hear that significant assistance is provided to Colombia to help with its social spending programmes in health and education through, for example, the World Bank, the European Commission and the Inter-American Development Bank. We

continue to have regular discussions and dialogue with those multilateral players to try to ensure that those spending programmes are focused on the efforts to reduce poverty in the areas that I have outlined.

Mr. Nigel Evans (Ribble Valley): As the Minister will know, two of the goals lead with economic sustainability and development. He will know that large tracts of Colombia in the rain forests have been illegally logged to make way for coca plantations. What extra support can the Government give to President Uribe in trying to combat that illegal trade and ensure that the poverty associated with it can be eradicated?

Mr. Thomas: The hon. Gentleman will be delighted to know that the EU intends to publish a draft regulation on the issue of illegal logging following discussions that have taken place in Africa—recently in Cameroon—on making progress in this area, and following other work that has taken place in Asia. Further work is needed in the European Union, and we are active in those discussions, arguing for further action to be taken at European level to reduce the purchase of the products of illegal logging, in this country and other European states.

Mr. Peter Kilfoyle (Liverpool, Walton): I recently visited Colombia, and was impressed by the programmes being sponsored there by Her Majesty's Government. Can the Minister tell me whether those are the very same programmes that are being threatened with cuts in order to pay for the mess created in Iraq?

Mr. Thomas: The programmes in Colombia were coming to an end anyway, regardless of the decisions that we are taking in relation to Iraq. The significant resources going into Colombia through the multilateral financial institutions such as the World Bank and the Inter-American Development Bank, with which we work closely, will help to continue to improve health care and education services in those countries. On the specific question of Iraq, given the ongoing needs of the Iraqi people, I think that we have taken the right decision to stay with them and to provide further reconstruction assistance.

Tom Brake (Carshalton and Wallington): In relation to millennium development goal No. 8, can the Minister say what discussions have taken place with the Ministry of Defence about the conditions that should be attached to UK military aid to Colombia? Can the Minister say whether there should be a link between progress in its human rights record and military aid, whether officers coming to the UK for training should be properly vetted and have their visas vetted, and whether, for instance, the Government should ensure that Colombian military units that are receiving aid are not currently involved in any alleged human rights abuses, and have not previously been involved in any alleged human rights abuses?

Mr. Thomas: The hon. Gentleman is absolutely right to raise the issue of human rights abuses, and we continue to be extremely concerned about the ongoing level of such abuses. I was struck by the figures that I saw showing that Colombia sees the highest number of abuses in terms of the number of members of trade unions. Continuing to reduce the number of human rights abuses by the military and paramilitary forces is essential. In that respect, I am sure that he will be pleased that in July this year a meeting on international support to Colombia was held in London and major donors welcomed the Colombian Government's pledge to implement a series of recommendations from the United Nations High Commissioner for Human Rights.

AIDS

3. **Mr. Mark Lazarowicz** (Edinburgh, North and Leith): If the Government will press other G8 members to ensure more extensive concessions from the pharmaceuticals industry for poorer countries affected by AIDS. [137785]

The Secretary of State for International Development (Hilary Benn): We are seeking to make essential drugs, including those for the treatment of HIV/AIDS, more widely available in developing countries. That includes working with G8 partners, developing country Governments, multilateral institutions, the pharmaceutical industry, investors and non-governmental organisations to encourage companies to reduce their prices.

Mr. Lazarowicz: The agreement on the supply of cheap drugs was of course very welcome, and I pay tribute to the Government's part in achieving that. My right hon. Friend the Secretary of State will know, however, that some pharmaceutical interests in some countries are trying to limit the scope of the agreement that was arrived at. Does he agree that it is important that the poor and developing countries achieve maximum benefits from this agreement, and will he ensure that the Government work to achieve that in the continuing negotiations over its implementation?

Hilary Benn: My hon. Friend is absolutely right. Having achieved this agreement, after the difficulties in securing its negotiation last December, it is important that the countries for which it is designed are able to make full and effective use of it. I assure him that the Government will continue to do all that we can both to support countries in building their capacity to make use of it and in making any necessary changes to our patent legislation in consultation with our European colleagues, to ensure that we have the framework in place, so that if requests are made for drugs to be exported from the UK, that can happen.

Mr. Andrew Robathan (Blaby): While accepting the enormous importance of anti-retroviral treatment, especially for mother-child transmission, does the Secretary of State agree that for countries that have very limited health resources, the example of Uganda shows that the most important factor in combating the AIDS pandemic is education and the behavioural change that can thereby be achieved?

Hilary Benn: The hon. Gentleman is absolutely right. The right approach is, in truth, a combination of all those things. In Uganda, political leadership—from the President down—has resulted in real reductions in the prevalence of HIV/AIDS in that country. That is an example of leadership that other countries would do well to follow. At the same time, the approach is about providing health support and better nutrition and also taking advantage of the opportunities for treatment that are available because the price of drugs is coming down. A combination of those things will give us the best prospect of supporting African countries, especially where the problem is so great, in tackling the enormous AIDS epidemic.

Linda Gilroy (Plymouth, Sutton): My right hon. Friend said in his initial reply that he is seeking to engage multinationals. Does that include multinationals that are not pharmaceutical companies because they have a great interest in the matter and need to build up their work forces? Will he say a little more about how he will try to engage such companies?

Hilary Benn: As I have indicated, we are engaging the pharmaceutical companies because of the contribution that they can make to bring down the price of the medicines, and doing more research on the diseases to which we paid less attention in the past but that matter enormously to developing countries. My hon. Friend draws attention to what is happening in South Africa, for example, where several mining companies are making anti-retrovirals available to their work forces because they appreciate the benefit of that for not only the health care of their workers, but the impact on their productivity and ability to work. The public health challenge faced by the world and especially sub-Saharan Africa on HIV/AIDS means that there is increased understanding of the economic challenge. If HIV/AIDS is not tackled, the economic disaster that will affect countries will be significant.

Dr. Julian Lewis (New Forest, East): Now that progress has been made on gaining a supply of cheaper anti-AIDS drugs, will the Secretary of State tell us what the Government are doing to ensure that there is improved distribution among the target countries? Does he accept that the scale of the health problem probably compares with that which faced the allies when they liberated the concentration camps, and does he agree that it really requires effort on an international scale? What steps are the Government taking, and what will be the role of international organisations, especially the United Nations, in ensuring that the cheaper drugs are distributed to the people who desperately need them?

Hilary Benn: I welcome the hon. Gentleman to the Dispatch Box in his new capacity. In saying that he puts his finger on the real challenge, the answer to the question is that we should work with all international agencies and companies, including organisations such as the accelerating access initiative, which already has 150 arrangements in place in 56 countries. Donors, those who are concerned and those who provide money have to channel efforts in support of country-owned and country-led programmes. We do not want a multiplicity of people trying to do good. We want to focus our energy on supporting country Governments, one AIDS commission and one AIDS programme so that we can ensure that we get the maximum benefit from the changes that he described.

Maternal Mortality

4. **Ms Christine Russell** (City of Chester): What recent progress has been made in meeting millennium development goal targets for reducing maternal mortality. [137786]

The Secretary of State for International Development (Hilary Benn): The proportion of women worldwide who gave birth with the assistance of a skilled health worker increased from 42 per cent. in 1990 to 52 per cent. by 2000. However, progress toward the millennium development goal target of reducing maternal mortality by two thirds by 2015 is too slow and unevenly spread across regions. We need faster progress, particularly in sub-Saharan Africa, and that will only be achieved through commitment, international leadership and action where it matters, which is in the countries themselves.

Ms Russell: May I thank my right hon. Friend for his reply? I am delighted to hear that he acknowledges the scale of the problem. I do not know whether the House—*[Interruption.]*

Mr. Speaker: Order. Please allow the hon. Lady to be heard or it is unfair. [HON. MEMBERS: "Hear, hear."] Perhaps those who are cheering will agree with me.

Ms Russell: Thank you, Mr. Speaker. The greatest health divide in the world today is on maternal health. More than 500,000 women die every year as a result of complications during pregnancy or childbirth. I am delighted to hear that the Secretary of State wants to give greater priority to safe motherhood programmes. What are his views on providing more resources for traditional birth attendants simply to help with basic hygiene and reproductive health in the countries of sub-Saharan Africa?

Hilary Benn: There is a place for both within the system, although evidence from recent studies suggests that the biggest gain comes from enabling women who have complications in pregnancy to have access to a skilled birth attendant. So it is about training the traditional birth attendants to identify the signs and then to refer people. One of the programmes that we are supporting in Malawi, which I visited the year before last and where maternal mortality is a big problem, works with the ambulance service so that it understands that when it receives a call reporting complications in pregnancy, it prioritises the transport of the mother to hospital where she gets access to skilled advice and care.

Dr. Jenny Tonge (Richmond Park): Will the Secretary of State assure the House that despite the reorganisation of his Department, the emphasis on reproductive health in the developing world will not change, because reproductive health clinics are very important in reducing maternal mortality? Will he take the opportunity next week during the visit of the US

President to persuade him to restore the funding he has cruelly withdrawn from United Nations Population Fund programmes all over the world?

Hilary Benn: I am happy to give the hon. Lady the assurance she seeks on the Department's commitment to reproductive health. Although the Secretary of State has changed, that commitment will not. We give strong support, as she knows, to the UNFPA as an organisation. We take a different view of the UNFPA from the Americans precisely because—she will understand this only too well because of her experience—it is a way of making an important contribution to reproductive health and all the benefits that flow from that for women and their children.

Tony Baldry (Banbury): It is important to meet all the millennium development goals as much in middle-income countries as in least-developed countries. The Secretary of State may have missed the point. When extra money was needed in the past for Iraq or somewhere, the money would come from the Treasury's contingency reserve. One would expect the Secretary of State to get an extra £100 million out of the Chancellor specifically for that purpose rather than reducing mainstream budgets by £100 million. The concern is not just the £100 million, but the precedent that it sets for future spending on humanitarian and other crises. All that will happen is that DFID mainstream budgets will get screwed instead of the Secretary of State getting extra money from the Chancellor's contingency reserve.

Hilary Benn: The hon. Gentleman will know from his experience that part of DFID's job has always been to respond to humanitarian crises that arise. That is not new. He will be aware that most of the funding has come from other sources, including the central contingency reserve and our own contingency reserve. That has not affected our funding for humanitarian work or emergencies elsewhere. For example, since the conflict in Iraq, we have given extra funding to the Palestinian territories, to Liberia and to deal with the food crisis in southern Africa.

The hon. Gentleman also has to acknowledge that we have made a commitment to increase the proportion of the aid that we give to the poorest countries of the world. I am not prepared to change that commitment because with a rising aid budget, which is what we have got, we can provide greater benefit and do more good. Over the next two years, DFID's development budget will rise by nearly £1 billion a year.

Millennium Development Goals

5. **Mr. James Plaskitt** (Warwick and Leamington): If he will make a statement on the timetable for achieving the millennium development goals. [137787]

The Secretary of State for International Development (Hilary Benn): The millennium development goals include specific targets significantly to reduce poverty by, in most cases, 2015. The exceptions are the 2005 target for gender equality in schools and the 2020 target for improving the lives of slum dwellers. The headline target for halving absolute poverty between 1990 and 2015 looks likely to be met globally, but for most of the other targets a significant increase in effort will be needed to meet the millennium development goal deadlines.

Mr. Plaskitt: It is a matter of concern that the timetable on many important objectives is slipping. Does my right hon. Friend agree that funding is a key to getting back on target? To that effect, does he agree that all creditors need to deliver debt relief under the heavily indebted poor countries initiative? How quickly can we get the international finance facility under way?

Hilary Benn: My hon. Friend is right about the importance of making further progress on debt relief, although we must recognise the $70 billion-worth of debt relief that HIPC has already delivered. The international finance facility proposed by my right hon. Friend the Chancellor is the best option on the table for increasing the resources that we need to help meet the millennium development goals between now and 2015. We are working hard to persuade our international partners to adopt the idea because it would allow us to make genuine progress.

Mr. John Bercow (Buckingham): I look forward to the truly formidable task of seeking to shadow such an eloquent Secretary of State. Given that all parties in the House back the millennium development goals of tackling extreme poverty and hunger, delivering universal primary education, promoting sexual equality, reducing child death rates, improving mothers' health, combating AIDS, malaria and other diseases, protecting the environment and developing a global partnership for development mainly by 2015, but also given the fact that the World Bank's recent report shows that in sub-Saharan Africa in particular progress is woefully slow, will the right hon. Gentleman tell the House whether he agrees that on current trends the extreme poverty reduction target will not be met for 147 years, the target on child poverty will not be met for 162 years, and others may not be reached for 186 years, as the Chancellor told the Select Committee on International Development only last Thursday?

Hilary Benn: I welcome the hon. Gentleman to his new post. It will be a pleasure to work with him and occasionally disagree with him at the Dispatch Box. I am glad that in his very first question he demonstrated his encyclopaedic memory and knowledge of the subject. He is right to identify the fact that, on current trends, we are not making sufficient progress to meet the millennium development goals, which is why our contributions are, first, the rising UK aid budget—I hope that that is something that he will support—and secondly, the international finance facility, which I referred to a moment ago and is the best option on the table for getting additional finance to meet the objectives that he has just identified.

Mr. Bercow: I accept some of what the right hon. Gentleman said, but I am afraid that in total it was not good enough. Given that middle-income countries are still home to at least 140 million people living in poverty, that the Prime Minister promised on 25 April that help for such people would continue as planned, and that the statement to the House on 14 October made no mention

of impending cuts, how does the Secretary of State justify the savage £100 million cut in funding involving the complete withdrawal of programmes from Anguilla, Croatia, Egypt, Honduras, Macedonia, Peru, Romania, and the Turks and Caicos islands, and cuts affecting at least a dozen other countries? Is it not a standing disgrace—

Mr. Speaker: Order. The hon. Gentleman must trim his questions in future.

Hilary Benn: I shall try to trim my answer, Mr. Speaker.

Our decisions have not affected funding for humanitarian work and we were already planning to withdraw from a number of the programmes to which we referred long before Iraq because, as I explained to the Chairman of the International Development Committee, we made a commitment to increase the support that we give to the poorest countries in the world. It would be interesting to hear from him in his new capacity in due course whether or not he supports the Government's commitment that by 2005–06, 90 per cent. of our growing aid budget will be spent on the poorest countries. I think that that is the right policy—does he?

St. Vincent and the Grenadines

6. **Mr. Peter Pike** (Burnley): What discussions his Department has had with the Government of St. Vincent and the Grenadines regarding financial support from Her Majesty's Government. [137788]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): Following discussions in 2002, debt relief under the Commonwealth debt initiative was agreed for St. Vincent and the Grenadines. A total of £2,332,000 in aid debt repayments due to the UK over the period up to 2010–11 was forgiven. St. Vincent is also eligible for support from a DFID-funded education programme for the eastern Caribbean states, and has started activities under that programme.

Mr. Pike: I thank my hon. Friend for that answer. He will know that St. Vincent and the Grenadines is a very small country—in fact, its population is only just above that of our own constituencies. He will recognise that those people need education aid, particularly books and computers, but does he recognise that there is a particular need for a new prison? They accept that their prison does not meet the requirements of 2003: that is a major problem for such a small country. What help can the Government give to make the prison at least fit for people to stay in?

Mr. Thomas: My hon. Friend will be pleased to know that the Prime Minister of St. Vincent is considering building a new prison and has identified a site for it. We are providing technical assistance for that work and ongoing training support to the staff who work in the existing prison. I know that my hon. Friend has just come back from visiting St. Vincent, and I am happy to have a longer conversation with him if he would like that.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [137860] **Dr. Doug Naysmith** (Bristol, North-West): If he will list his official engagements for Wednesday 12 November.

The Prime Minister (Mr. Tony Blair): Before I list my engagements for the day, I am sure that the whole House would want to join me in expressing our deep condolences to the Italian Government, the Italian people and the families of those people who have been tragically murdered in the latest terrorist attack in southern Iraq; and also to the families of the 17 people recently killed in Saudi Arabia, five of them children, from the same type of terrorist source. That shows how very real and alive the terrorist threat is.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Dr. Naysmith: My right hon. Friend will be aware of the recent research report from the TUC that indicates that 170,000 workers are being paid less than the minimum wage. Does he agree that that is a scandal; and can he tell the House what he intends to do to ensure that unscrupulous employers do not cheat their employees?

The Prime Minister: My hon. Friend is right to draw attention to that issue. That is precisely why we are working very hard with trade unions and voluntary organisations to ensure that people are paid the minimum wage to which they are entitled. We on this side of the House are proud that we have introduced the minimum wage and proud that almost 2 million people have benefited from it. We intend to carry on raising the minimum wage as and when we can to provide a better deal for the low paid at work; and we are proud that the Conservatives seem to have recanted their opposition—although we are somewhat sceptical as to whether they mean it.

Mr. Michael Howard (Folkestone and Hythe): I begin by associating myself with the condolences that the Prime Minister expressed to the victims of both the outrages to which he referred. We send our sincerest sympathy to the families of the victims of those terrible events.

Two weeks ago, the Health Secretary said that he wanted to cut administration costs in his Department by a third. Can the Prime Minister tell us by how much those costs have gone up in the past five years?

The Prime Minister: Overall in the national health service, the biggest increase—I am sorry. First of all, I should welcome the right hon. and learned Gentleman to his new position and say how delighted I am that someone who was written off under the last Conservative Government is now given the chance to rehabilitate himself under Labour.

As for staff—yes, it is true that we want to streamline and slim down the number of staff at the centre of the health service, but the biggest thing that we are doing is increasing the number of nurses and doctors in the health service. Of course, that is the result of the extra money that the right hon. and learned Gentleman opposed when he had the chance to vote for it a few months ago.

Mr. Howard: I am very grateful to the Prime Minister for his warm words of welcome, but I am afraid that he did not answer the question. Let me give him the answer. Administration costs in the Department of Health have gone up by a third, so an extra £229 million has been spent on running the Department of Health—and now the Health Secretary tells us that it was all a waste of money.

Let us try the Treasury. Has anyone told the First Lord of the Treasury how much administration costs have increased there over the past five years? Can he give us that figure?

The Prime Minister: I assume that the right hon. and learned Gentleman has already got the answer, but I can tell him about overall Government administration costs. As a proportion of spending, they have fallen under this Government.

Before I come to the Treasury, I should like to deal with what the extra money in the national health service has bought. The other day, the right hon. and learned Gentleman said that all the money had gone into administration and none into patient care. The extra money means that we have increased the number of people who have hospital operations by 250,000; we have increased the number who receive primary care and cancer specialists; we have cut the number of people who suffer from heart disease; we have got 24 major new hospitals built; and we have 50,000 extra nurses. Again, he opposed every penny piece.

Mr. Howard: Well, Mr. Speaker, two questions asked and neither answered—not a very good start. Administration costs at the Treasury have increased by 52 per cent. Since the right hon. Gentleman became Prime Minister, the cost of running Departments, not front-line services, has gone up by 50 per cent. That is nearly £7 billion a year. Is not that eloquent testimony to the Government's ineffectiveness, ineptitude and sheer incompetence, all at the expense of the hard-pressed British taxpayer?

The Prime Minister: Right, we want to talk about ineptitude and incompetence, do we? Fortunately, we have our record under the Chancellor, who is in charge of the Treasury, and that under the right hon. and learned Gentleman when he was an economics Minister in the last Conservative Government. Let us compare them and see who was inept and incompetent and wasted money. Under the Conservatives, when he was an economics Minister, we had 15 per cent. interest rates. When he was Employment Minister, there were a million extra unemployed, a million people in negative equity and £80 billion of Government debt. Under the current Chancellor, we have the lowest interest rates, inflation and unemployment for decades. A million and a half more people are in work.

Let me say one other thing: whatever we have done, none of us has introduced anything as bad as the poll tax. The right hon. and learned Gentleman introduced that, as well as giving us 15 per cent. interest rates and opposing the minimum wage. Same old people, same old policies, same old Tories.

Mr. Howard: Let me make it clear that I am happy to debate the past with the Prime Minister any day he likes. I have a big dossier on his past, and I did not even have to sex it up. We can talk about his personal pledge to leave the European Union or the time when he criticised America's "state sponsored terrorism"—I wonder whether he will raise that with President Bush next week. We can talk about the time when he praised the "fortitude and resolve" of the Wapping strikers. I bet that he does not remind Rupert Murdoch of that.

I am happy to debate the past with the Prime Minister any day of the week, but I rather think that the British people are more interested in today and tomorrow than in yesterday. We will take every opportunity to remind them of his discredited Government's failures today.

The Prime Minister: I am very happy to debate today with the right hon. and learned Gentleman. For example, let us consider what has happened in his constituency, where 11 schools have benefited from the new deal for schools funding that he has pledged to scrap. The number of five, six and seven-year-olds in classes of more than 30 has fallen from 12,000 to 249. We have had the best results ever for primary schools, GCSEs and A-levels, and all the waiting times are down. That is precisely the difference: this party is putting money into our public services and getting results in every constituency in the country. The right hon. and learned Gentleman does not simply represent the past—he would take us back to the past.

Mr. Adrian Bailey (West Bromwich, West): In view of the timely visit by President Bush to these shores, will my right hon. Friend take the opportunity to raise with him the issue of the illegal US steel tariffs, the decision by the World Trade Organisation on Monday on the legitimacy of retaliatory action and the implications that the continuation of the US policy would have on world trade?

The Prime Minister: My hon. Friend is right to raise the issue of the steel tariffs. It is a subject that we have raised with the American Administration constantly, particularly following the WTO ruling. It is important that that ruling should be complied with and that the steel tariffs should be lifted. My right hon. Friend the Chancellor will be meeting the US Treasury Secretary next week to talk about these issues. I hope, incidentally, that if we can get a resolution of this issue between the European Union and the United States, it will give us some momentum towards restarting the World Trade Organisation talks, which are immensely important for Europe, America and the wider world.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Staying on the subject of President Bush's state visit next week, presumably the Prime Minister will raise with him the continuing indefensible situation of the British citizens being held in illegal limbo at Camp

Delta. Will the Prime Minister confirm that he will raise that issue with the President, and can we now expect a positive outcome to it, once and for all?

The Prime Minister: We have been in discussion with the American Administration about this issue for several months, and I hope that we can resolve it quickly. It is important to ensure—in the way that I have indicated to the right hon. Gentleman before—that it is resolved on the basis of a proper trial being held in respect of these people, any of whom can be charged. If that cannot be done, it is important that they should be returned. I do not want to say any more at this stage, other than that we are trying to resolve the situation, and that it is important that we do so. I hope, however, that the House and the country also take account of the fact that this situation—which I agree is exceptional—arose out of the situation in Afghanistan and out of a conflict in which British troops were involved. As well as ensuring that people get a fair trial, it is also important to protect the security of this country.

Mr. Kennedy: We hope that the Prime Minister will achieve an acceptable outcome next week in the discussions that take place. Presumably, he will also discuss with the President of the United States the deteriorating situation in Iraq. The administration of that country is clearly in a state of crisis, the attacks on allied troops have escalated dramatically, the Red Cross has been forced to scale down its presence, and the American administrator has now been recalled to Washington for urgent talks. As the leading partner with the Americans in this situation, what input are the British Government having to those talks?

After the state visit next week, will the Prime Minister undertake to come to the House personally to make a statement and to take questions on exactly what was discussed and what conclusions were arrived at?

The Prime Minister: I am very happy to keep the House informed as to the state of the discussions, both on Iraq and on other issues. Let us be very clear as to what is happening in Iraq. Yes, there are tremendous difficulties—there are bound to be, when terrorist groups and former members of Saddam's Government are prepared to kill any number of innocent people. The American and coalition forces are not trying to bomb the UN out of Baghdad, bomb the Red Cross out of its compound or ensure that ordinary innocent Iraqis are killed, as these people are doing. Of course it is difficult, but the implication of the right hon. Gentleman's questioning and of some of the comment that I read is that because Iraq is difficult, we should somehow get out and withdraw from the position that we are in. Well, I think that that is the worst thing that we could possibly do. We have got to stick with this and see it through. Our dialogue with the US Administration is constant at every level on this issue. It is important that we stick with this, because the reality is that we are the ones who are trying to make the lives of ordinary Iraqis better, and these terrorists and Saddam supporters are trying to stop us. That is the reality, and we should not forget it.

Mr. Patrick Hall (Bedford): Does the Prime Minister agree that if a political party were to promise patients' passports, pupils' passports—*[Interruption.]*

Mr. Speaker: Order. Let us hear what the hon. Gentleman has to say.

Mr. Hall: If a political party were to promise to spend more on all public services and to pay for that by cutting tax, might it not stand accused of trying to con the British people into believing that it is possible to get something for nothing?

The Prime Minister *rose—*

Mr. Speaker: Order. The hon. Gentleman is asking questions that the Leader of the Opposition is qualified to answer. Next time I call him, he should have a better question to ask.

Q2. [137861] **Mrs. Annette L. Brooke** (Mid-Dorset and North Poole): Is the Prime Minister aware of cases such as one in my constituency involving someone who, having had breast cancer surgery on 9 July, had to wait until the end of October to begin radiotherapy? Is he concerned about the current national shortage of radiographers? Has there not been a lack of joined-up action by Government to secure improvements in all stages of cancer treatment?

The Prime Minister: I am sorry about the difficulties experienced by the hon. Lady's constituent, but it is important to recognise that there have been substantial improvements in cancer care over the past few years. The number of cancer specialists and MRI scanners has increased. Whole new cancer wards have opened. There has also been an increase in overall provision running into hundreds of millions of pounds.

It is true that we still have a problem with the number of radiologists and radiographers, which is why we are substantially increasing the number of people in training. Training them takes several years, but we are considering how we can increase the number. Once we have solved that problem, we shall have closed the biggest gap between the cancer care system that we have and the one that we want.

Let us be in no doubt about one thing: if we compare the present position with that six or seven years ago, we see that not only are cancer deaths down by some 10 per cent. but the service as a whole has improved immeasurably as a result of our extra investment.

Q3. [137862] **David Taylor** (North-West Leicestershire): The Forensic Science Service is a hugely successful publicly owned organisation with an unmatched international reputation, but our Government, in their garage-sale privatisation drive, are putting this national treasure under the auctioneer's hammer. Does the Prime Minister understand why so many Labour Members feel unhappy about that and that we cannot stand by as mere silent witnesses?

The Prime Minister: I do not entirely recognise the policy from my hon. Friend's description. What is important is enabling the Forensic Science Service to

attract private money and investment. This is all about improving the service, which plays an enormous part in combating crime. We must consider how we can run it and similar services more effectively, and secure more investment for them, both public and private.

Mr. Michael Howard (Folkestone and Hythe): Why was it necessary for the Prime Minister's spokesman to say yesterday that the relationship between the Prime Minister and the Chancellor continues to be one of the great strengths of the Government?

The Prime Minister: Probably because he was asked the question.

Mr. Howard: If the answer is true, why was that legendary peacemaker the Deputy Prime Minister brought in to mediate between them? Is it not an absolute disgrace that while the people of this country are feeling so let down over schools, hospitals and crime, the Prime Minister and the Chancellor of the Exchequer spend their time squabbling over who should sit on the national executive committee of the Labour party?

The Prime Minister: Is it not extraordinary that the right hon. and learned Gentleman, with the record that he had in government, actually turns round and attempts to say that people in this country are suffering today under the Chancellor? If they are suffering under the Chancellor, what was it like when a million people's homes were repossessed through negative equity? What was it like when we had a million extra unemployed when he was Employment Secretary? What do the Conservatives think it was like when people experienced 15 per cent. interest rates?

A moment or two ago, Mr. Speaker, when you rightly disallowed the question from my hon. Friend the Member for Bedford (Mr. Hall), it was interesting to note the Opposition's reaction to any discussion of their patients' passport policy. If we are talking about the national health service, what would be a disaster for people in the health service today is to be forced to top up their treatment with a voucher that would cost thousands of pounds for basic health care, which would mean that ordinary people in the health service did not get that care. It is not just the right hon. and learned Gentleman's record in government that we will be discussing; it is his policies now, because they are just the same as the policies that brought disaster before.

Mr. Ian Cawsey (Brigg and Goole): May I draw my right hon. Friend's attention to the dreadful house fire in Goole in the early hours of this morning, which sadly claimed the lives of three children under the age of six? The fire was of such intensity that firefighters' equipment melted and two firemen were injured. Will he extend his sympathies—as the whole House doubtless does—to the family concerned, and once again praise our emergency services for their excellent efforts in deeply harrowing circumstances?

The Prime Minister: I am happy to join my hon. Friend both in offering our sympathy and condolences to the family in his constituency and in praising the emergency services, which, in that incident as in so many others, did a fantastic job on behalf of the people of this country.

Q4. [137863] **Mr. Andrew Mackay** (Bracknell): Who does the Prime Minister believe would make a better Mayor of London, Ken Livingstone or Nicky Gavron?

The Prime Minister: Of course, I always support the Labour candidate.

Colin Burgon (Elmet): My two recent experiences of participating in planning public inquiries that affect my constituents in Bardsey and Methley and in Allerton Bywater, have confirmed my belief that such inquiries are the natural domain of highly paid barristers, employed by powerful commercial interests. They talk in a language, and use procedures, that ordinary people do not understand. Is it not about time that we looked at democratising the public inquiry system, thereby giving the public a real voice in the system?

The Prime Minister: On the first part of my hon. Friend's question, I suspect that he may have found something that the Leader of the Opposition and I agree on. On the second part, we are of course going to introduce measures to change the planning system. I entirely agree that it is important to ensure that it is far more effective than it is currently, and that it distinguishes far more clearly between the cases that merit being considered for a long time and those that should be handled quickly. We have got to understand that one of the biggest brakes on our ability to develop brownfield sites is the slowness of the planning system. For that reason, it is important that the measures that we are introducing are supported, and I take it from what my hon. Friend is saying that they are coming not a moment too soon.

Q5. [137864] **Andrew Selous** (South-West Bedfordshire): Does the Prime Minister agree that local people and local councillors are best placed to decide on local issues, as their not doing so undermines local democracy and causes resentment? Given the enormous impact of the Milton Keynes and South Midlands study on South Bedfordshire, will he please ask the Deputy Prime Minister to accept South Bedfordshire district council's invitation for him to visit the area to reassess these proposals?

The Prime Minister: I will certainly pass on to the Deputy Prime Minister what the hon. Gentleman has said. It is of course important that we consult local people about these plans, and it is also important that we get plans that are right for the whole of the region, rather than for a particular district on its own. That is why I have no doubt that South Bedfordshire district council will be consulted in the normal way.

Q6. [137865] **Jane Griffiths** (Reading, East): The Prime Minister will know that the Department of Health has allocated £2.6 million to Berkshire under the choice

initiative, which is drastically reducing waiting lists. Does my right hon. Friend share my optimism that even if we have a flu epidemic this year, waiting lists will continue to reduce? Does he share my dismay at Conservative party policies on spending?

The Prime Minister: I can certainly tell my hon. Friend that the policies of extending choice and building capacity within the health service will continue. When we came to office, many people were waiting up to two years for their operations. Now there is a maximum time of 12 months and very few people wait longer than nine months; we are going to progress to six months by 2005 and, if given the chance, to three months as the maximum wait by 2008. All of that comes only with the extra investment going into the national health service. On the basis of the recommitment that we have seen over the past few days to the policies of the previous Conservative leader by the shadow Chancellor and the new Leader of the Opposition, I can say that this issue will run and run. There will be a clear choice between those who want to rebuild the health service and those who want to get their hands on it in order to destroy it.

Angus Robertson (Moray): Given the importance of the Scotch whisky industry, is the Prime Minister concerned that the ongoing crisis following Diageo's redesignation of Cardhu single malt is undermining the standing of that industry? Does the Prime Minister support ongoing cross-party efforts in the all-party Scotch whisky group to find a solution and enhance the good name and reputation of this important product at home and abroad?

The Prime Minister: I understand the point that the hon. Gentleman is making. To be frank, I am not an expert on how whisky is designated as opposed to drunk. It is true that we have frozen the duty on whisky for many years, which is important. As to the redesignation of Cardhu, I shall look further into it. I am not entirely sure that it is a matter for the Government—at least, I sincerely hope that it is not—but I will certainly study the comments of the all-party Scotch whisky group.

Q7. [137866] **Mr. Peter Pike** (Burnley): The Prime Minister will know that the two key difficulties that Burnley has faced over the past couple of years have been 4,000 empty houses and problems in our secondary schools. Lancashire county council has a bid in to deal with the secondary school problems and has the vision to provide improved secondary education opportunities for all our children. During next month, under the Government's housing pathfinder renewal project, Elevate will put in a bid for the programme next year. Does the Prime Minister recognise the importance of ensuring that we receive a favourable answer from the Government to demonstrate that a Labour Government working together with Labour councils is the best way of solving Burnley's problems?

The Prime Minister: My hon. Friend is making two points. First, on housing renewal, it is the case in some areas, particularly in constituencies such as his, that we have the opposite problem from that in the south-east, where there is pressure on housing and a desire to have more houses. In parts of the north-west and other parts of the north we have houses for which, frankly, we no longer have a proper use, and there is no market for them. That is why a housing market renewal fund of some £500 million has been established. I know that that will in part benefit my hon. Friend's constituency.

What my hon. Friend says about the school system is important. Some 41 bids are currently being considered for extra capital investment in schools. The decisions will be taken shortly, but it will mean something in the region of £2 billion extra in capital investment for schools in this country.

Q8. [137867] **Mr. Nigel Waterson** (Eastbourne): If things are going so well in the NHS, can the Prime Minister explain why my local hospital faces a deficit this year of £7 million or more? Can he give me a personal assurance that the pressure being brought to bear to tackle that deficit will not prejudice waiting times, waiting lists or patient care generally?

The Prime Minister: I can certainly give the hon. Gentleman the commitment that it is important that the pressure on the deficit should not imperil the waiting lists and waiting times. I hope, however, that he recognises that in the past few years those have been falling substantially in his area and in other constituencies. The fact of the matter is that there is not a single in-patient or out-patient national indicator that is not in better shape today than it was six years ago, in 1997. As for the deficit, it is true that certain hospitals have deficits. They can carry them, obviously, but we are in discussions with them about it. But let us be clear: the implication of the hon. Gentleman's question is that we need even more money in our national health service, and I have to tell him that whereas Labour is committed to putting in that extra money, his party is committed to taking it out. That, I am afraid, is, was and will be the crucial difference between the two parties.

Ms Oona King (Bethnal Green and Bow): May I turn the Prime Minister's attention to the review of local government finance? Many of us hope that it will make council tax fairer for pensioners and people on small fixed incomes. Can he assure us that, whatever the outcome, it will not have "something of the night" about it and will not return us to the nightmares of the past that have recently been haunting us?

The Prime Minister: I can simply assure my hon. Friend of this: the review will consider many things, but one thing that it will not consider is a return to the poll tax.

Iraq (Reconstruction)

12.30 pm

The Secretary of State for International Development (Hilary Benn): With permission, Mr. Speaker, I wish to make a statement on progress on reconstruction in Iraq.

As hon. Members are all too aware, security is a continuing concern, particularly in and around Baghdad. US forces are bearing the brunt of these attacks, but the UN and international aid agencies are also being targeted. I am sure that the whole House would wish to join me in condemning the recent bombing of the International Committee of the Red Cross and this morning's attack at the headquarters of the Italian military police in Nasiriyah, which has claimed a number of lives.

Of equal concern have been the attacks on the Iraqi people themselves, including the assassination of Aqila al-Hashimi—one of only three women members of the governing council—who was shot the day after I met her in Baghdad. Regrettably, there have been other victims, including religious and civic leaders, judges and police officers, and ordinary Iraqis caught up in bomb blasts.

Those who attack the Red Cross and Iraqis working to rebuild their country are desperate to stop reconstruction happening. We cannot let them succeed.

In these circumstances, however, it is understandable and right that the ICRC and the United Nations should review their security procedures and the way they work in Iraq, even if that means temporarily pulling back on some of their operations and pulling out some of their international staff. We stand ready to help them to finance additional security measures, where appropriate, to try to limit the effect on their capacity to help with reconstruction. We will continue to support those agencies, their local staff and the non-governmental organisations still working in the country.

However, that is only part of the picture. Political violence is largely concentrated in one part of Iraq: Baghdad and its surrounding areas. The situation is more stable in the northern provinces, and in the south-east, which I visited in September. Security is being maintained by the UK-led multinational division and the local police.

For most Iraqis, life is gradually improving. Last month, electricity supply rose above pre-conflict levels for the first time, which has allowed much-needed maintenance to take place during the cooler months when demand is lower. Food distribution is working, and supplies will continue after the UN oil-for-food programme ends this month. In addition, 1,500 schools have been refurbished; 70 million new textbooks are being distributed and attendance rates are back to pre-conflict levels. Fuel supply for domestic consumption is meeting demand. Almost all Iraq's 240 hospitals are now in operation and routine immunisation of children has resumed.

Clean water supplies are improving in much of the country, with sewerage plants being rehabilitated. Forty thousand Iraqi police officers are on duty. They are being trained and equipped. Criminal justice is being restored, but without the terrible repression that characterised Saddam's regime; and 170 newspapers are now on sale in the streets, enabling Iraqis to express their views freely.

As well as recognising the enormous contribution of the Iraqi people to these achievements, I want to take this opportunity to pay tribute to the skilled and dedicated work of UK forces and of other UK nationals, both in southern Iraq and elsewhere, for their courage and for their determination to help Iraq to rebuild itself.

Progress is also being made on the political and constitutional process, with a healthy debate under way on how best to create a genuinely representative system. UN Security Council resolution 1511 expressed support for this process and asked the UN to strengthen its role as far as circumstances allow. It also asked the governing council to set out by 15 December a timetable for the electoral process. This will provide the context for decisions about the transfer of executive and legislative authority, recognising that the coalition's aim has always been to hand Iraq over to its people as quickly as possible so that they can have control of their own political destiny.

Iraq's Ministers, appointed at the beginning of September, are taking increasing responsibility for developing and implementing policies. The governing council has gained growing recognition internationally, including from the Arab League and the UN General Assembly. It played a prominent role at the annual meetings of the World Bank and International Monetary Fund in Dubai, and governing council members and Ministers made their presence felt at the Madrid donors' conference at the end of last month. That conference raised pledges of at least $33 billion in grants and soft loans in the three years up to 2007, significantly exceeding expectations. Seventy-three countries participated, underlining the breadth of international support for securing a better future for Iraq.

In Madrid, I set out our commitment to reconstruction in Iraq with a pledge of £544 million. This includes the £209 million that the Department for International Development has already committed for humanitarian and reconstruction assistance, and £296 million over the next two years. We are considering how best to use this funding to support reconstruction, development and poverty reduction.

The pledges raised in Madrid, alongside oil revenues, foreign direct investment and commercial loans, are expected to meet Iraq's investment needs for the next four years. I can also tell the House that agreement has now been reached between the UN, the World Bank and the coalition provisional authority on the terms of reference of the international advisory and monitoring board, which will oversee the use of Iraq's own resources being channelled through the development fund for Iraq.

The Iraqi people deserve the chance that they now have for a better future; they have waited for it long enough. Much remains to be done on security to counter the violence of Saddam loyalists and others who want to deny the Iraqis this chance, but the best way we can prevent them from succeeding is to continue with reconstruction and political change. As I am sure that the House will agree, that is why we must all remain committed to the economic and social reconstruction of Iraq and to a better life for its people.

Mr. John Bercow (Buckingham): I am grateful to the Secretary of State for his statement and for his courtesy in providing me with advance sight of it.

I shall begin on a consensual note by echoing the Secretary of State's condemnation, expressed on behalf of hon. Members of all parties, of the despicable terrorist acts that have been committed. Their purpose is to prevent reconstruction and a return to normality. They must not be allowed to achieve that purpose. I also endorse the glowing and justified tribute that the right hon. Gentleman paid to our troops and to the other British nationals who are working day after day in the public interest of the people of Iraq. We recognise and applaud that work, and hope that it will continue. Of course, some good work has been done, and the Secretary of State is entirely entitled to draw attention to the successes that have been achieved in relation to schools, hospitals, water cleanliness and so on. But we are the Opposition, with a responsibility constructively to probe, and I have a number of points to put to the right hon. Gentleman.

First, the Secretary of State referred with approval to the growing recognition of the governing council's work. I was pleased to hear what he had to say, but I ask him to tell the House how that squares with press reports about the evident dissatisfaction of the Bush Administration with the governing council, by which they are frustrated and which they believe to be divided and incapable of making the necessary decisions within the required time scale.

Secondly, the right hon. Gentleman will know that when the Foreign Secretary was asked on the "Today" programme this morning what he would like to see come out of the emergency talks in Washington between Ambassador Bremer and White House officials, the Foreign Secretary replied:

"I am not party to the talks, nor party to his return".

Why is Her Majesty's Government not party to those talks, given that HM forces are in southern Iraq, where security is, to put it mildly, highly precarious? Would it not make sense for us to be fully consulted? What kind of message does that send, ahead of President Bush's visit to the United Kingdom? Will it not seem as if he is coming here to tell the Prime Minister what will happen in Iraq, rather than to discuss with his staunchest ally what can most usefully be done to increase security and provide for reconstruction?

How can the Secretary of State explain or justify what his right hon. Friend the Member for Birmingham, Ladywood (Clare Short) described as "poor preparations" for post-conflict Iraq, given that on 24 September 2002 the Opposition, in the form of my right hon. Friend the Member for Devizes (Mr. Ancram), the shadow Foreign Secretary, underlined the need for a comprehensive plan for securing a new Iraq? We underlined that point on 15 October, 8 December, 16 December, 20 January, 21 January, 27 January, on 30 January, and—yes, Mr. Deputy Speaker, you can guess what comes next—a host of other occasions that time does not permit me to list today.

On 3 February, the Prime Minister tried to reassure the House that

"We are well aware that we must have a humanitarian plan that is every bit as viable and well worked out as a military plan". —[*Official Report*, 3 February 2003; Vol. 399, c. 36.]

That is on the record—but we, and millions of other people, see no evidence of the existence of such a plan.

Moreover, our suspicions were confirmed on 28 October when Sir Jeremy Greenstock, referring to attempted reconstruction, admitted:

"There was a slow start, and we are now trying to catch up on that".

Why does the right hon. Gentleman not undertake, in the public interest, to publish the Government's original post-war plan so that we, and others, can judge for ourselves how well or badly prepared the Government were? I call on him to give that commitment today.

On 8 November the Red Cross announced that it would temporarily close its offices in Baghdad and Basra. That followed similar decisions by Médecins sans Frontières, Save the Children and Oxfam. What confidence does the Secretary of State have—I hope that he does possess such confidence—that conditions will improve sufficiently to allow their safe return, and within what time scale does he expect that return to take place?

The Secretary of State again referred, with alacrity, to the Madrid conference last month and the plan for reconstruction outlined there. However, I must return to a crucial theme of concern to millions of the most vulnerable people in the world—the plight of those 140 million people living in poverty in middle-income countries. The Prime Minister said on 25 April that help would continue to be provided for those people, and that they would not be expected to pay the price or foot the bill for Iraq's reconstruction.

The Secretary of State's written ministerial statement on 14 October made no mention of imminent cuts to much-needed programmes; such news was provided only on 6 November, less than a week ago. In the light of the decision that he has made, I think I am entitled to ask the right hon. Gentleman precisely which, and how many, needed projects will suffer, how development will be retarded, and what estimate he has made of the numbers of those who will suffer as a consequence?

A specific point of concern to many people is the prospect of re-establishing the spinal injuries unit. The right hon. Gentleman will be well familiar with that, and will know that it was blown up when United Nations headquarters were bombed. The Opposition, in the form of my hon. Friend the Member for Meriden (Mrs. Spelman), the former shadow Secretary of State, have repeatedly asked for some Department for International Development funding to be made available to help with the re-establishment of that vital unit. To date and to my serious regret, the Government have refused to take that simple but practical step, which would not only bring immediate relief to sufferers, but show the people of Iraq that we were genuinely committed in practical terms, through deeds as well as words, to their successful and secure future.

May I conclude by saying to the Secretary of State—whom I regard it as a great privilege to shadow—that no hon. Member doubts the decency of his intentions, but many people in the House and throughout the country doubt the capability of the Government to deliver in deeds what they have promised in words? On the strength of the track record to date, it is difficult to escape the conclusion that, while Ministers prevaricate in Westminster, the people of Iraq are desperately trying to get on with their lives. Is it not the truth that, whereas the Government, notably in the form of the Prime

[Mr. John Bercow]

Minister, displayed courage and statesmanship in the conduct of war, the reality is that they have been guilty of dither and abdication of responsibility in failing to prepare for the peace?

Hilary Benn: I welcome the hon. Gentleman on his first appearance at the Dispatch Box on a statement. I am sorry about the way that he ended his observations and his legitimate questions, to which I shall endeavour to respond, because no hon. Member listening to what I have described and the discussions and statements that we have had previously on Iraq could doubt the Government's determination—indeed, the determination of hon. Members on both sides of the House—to try to get this right.

I also welcome what the hon. Gentleman said about our forces and our staff, because it will be much appreciated by those people, who are working very hard, and his condemnation of the attacks—the result of the work of those who frankly will stop at nothing to try to undermine the process.

On security, I think the hon. Gentleman will recognise that while it is the case that life for ordinary Iraqis is getting better and their security is improving, for the coalition forces, the international aid agencies, the UN and the Red Cross, the security situation is getting more difficult. Those two things are happening at the same time.

On the governing council, as the hon. Gentleman will be aware it came together from a disparate group of people, some from outside the country and some who had remained throughout the Saddam years. It is finding its feet. Its members are getting to work together and they represent a range of interests. In taking the first steps towards establishing democracy in Iraq, we have to start somewhere, and it was entirely right and proper to bring together a group of people with a range of interests who represent different parts of that complex country.

All I would say in describing what I saw of the governing council's members in Madrid is that their confidence and authority are increasing as they are getting involved in the work of taking decisions, in consultation and discussion with the coalition provisional authority, about the future of the country. As the hon. Gentleman will recognise and as my right hon. Friend the Foreign Secretary made clear on the "Today" programme this morning, a process is going on to work out how best to do that and increasingly to transfer responsibility to Iraqis. That is the subject of continuing high-level consultation between the United Kingdom and America.

On preparation, we have already set out the steps that we took to prepare for the outcome of the conflict. As the hon. Gentleman will probably be aware, DFID, in particular, rightly prepared for the potential worst outcome—a humanitarian crisis—so all the things that we put in place were in anticipation of that because, frankly, if we had failed to prepare for that crisis, we would have been rightly criticised. Thankfully, that did not arise because the conflict was very short.

I accept what the hon. Gentleman says about the start of reconstruction having been slow, but all I ask him to acknowledge is that real progress has been made, and I simply ask those hon. Members—including the right hon. Member for Devizes (Mr. Ancram)—who have said that swift enough progress is not being made to acknowledge that we have seen real progress, particularly in the past couple of months.

Mr. Julian Brazier (Canterbury): What about the planning?

Hilary Benn: In a sense, never mind the planning when we can see the product of the improvement that results from the work that has been done and the planning that has taken place at every stage. So look at the evidence of the progress.

On the position of the Red Cross, I cannot say what the timetable might be for the return of the Red Cross's international staff. That is a decision for the Red Cross and other agencies to take on the basis of their assessment of the security position. What the House needs to remember, however, is that a considerable number of Iraqi staff of the international agencies, including the Red Cross, are continuing to work in Iraq. That is why the reconstruction work continues. It has an effect, but the Iraqis who work for those organisations, and the Iraqis in the Ministry of Health and others, are getting on with the job. That is why I hope that the reconstruction process will continue, and the evidence suggests that that is the case.

On the spinal injuries unit, about which the hon. Gentleman rightly says that his predecessor was very concerned, he may or may not be aware that the Ministry of Health and the CPA have undertaken to carry out repairs to it, which I am advised will create 30 beds. Our work through the World Health Organisation and others is to build the establishment of primary care, because, ultimately, we must focus our efforts somewhere. I understand the importance of the spinal injuries unit, and I am pleased to be able to report to the House that, as a result of representations made by ourselves and others, that process will take place.

On the middle-income countries, first, we made a pledge that Iraqi reconstruction would not affect humanitarian work or funding for emergencies, and it has not done so. Secondly, as was touched on in oral questions, it has not affected middle-income programmes this year, and the great bulk of the money for Iraqi reconstruction has not come from that source. In any event, we were committed to the change of moving to 90 per cent. of our bilateral funding being allocated to the poorest countries. I think that that is the right policy, and I hope that the hon. Gentleman will support it. My other point is that it would be a mistake to look at Britain's support for middle-income countries solely in terms of our bilateral programme, as we make a very significant investment through the EU and the multilaterals. In Latin America, for example, the UK share of EC spending and multilateral spending in 2001, which is the last year for which figures are available, amounted to £68 million. A significant programme of work continues in those countries, including those from which we propose to withdraw—in most cases slightly earlier than we already intended to do, long before Iraq arose as an issue—and it is important that we recognise the contribution that the UK is making.

Tom Brake (Carshalton and Wallington): I join the shadow Secretary of State in thanking the Secretary of

State for providing an advance copy of the statement today. I also join him in condemning the attacks on Iraqi citizens, the Red Cross, UK and US troops, the Italian police, as we have heard today, and Iraqi governing council members. I, too, pay tribute to the work that is being done by the various organisations and forces in that region.

First, does the Secretary of State agree that the best way of speeding up reconstruction in Iraq is to increase and bring forward the involvement of the UN? Can he set out why he believes that there is a better prospect of the pledges that have been made on Iraq being delivered than, for instance, the Tokyo pledges on Afghanistan, in respect of which I am afraid to say the money has not been forthcoming? Can he comment on the reasons for Paul Bremer's emergency recall and whether there are any implications for Iraqi reconstruction? Can he also set out whether there have been any discussions between his Department or other Departments and Paul Bremer about the prospect of British companies and companies from other countries being involved to a much greater degree in the projects that will be funded by the US?

Can the Secretary of State comment on reports, to which the Conservative spokesman alluded, about the threat to the Iraqi governing council and whether it was going to be replaced by a Loya Jirga or something similar? What implications would that have for the reconstruction in Iraq, and what impact would it have on a timetable for elections and handover of sovereignty, which the Iraqi governing council is expected to deliver by 15 December? On an associated point, can the Secretary of State clarify exactly what Sir Jeremy Greenstock's role is in relation to Iraqi reconstruction? Does he in fact have a defined role? Can the Secretary of State comment on whether he has heard rumours of unhappiness associated with Sir Jeremy, and rumours that Sir Jeremy does not think that he currently has a particularly well-defined role in Iraq?

On the question of the Red Cross, clearly, the Secretary of State is not able to provide us with a timetable as to when the Red Cross is likely to return, but can he comment on any parameters or criteria that it will require to be met before it can consider its return? One of the unintended consequences of the reconstruction of Iraq, which has already been alluded to, is the diversion of funds away from middle-income countries. Can the Secretary of State clarify whether any assessment of those projects, and the impact on them, was made before the diversion of funds was announced? Can he explain why those projects, which were previously deemed priority projects, are no longer so deemed? Does he believe, as I do, that people in Romania and Egypt, for instance, will find it hard to understand the reasons why they are having to pay for reconstruction in Iraq?

Iraq's future clearly hangs in the balance, and I urge the Secretary of State to use his office to ensure that Iraq does not descend into chaos, which would be at great cost to Iraqi citizens.

Hilary Benn: I am grateful to the hon. Gentleman for his words on behalf of those who are working in Iraq and his condemnation of the bombings and attacks that have been taking place.

In answer to the hon. Gentleman's first question, the best way to speed up the reconstruction process is to be able to maintain the rate of progress in improving the lives of ordinary Iraqis, as that builds confidence in the process and people feel that things are getting better, which they are. A second way is to ensure that there is a clearly defined political process that the Iraqi people can see has as its purpose the quickest possible transfer of responsibility for decisions about the future of their country—something that has been denied to them for 30 years under Saddam. That is what the discussions that continue to take place between ourselves, the Americans and the governing council are all about. In response to the hon. Gentleman's point about Sir Jeremy Greenstock, he plays an extremely important part and is a pivotal figure in precisely those discussions.

On the question of pledges, it is for each country that has made a pledge to honour the commitment that it has given. I can speak only for the UK Government, and I assure the House that we intend to honour the pledges that we have given about the money that we will make available for the reconstruction of Iraq.

On the so-called threat to the Iraqi governing council, a live political discussion about the political process is taking place, as my right hon. Friend the Foreign Secretary made clear earlier today, about how we balance the drawing up of a new constitution, the way in which that will be done, who will participate, and at what point it leads to elections. What the UN Security Council resolution, which was unanimously supported, achieved was international support for that process, and it is the job of the Iraqi governing council to report back by 15 December on exactly what should be the timetable for those different stages. That is the right process, because it is the Iraqis who should determine that and nobody else.

On the Red Cross, I cannot tell the hon. Gentleman what criteria the Red Cross might use. It will depend on its assessment of the position. I simply point out to the House that the Red Cross is staying in the north of the country and it has said that the withdrawal is temporary.

On reallocation, in relation to Romania and Egypt, to which the hon. Gentleman referred in particular, we had already planned to withdraw from those countries. There has been a real debate within DFID, long before Iraq, about what we add in the work that we do in middle-income countries. We used to have a programme in the Pacific, but we no longer have one because we have been concentrating our efforts on the poorest countries of the world—hence the commitment to get 90 per cent. of our spending to those countries by 2005–06. I repeat that I believe that that is the right policy.

Finally, to return to threats to the Iraqi governing council, I simply say to the House that the threats to the Iraqi governing council about which I am worried are the threats from those who are trying to kill the people who are putting their lives on the line to try to give the Iraqi people the chance of a better future and who deserve the support of the entire House in that endeavour.

Ann Clwyd (Cynon Valley): My right hon. Friend is right that reconstruction in Iraq is continuing apace. I was there only a few weeks ago and saw exactly what was going on. There could be faster progress but the security situation, as he rightly described, makes it more difficult for reconstruction to happen at speed. The

[Ann Clwyd]

governing council should be given responsibility as the interim government of Iraq until there can be elections. Also, the Iraqis themselves should be given responsibility for security because they know the people, streets and places and could find those who are responsible for some of the atrocities that are being committed. May I urge my right hon. Friend to consider those matters because such progress would be right for Iraq? Although the Iraqis should be given responsibility for security, the coalition should stay in Iraq until its stability and security are secured.

Hilary Benn: First, I acknowledge the role that my hon. Friend is playing, both as someone who has been passionately interested in Iraq for many years and as the Prime Minister's special envoy on human rights. I agree with her entirely about the need to build the Iraqis' capacity to take responsibility for security as quickly as possible with, of course, the continuing support of the coalition forces. That is precisely the process that is taking place. The new Iraqi army is starting to emerge and the civil defence force, the border police and the facilities protection service are looking after the products of reconstruction, which some people have been trying to undermine and blow up. There are now 40,000 police on the streets and training is taking place, so it is no accident that several of the bomb attacks have been against the people who are training the police and the places where that is happening. The Iraqi people want security, and providing more police officers will help to produce Iraqi-led and Iraqi-owned security. That should reinforce the determination of all of us not to allow the people who are cynically trying to undermine the process to succeed.

Rev. Martin Smyth (Belfast, South): I appreciate the concerns about the slowness of development, but could that be because of the speed of the success of the forces? Since we understand the problem of terrorism, I assure the Secretary of State that our sympathy is with the Iraqi people in these days. Has the west provided police trainers in the numbers that were wanted? There was an outcry last month about that, so why was there such delay? The Red Cross stands for the suffering servant and redemption, so we hope that the time will come speedily when it will return to where it was always needed. We welcome the continuing service of those in northern Iraq and elsewhere.

Hilary Benn: The hon. Gentleman is right to say that because, with hindsight, part of the slow start to the process was due to the speed with which the conflict ended—people expected it to go on for much longer and anticipated a humanitarian crisis that did not emerge. He is right about police training. Efforts are under way as we speak to get more police trainers into Iraq because that is an important way to help with training. We all wish the Red Cross every success in trying to protect its staff and making a judgment in due course about when it will be safe for its international staff to return. It has played a really important role in the country for many years and a significant part of the funding that we gave in preparation for the reconstruction was to back its work.

Alan Howarth (Newport, East): Does my right hon. Friend agree that the bombing of the UN headquarters in Baghdad on 19 August was not only a terrible tragedy in terms of lives lost and injuries caused, but dismaying because it led to the UN's decision, which was understandable enough, to withdraw its international personnel from Iraq? Surely it is important that there should be no perception that the UN has abandoned the field to terrorists and that it should be seen to be playing a full and authoritative role in Iraq during the period of reconstruction and transition. When does he expect UN international personnel to be back inside Iraq?

Hilary Benn: I agree with my right hon. Friend about the importance of the UN's role and about the degree to which that was recognised by several resolutions, including resolution 1511, which gave UN authorisation to the multinational force in Iraq. I think that hon. Members will find that the resolution says that, in recognition of the difficulties and risks that the UN faces because of the attack, its involvement should be as circumstances allow. The UN has an important role to play in supporting the process and, indeed, that was the work of Sergio Vieira de Mello before he was killed in the bomb blast in August. The UN, with the governing council and the coalition, plays an important part in discussions to reach decisions on how to take the political process forward because that would be the most significant contribution, alongside improving the lives of normal Iraqis, that would allow the process to succeed and maximise the chances of Iraq having the better future that it deserves.

Dr. Andrew Murrison (Westbury): The Secretary of State has painted a fairly upbeat picture of progress in Iraq, which is understandable enough. However, he cannot deny that the security situation is deteriorating. I fear that we will not see much progress unless it improves. In that context, will he comment on moves to establish a British theatre internment facility to take over much of the work currently done by the American internment facility in Umm Qasr? Will he explain how the approach of such a British facility would differ from that of the American facility?

Hilary Benn: The House will probably be aware that the hon. Gentleman has recently returned from service in Iraq. I acknowledge his point about security, as I did when I replied to the hon. Member for Buckingham (Mr. Bercow), because two things are happening. First, there is no point in hiding the fact that the security situation has become more difficult for our forces and international aid agencies because those who are trying to undermine the process have become more adept at attacking those who are leading the reconstruction and more determined to do so. Secondly, however, life is beginning to get better for ordinary Iraqis. There are two different types of security in the country at the moment and we need to acknowledge that when forming a judgment about how things are going. The standards that would be applied in the internment

facility would be in keeping with those that apply elsewhere and for which British forces are rightly well known.

Kali Mountford (Colne Valley): The whole House will acknowledge that the Iraqi people suffered many hardships under Saddam before the conflict. The true measure of progress will be when a point is reached at which ordinary people feel that they are being delivered goods and services better than they were under Saddam, rather than by reference to plans that we made before the conflict. What progress is being made on achieving that? Although much has been said about the governance of Iraq, surely it is a sign of a truly civic society when governance happens locally. Has there been any progress on establishing such a society for local communities, districts and towns?

Hilary Benn: My hon. Friend makes an important point about the glue that holds a democracy together and makes it work. Many things are happening in Iraq because of the freedom that has become available, and the development of the free media is one example of that. As I flew over Baghdad, I saw satellite dishes all over the rooftops, although they were banned under Saddam. The meetings that I held in Basra were with members of the local governing council, the local women's organisation, the chambers of trade and commerce and representatives of journalists and writers. A lively process is taking place in which local government plays an important part, although it does not get much coverage or publicity. The House will want to try to get a balanced view of what is happening. Everyone acknowledges that there are security difficulties because we read about them every morning in newspapers and see them on our television screens. However, another story is that of the Iraqi people taking advantage of the opportunity that they have to build themselves a better life. It is important that we encourage them in all the work that we do. Although we make an important contribution, the Iraqi people's contribution to rebuilding their own country will make the difference.

Sir Patrick Cormack (South Staffordshire): In view of the fact that continued close co-operation between British and American forces in Iraq and between the British and American Governments is essential to the safe reconstruction of Iraq, does the right hon. Gentleman think it appropriate for President Bush to share his thoughts with Members of both Houses when he is here next week?

Hilary Benn: It is not my place to be drawn on that particular question. However, it is important that the dialogue between the UK and the United States is shared as widely as possible because, frankly, the responsibility is shared between all of us in this House and Congress as well.

Lynne Jones (Birmingham, Selly Oak): When does my right hon. Friend envisage Iraq ceasing to rely on imports to supply such a large proportion of its fuel needs? Does he agree that it was always unrealistic to suggest that Iraqi reconstruction could be financed from its oil revenues? Does he also agree that support should be in the form of grants, not loans, with the occupying powers bearing the brunt of the responsibility for that burden?

Hilary Benn: Oil production is important to Iraq's economic future, as my hon. Friend knows. At the moment, oil revenue is used to support the process of reconstruction. The money goes into the development fund for Iraq and pays the salaries of teachers, doctors, police officers and others, many of whom receive higher salaries now than they did under the Saddam regime. One thing that needs to be done to improve oil production further is to ensure the continuity of the electricity supply to the pumping systems and refineries. That is why the sharp increase in electricity production over the past month and a half is so important. Iraq is also in a period of lower demand because of the colder weather. Further investment to increase production capacity to the target of 6,000 MW next year is important. In addition, we need to build up the security of the installations, infrastructure and pipelines. People are still trying to blow them up simply because they want to undermine oil production and the generation of revenue to support reconstruction. We need to do both those things.

As far as grants are concerned, if we give the right support now, which is why the Madrid donor conference was so important, get the politics right and deal with the security problem, Iraq's wealth, the astonishing capacity of its people—it is a highly educated population—and its proud culture and history will enable the country to take off. The House should remember that, 30 years ago, gross domestic product per head in Iraq was the same as that of Portugal, which demonstrates how much the Iraqi people suffered under Saddam.

Mr. Paul Marsden (Shrewsbury and Atcham): I appreciate the genuine sincerity of the Secretary of State's commitment to rebuild Iraq, but seven months after the supposed end of the war he admitted in a written reply to me on 22 October that there were still shortages of antisera, anti-cancer and local anaesthetic drugs in Iraqi hospitals. Will he urgently review the situation with a view to ensuring that full medical supplies get through to the Iraqi people?

Hilary Benn: I gladly undertake to do that. I discussed the problem with four of the UK staff seconded from the Department of Health who were working at CPA south in Basra. They told me that the solution is to get the distribution system right and for hospitals to anticipate when they are about to run short of drugs so that they place orders sufficiently in advance of that happening, so it is partly about systems. The Red Cross played an important role in that and its national Iraqi staff will continue to do that work.

I shall look into the specific cases that the hon. Gentleman raised. Part of our funding has been used to support improved drug distribution. The Iraqi hospital system is recovering from the nightmare that it has been through. Iraqi doctors, nurses and other staff have worked hard to keep the system going. The hospitals

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now function and we must support them to ensure that they have the drugs that they need to provide the best service for their patients.

Mrs. Helen Liddell (Airdrie and Shotts): My right hon. Friend gave a welcome and balanced analysis of the situation, which I found greatly reassuring. People have inevitably concentrated on the public sector expertise available in Iraq, but there is considerable expertise in the private sector in the UK, not least among Iraqis who were exiled during Saddam Hussein's regime. What mechanisms exist to use that expertise? Is it realistic to use it now given the security situation in Iraq?

Hilary Benn: My right hon. Friend raises an important point about the long-term future of Iraq's economy, which was highly regulated with many state-owned enterprises. The real engine of reconstruction will be economic development, as is the case in many countries. It is important to make use of the resources and skills to which she refers. That process will take time. Economic reform must have regard to the circumstances that people are in now, including the unemployment level. One benefit of the reconstruction work, including the work funded by the UK, is to let contracts to Iraqi companies and to provide jobs for Iraqi workers. That helps to deal with the problem. In the long term, however, decisions need to be taken on the future structure of the Iraqi economy. It is my clear view that they should be taken by the governing council because they are so important for the country's future.

Mr. Archie Norman (Tunbridge Wells): While I in no way want to belittle the progress that has been made in rebuilding Iraq's infrastructure, is the right hon. Gentleman aware of the continuing decrepit state of the banking system? The Foreign Office still says that there is no way of getting cash to British citizens in Iraq, let alone foreign nationals or Iraqis, with the consequence that people like Mrs. Jones in my constituency cannot get money to her relatives. More serious than that, perhaps, is how hard it is for businesses to get funds to invest in Iraq and Iraqi businesses. The Foreign Office cannot offer advice on when the situation will change. Can the Secretary of State enlighten us?

Hilary Benn: I cannot, but I undertake to look into that problem and to get back to the hon. Gentleman. Many changes have taken place, including the successful currency transformation, which took up much time and effort. However, I understand the concern that he expresses on behalf of those who want to pass funds on to people in Iraq.

David Winnick (Walsall, North): As one who fully supported freeing Iraq from Saddam's tyranny—that tyranny should be borne in mind by next week's demonstrators—I none the less have the feeling that not enough is being done to explain the objectives of the occupying forces to the Iraqi people. That plays into the hands of the terrorists and criminals. The mass media should be used far more in Iraq to explain what is intended because there is much misunderstanding, to say the least, in Iraq over what is to be done over the next few years.

Hilary Benn: My hon. Friend raises an important point. Having spoken about the satellite dishes that I saw on many Baghdad roofs, I suspect that they are pointed principally at al-Jazeera and al-Arabiya—

Mr. Chris Bryant (Rhondda): And BBC Parliament.

Hilary Benn: One would like to think that BBC Parliament was popular viewing in Baghdad and Basra. We live in hope.

My hon. Friend the Member for Walsall, North (David Winnick) made an important point. It is the responsibility of the Iraqi governing council to explain the part that it plays in ensuring that the political process gives the Iraqi people the chance to take decisions on their future. I am sure he is right that more needs to be done on that front, in the same way as more needs to be done in the UK to give a more balanced picture of what is happening in Iraq today.

Hywel Williams (Caernarfon): The Secretary of State will be aware of the dissolution yesterday of KADEK, the Kurdistan Freedom and Democracy Congress. That took place to facilitate the setting up of a new organisation that would be more democratic and decentralised, and untainted by the past. Does the Secretary of State welcome that positive move to allow Kurdish people to discuss matters with the dominant nation states in the area, and will he share with the House his thoughts on the value of greater decentralisation in Iraq and greater self-determination for the Kurdish people in the country's reconstruction?

Hilary Benn: I certainly welcome the opportunities for greater political diversity, discussion and free debate that are opening up in Iraq as a result of the disappearance of Saddam's regime. As for the hon. Gentleman's point about the way in which the country should be structured and run in future, my view is that that is a decision for the Iraqi people, which is why the constitutional process is such an important part of reaching a decision on the issue that he raised.

Chris McCafferty (Calder Valley): I am grateful to my right hon. Friend for confirming that food supplies will continue after the oil-for-food programme finishes at the end of the month. However, will he also confirm the existence of an unpublished Bremer directive to end the public distribution system by June 2004? What is the Government's position on maintaining the public distribution system, which is clearly important for Iraqi welfare?

Hilary Benn: My hon. Friend has drawn attention to an issue that needs to be addressed. The fact that 60 per cent. of the Iraqi people were dependent on the food distribution system for their staple diet is an indication of the state of despair in which the country found itself. The fact that the public distribution system has continued to work effectively is important in providing stability while other reconstruction work takes place. Over time, however, the system will have to change, and

discussions are taking place on the right form of system, the pace at which changes occur, and the way in which the system will eventually work. The most important thing in the course of those discussions is to ensure that there is no disruption in the availability of food. We shall apply that test to any decisions that are made.

Mr. Crispin Blunt (Reigate): I am sure that the Secretary of State has read Simon Jenkins's article in *The Times* today which, if accurate, shows that his statement that there is a healthy debate about the political and constitutional process contains, unusually for him, more spin than substance. If the rest of Mr. Jenkins's analysis is correct, the fact is that there has been a catastrophic failure of British influence with the Americans in the past 15 months. The Foreign Secretary's statement today that he has not even been consulted on Mr. Bremer's talks with the Administration simply demonstrates that, with the Pentagon taking the lead rather than the State Department, and with the dismantling of the Iraqi army, some fundamental decisions have been made from which British influence was wholly absent. We are now in a position of having responsibility without power. Will the Secretary of State and the rest of the Government do their best to address the situation at which we have now arrived?

Hilary Benn: I have not read the article to which the hon. Gentleman referred, and I do not accept the description of the situation that he has just given.

Mr. Tom Clarke (Coatbridge and Chryston): In thanking my right hon. Friend for his comprehensive statement, may I ask whether he is aware of the concerns of the Kurdish representatives on the Iraqi governing council about northern Iraq? Those of us who have seen the tremendous transformation in health and education since the early '90s—there are now two universities, road infrastructure has improved and so on—share the view that that progress should continue. However, we also share concerns that have been expressed about neighbouring states and their objectives, and I would be grateful for his view on that. Is he convinced that the standing of northern Iraq and its boundaries and human rights are being respected by neighbouring states, including Turkey?

Hilary Benn: It is very important that all countries, particularly neighbouring states, act in a way that supports the political, economic and social process of reconstruction in Iraq. I am acutely aware of the position of the Kurdish part of Iraq, what it has gained from the protection provided in the past by the no-fly zone and the opportunities that have opened up with the fall of Saddam. It is important that we respect that, and that the Kurds play a full part in decisions within Iraq about the future structure of the country. One of the great merits of the governing council in the form in which it was established is that it recognised the Shi'a, the Sunni, the Kurds and the Iraqi Communist party in an effort to represent all the interests of the country, while acknowledging that Iraq is a complex country with a difficult history and that making decisions about its future governance will require much careful debate and discussion. I am sure that the process that is now in place will ensure that the Kurdish people and the Kurdish part of Iraq can play their part in reaching those decisions, because we want to build on what has been achieved.

Dr. Julian Lewis (New Forest, East): Is it not precisely because this is such a complex situation that it is unfortunate that Britain is not being consulted when the Americans are making key decisions about what is to be done? The Secretary of State, as always, was comprehensive in his reply to the shadow Secretary of State, but he did not address the point about the Foreign Secretary or, indeed, any Government representative not being included in the discussions between the Americans and Ambassador Bremer? I think that the Secretary of State is old enough to remember what happened in the run-up to our withdrawal from Aden, when the security situation was coming under control, only for a premature announcement to be made that we were going to withdraw. That was intended to pacify people, but it encouraged the terrorists. It is important that we are not panicked into hasty action and that the Americans are not either. With our experience, there may be some things that we can usefully tell them about such a process.

Hilary Benn: I shall resist the temptation, because I would probably be ruled out of order, to discuss the experience of our withdrawal from Aden in 1967. Discussions are taking place all the time between all the parties in the process, including Ambassador Bremer, whom I met when I was in Baghdad and with whom Jeremy Greenstock has regular discussions. One should not confuse what appears in some newspapers with the reality of the debate. Everybody in the process should reflect on what has worked and what has not, and the way in which we can change what we are doing in response to changing circumstances. That is the sensible thing to do. As a result of those discussions, the Iraqi governing council will take decisions and make recommendations on 15 December that will chart the way forward.

Mr. Harry Barnes (North-East Derbyshire): Is my right hon. Friend aware that Saddam Hussein, like Adolf Hitler, had his people dragooned, incorporated and controlled by three mass organisations—one for women, one for young people and one for trade unionists? Now that those organisations are free to act, they are often in desperate need of office facilities, education and other provisions. The Foreign Secretary met the general secretary of the TUC and trade union leaders last week to discuss the situation of trade unions in Iraq, but what progress has been made in assisting those bodies, including organisations for women and young people, in playing a full role in the development of civic society?

Hilary Benn: My hon. Friend made an important point about the contribution that civil society can make to the rebuilding and reconstruction of Iraq. I can give him a practical example of support provided by the CPA in the south. Towards the end of September, I met a women's organisation in Basra that is being offered meeting space in the CPA headquarters so that it can come together to discuss issues in the town. It expressed

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appreciation to Sir Hilary Synnott, the head of CPA south, and me for giving them access to those facilities. It is important that we do everything that we can to encourage people who are bringing Iraqi civil society back to life, because it was cruelly repressed, as my hon. Friend said, under Saddam. That is an important part of rebuilding the country.

Richard Younger-Ross (Teignbridge): The answer to the question asked by the hon. Member for Belfast, South (Rev. Martin Smyth) is that only two members of the police have been allocated. Although the Secretary of State did not say so, that was certainly the answer the last time that I asked. Will he expand on the restructuring of the power industry, particularly the rebuilding of power plants? I have asked before when that restructuring would begin, but I was given vague answers. No one would say when the contracts would be let or whatever. Will the Secretary of State tell us when they will be let, or are they still stuck in red tape in Washington?

Hilary Benn: I undertake to write to the hon. Gentleman to give him a comprehensive answer on the current state of play in relation to those contracts.

Joan Ruddock (Lewisham, Deptford): My right hon. Friend will know that in post-conflict situations, violence against women escalates. Will he ask his officials to look at Iraqi micro-projects such as the Baghdad women's shelter that is being run by the Organisation of Women's Freedom in Iraq, and which is giving support to women escaping honour killings? Small grants to such projects could do much to save lives and to give Iraqi women more confidence in the coalition.

Hilary Benn: I gladly undertake to ask my officials to look at the project to which my hon. Friend refers. I will write to her, and perhaps we can discuss it.

Speaker's Statement

1.31 pm

Mr. Speaker: Yesterday, the hon. Member for Ealing, Acton and Shepherd's Bush (Mr. Soley) raised as a point of order a complaint about a letter that he had received from the editor of *The Sun*. He regarded that letter as a threat that would in effect be a breach of his privileges as a Member of Parliament. I promised that I would look into the matter. The hon. Gentleman will recall that we had already exchanged letters on this matter. As I have indicated to him, "Erskine May" records, on page 121, that

"privilege applies in relation to obstruction of Members in the discharge of their responsibilities to the House or in their participation in its proceedings".

It goes on to point out that

"not all responsibilities assumed by Members fall within this definition".

I have considered the matter carefully, and I can understand the hon. Gentleman's concern, but I am bound by the rules of the House relating to such matters, and I do not believe that the correspondence raises any issues on which I can intervene.

May I point out to the House that complaints of breach of privilege should always be made to me in writing? The procedure for doing so is set out on page 144 of "Erskine May".

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): I am grateful to you, Mr. Speaker, for that clarification, and for making it clear to the House that the issue is as it is. I never claimed privilege on the issue. I think that when a multinational newspaper organisation uses an editor to reply to a Member when they have not been involved in any discussions, it is right that the House should be aware of it. I am very grateful that you have placed that on the record in the way that you have.

Points of Order

1.32 pm

Mr. David Wilshire (Spelthorne): On a point of order, Mr. Speaker, of which I gave you notice earlier today. I can confirm that I have also drawn the matter to the attention of the Under-Secretary of State for Constitutional Affairs, the hon. Member for Shipley (Mr. Leslie).

Yesterday, I received a letter from the Minister's diary secretary at the Department for Constitutional Affairs. It says:

"I am writing to inform you that Christopher Leslie will be visiting your constituency on 12th November 2003 for the opening of the Criminal Justice Centre in Staines. The Minister will be present between 13.00 and 17.00.

I would be grateful if you could send me any local information that you think will be relevant to Mr. Leslie's visit."

Mr. Speaker, you are the guardian of the interests of Members of this House. In the past, you have said that it is unreasonable not to give Members sensible notice of a ministerial visit. I believe that 24 hours is inadequate; and it adds insult to injury when a Minister asks one to do his homework 24 hours before he makes the visit. A formal opening is not something that is conjured out of the air at 24 hours' notice. Is there anything that you can do to persuade Ministers to give Members of this House sensible, adequate notice when they visit constituencies?

Mr. Speaker: The hon. Gentleman has put it on the record that in his opinion 24 hours is not sensible notice, so whenever the hon. Member for Shipley (Mr. Leslie) appears, or tries to appear, in his constituency, he will give more notice. I would not like to lay down an amount of time that should be considered reasonable: it is up to individual Members to decide what they feel is reasonable in these matters. From time to time, I could do with a Minister visiting my constituency—perhaps I can put that on the record as well.

Mr. Andrew Mackay (Bracknell): On a point of order, Mr. Speaker. You will have noticed that in the newspapers today, and on the radio yesterday and today, there have been very serious allegations about the Minister for Children. A threatening letter that she sent to the chairman of the governors of the BBC has been published, in which she slurred the whistleblower in the child abuse scandal in Islington. Has she asked you if she can make a personal statement from the Dispatch Box? If not, she should, because it is an abuse.

Mr. Speaker: That may be the right hon. Gentleman's opinion, but there is no need for the right hon. Lady to make a personal statement. It is not a matter for the Chair.

Brian White (Milton Keynes, North-East): On a point of order, Mr. Speaker. May I draw to your attention the latest Liberal Democrat money-raising scam? I am not often speechless, but on Monday my local Liberal Democrat council presented me with a bill for £63 for taking up the case of a woman whose friend's daughter had died. Will you make it clear to the Liberal Democrat administration how seriously you view any interference with the work of a Member of Parliament, and suggest that they make an apology in their next *Focus* newsletter?

Mr. Speaker: I am glad to hear that the hon. Gentleman's council has accepted that a mistake has been made in trying to charge him for a legitimate inquiry on behalf of a constituent.—*[Interruption.]* Order. I do not think that it is necessary for me to comment further, except to say that I hope that Glasgow city council reads *Hansard*.

Constitution for Europe (Referendum)

1.37 pm

Mr. John Maples (Stratford-on-Avon): I beg to move,

That leave be given to bring in a Bill to make provision for holding a binding referendum on any Treaty establishing a Constitution for Europe before any Bill relating to the Treaty is presented to Parliament.

I do not know how many Members of this House are aware of just how enthusiastic the Government are about referendums. If we were all taking part in a session of "Who Wants to be a Millionaire?" and Mr. Tarrant were to ask us how many referendums the Government have introduced since 1997, I suspect that I am the only person who would get the answer correct—it is 34. We have had a staggering number of referendums. The Government are referendum junkies—except on the most important issue that faces this country at the present time.

Of the other 14 countries in the European Union, six are committed to holding a referendum and two—France and Italy—are debating the matter extremely seriously. The French Prime Minister has said that there should be a referendum, and Mr. Chirac has instituted a consultation process. France held referendums before, in 1972 and 1992. The United Kingdom Government are so worried about what the French Government are doing that our diplomats in Paris are apparently lobbying them not to hold a referendum because it would be extremely embarrassing to the Prime Minister. Yet polls show that 80 per cent. of people in this country—even in Sedgefield and among trade unionists—want a referendum, and that demand is growing. If France and Italy were to sign up to referendums, it would be unstoppable.

We have had a mass of referendums—some on very important issues such as the Scottish Parliament and the Welsh Assembly, and some on trivial issues such as whether Hartlepool should have a mayor—but apparently we cannot have one on this. We had one on the Good Friday agreement, which is a reasonably close parallel in that the constitutional arrangements for governing Northern Ireland were changed and the approval of its people was sought.

I wonder how many Members of the House—or indeed, of the Government—are aware of the very first sentence of the draft constitution, which begins:

"Reflecting the will of the citizens and States of Europe to build a common future, this Constitution establishes the European Union".

How do we know that it reflects the will of the citizens of Europe if we do not ask them? It is a bit presumptuous to include such a sentence if there is no intention of holding a referendum.

One of the canards that the Government put about is that the Conservatives support a referendum because they want a no vote so that they can get out of the European Union. That is not my view. I do not believe that one has to be in favour of the constitution and a never-ending process of integration to be a good European. A no vote in a referendum would tell the Government that people were not prepared to support the constitution and that the Government should negotiate a different constitution or a different relationship between this country and the EU.

It is clear that the process of change is accelerating. From 1956 until the Single European Act in 1985, the treaty of Rome remained substantially unamended. However, there were only seven years between the Single European Act and Maastricht, five years between Maastricht and Amsterdam and three years between Amsterdam and Nice. It appears that there will be three to four years between Nice and the constitution. For 39 years there was almost no change to an economic community, yet in a few short years we have advanced substantially towards a united states of Europe. The direction is clear.

I have much time for those who say, "I want to be part of a federal Europe." There is an argument for that and I can understand it. There is also an argument—with which I agree—that that is not the future of this country. However, there is no case for the people who pretend that what is happening constitutes nothing. The former Minister for Europe compared the constitution to the *Beano* and said that it did not introduce anything.

On examination, one can find what bothers people such as me about the constitution. It contains some big changes—no one can deny that. Whether they are good or bad is another matter. It provides for a president, a foreign minister, a public prosecutor, a charter of fundamental rights, citizenship, legal supremacy, the sole right to make treaties, more Europol powers, a diplomatic service, stronger language on common defence, harmonisation of criminal law and procedure, and co-ordination of economic and employment policy. There is also the fact of its existence. The European Union already has a Parliament, a supreme court, a currency, a central bank, a common foreign and security policy and military capability. They may not constitute all the characteristics of a state but they amount to a great many of them. It does not need more to reach that point.

The constitution collapses the pillar structure that Maastricht introduced so that there is no veto on justice and home affairs matters. That means a common policy, with qualified majority voting, on asylum, immigration and border controls. We will cede control over those matters to the European Union. The foreign affairs pillar, which has hitherto been kept as a separate intergovernmental pillar, will be compromised by the dual hatting of the foreign minister, who will be secretary-general of the Council and a commissioner. The Commission will thus get a role in foreign policy that it has not previously played.

The pillar structure will go and there will be much more qualified majority voting, including on implementing foreign policy. There is a drive, which the Chancellor says that he will resist, to include social security and tax in qualified majority voting. Competition law is becoming an exclusive EU competence. We shall have no status in competition matters in the future.

We have come a long way since 1956, when we all happily signed up to an economic organisation. I am happy with the Single European Act, which introduced the single market. However, no one then signed up to what we are now approaching. A referendum took place in the 1970s. Before the next stage in the process, the British people should be consulted; there should be a referendum.

Perhaps there should have been a referendum on Maastricht. However, we had opt-outs from the two biggest items in the treaty—the social chapter and the single currency. Nevertheless, perhaps there should have been a referendum. Perhaps referendums should have been held on Amsterdam and Nice. However, the fact that there were no referendums strengthens rather than weakens the case for one now. It will not set a precedent. We have travelled an enormous distance since Maastricht. Since we did not hold a referendum then, it is imperative to have one now. At some point, people must be asked whether they want the process to continue.

One may hold the view that our future is an increasingly centralised European Union. I believe that that will inexorably lead to a single state. That is a tenable view and I understand the people who hold it, especially those who are honest about it and advocate it openly. We may see our future as an independent state in a more flexible European Union, co-operating on an intergovernmental basis to advance common interests. However, the issue bedevils British politics. It bedevils politics between parties and within parties. *[Interruption.]* There is no point in pretending that the problem does not exist.

The issue bedevils not only British politics between and within parties but British policy making. We have already witnessed that. For example, on defence, the Prime Minister is trying to do two incompatible things at once. He signed up to the St. Malo agreement and subsequently spent four years trying to ensure that European security and defence identity is pulled back into NATO. In the aftermath of the problems in Europe over the Iraq war, a little more leeway is being given on European defence. The Prime Minister must pull that back, too. We are becoming schizophrenic about the matter and that makes for bad policy. It is bad for the country because we are not clear about our destiny.

I would vote no in a referendum, but I would accept a yes vote because the direction of the country and our public policy aims would then be clear. A no vote would also make matters clear. However, if we continue as we are, we shall have schizophrenia in policy making—trying to be in and out, a good European and a good Atlanticist. The dilemmas, whatever they are, will lead to confusion. The issue must be settled so that the policy direction is clear, and that can happen only through a referendum. The time and the issue are right. If the Government are so confident that they are right, let us have a referendum.

1.45 pm

Mr. Chris Bryant (Rhondda): I am delighted that the hon. Member for Stratford-on-Avon (Mr. Maples) has given us an opportunity to debate the issue. However, I am saddened that he appears to have been hijacked by the extreme right of his party.

I confess that I am not a big supporter of referendums. I believe that they are especially inappropriate when trying to deal with the intricacies of creating a treaty. Let us examine the facts. The draft constitutional treaty has 565 clauses, five protocols and two declarations. The vast majority are almost identical to those in previous treaties, but it is important to scrutinise the document line by line, clause by clause, not simply subject it to a question of yes or no. Although a referendum might be appropriate for "Pop Idol" when deciding whether Gareth Gates or Will Young should win, it is unsuitable for examining a treaty. That needs to be done with due diligence and only Parliament can do that. *[Interruption.]*

Referendums in many parts of the world have often left countries and regions—*[Interruption.]*

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman is entitled to be heard.

Mr. Bryant: Thank you, Madam Deputy Speaker. Referendums can render countries ungovernable. Let us consider California, where subsequent referendums were passed on a cut in taxes every year and on an annual increase in education spending. That made California almost ungovernable. I note that the policies are remarkably similar to those that Conservative Members are trying to advance—a miracle of increasing spending and cutting taxation—but I do not believe that the people of the world will subscribe to it.

A principal problem with referendums is that, on the whole, people do not answer the question that is put to them. Let us consider the 1986 referendum in Spain on whether it should join NATO. I do not suppose that many Conservative Members wanted Spain to vote against joining. However, many people voted according to whether they liked the Government of the day, not on the issue. *[Interruption.]* I believe that we should hold referendums on only two conditions—*[Interruption.]*

Madam Deputy Speaker: Order. I have already asked that the hon. Gentleman be given the privilege of presenting his opposing view.

Sir Patrick Cormack (South Staffordshire): On a point of order, Madam Deputy Speaker. May I cite one of the late Enoch Powell's points of order? He said that an hon. Gentleman is entitled to speak but not to be heard.

Madam Deputy Speaker: I shall not comment on that matter.

Mr. Bryant: Thank you, Madam Deputy Speaker. The Conservatives are clearly in quite a state today.

I believe that a referendum should be held only when the question is susceptible to a yes/no answer, and I maintain that this treaty is not susceptible to such an answer. Let us take article I.14. I believe that that article needs changing, and I hope that it will be amended. I am certain that the Government are trying to get it amended. But let us say that it stays in. Would that be the issue on which people voted yes or no, or would it be some other part of the treaty? Would people vote against the quotation from Thucydides that starts the treaty because they had hated Thucydides at school? Why would people vote? Would it put Britain in a better position, after a referendum, to argue for a stronger treaty on our behalf, or would it put us in a weaker situation because we would not know what we wanted?

[Mr. Bryant]

The first condition, then, is that if we are going to have a referendum, it should be susceptible to a yes/no answer. Secondly, it should be advanced only when a substantial change in how we are to be governed is being proposed. I would point out to the hon. Member for Stratford-on-Avon that the ink is not yet dry on the draft constitution document. I should like to quote someone that he might have heard of, who said a few weeks ago in the House of Lords:

"I am concerned also that my own party . . . has so misled itself that it is ready at this stage to commit itself to a referendum on anything that may emerge from the constitutional Convention, not before the ink is dry but before half the wet ink has been put on it. We do not yet know what is going to emerge. It may prove to be an issue so dramatically different from those we have subscribed to in the past as to deserve that response. But I hope very much that my own party will consider carefully the wisdom of committing ourselves in advance to a referendum on this issue".—[*Official Report, House of Lords*, 9 September 2003; Vol. 652, c. 179.]

That was no wild lunatic; it was the former Conservative Foreign Secretary, Lord Howe.

If the ink is not yet dry on the document, how can the Conservatives already call for a referendum? They do not know whether the constitution will involve a substantial change. I believe that, so far, the document does not propose a substantial change in the way in which Britain is to be governed—certainly not as substantial as the changes in the Single European Act in 1987, or in the Maastricht treaty in 1992.

The hon. Member for Stratford-on-Avon tried to tell us that we were going to have a president, and that we would therefore be entering a superstate. Perhaps he studied a little bit of French at school. The word "président" in French just means "chairman". It is very simple: there is not going to be a president of Europe. The hon. Gentleman is misleading the House.

Let us deal with the pro-referendum—

Hon. Members: More! More!

Madam Deputy Speaker: Order.

Mr. Bryant: They will be appearing in panto later in the season, Madam Deputy Speaker.

Let us deal briefly with the pro-referendum arguments. The argument that has already been advanced by so many Conservatives is, "It's good enough for all the other countries of Europe, so why can't we have one here?" For a start, that is factually wrong. I shall correct the hon. Member for Stratford-on-Avon. Only three countries have so far committed themselves to holding a referendum. Five have said that they are thinking about it, two have said that they will definitely not hold one, and 15 have said that it is extremely unlikely that they will do so. The hon. Gentleman's argument does not hold water in terms of the facts, but it does not do so in terms of logic either.

The logic of the hon. Gentleman's argument is that, since everyone else is doing it, we should do it too, but that would take us down the route of having qualified majority voting for treaty ratification processes. Why is he not arguing for a single European referendum? That is where his logic is taking him. I believe that it is much better for each country to follow its own tradition. Ireland's tradition means that it will have a referendum because it has to. Germany, following the tradition that we enforced on it in 1948 that it should not have plebiscites, will not hold a referendum because it is constitutionally impossible to do so.

It is particularly interesting that the Tory leadership and Front Benchers are arguing for a referendum. They did not do so for Maastricht. On 21 April 1993, 85 Conservative Members who are still Members of this House voted against a referendum; only 13 voted in favour. The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) argued forcefully against a referendum, and he was practically manhandling people through the Lobby.

The truth is that the Conservatives want a referendum for nakedly opportunistic reasons, so that they can say no—as the hon. Member for Stratford-on-Avon has already suggested that he would—and so as to start a complete unilateral renegotiation of all the treaties. But it takes two to tango, and it takes 25 to start a renegotiation of the treaties of Europe. The Tories have no one else to tango with or to renegotiate with. All that they are really talking about is withdrawal, and I urge the House to vote against this Bill.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 145, Noes 233.

Division No. 359] **[1:54 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Bercow, John
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Burnett, John
Burns, Simon
Burt, Alistair
Carmichael, Alistair
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Corbyn, Jeremy
Cormack, Sir Patrick
Cryer, John *(Hornchurch)*
Curry, rh David
Davies, rh Denzil *(Llanelli)*
Davis, rh David *(Haltemprice & Howden)*
Davis, rh Terry *(B'ham Hodge H)*
Djanogly, Jonathan
Dorrell, rh Stephen
Drew, David *(Stroud)*
Duncan, Peter *(Galloway)*
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Gray, James *(N Wilts)*
Green, Damian *(Ashford)*
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hogg, rh Douglas
Hopkins, Kelvin
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lamb, Norman

Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McDonnell, John
McIntosh, Miss Anne
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
McWilliam, John
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Mitchell, Austin *(Gt Grimsby)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Streeter, Gary
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Eric Forth and
Mr. Andrew Mackay

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Bailey, Adrian
Baird, Vera
Beard, Nigel
Beckett, rh Margaret
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cranston, Ross
Crausby, David
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gardiner, Barry
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Hain, rh Peter
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Heyes, David
Hill, Keith *(Streatham)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNamara, Kevin
Mactaggart, Fiona
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miliband, David
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Mountford, Kali
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Hara, Edward
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis

Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*

Tellers for the Noes:
Ms Bridget Prentice and Charlotte Atkins

Question accordingly negatived.

Fire Services Bill (Programme) (No. 3)

Motion made, and Question proposed, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following provisions shall apply to the Fire Services Bill for the purpose of supplementing the Orders of 8th May 2003 and 3rd June 2003:

Consideration of Lords Amendments

1. Proceedings on Consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement at this day's sitting.

Subsequent stages

2. Any further Message from the Lords may be considered forthwith without any Question put.

3. Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Mr. Ainger.]*

Question agreed to.

Orders of the Day

Fire Services Bill

Lords amendments considered.

Clause 1

POWERS OF THE SECRETARY OF STATE

Lords amendment: No. 1, in page 2, line 1, at end insert "or disposal".

2.8 pm

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): I beg to move, That this House agrees with the Lords in the said amendment.

The amendment is intended to clarify the consultation arrangements for directions about property or facilities made under the power in clause 1(1)(b), which allows the Secretary of State to give directions to fire authorities about the

"use or disposal of property or facilities".

As originally drafted, the consultation requirements in clause 1(4) applied only to directions about the "use" of property or facilities. It is and was our intention that the same consultation requirements should apply to all directions under the clause 1(1)(b) power, whatever their content. The Secretary of State would therefore be required "as he thinks fit" to consult persons, or representatives of those persons, who

"are, in his opinion, likely to be affected by the proposed direction".

Concern has been expressed about the possible use of the power to require disposals of assets. In Committee, in response to some strongly expressed concerns, my hon. Friend the Member for Shipley (Mr Leslie), then the Under-Secretary of State, said that the provisions were

"not part of some . . . asset-stripping fire station closure plan".

He went on to remind the House that, as the Bain review highlighted, there were

"all sorts of ways . . . of making savings in the fire service that involve neither selling off nor reducing the facilities available for the protection"

of the public,

"nor creating redundancies".—[*Official Report*, 3 June 2003; Vol. 405, c. 89.]

I want to repeat that we do not intend to use directions under clause 1(1)(b) for asset stripping, some sort of privatisation or a mass fire station closure programme. However, we want to ensure that the proper modernisation of the fire service can be implemented. I fully expect and hope that this can be done without the use of these powers, but that may not be possible. If it is not, we will consult fully, as the Bill requires. I would not want to leave anyone with the impression, however mistaken, that the Government thought that lesser or no consultation was needed for any orders dealing with disposals. Therefore, to ensure consistency between the two connected provisions, we accept that the words "or disposal" should be added to clause 1(4).

Mr. Philip Hammond (Runnymede and Weybridge): Nobody could disagree with the notion that there should be consultation in the case of disposal, as well as a direction for use. However, I want to place on the record that this was a simple mistake—a word was left out of the Bill's original text, which is the sort of error that we would usually expect to be picked up during a proper Committee stage. That rather underlines the dangers of a rushed process—of taking a Bill through all its stages in one afternoon. It proved possible for it to go to the other place with an important word missing from the text, and for that fact to be overlooked, despite it being scrutinised in this House. I hope that the Minister will take that point on board and consider long and hard before trying to rush through legislation again. We owe a debt of gratitude not to Government Front Benchers, but to the noble Baroness Turner, who picked up this error from the Back Benches.

Mr. Edward Davey (Kingston and Surbiton): I, too, accept the Minister's emollient statement that this is a minor amendment, but it will be important to ensure that any consultation required under the Bill is full in respect of all of the proposed changes. It is worth placing on the record that the amendment does not make the Bill any better; overall, it is ill thought through and unnecessary. Although the Minister may say that the current impasse or delay in the negotiations justifies the Bill, the fact that both sides are negotiating suggests that it and the amendment are not needed. It is worth pointing that out, given what is happening outside this place.

Lords amendment agreed to.

New clause

Lords amendment: No. 2, after clause 1, to insert the following new clause—*Interpretation of the June 2003 agreement*—

'For the avoidance of doubt, nothing in this Act affects the possibility of the parties agreeing on a reference to mediation, conciliation or arbitration on the interpretation of the June 2003 agreement between the Fire Brigades Union and the local authority fire service employers.'

John McDonnell (Hayes and Harlington): I beg to move amendment (*a*) to the Lords amendment, in line 6, at end, add

'or enables an action in tort on the ground only that it contravenes a statutory duty imposed by an order made under this Act, which would affect the possibility of mediation, conciliation or arbitration.'

Madam Deputy Speaker (Sylvia Heal): With this we may discuss amendment (b), in line 6, at end, add

'or enables the local authority fire service employers to impede the possibility of a reference to mediation, conciliation or arbitration by pursuing an action in tort on the ground only of contravention of a statutory duty imposed by an order made under this Act.'

John McDonnell: I begin by preparing the background to the amendment. Lord Lea moved amendment No. 2 as an avoidance-of-doubt clause because he was anxious to clarify in the Bill that nothing stands in the way of mediation. In other correspondence, the Minister has made it clear that such clauses are seen by Governments as clearly helpful, if not regular. They are helpful in avoiding any future

[John McDonnell]

misconstruction of the Bill by including in it an explicit statement as to its intent. I agree with, and support, this type of clause in principle.

The purpose of my amendment is to seek to extend the avoidance-of-doubt clause to clear up—helpfully, I hope—a further doubt that entered into the debate after the Bill left the Commons and went to the other place. It is a straightforward amendment that explicitly overcomes that doubt, and it reflects the Government's intentions as stated in correspondence with Members of the other House and also in the debate in that House.

That doubt was expressed in the other place at various stages by the noble Lords Wedderburn and McCarthy and by Baroness Turner. Those of us who have had any dealings with industrial relations and the related law during the past 30 years appreciate that Lords Wedderburn and McCarthy and Baroness Turner expressed a view on this subject that is based on decades of experience, and it comes from those who are the most qualified to express such a view. In fact, many in this House learned their industrial relations law at the feet of Lord Wedderburn, as an expert practitioner.

The doubt expressed by those Lords is set out in a briefing note prepared by Lord Wedderburn, Professor Emeritus of commercial law at the London School of Economics, which was published on 1 November. I tried to place this note in the House of Commons Library, but I was informed that only Ministers or Mr. Speaker may do so. However, I have copies available in my office if Members wish to peruse the note.

2.15 pm

Mr. Hammond: The hon. Gentleman has set out the credentials of the noble Lords who first raised this issue as amendment No. 3 in the other place. As the Government refuted their case entirely, can he tell the House whether he believes that the Government are simply poorly advised by their legal advisers or are being duplicitous?

John McDonnell: I am trying to create a climate in this debate that is not confrontational. Doubt exists. The Government's advisers are not duplicitous or in any way incompetent; they simply have a view. The noble Lords, who have vast experience in these matters, have another view, and that leads to doubt. The situation is no more contestable or challengeable than that. This is not an "in your face" allegation.

Mr. Edward Davey: Is the hon. Gentleman saying that his amendment would simply clarify what Ministers say is already the position, and that it would therefore be helpful to include it in the Bill?

John McDonnell: That is exactly the purpose of the amendment, and nothing more. It is designed to take the Government's intention as stated in ministerial statements and enact it in the legislation.

I shall explain the doubt that I described. On 30 June 2003, the Lords warned that the terms of the Bill contained a threat to the right of firefighters and the FBU to take lawful industrial action. This was not an intended threat by the Government—a point made explicit by the Secretary of State and the Minister—but it is a possible threat. The TUC has also expressed this concern. The Lords argued that the Bill contains provisions that could enable a claimant to obtain an injunction against a strike, or the threat of a strike, by the FBU, even in a trade dispute in which all legal requirements, such as a ballot, had been fulfilled. Why is that so? I shall answer that by referring to what I shall describe as the Wedderburn doctrine. In the UK, there is no explicit right to strike, but trade unions are now afforded certain immunities in law. Under part V of the Trade Union and Labour Relations (Consolidation) Act 1992, trade unions are protected in a trade dispute, and after a ballot, from actions on the basis of a breach of contract. That provision was inserted into law by Sir Charles Dilke, a well-known liberal progressive, in 1906.

Mr. Andrew Dismore (Hendon): It was the Trade Disputes Act 1906, following the Taff Vale case.

John McDonnell: Indeed. The Taff Vale case was part of the instigation of the Labour party's foundation and representation in Parliament.

The problem is that the Court of Appeal, in the case of Meade *v.* Haringey Borough Council, held that this protection does not apply where the union induces a breach of duty imposed by statute, not by contract. Lord Wedderburn quoted Lord Eveleigh at length in this regard. The union

"may, in proper circumstances, induce others to break a contract in furtherance of a trade dispute, but they are not entitled with impunity to order or solicit a breach of statutory duty."

Lord Denning agreed. He said that the legislation gives the unions

"immunity if they induce a person to break a contract. But it gives them no immunity if they induce a local authority to break its statutory duty."

The Government have contested that point, saying that there is an uncertainty in the meaning of Denning and Eveleigh, but those statements could not have been more explicit. Indeed, although the judgment in that case may have been criticised in the generality, there has been no criticism of the reference to the statutory duty. In addition, that interpretation was even used in the case of R *v.* The Governors of J School, in 2003.

The new Bill introduces a number of statutory duties. Of the many examples that Lords Wedderburn and McCarthy raised in their briefing for the Lords debate, I shall cite just one that was seized on by Lord Wedderburn. Under clause 1(1)(b), the Secretary of State may

"give . . . directions to fire authorities about the use or disposal of property or facilities."

The fire authority has a statutory duty to comply with the direction contained in such an order. Wedderburn considers the example of a fire station closure and said that firefighters from the station under threat might persuade other firefighters to take industrial action against the closure and the removal of pumps, which threaten public safety and, indeed, jobs overall within the service. It could be after a ballot and it could involve

all the members of the FBU nationally. The union, Wedderburn states, would "clearly be at risk" of liabilities

"for inducing a breach of the fire authority's statutory duty to comply with the direction".

Wedderburn further asserts:

"At present it is lawful for firefighters to strike against the closure of stations. Under the new law as the Bill stands it would not be lawful."

What was the Government's response to the noble Lords and Baroness Turner? Doubts were raised when the Bill was first debated on 30 June 2003 and the Government were warned about the problem. The noble Lords pleaded for delay and produced a detailed legal argument, suggesting helpful amendments. No legal argument came from the Government until four months later on 31 October. The response was contained in a letter from the Minister with a 10-page legal note three days before Third Reading.

The first main point in the Government's response was that avoidance-of-doubt clauses are inserted only where doubt exists. I have to say that there is no doubt that there is a doubt on this matter. There is a contested doubt in the Lords from people who have a vast range of experience in industrial relations—they are challenging the Government's legal opinion. When noble Lords with great experience, as well as the TUC, express a doubt, there is a doubt.

The Government also believe that it is "highly unlikely" that a union would not be protected by existing legislation, but highly unlikely is not certainty. The position enables an element of doubt to creep into any future actions. The Minister also stated clearly that the threat to firefighters' right to take industrial action was not present; that was not the Government's intention. I accept at face value the Government's assertion. I believe in the good will behind that statement, but the courts will not necessarily give effect to the intentions expressed by Ministers if those intentions are not enacted clearly in the Bill.

In their note to the noble Lords, the Government relied on the case of Pepper *v.* Hart 1993, which has enabled ministerial statements to be considered, in limited circumstances, by the court as the background to legislation. However, ministerial statements do not govern the meaning of an Act. Pepper *v.* Hart enables construction of ambiguous, obscure or absurd statutory provision. In practice, it serves simply to remove ambiguity. Well, that is exactly what my amendment is designed to do—to remove the ambiguity at first stage.

Lord Wedderburn drew Ministers' attention to the more recent case of Wilson *v.* First County Trust 2003, where the Law Lords again expressed a view on the general application of Ministers' interpretations. The result of that case was explicit: it is the words of the Bill, not the intentions of Ministers, that control the meaning of the Bill itself.

Mr. Kelvin Hopkins (Luton, North): My hon. Friend has talked about assurances from a Minister, which would at least morally bind an existing Government, but they would not necessarily bind a future Government who might be more hostile to trade unionism and take a different view of the legislation than the present Government. Is that not the case?

John McDonnell: There are clearly elements of future interpretation of legislation and future ministerial statements that might have some impact, but that is yet to be tested in the courts. It is open to debate, leaving further room for doubt. I shall be quick now, because other. Members want to contribute to the debate.

We have all experienced the danger of doubt in industrial relations in negotiations about individual words, but it is more dangerous in industrial relations when injunctions are flying around. Injunctions against trade unionists taking industrial action are granted in interim proceedings. Most of us who have been involved in trade unions in the past will have had injunctions made against us at the interim stage. It is not only when a claimant, an employer or a third party can prove their case that an interim injunction is awarded, but when a claimant can show an arguable case.

Diplock expressed a test—whether there was a serious question to be tried—which amounts to a different burden of proof for an interim injunction than for a full trial. If there is any doubt that the law is working against the individual union, it will be an arguable case. The arguable case obviously needs to be accompanied by a balance of convenience, and the Government have argued that that balance in many of these issues will rest with the union—but Lord Wedderburn said that he could find not a single case in which the balance of convenience has weighed in favour of a trade union in an interim injunction of this sort.

I shall now return to the real world—with apologies to Lords Wedderburn and McCarthy and Baroness Turner in respect of the legal arguments. The Bill was introduced after a long and, I have to say, bitter dispute. The Deputy Prime Minister, the Minister for Local Government, Regional Governance and Fire and the Fire Brigades Union all want to put that dispute behind them and move forward to a programme of reform and investment in the fire service. However, the climate of industrial relations in the fire service is already deteriorating over the non-payment of the first stage of the pay award. The Government need to send out the clearest possible message from this debate that the Bill does not contain any hidden threat to the FBU's right to strike. The best way to achieve that is, with the greatest respect to Members present, to remove any doubt from the Bill—not by making a ministerial statement, but by building a provision clearly into the Bill to the effect that no action could be taken on the basis of a breach of statutory duty.

Ms Joan Walley (Stoke-on-Trent, North): I shall be brief because I know that several hon. Members want to speak. I congratulate my hon. Friend the Member for Hayes and Harlington (John McDonnell) on the selection of his amendment and I am grateful that the Speaker has given us the opportunity to consider the amendments today, before the Bill becomes law. I cannot stress enough the urgency with which the Minister should respond to this brief debate.

I was present at the Remembrance day parade in my constituency in Burslem on Sunday when I spoke to members of the Staffordshire fire service, and I am aware of a heartfelt demand and need to move on and leave what has happened behind, to embrace the modernisation agenda and to ensure that we have

[Ms Joan Walley]

proper industrial relations in place. That is why I feel that clarification of the issues raised by Lord Wedderburn and others in the other place is critical.

I believe that little more than poor advice is contributing to the doubts currently expressed and that the concern felt by many hon. Members should not inadvertently deprive the Fire Brigades Union of its protection in law in the event of it taking industrial action. The bare bones of the matter is that the statutory trade union immunity applies where the union has induced a breach of contracts, but the immunity does not apply, as my hon. Friend the Member for Hayes and Harlington set out, where the union has induced a breach of a statutory duty. If orders made under the Bill create statutory duties, it follows that industrial action taken against an order will, arguably—I say arguably—not be protected by the normal immunities. That is why I ask the Minister to respond to the concerns expressed today.

The Government have made it clear that they do not intend to deprive the FBU of the right to protection for properly conducted industrial action. I do not doubt that for one moment, but that is why it is so important that adequate provisions to ensure that protection should be included in the Bill. That is the purpose of the amendment. If there is the slightest doubt that the Bill could lead to the removal of that protection—as my hon. Friend the Member for Hayes and Harlington said, it has been in place to help trade unionists for more than one century, I—and, I believe, many others—would expect the Government to take steps now to clarify the position.

Anyone who has taken the trouble, as I have, to read the contributions of Lord Wedderburn and Lord McCarthy in the other place and to study the 10 pages of notes placed in the Library, and who knows of the integrity of our noble Friends and of all their work in employment relations, will conclude that a considerable element of doubt remains, although I saw that my right hon. Friend the Minister was shaking his head just now. The amendment will remove that doubt and it is difficult to see what possible objection the Government could have to that.

2.30 pm

In a celebrated court case relating to education, it was stated that the court can use *Hansard* only as an indication of the Government's intentions if the Act in question is ambiguous. If the Fire Services Bill receives Royal Assent and becomes an Act, following our deliberations today, it is in any way ambiguous, it is essential that I can take a message to those Staffordshire fire service members that we have been given a clarification by the Minister today. That would be helpful in the event of any action that the courts may take in future.

Mr. Edward Davey: On this occasion, I agree wholeheartedly with the hon. Member for Hayes and Harlington (John McDonnell). As he knows, my colleagues and I disagreed with his position on the actual dispute between the Fire Brigades Union and the employers and the Government, but he and we agree that the Bill is otiose and indeed odious. We agree that his amendment should be included so that we do not retain the doubts that he and the hon. Member for Stoke-on-Trent, North (Ms Walley) expressed.

I agree with the hon. Lady. As she made clear, the amendment would confirm rights that have been around for many years. It is about 97 years since those rights were enshrined, during the first year of that great Liberal Government of 1906, and it is important that they be retained. It would be bizarre if a Labour Government were unwilling to be clear about that right when previous Conservative Governments, of a right-wing nature, have upheld it. It is odd that a Labour Government would want to allow any ambiguity, so I hope that the Minister for Local Government, Regional Governance and Fire will think again.

The Minister wanted the power to impose a settlement through the Bill. We disagree, because we believe that mediation and arbitration—compulsory, if necessary—are a much better way forward. Ministers have always said, especially to Labour Back Benchers, that the measure would not make a strike illegal; it would not outlaw industrial action that followed a legally constituted ballot. However, given the evidence that we have heard—the remarks made by noble Lords who are extremely experienced in this area of the law—there is doubt. The Minister keeps shaking his head, but the fact that such opinions have been expressed suggests that there is a prima facie case to answer.

The Government accepted Lords amendment No. 2 to ensure that there was no doubt about the status, in relation to the Bill, of the agreement made in June 2003. It would thus seem logical that the Government should allow the amendment proposed by the hon. Member for Hayes and Harlington to be tacked on to the new clause so that there is no doubt that properly constituted ballots for strike action would not be made illegal by the backdoor.

Even at this late stage, I hope that the Minister will think again; he will not only placate Liberal Democrats but Labour Members.

Mr. Dismore: I declare an interest in that I remain a solicitor in a law firm that practises in industrial law, although I am not taking cases at present. I also spent a year working on it when, some years ago, I was a postgraduate student of Professor Lord Wedderburn, QC. Having completed that postgraduate degree, I practised in that area of law for 20 years, advising the Fire Brigades Union for most of that time—*[Interruption.]* I realise that I shall not be paid by the hour this afternoon.

The FBU is law-abiding; it always has been and always will be—at least as far as I am aware. However, chief fire officers are incredibly litigious. During my time as an adviser to the FBU, I had to defend the union on many occasions in legal actions over trade disputes brought by chief fire officers. They seemed to think that was the way to sort things out, even though it usually made things 10 times worse in the fire service—as generally happens when people go to law over any form of industrial action.

There is little doubt in this case. I know, from advising the FBU and many other public service unions over the years, that the whole tort of inducing breach of statutory

duty is incredibly problematical for them. Statutory law has never really got to grips with providing the correct immunity for the right to strike of public sector workers.

The real issue relates to the consequences if we are wrong in advocating our position. If we and the Government are completely wrong about the right to strike, the consequence will be that the right to strike is taken away from the fire service, not only in the context of the Bill but of the Fire Services Act 1947 and whatever may replace it. If we are only partly wrong, the inevitable consequence will be that a chief fire officer will try his luck if he is met with trade union opposition when asked to implement an order under the Bill.

Jeremy Corbyn (Islington, North): My hon. Friend the Member for Hayes and Harlington (John McDonnell) cited the judgment in Meade *v.* London Borough of Haringey. I was a member of Haringey council at the time. We closed schools for safety reasons and the subsequent case resulted in that judgment. Does my hon. Friend the Member for Hendon (Mr. Dismore) accept that the case was brought in an atmosphere of spite and vindictiveness against the council, which had closed schools to ensure that children were safe on that day? The case was brought for that reason alone rather than for any of the other reasons claimed by Meade and others.

Mr. Dismore: I am grateful to my hon. Friend for that intervention. He illustrates the fact that the point goes beyond the Bill. The tort of inducing breach of statutory duty is a major problem for the public sector in general and the Bill will make that worse for the fire service.

Even supposing that we or the Government are only partly wrong, it means inevitably that a chief fire officer will test the position in the courts. Such a case would take place not against a background of civilised debate in this Chamber, but in the full spotlight of a major row in that industry. What view will a court take in those circumstances? Believe it or not, judges live in the world; they read newspapers and, in general, they come from a particular background. As my hon. Friend the Member for Hayes and Harlington said, the judge has only to be satisfied that there is an arguable case on the facts in law. That is an extremely weak test, which was introduced by Cyanamid *v.* Ethicon—if I remember correctly from my law student days.

If a union failed to comply with an interim injunction, it would end up in the great chain of legal consequences that we saw during the miners' strike. Fines for contempt of court would be imposed and ultimately there would be sequestration, with all that comes from that. A law-abiding union could be put in an incredibly difficult position simply because the Government did not decide to accept an amendment that would avoid the doubt that the Bill could create. The consequences for the fire service, both generally and in terms of industrial relations, are serious. The consequences for public sector trade unions are serious, yet the problem could be dealt with relatively easily if the Government recognised that a small amendment to the Bill would make the position clear. It would not be a big deal for the Government to accept the argument put forward by the pre-eminent figure in this area of law since the war. Professor Lord Wedderburn is the leading expert in the field.

Accepting the amendments would not even be a U-turn for the Government. If they do not accept them, the consequences for the fire service and public sector trade unions in general would be very severe.

David Hamilton (Midlothian): Will my hon. Friend put the matter in the simplest terms, for those of us who are not solicitors? Should not the rights afforded to FBU members be the same for every trade union member? Is not that the bottom line, irrespective of legal arguments?

Mr. Dismore: I know that the debate has been legalistic, but the question is: would the union be allowed to take industrial action if it objected to a direction given to the fire service by the Government? Such a direction might involve closing a fire station or redeploying a pump. There is grave doubt that the union could take industrial action legally.

Mr. David Drew (Stroud): This is the crux of the debate with the Government. Shutting down a fire station would be the most controversial possibility, but a dispute could be with the Retained Firefighters Union rather than with the FBU. The retained firefighters would be put in an invidious position. What is my hon. Friend's opinion: should they represent their community, or obey the demands of the chief fire officer?

Mr. Dismore: If the retained firefighters were defending a station against closure for community reasons, the action would be illegal, as it would not be considered to be a trade dispute under existing law. If their aim was to defend their jobs, that would be a trade dispute, and therefore perfectly legal under existing law as well. However, it may not be legal under the Bill.

Does the House believe that public sector workers should have the right to strike? That is the question. Such a major step is never taken lightly. There is no need to go into the reasons for the recent, terribly damaging dispute in the fire service, the first major dispute of its kind since the winter of 1977–78. I hope that the Bill does not cause a relatively minor problem that could be sorted out to escalate into something major and become the cause of confrontation.

It is an essential human right that people are able to take industrial action. If we believe in that right, the amendment would avoid an awful lot of doubt. I urge the Government to accept it.

Mr. Hammond: Before I deal with the amendments moved by the hon. Member for Hayes and Harlington (John McDonnell), I shall say a few words about Lords amendment No. 2. It is an avoidance-of-doubt provision, and it is bizarre to see it inserted in a Bill such as this. I can see whence the hon. Gentleman drew his inspiration.

When the Minister responds to the debate, there are some matters that I hope that he will clarify. Although amendment No. 2 makes it clear that mediation, conciliation and arbitration over the implementation processes for the June 2003 agreement are possible, it does not preclude the possibility that the Secretary of State may use his powers under the Bill to negate the outcome. That renders amendment No. 2 superfluous. If it was inserted to send an emollient message, I hope that the Minister will make it clear that it is a matter of tone rather than substance.

[Mr. Hammond]

I am not a lawyer, but I am astonished that the Bill refers to a specific trade union by name. That raises the question of hybridity. I always thought that hybridity was created when a particular individual interest was dealt with discriminatorily by a Bill. I should be grateful for an explanation from the Minister of why that is not the case with this Bill.

The Bill is time limited, unusual and untidy, but that does not compel the Opposition to vote against it. The use by the hon. Member for Hayes and Harlington of amendments to amendment No. 2 is slightly artificial as a way of reopening the debate on amendment No. 3 in the Grand Committee stage in the House of Lords, but it is interesting. Opposition Members in the Commons attacked the Bill for being toothless, as it contains no sanctions against the union. The hon. Gentleman, and his colleagues in the other place, have raised the suspicion that the Bill may contain some hidden teeth, and that although it provides no power to impose a strike ban, it presents the possibility that a trade union that takes industrial action could be exposed to actions in tort.

2.45 pm

The hon. Member for Hayes and Harlington noted that there were complex debates in the other place about the history of the law in this area. There was a clear ministerial statement that the Government's advice was that the Bill does not undermine the immunity of a trade union to take action in the circumstances outlined. The Opposition believe that the Bill needs to be more balanced in its treatment of employers and unions. I am prepared to accept the presumably well qualified advice that the Government have received, but it would not seem helpful to undermine the Bill's lack of teeth by inserting the sort of amendment proposed by the hon. Gentleman.

To use a slightly unfortunate phrase, the firefighters' dispute has flared up again recently. Anything that reduces the FBU's appetite for conflict is helpful, and likely to benefit public safety. I understand the suspicion felt by the hon. Member for Hayes and Harlington, because if the amendments are redundant, the entire Bill is redundant too, because it contains no way of imposing the Secretary of State's directions on the employees. It has no sanctions in the form of a strike ban or exposure to action in tort, as the Government have confirmed. It does not allow the Secretary of State to do anything that the employers cannot do. The employers can impose terms and conditions unilaterally, move equipment about or dispose of premises. By abolishing section 19 of the Fire Services Act 1947 and recentralising the procedure, the Bill also goes against the thrust of Government policy.

As drafted, the Bill is aimed not at the unions and employees, but at the employers. Its aim is to prevent the possibility that a recalcitrant employer will collaborate with the unions to avoid carrying out the modernisation process that the Government envisage. It allows the Government to pull the strings from the wings, without stepping into the limelight, as they can threaten to use the powers granted by the Bill. The employers are the only bodies to be placed under a direct obligation by the Bill.

The situation that we face now, however, in November 2003, is exactly the one that we feared. It is one that the Government should have foreseen. A settlement was reached early in the summer, and the employers negotiated the details with the unions. But now, the unions are suggesting—quite scurrilously—that the detailed terms of the employers' offer somehow breach the terms of the settlement made in June. One of the senior labour negotiators on the joint negotiating committee has described that charge as dishonourable.

Far from the employers being recalcitrant, the union executive, under pressure from the hard-liners within the union, is seeking to renege on the commitments that it made in June, and by contrast the employers, the targets of the Bill, are standing firm, having made what I think the Minister would agree is a generous and conciliatory offer—to pay half the settlement now unconditionally, and the remainder once the conditions have been implemented.

Mr. Edward Davey: I agree with the hon. Gentleman about that. Will he also make it clear that the extra 3.5 per cent. in stage 2 of the payment will be backdated to 5 November, so no union member would lose a single penny—

Madam Deputy Speaker: Order. We are discussing the amendment rather than the terms of the offer.

Mr. Hammond: That is right, Madam Deputy Speaker; none the less, it might be helpful to confirm that what the hon. Gentleman said is true.

The question is whether the Government will now back the employers to stand firm so that the union executive, in turn, is minded to stand firm against the hard-liners in the union who are trying to undermine the settlement of the dispute.

The Government have always painted the Bill as a fall-back and a last resort, so I was a little surprised to hear the Minister, in his opening remarks today, suggest that although he very much hoped that that would be the case, it might not now be possible not to use the powers. That somewhat alarmed me. Perhaps the Minister can tell us something about the contingency arrangements that the Government are putting in place—

Madam Deputy Speaker: Order. I really must ask the hon. Gentleman to address his remarks to the words of the amendment.

Mr. Hammond: Thank you, Madam Deputy Speaker.

I think that I have largely covered the issues in the amendment. We said during the Bill's previous Commons stages that we would support a Bill as a temporary measure, if it had teeth. The Bill as drafted has teeth in relation to the employers; the Opposition's concern is that it has no teeth in relation to the employees. The amendment would provide what the hon. Gentleman sees as at least a set of gums, if not teeth, in relation to the unions. However, in the context of the currently revived dispute, it would not be helpful to send the union any signal that would entrench the position that its executive now appears to be taking up.

For the reasons that I have explained, therefore, if the hon. Gentleman presses his amendment to a Division we will not be able to support him in that endeavour.

Angela Watkinson (Upminster): I shall speak briefly to Lords amendment No. 2, the new clause that is to be inserted after clause 1. I hope that you will not rule me out of order, Madam Deputy Speaker, if my comments are inappropriate, because I want to highlight the importance of the word "interpretation". From my recent discussions with firefighters, I know that the two sides are in negotiations, but there are concerns about the interpretation of what has been agreed and what remains to be agreed.

As we know, there is a staged pay award, but it depends on compliance with—

Madam Deputy Speaker: Order. I am sorry, but I must remind the hon. Lady of what I have said from the Chair before: comment must be germane to the amendments under discussion rather than to the offer or anything to do with it.

Mr. Hammond: On a point of order, Madam Deputy Speaker. Would I not be correct in thinking that Lords amendment No. 2 itself is part of the group, so comments dealing with "mediation, conciliation or arbitration" in connection with the implementation of the 2003 agreement would be in order?

Madam Deputy Speaker: What I am trying to establish is that the amendment has nothing whatever to do with the pay offer. The words in the amendment, and the interpretation of those, are about

"the possibility of . . . mediation, conciliation or arbitration".

Angela Watkinson: I accept your guidance, Madam Deputy Speaker, but I shall have to adapt what I intended to say considerably, because I thought that the words

"the interpretation of the June 2003 agreement"

would enable me to refer to the content of that agreement. Are you ruling that that is not possible?

Madam Deputy Speaker: Yes, indeed. That is my ruling.

Angela Watkinson: In that case, Madam Deputy Speaker, I shall have to draw my remarks to an abrupt conclusion.

Mr. Raynsford: There have been three contributions in the debate, from my hon. Friends the Members for Hayes and Harlington (John McDonnell), for Stoke-on-Trent, North (Ms Walley) and for Hendon (Mr. Dismore), about the issue raised by Lord Wedderburn in another place, which I will tackle in a moment. The other main contribution—I am sorry that the hon. Member for Upminster (Angela Watkinson) was not able to cover the ground that she wanted to cover—was made by the hon. Member for Runnymede and Weybridge (Mr. Hammond), who asked a number of questions about Lords amendment No. 2 and the Government's intentions in relation to the Bill.

Without straying into areas into which I cannot and will not stray, I can tell the hon. Gentleman that the purpose of the Bill remains exactly as it was when we first introduced it. It is, as he says, a long-stop. We hope that we shall not have to use it, but as is clear from the recent discussions, there cannot be absolute certainty that the dispute will not flare up again. The Bill was intended to provide the Secretary of State with the ability to draw a line underneath what has been, as my hon. Friend the Member for Hayes and Harlington said, a long and bitter dispute, to enable the fire service to look forward.

As for hybridity, the reference to the Fire Brigades Union in Lords amendment No. 2 is a part of a description defining which agreement of June 2003 is being referred to. It in no way changes the rights and obligations of the FBU or the employers, so the concerns of the hon. Member for Runnymede and Weybridge about hybridity do not arise.

The amendments tabled by my hon. Friend the Member for Hayes and Harlington return to an issue discussed at great length more than once in another place—the impact of the Bill on the protection offered by the Trade Union and Labour Relations (Consolidation) Act 1992 to unions representing staff, in this case the staff of the fire and rescue service.

I shall again put on record what has been said repeatedly, particularly in another place, but also by members of the Government: the Bill does not jeopardise or alter the firefighters' or their union's protection or immunity under that Act. It is not about altering the framework of trade union law; it is simply about ensuring that if we need them, we have the powers to prevent the dispute, which I am afraid is still current, from affecting public safety.

The two amendments take different approaches to that issue. Amendment (a) would provide that nothing in the Bill could enable an action in tort—in layman's language, that is an action under which someone has the right to sue—solely because of the contravention of a statutory duty imposed by an order under the Bill. The last part of the amendment appears to limit its effect to orders that would affect the possibility of mediation, conciliation or arbitration.

I understand why my hon. Friend the Member for Hayes and Harlington tabled that amendment, but it would greatly restrict the impact of the provision, and I cannot imagine an order that would have that effect. Certainly, it is no part of our thinking that we might make an order about pay, hours of work or the use of appliances that would, or could, affect the possibility of mediation in any way. Therefore if the amendment really is limited to such orders, it would have no practical effect.

Mr. Dismore: Will my right hon. Friend give way?

Mr. Raynsford: Let me deal with amendment (b) first. Then I will give way to my hon. Friend.

Similarly, amendment (b) would provide that nothing in the Bill should enable the employers to impede the possibility of mediation, conciliation or arbitration by pursuing an action against the union over the breach of a statutory duty imposed by an order under the Bill. We

[Mr. Raynsford]

do not believe that anything in the Bill would have that effect anyway. It is not our intention that any order would prevent the employers from seeking mediation.

I shall now deal with the underlying point of the amendments, which is whether the Bill creates a new situation in which action could be taken against the union relating to a breach of a statutory duty created by an order under the Bill. As my noble Friend Lord Rooker repeatedly emphasised in another place, we say that it does not do so. Therefore none of the amendments is necessary or helpful.

3 pm

Mr. Dismore: My right hon. Friend gave a list of things that he thought would not happen under the Bill. Would that list include hours of work and shift patterns, for example, which could easily form part of a trade dispute, or the place of work, which could be important in terms of fire station closure?

Mr. Raynsford: If my hon. Friend will bear with me, I shall deal with precisely that point, which would almost certainly fall under the powers in clause 1(1)(a) rather than those in clause 1(1)(b).

Given the importance of the issue and the genuine concerns that have been raised, we have taken extensive legal advice, and we remain convinced that there is no need for the amendments. They all turn on the difference between a breach of a contractual duty and the breach of a statutory duty. Let us consider an example in which the Secretary of State uses the powers in clause 1(1)(b) to direct a fire authority to make equipment available to a neighbouring authority, and the union does not like the direction and calls for industrial action. The firefighters work for the fire authority and have a contract with it, so if they take industrial action, they will be breaking their contractual duty and not their statutory duty. However, as long as the procedural rules about balloting have been followed and the matter is a trade dispute, the union and firefighters will be protected from action by the Trade Union and Labour Relations (Consolidation) Act, just like any other workers. The Bill makes no change whatever to the position.

What the union would be trying to achieve through the industrial action is however a breach of the fire authority's statutory duty under the direction, so it has been argued, following Meade *v.* Haringey Borough Council—my hon. Friend the Member for Hayes and Harlington made this point—that a member of the public might be able to obtain an injunction against the union. One cannot obtain an injunction against the firefighters; this would be an injunction against the union preventing it from calling a strike, as by doing so, it will be inducing a breach of statutory duty.

As I said, one has to remember that the Bill does not create new statutory duties. *[Interruption.]* No, it does not do so. It simply gives powers to the Secretary of State to make directions. We have stated on several occasions the circumstances in which the Secretary of State may make such directions. In any event, the powers are time limited to two years.

Might any directions, if made, create statutory duties? For a Meade-type claim to succeed, one would have to show that there is a statutory duty that is actionable for damages at private law. That is not the same as the authority having a public law duty to carry out the Secretary of State's directions. A public law duty would allow a person with sufficient interest to judicially review the fire authority in the administrative courts if it had failed to carry out those directions. That is an entirely different matter. However, to bring an action to obtain an injunction against a union, an individual would need to show that, if the fire authority did not carry out the directions, a member of the public could sue it for damages.

We should remember that not even the fire authority's primary duty of firefighting under section 1 of the Fire Services Act 1947 gives rise to such a claim, so if a homeowner cannot make such a claim where there have been no directions under the Bill, it would seem odd that they should be able to do so if a direction is made under it.

Ms Walley: Will my right hon. Friend give way?

Mr. Raynsford: I am afraid that I do not have time to do so; I must finish my speech in order to give my hon. Friend the Member for Hayes and Harlington the opportunity to respond, as we are discussing his amendment.

We have considered the case very carefully and been extremely careful to discuss it with our lawyers. I have spoken at some length with Lord Wedderburn and sent him a very detailed exposition of the legal advice that underpins our position. We do not believe that there is any reason for amending the Bill. The Bill as it stands makes it clear that the measures cannot create a position in which the trade union's position would be undermined in relation to normal protection.

I urge my hon. Friend to withdraw his amendment.

John McDonnell: The clarity that we need has not been achieved today. The issue that we wish to address is whether a trade union would become vulnerable if it went on strike as a result of a statutory duty that had been imposed by the legislation. The statutory duty is imposed not on the union, but on the fire authority itself. That is the point that my hon. Friend the Member for Hendon (Mr. Dismore) tried to make earlier. Whether or not the Government's lawyers are asserting that they are right is not the point. The point is whether others are expressing a doubt. When Lord Wedderburn, the most pre-eminent industrial lawyer in this country, is expressing a doubt, we must understand that that doubt may well be used in a court of law. On that basis, the Fire Brigades Union will become vulnerable if it undertakes industrial action to preserve its service and jobs.

The point of the amendment is not to contradict the Government, but to take their stated good intentions and place them in the Bill. It is no more challengeable than that. The Government have rejected that position, and I fear that there is only one way of seeking to test the opinion of the House—to press the amendment to a vote.

Question put, That the amendment to the Lords amendment be made:—

The House divided: Ayes 85, Noes 412.

Division No. 360] **[3:05 pm**

AYES

Abbott, Ms Diane
Allan, Richard
Barnes, Harry
Barrett, John
Beard, Nigel
Brake, Tom *(Carshalton)*
Brooke, Mrs Annette L.
Bruce, Malcolm
Burgon, Colin
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Carmichael, Alistair
Challen, Colin
Chidgey, David
Clark, Mrs Helen *(Peterborough)*
Coleman, Iain
Connarty, Michael
Cotter, Brian
Cousins, Jim
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Davey, Edward *(Kingston)*
Davidson, Ian
Dismore, Andrew
Drew, David *(Stroud)*
Etherington, Bill
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gerrard, Neil
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Hendrick, Mark
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
King, Andy *(Rugby)*
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
McDonnell, John
Mackinlay, Andrew
McNamara, Kevin
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Mitchell, Austin *(Gt Grimsby)*
Moore, Michael
Mudie, George
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sawford, Phil
Sedgemore, Brian
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Vis, Dr. Rudi
Walley Ms Joan
Wareing, Robert N.
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Winnick, David
Wood, Mike *(Batley)*
Younger-Ross, Richard

Tellers for the Ayes: Jeremy Corbyn and Mr. Kelvin Hopkins

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Ainsworth, Peter *(E Surrey)*
Alexander, Douglas
Allen, Graham
Amess, David
Ancram, rh Michael
Anderson, Janet *(Rossendale & Darwen)*
Arbuthnot, rh James
Armstrong, rh Ms Hilary
Atkinson, Peter *(Hexham)*
Bacon, Richard
Bailey, Adrian
Baird, Vera
Barker, Gregory
Baron, John *(Billericay)*
Battle, John
Beckett, rh Margaret
Beggs, Roy *(E Antrim)*
Bennett, Andrew
Benton, Joe *(Bootle)*
Bercow, John
Beresford, Sir Paul
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunt, Crispin
Boateng, rh Paul
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brady, Graham
Brazier, Julian
Brennan, Kevin
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Burns, Simon
Burt, Alistair
Byers, rh Stephen
Cairns, David
Cameron, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Casale, Roger
Cash, William
Caton, Martin
Cawsey, Ian *(Brigg)*
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chaytor, David
Chope, Christopher
Clappison, James
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clifton-Brown, Geoffrey
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Collins, Tim
Colman, Tony
Cooper, Yvette
Cormack, Sir Patrick
Cran, James *(Beverley)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Tony *(Workington)*
Curry, rh David
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Djanogly, Jonathan
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Doran, Frank
Dorrell, rh Stephen
Dowd, Jim *(Lewisham W)*
Duncan, Alan *(Rutland)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flight, Howard
Flint, Caroline
Flook, Adrian
Flynn, Paul *(Newport W)*
Follett, Barbara
Forth, rh Eric
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Fox, Dr. Liam
Francois, Mark
Gardiner, Barry
Garnier, Edward
George, rh Bruce *(Walsall S)*
Gibb, Nick *(Bognor Regis)*
Gibson, Dr. Ian
Gilroy, Linda
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Grogan, John
Hague, rh William
Hain, rh Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hammond, Philip
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Healey, John
Heathcoat-Amory, rh David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hendry, Charles
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howarth, Gerald *(Aldershot)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam

Irranca-Davies, Huw
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Key, Robert *(Salisbury)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lammy, David
Lansley, Andrew
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leigh, Edward
Lepper, David
Letwin, rh Oliver
Levitt, Tom *(High Peak)*
Lewis, Dr. Julian *(New Forest E)*
Liddell, rh Mrs Helen
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Linton, Martin
Lloyd, Tony *(Manchester C)*
Loughton, Tim
Lucas, Ian *(Wrexham)*
Luff, Peter *(M-Worcs)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
Mackay, rh Andrew
McKechin, Ann
McKenna, Rosemary
Maclean, rh David
McLoughlin, Patrick
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Maples, John
Marsden, Gordon *(Blackpool S)*
Martlew, Eric
Mawhinney, rh Sir Brian
May, Mrs Theresa
Meale, Alan *(Mansfield)*
Mercer, Patrick
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Andrew *(Sutton Coldfield)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Moss, Malcolm
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Stephen *(Eddisbury)*
O'Hara, Edward
Organ, Diana
Osborne, George *(Tatton)*
Osborne, Sandra *(Ayr)*
Ottaway, Richard
Owen, Albert
Page, Richard
Palmer, Dr. Nick
Paterson, Owen
Pickles, Eric
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Portillo, rh Michael
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prisk, Mark *(Hertford)*
Prosser, Gwyn
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Randall, John
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Redwood, rh John
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robathan, Andrew
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Coventry NW)*
Roe, Mrs Marion
Rooney, Terry
Rosindell, Andrew
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Ruffley, David
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sayeed, Jonathan
Selous, Andrew
Shaw, Jonathan
Sheerman, Barry
Shephard, rh Mrs Gillian
Shepherd, Richard
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simmonds, Mark
Simon, Siôn *(B'ham Erdington)*
Simpson, Keith *(M-Norfolk)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Soames, Nicholas
Soley, Clive
Southworth, Helen
Spellar, rh John
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Squire, Rachel
Stanley, rh Sir John
Starkey, Dr. Phyllis
Steen, Anthony
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Streeter, Gary
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swire, Hugo *(E Devon)*
Syms, Robert
Tami, Mark *(Alyn)*
Tapsell, Sir Peter
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trend, Michael
Trickett, Jon
Truswell, Paul
Turner, Andrew *(Isle of Wight)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Walter, Robert
Ward, Claire
Waterson, Nigel
Watkinson, Angela
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Whittingdale, John
Wicks, Malcolm
Widdecombe, rh Miss Ann
Wiggin, Bill
Willetts, David
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes: Charlotte Atkins and Ms Bridget Prentice

Question accordingly negatived.

It being more than one hour after the commencement of proceedings, MR. DEPUTY SPEAKER, *proceeded to put forthwith the Question necessary to conclude proceedings, pursuant to Order [this day].*

Lords amendment No. 2 agreed to.

Taxes

3.19 pm

The Financial Secretary to the Treasury (Ruth Kelly): I beg to move,

That the Stamp Duty and Stamp Duty Land Tax (Variation of the Finance Act 2003) (No. 2) Regulations 2003 (S.I., 2003, No. 2816), dated 5th November 2003, a copy of which was laid before this House on 5th November, be approved.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss the following motion:

That the draft Stamp Duty Land Tax (Amendment of Schedule 5 to the Finance Act 2003) Regulations 2003, which were laid before this House on 30th October, be approved.

Ruth Kelly: I welcome the hon. Member for Hertford and Stortford (Mr. Prisk) back to the Dispatch Box. I have always enjoyed debating against him, and I look forward to his continued contribution.

We have taken a bold step in modernising the stamp duty regime. That essential task was long overdue, but it was one that Conservative Members fluffed when they had the opportunity to carry it out. It was one that the industry had often requested. Today, I can tell the House that the Treasury has laid the formal order to implement the new regime on 1 December. We are in the middle of a major customer education programme aimed at ensuring that solicitors, licensed conveyors and other practitioners are fully aware of the changes that are about to take place. The new arrangements will create a more robust tax regime for land and building transactions in the United Kingdom by addressing long-standing distortions and loopholes in the current charge that have been increasingly exploited by big commercial players at the expense of the majority of taxpayers.

In last year's Budget, my right hon. Friend the Chancellor announced that, as a result of tax avoidance, only half the stamp duty owed on all large commercial property transactions—worth £10 billion a year—is paid and that the 2003 Finance Bill would introduce new anti-avoidance powers to close those loopholes. It did. We now have a modernised, streamlined stamp duty system, with effective enforcement powers in line with other taxes. My right hon. Friend also committed the Treasury to reviewing the lease duty regime to ensure that businesses pay stamp duty on a fair and consistent basis. I shall deal with those lease duty regulations first.

Mr. Jonathan Djanogly (Huntingdon): The British Retail Consortium says that those changes will lead to three quarters of retailers limiting their expansion plans. Does the hon. Lady consider that fair?

Ruth Kelly: To be honest, I do not think that the British Retail Consortium has credible figures to argue its case and I will shortly come to the impact of the new lease duty regime on small businesses in particular.

Mr. George Osborne (Tatton): Will the Financial Secretary clear up something right at the beginning? This is called the stamp duty land tax. In what sense is it a stamp duty—there is no stamp and no duty?

Ruth Kelly: I know that the hon. Gentleman, whom I much respect, has a long-standing interest in the name of the stamp duty land tax—he referred to it frequently in debates on the Finance Bill—but the name is commonly understood by practitioners, and it also clarifies for the first time that the new tax regime applies to land transactions rather than to any other sort of transaction.

Jonathan Shaw (Chatham and Aylesford): My hon. Friend will understand the concern of David Chesover, who is a general practitioner at the Thornhills medical group in my constituency. The group is due to move to new premises, and he has written to me saying that it expected to pay £4,000, but that the sum could now amount to about £36,000. What assurances can my hon. Friend give me that she has had discussions with the Department of Health to ensure that GPs are not put off moving to new premises and being involved in LIFT—the local improvement finance trust programme—which we both obviously support?

Ruth Kelly: My hon. Friend makes a powerful case on behalf of his constituent, and I commend him for that interest. I assure him that the Department of Health was consulted fully in developing these proposals. If he has specific concerns about the LIFT programme in his constituency, I would be very happy for officials in my Department to work with officials in the Department of Health to ensure that any concern that he has can be met.

Let me describe how the stamp duty regime has changed. Under the current stamp duty regime, lease duty is charged at different rates according to the term of the lease. That structure is unfair, arbitrary and distorts business decisions. For example, a 35-year lease is charged at 4 per cent. of the upfront premium paid, plus 2 per cent. of average annual rent, whereas a 36-year lease is charged at 4 per cent. of the premium, plus 12 per cent. of the average annual rent. If transactions relate to freeholds, 4 per cent. is charged on the entire purchase price. Given such cliff edges and the lack of coherence between leases and freeholds, decisions on transactions are driven by tax considerations, rather than by commercial ones.

Mr. Mark Simmonds (Boston and Skegness): Will the Financial Secretary give way?

Ruth Kelly: I must make some progress with the argument.

Under a modernised regime, without widespread avoidance, such distortion would become increasingly clear. However, recognising the distinct nature of leases, my right hon. Friend the Chancellor announced that the Finance Bill would make provision for a charge of just 1 per cent. of the rental value of all new leases—four times lower than the usual stamp duty rate, on which we consulted in 2002. He also allowed further time for consultation with business and commerce on how to reduce avoidance and promote a more level playing field between leases and transfers. He added:

"If I have to trigger the change, I will increase the exemption from stamp duty for commercial property from £60,000 to £150,000 ... Therefore, in any event, there will be no duty on 60 per cent., of commercial rental contracts."—[*Official Report*, 9 April 2003; Vol. 403, c. 279.]

Several hon. Members *rose—*

Ruth Kelly: I give way to the hon. Member for Hertford and Stortford, who speaks from the Front Bench.

Mr. Mark Prisk (Hertford and Stortford): Can the Financial Secretary confirm that the data on which that 60 per cent. promise is based erroneously include lock-up garages, advertising hoardings and car-parking spaces and not just businesses?

Ruth Kelly: I certainly will not confirm that because that is not the case. *[Interruption.]* The hon. Gentleman asks from a sedentary position whether I will publish those figures, but let me deal with that 60 per cent. figure for a moment. That figure, which was estimated at the time by the Inland Revenue, has since been independently verified by the Investment Property Databank, which is very well respected, using research funded by the property industry. In fact, the database is far larger than that used by the Inland Revenue. It is based on £100 billion of commercial property and includes 15,000 leases. The data were circulated to the consultative committee, and I am sure that, if the hon. Gentleman asked the IPD, it would probably be prepared to publish the data.

Mr. Prisk: I have a copy of that survey, which the Financial Secretary has also obviously read. Can she confirm that it deals with only 5,000 hereditaments and that it had to be enhanced to become a representative sample by adding the erroneous data from the Land Registry that I criticised earlier?

Ruth Kelly: I do not think that that is the case. In fact, the figures are 5,000 leases a year and 15,000 leases in total. I think that the hon. Gentleman's argument is that 60 per cent. is too high a figure. I could make the opposite argument: it is probably too low a figure, because the data to which it had access were primarily on those properties that must be registered, which are primarily the higher-value properties. The sorts of properties that might be excluded from the survey are precisely the small shop fronts, shop leases and lock-up garages in which I know that he has a particular interest. If anything, the figure is biased downwards rather than being too high.

Mr. Prisk: I am grateful to the Financial Secretary for allowing us to clarify the situation. She started by saying that the figure is 60 per cent., and now it is possibly 87 per cent., but it could be higher or lower. What is worrying business is that the promise made at the Dispatch Box in the Budget by the Chancellor is based on false data. I have asked the Chief Secretary once to publish it so that we can clear up the problem. He has refused. Will she do it so that we can make sure that we are basing this tax on proper information?

Ruth Kelly: As far as I understand it, the Chief Secretary in no way refused to publish that data. They were not his to publish. They belong to the IPD. I am absolutely sure that if he asks it to publish its data, it would do so. I would certainly support that information being putinto the public domain. If anything, more than 60 per cent. of all leaseholds will be exempt from this tax. The figure of 60 per cent., or a figure greater than that, compares with around 9 per cent. of commercial leases that are not chargeable to stamp duty under the current regime. Many leases taken out by small and medium-sized enterprises and business start-ups that currently require the payment of stamp duty will therefore not do so under the new system.

Mr. George Osborne: While the Financial Secretary is clarifying matters, will she answer the question from the hon. Member for Chatham and Aylesford (Jonathan Shaw), who is normally an enthusiastic—indeed, over-enthusiastic—supporter of the Government? He points out that in his constituency a medical business will see its land tax bill go from £4,000 to £36,000. Does she think that that is possible?

Ruth Kelly: It is certainly the case that the contract could be restructured so that it would not have to pay that amount of money—*[Interruption.]* I would certainly be prepared to look at the example that has been given, to see whether we can work with Department of Health officials to ensure that there is no impact on LIFT programmes.

In addition, around 93 per cent. of residential leases will not be chargeable for duty under the new structure. The modernised structure was based on five key principles. It was designed to minimise the scope for avoidance, to adjust the distortions inherent in the current system, to better reflect modern commercial practice, to be based on clear economic principles, and to be more in line with the charge on freehold transfers. The regulations today put the final legislative provisions in place for implementation. During the extended consultation process, a number of alternative proposals were submitted to us. Many were based on average annual rent. Because of the potential for avoidance, and because average annual rent does not assess the full economic value of the tenant's interest, it could not be a suitable basis for a new structure. I believe that net present value represents a commercially and economically justifiable way of assessing the economic value of the tenant's interest.

Mr. Prisk: The Financial Secretary is generous to allow me to intervene on this important issue. The Treasury is seeking to use a discount rate in this net present value valuation methodology, which is completely detached from the real market. Can she explain why?

Ruth Kelly: I am about to refer to the discount rate if the hon. Gentleman will allow me. Before I do so, I want to explain how the net present value represents the economic interest of the tenant. First, it recognises that shorter leases are economically of less value than longer leases, which in turn tend to resemble freeholds. Secondly, we have set the rate of tax on the net present value of the rental element of a lease at a significantly lower rate than that of freehold transfers.

To turn to the discount rate, in which I know that the hon. Gentleman is interested, we have chosen a discount rate of 3.5 per cent., because that takes account of the fact that future increases in these payments will not be

included in the NPV calculation, and that the level of lease payments will already have been set taking risks into account—it is the Government's assessment of a risk-free discount rate. I am sure that the property industry would recognise that.

Mr. Prisk: I must dig into my land management class as a chartered surveyor, but the Financial Secretary seems to have just said that she will use contradictory valuation methods. On the one hand, the Treasury is seeking to provide what is known as an all-risks yield, yet in fact the valuation methodology is discounted cash flow. Why is there a contradiction?

Ruth Kelly: As I have already explained—this was also debated during the Finance Bill—this represents the risk-free level of the discount rate. Any other calculation would artificially benefit those who take out longer leases—generally larger businesses in their commercial property transactions—rather than the small business element.

Mr. Ian Liddell-Grainger (Bridgwater): Will the Financial Secretary give way?

Ruth Kelly: I must make some progress. I have taken a lot of interventions, as I am sure the hon. Gentleman understands.

Other proposals suggested raising the nil rate threshold, having a starting rate or both. We shall of course continue to keep rates and thresholds under review. However, the figures that I gave earlier on the percentage of commercial leases that would not be chargeable under the new structure suggest that the proposed thresholds would exempt a large number of leases, especially those entered into by small and medium-sized businesses and business start-ups.

During the consultation process, many commentators expressed the view that the slab structure, under which the whole amount of net present value comes into charge when the threshold has been exceeded, created distortions. I accept that and, for that reason, propose to change the structure so that only the excess over the threshold would be taxable. That will mean that every time that a lease is chargeable, the duty will be £1,500 less than it would be under the original proposals. The relief will be of particular benefit to small and medium-sized businesses and business start-ups.

Mr. Prisk: Now that the Minister is to have a slice approach on business leases, will the Government do the same for residential properties?

Ruth Kelly: We constantly keep the stamp duty system under review. The hon. Gentleman will appreciate that we have undertaken huge modernisation of the stamp duty regime, which Conservative Members avoided doing when they had the chance. I hope that he will give us credit for our action to date.

The amendment to the Finance Act 2003 to achieve the change is set out in paragraph 1 of the schedule to the regulations. Paragraph 2 of the schedule makes a technical change. Under both the current system and the new regime, a premium on the grant of a lease is charged at a rate of nil if it does not exceed the threshold. However, the nil rate applies only if annual rent does not exceed £600, which prevents avoidance by recharacterising a premium as rent. Paragraph 2 will ensure that when assessing the annual rent, any linked transactions will be taken into account. That will prevent avoidance by splitting up a single transaction into smaller transactions. We do not believe that the change will have any effect on genuine commercial transactions.

I turn to the Stamp Duty and Stamp Duty Land Tax (Variation Of The Finance Act 2003) (No. 2) Regulations 2003. The changes to the Finance Act 2003 are contained in the schedule to the regulations and I shall give a brief, non-technical description of each of them. *[Interruption.]* I am sure that Conservative Members are interested in what I am saying.

Paragraph 1 relates to the charge to tax when a contract is substantially performed because the purchaser takes possession. It will ensure that that includes possession by someone connected with the purchaser, such as a company in the same group. It will also clarify a potential ambiguity in the definition of taking possession.

Paragraph 2 will give partial relief for sale and lease-back transactions. It will exempt the lease-back leg of such a transaction from charge, subject to certain conditions. That reflects the fact that companies that sell and lease back their property commonly do so purely to raise finance rather than to acquire any new economic interest in the land.

Paragraph 3 introduces schedule 6A, which will give relief for a number of acquisitions of residential property, which were the subject of debate earlier this year when my right hon. Friend the Chief Secretary to the Treasury gave a commitment that relief would be considered. The schedule will replace the current limited reliefs for part exchanges and relocations, provisions for which are in sections 58 and 59 of the Finance Act. We believe that the reliefs will help to smooth the process of house buying for many people.

The transactions covered are: the acquisition of residential property, either by a house builder or a third party, when individuals buy a new house from a builder; certain acquisitions of residential property by chain-breaking companies—companies that specialise in stepping in when prospective sales fall through; the acquisition of residential property by either an employer or a third party in connection with the relocation of an employee; and acquisitions of residential property from personal representatives of people who have died by companies that specialise in that business. In each case, there are conditions to ensure that the relief is not abused and to permit withdrawal of the relief in cases of abuse.

Paragraph 4 will give relief when a unit trust is set up by seeding it with property. That will happen if the company that sets up the trust transfers property into it in exchange for units in the trust.

Paragraph 5 will make provision for a further return if additional tax becomes chargeable because of a later transaction. An example of that is the grant of an option followed by its exercise.

Paragraph 6 will permit the holder of a power of attorney to sign a return on behalf of a purchaser—we received several representations on that matter.

[Ruth Kelly]

Paragraph 7 will ensure that transactions by the Crown will be subject to stamp duty land tax in the same way as they were to stamp duty. I should perhaps mention that existing exemptions from stamp duty for public bodies, such as Government Departments and health authorities, have been carried forward into stamp duty land tax.

Mr. Liddell-Grainger: My constituency has an enormous amount of Crown land. Three generations are covered on one lease for such land, and after the death of a lessee, the land will automatically go to the next person—there will be a family transfer. Will such a procedure still be exempt?

Ruth Kelly: Whether it is exempt would depend on the terms of the original lease and how it was drawn up. I am willing to consider any example that the hon. Gentleman sends me and reply appropriately.

Mr. Adrian Flook (Taunton): Taunton has the same problem as the constituency of my hon. Friend the Member for Bridgwater (Mr. Liddell-Grainger) because much of it is also Crown Estate land. Has the Crown Estate advised the Treasury on the impact that the measures will have on most of its leases?

Ruth Kelly: We have treated the Crown Estate in the same way as it was treated under the old stamp duty regime and it is content with the proposals.

Paragraph 8 introduces schedule 17A, which relates to leases. As that is a distinct matter, I shall deal with the remaining paragraphs first. Paragraph 9 clarifies that the £5 fixed stamp duty is abolished for duplicates and counterparts of land transactions within the scope of the stamp duty land tax. Paragraphs 10 and 11 make minor changes to the transitional provisions in response to representations.

On schedule 17A, hon. Members will know that we had extensive consultation on the treatment of leases, much of which related to the charging structure, the subject of the other set of regulations. We also received many comments on technical aspects. The provisions address those concerns, although some are also intended to counter avoidance. The first issue is the treatment of leases if either the length cannot be ascertained at the start of the term of the lease or the lease continues beyond its stated end date. That often happens with both business and residential tenancies for a number of reasons, including statutory provisions giving security of tenure and, in Scotland, the doctrine known as tacit relocation. We consider it right that tax should be charged by reference to what turns out to be the actual length of the lease. Not to do so would permit avoidance by the grant of a very short lease when all parties know that the tenant will stay in occupation and pay rent for a much longer time.

Paragraphs 3 and 4 of schedule 17A therefore provide that for tax purposes a lease can grow beyond its stated term, one year at a time, and that additional tax may be payable as a result. The additional tax becomes due as the lease grows and interest on the additional tax is not backdated to the start of the lease. That is unlikely to be of concern to most residential tenants, for whom periodic tenancies are most common, since 93 per cent. of residential leases are not chargeable to tax. Paragraph 5 applies the same treatment if a number of successive leases are granted as part of a single arrangement. Paragraphs 6, 10, 13, 16 and 18 reproduce existing provisions in the Finance Act 2003 for convenience, so that all material on leases is brought together.

Paragraphs 7 and 8 deal with leases with uncertain rent, such as those under which rent varies with turnover; the intention is to give certainty and reduce the compliance burden on tenants. They provide for an initial return by the tenant on the basis of his or her best estimate of the rent that is to be payable while ignoring any changes that might take place more than five years after the start of that lease. After five years, or at any earlier time when uncertainties are resolved, the tenant makes a further return in the light of what he or she now knows the rent to have been, again ignoring any changes that might take place more than five years after the start of the lease. Any additional tax due is then payable or tax overpaid is repaid. Those provisions replace the provisions on rent reviews in the Finance Act 2003.

Mr. Simmonds: If a lease is purely a turnover lease and there is no base rent for the first five years of that term, does that mean that no stamp duty will be paid because it comes under the £150,000 threshold?

Ruth Kelly: It will depend on whether the best estimate comes under the £150,000 threshold. As I outlined, an estimate has to be made of what rent is payable. I am sure the hon. Gentleman will reach the same conclusion when he studies the provisions.

Paragraph 9 gives relief when a lease is surrendered and replaced by a new lease. That often happens when landlords and tenants want certainty for the future or when renegotiations take place. The paragraph provides that rent that has already been taken into account in calculating the net present value of the surrendered lease is not taken into account again in calculating the net present value of the new lease.

Paragraph 11 is designed to counter avoidance. Without it, a lease could be granted in circumstances where no tax is payable, such as within a group, and then assigned for a nominal amount to a third party. The assignment would normally be chargeable only on the consideration given. The paragraph ensures that in those circumstances tax is chargeable as if there were the grant of a new lease.

Paragraph 12 deals with situations where a lease is assigned and there is an obligation to make a further return. It specifies that the assignee is responsible for that obligation. That is necessary because often assignors are impossible to trace, or are companies in liquidation.

Paragraph 14 is designed to counter avoidance. As I said earlier, events taking place more than five years after the start of a lease are usually ignored. However, that would permit a large increase in rent five years and one day after the start of a lease to escape tax. The paragraph therefore provides that where a rent increase exceeds a certain amount, determined by a formula related to the retail price index, tax is charged as if that were the grant of a new lease.

I am grateful to the eagle-eyed people who spotted that the formula in the earlier version of the regulations contained a slight but vital error—I put my hand up to that. Hon. Members will appreciate that there is no facility for amending a statutory instrument, so the regulations had to be remade. That is why we are debating the second version instead of the original.

Mr. Prisk: I am grateful to the Financial Secretary, who informed me of the error last week. In relation to paragraph 15, will she clarify which of the three formulae in the six-step process that tenants use to work out what they have to include as an abnormal rent was incorrect?

Ruth Kelly: One number was missing from one of the formulae. I am afraid that I cannot remember the order in which the formulae are presented in the regulations, but I shall respond later to that specific question.

Paragraph 17 makes it clear that on an assignment of a lease, and except where paragraph 11 applies, the assumption by the assignee of the obligation to pay rent and observe and perform the other covenants in the lease does not count as a chargeable consideration. In other words, the assignee is charged only on what he pays to acquire the lease.

In conclusion, we have consulted business, and we have listened. We are taking further action to protect small businesses and enterprise while reducing distortions and securing a fair amount of revenue from those transactions. The regulations before us will remove 60 per cent. of all commercial transactions from the charge completely, and businesses that pay more under the proposals will pay at a flat rate of 1 per cent.—considerably less than the 4 per cent. on an equivalent purchase. The regulations remove the vast majority of residential leases from the charge.

Mr. David Laws (Yeovil): Will the Financial Secretary clarify the net effect of the Government's proposals on the Exchequer's aggregate revenue for the next two years?

Ruth Kelly: The reliefs that we are granting today will reduce the aggregate revenue that has been published in the Red Book by £20 million, which will bring first-year revenue down to £170 million from the lease duty proposals.

We have listened to business on sale and lease-back transactions, chainbreaking companies and employee relocation, and have introduced measures requested by the industry to reduce the compliance burden. I therefore commend the regulations to the House.

3.48 pm

Mr. Mark Prisk (Hertford and Stortford): May I reciprocate the Minister's remarks? I must confess that it is rather worrying to be welcomed back when I was not aware that I had been away in the first place, but she made a generous comment. In turn, may I say that all of us who served on the Committee that considered the Finance Act 2003 are pleased that she is back? It is true that we had some fun with the Chief Secretary to the Treasury in Committee, but hopefully we will get some serious answers now.

We are considering two sets of regulations. The first set seeks to amend schedule 5 to the Finance Act by revising the tax structure as it applies to business leases. The second tries to answer some of the many questions that the Government failed to address in the Act itself. I shall preface my remarks by telling the Financial Secretary that the piecemeal introduction of the new tax is wrong in principle and mistaken in practice. The Government are using section 109 of the Act to push large parts of the tax through Parliament without due consideration, and I hope that in her reply she will assure us that the Government do not intend to use that as a precedent for other tax changes.

In considering these two regulatory instruments, I suspect that the House will wish to recall the original aims of this new tax as set out by the Minister, who was then Economic Secretary, in April 2002. In the document, "Modernising Stamp Duty", she told us:

> "Our aim is to create a stamp duty that better reflects modern commercial practice".

Above all, we were told that fairness would be at its heart. Sadly, those laudable aims have gradually been replaced by the one overwhelming and desperate need of this Government—to collect the maximum amount of tax revenue to fill the black hole in their finances. As Bill Moyes, director general of the British Retail Consortium, put it only today:

> "The Treasury claim—that they are tackling avoidance—is a red herring. This latest tax is a bid to refill the Treasury coffers, by milking the only sector that has refused to be beaten by the burgeoning weight of tax and regulation."

How right he is.

I shall consider the regulations concerning schedule 5 later, but I come first—hoping to be somewhat more technical than was the Financial Secretary—to the Stamp Duty and Stamp Duty Land Tax (Variation of the Finance Act 2003) (No. 2) Regulations 2003. Unfortunately, as the Financial Secretary said, it is the second set of regulations issued by the Treasury. I am grateful to her for drawing our attention to that problem. As a result, outside organisations have had fewer than five working days in which to consider the correct regulations. Sadly, that is part of a pattern as regards this tax—from conception to consultation to legislation, the whole process has been rushed through with little time for business or Parliament to get it right.

Mr. Simmonds: As always, my hon. Friend makes a forensic case. Is he aware that with only 13 working days to go until 1 December, when the duty is supposed to be fully operational, neither set of regulations contains details about sub-sales and securitisation?

Mr. Prisk: My hon. Friend hits on a point that is of real concern to businesses.

Mr. Djanogly: Is my hon. Friend further aware that the Government say that they have to restart the consultation process on partnerships from scratch? How will they do that in 13 days?

Mr. Prisk: The root of the problem is that the tax is being made up on the hoof. On Third Reading, the Chief Secretary told us that it would take a couple of years to refine it. That is no way to make tax law. Many outside

[Mr. Prisk]

bodies and experts in the field concur with that conclusion. Today, we have a maximum of three hours in which to consider 26 pages of detailed changes—the result of this mad rush will be bad law.

I understand that even as of yesterday, the tax return forms that taxpayers will have to complete are yet to be issued, with only 12 working days to go. Can the Financial Secretary tell the House whether those forms have been published or distributed? She is nodding, so we will take that as a yes.

The regulations contain several specific issues that give considerable cause for concern. I turn first to the question of sale and lease-back arrangements. We welcome, in general, the reinstatement of relief for that common form of transaction. When I first drew attention to that oversight in Committee, the Chief Secretary seemed remarkably unaware of its significance. I am glad that the Financial Secretary saw sense and responded, but I have questions relating to the qualifying conditions in the regulations. Subsection (3)(a) of new section 57A states that the property must not be residential. How will mixed-use properties be treated? For example, how would an old mill be treated if the lease-back arrangements envisaged a part residential accommodation? Similarly, can the Financial Secretary define the phrase "same premises" under subsection (3)(c)? Does that mean the same hereditament or something else? Subsection (4) refers to market value. Does that mean open market value? If so, what valuation method is envisaged?

The Financial Secretary referred to exchanges. The amendments, which relate to residential property exchanges, follow discussions in Committee. At one point, the Government's plans bizarrely denied relief to elderly people who sought to trade down in their retirement yet exempted those who wanted to trade up to, for example, a mansion. That was a peculiarity and, to be fair to the Government, they relented after we questioned the Financial Secretary about it.

Will the Financial Secretary confirm that the meaning of "new dwelling" in schedule 6A covers the conversion of properties, including a change of use? That is unclear in the drafting. For example, would a former workhouse that was converted into flats be acceptable? That is a change of use and a conversion. The financial viability of many urban regeneration schemes will be directly affected by her answer.

Why does paragraph 8 of the same schedule specifically exclude sole traders and the self-employed from the definition of property trader? What is the ground for discriminating against unincorporated enterprises? Was it simply an oversight?

Why do the Government feel the need to set a maximum figure for expenditure on refurbishment schemes under paragraph 9? How will that be enforced without creating a new raft of bureaucracy? Are people to provide receipts or invoices? Who will check the evidence of work done and its value and ensure that the figure of £20,000 has not been exceeded?

Mr. Liddell-Grainger: My hon. Friend makes serious and interesting points. What about the position when the purpose of a grade 2 listed building has been changed and a subsequent refurbishment is undertaken, in which the façade is VAT exempt because the building is listed? I can find nothing about listed buildings in the provisions.

Mr. Prisk: Perhaps listing is separate from the immediate regulations that we are considering, but my hon. Friend makes a good point. He draws attention to the question of whether the Government have thought through the unintended consequences.

I want to ask the Financial Secretary about value as well as practicalities. It is fair to say that many people might consider the figure of £20,000 per unit for refurbishment a reasonable cap. However, the sum could prove wholly inadequate when, for example, asbestos needs to be removed. The result could be that the most dilapidated buildings remain empty. What assessment has the Treasury made of the effect on urban regeneration projects? How will the Government ensure that the worst buildings do not continue to stand empty?

The Financial Secretary referred to paragraphs 2 and 3 of schedule 17A. Paragraph 3 deals with the extension of fixed-term leases. She claimed that the change was fair, but is it fair for tenants to face an additional tax bill because of an event beyond their control? If a building is expected to be demolished for a planned new road, a fixed-term lease might be granted. If a long delay occurs or demolition is cancelled, is it fair to tax again? Do the Government intend to tax people in those circumstances?

I have received several professional and business representations, including from the Institute of Indirect Taxation, on leases for indefinite terms. There is considerable anxiety about the bureaucracy that the regulation will create. When a tenant exercises his or her statutory right to renew, how will the new lease be treated? Will it be linked with the original lease or not? There is a significant tax difference.

The treatment of variable and turnover rents is important and my hon. Friends have referred to that. The Financial Secretary partly responded. As members of the Committee that considered the Finance Act know, the legislation failed to account for variable rents. They typically occur in the retail sector, but they also exist in the licensed and hospitality sectors. As the original legislation stands, the occupier would have to submit a new tax return every time the rent varied. That would create an unbearable compliance burden. I welcome the Government's acknowledgement of our anxieties, but I remain to be convinced that the offered solution makes business sense.

Paragraph 7 on page 13 of the regulation allows for just one return after the fifth year. Up to that point, each new rent level means a new tax return, but under these proposals, just one return would be required after the fifth year. A lot of people in business—particularly in small businesses—argue that that is illogical. After all, it is the first few years that make a difference when setting up a business, so why leave business start-ups with the greatest compliance burden?

Paragraph 14 on page 16 of the regulation deals with the treatment of so-called abnormal rents. The Financial Secretary told us that that this was an anti-tax-avoidance measure. I hope that she will not be

giving any advice on that aspect of it today. As drafted, this paragraph and paragraph 15 are misguided in purpose and hideously bureaucratic in form. Indeed, all the independent experts believe that they run counter to modern commercial practice. I say that because the regulation provides that where there is an increase in rent after the fifth year, the tenant must assess whether that increase is abnormal.

I am sure that hon. Members are beginning to wonder what "abnormal" means, and the answer lies in paragraph 15 of the regulation, which sets out a two-page, three-formula, six-step definition. Believe it or not, this is what tenants are going to have to understand in order to work this out. In step 1, they will need to define the start date, which is

"the beginning of the period by reference to which the rent assumed to be payable after the fifth year of the term of the lease is determined in accordance with paragraph 7(3)".

So that is a nice easy start.

Then we move on to step 2, in which the tenant will need to divide

"the period between the start date and the date on which the new rent first becomes payable"

and they are given two ways in which to deal with that. I trust that hon. Members are keeping up with this so far. Step 3 moves us on to finding

"the factor by which the retail prices index has increased over each period identified in step two",

so I hope that we are all aware of what happened in step 2. We are then told:

"This is a figure expressed as a decimal and determined by the formula—

$$(RD-RI)/RI$$

where—

RD is the retail prices index for the month in which the last day of the period in question falls, and

RI is the retail prices index for the month in which the first day of the period in question falls."

I should warn Members that it gets quite complicated after this.

In step 4, tenants are asked to find

"the relevant factor for each period identified in step two."

If I may help the Financial Secretary, I suspect that this might have been the point at which there was a figure missing, resulting in the Treasury having to pulp all the original regulations. Step 4 goes on:

"This is a figure expressed as a decimal and determined by the formula—

$$1 + \{0.05 \times m/12\} + r$$

where—

m is the number of months in the period in question . . . and

r is the increase in the retail price index over the period in question, determined under step three."

Obviously. What could be simpler? I do not know how the Treasury could have got that wrong, but there we are.

Tenants have reached step 4, and they are obviously doing very well, so they are now asked to move on to step 5. Here, they are asked to find

"the uplift factor for the reference period",

and there is just a seven-paragraph section to explain what that is. I will not detain the House with that at this point.

Finally—I suspect that hon. Members will enjoy that word—we come to step 6. Here, the tenant—should they still be awake—must assess, using the third of the formulae, that the

"rent increase will be regarded as abnormal if the new rent is greater than

$$R \times UF$$

where—

R is the rent previously taxed . . . and

UF is the uplift factor for the reference period."

So there we have it. It could not be simpler.

I have to say that this is Sir Humphrey Appleby at his worst. I recognise that some large organisations will be able to put in place the systems needed to handle this process, but hon. Members will understand, having listened to all that, that to ask small or even medium-sized businesses to try to work their way through a six-step, three-formula, two-page regulation process is entirely unreasonable. Given that the Treasury got the formula wrong, could the Minister tell us how on earth a humble taxpayer is expected to cope? Will she assure us that when businesses— not surprisingly—make reasonable errors in this form of calculation, there will be no attempt to impose fines?

There is also a wider point of principle. Is it not inherently unfair for a tenant facing a large and inflationary rent rise, for reasons outside his control, to incur a substantial liability for this tax at the same time?

Will the Minister clarify paragraph 10, on page 20, which relates to substantial performance and the implementation date? Many in the property and, indeed, the business world fear confusion over which leases will and will not be affected. Will the Minister give examples of transactions covered by the paragraph?

I have not been able to deal with the whole range of areas in which errors or ambiguities might arise. The Minister has been very reasonable so far. Will she confirm that if the regulations are found to have further defects, she will come to the House in person and explain what has happened? We do not want a written ministerial statement; people outside are very concerned and want to hear exactly what the problems are.

May I be the first to congratulate the Minister on the regulation that amends schedule 5? I thought that the quality of her spin was magnificent. Alastair Campbell would have been proud. As she explained that the tax burden would not be too onerous, it seemed that if we listened carefully enough we would hear the sound of business men dancing in the streets in unalloyed joy at the generosity of Ministers. But, as was pointed out by the hon. Member for Yeovil (Mr. Laws) and others, despite all the warm words and soothing assurances the order represents not a reduction but a fourfold increase in tax revenue, from £50 million to £230 million in a full year.

Mr. George Osborne: My hon. Friend is making a powerful speech. I have a constituency interest in Marks and Spencer, as one of the largest and most successful branches in the country is in my constituency. The head of its tax group has said:

"The new lease duty regime . . . will increase our anticipated leasehold transaction costs by a factor of 8 over the next six years. This type of increase, which is standard for the sector, will inevitably have adverse economic effects".

Mr. Prisk: I met him this morning, along with a number of other representatives of business organisations. His case is typical of the problems faced by businesses.

I must say, to be fair, that the regulations have managed one significant achievement: they have brought businesses together as never before. This morning the shadow Chancellor and I hosted a press conference jointly with seven leading business organisations, including the main consultees who met Inland Revenue representatives and the Chief Secretary over the summer. We did so because the regulations have united businesses in opposition to the Government's plans. Miraculously, they have brought together landlords, tenants and professional advisers, who have joined the Conservative party—the official Opposition—to challenge this stealth tax, not just because of the extreme rises such as that mentioned by Marks and Spencer, but because of the impact it will have on business mobility, business investment and jobs.

The Minister spoke of the consultation that preceded the order. Let me tell her the views of the consultees whom I met this morning. All reject the Government's plans. They believe that the consultation itself was a sham. On behalf of Business in Sport and Leisure, Hugh Siegle said:

"We have fallen over ourselves this summer to work with officials from the Treasury and Inland Revenue, to try and find a solution. They just have not listened and see Stamp Duty as a revenue raising measure."

How right he was.

In practical terms, this regulation will restrain business investment and severely distort the property market by favouring short leases. Information from property experts such as the Royal Institution of Chartered Surveyors shows that longer leases of 15 to 35 years will be taxed the most. A typical 25-year lease faces a possible sevenfold increase, and a 35-year lease faces an almost ninefold increase. And as was pointed out earlier, Marks & Spencer expects an eightfold rise in its tax bill. Gary Grant, managing director of The Entertainer toy stores group, told me that for just one planned store expansion in south Wales his tax bill will rise sixfold to £6,000.

The licensed trade faces a similar problem. Because of high set-up and fitting-out costs, the average leasehold pub has a lease length of about 14 years and an annual rent of about £30,000. Such a lease will be subject to a duty of £1,776—almost 300 per cent. more than the current rate. Indeed, the British Beer and Pub Association has reported that almost a quarter of all leases in the pub sector are currently of 30 years in length. The average rent for those leases is £39,000 per annum. Current lease duty is £800, but to renew a lease on the same terms under stamp duty land tax will now cost £5,673. That is £4,873 more—or in excess of a 700 per cent. increase.

Nick Bish, head of the Association of Licensed Multiple Retailers, said to me today:

"As they stand at present, the proposals would create major distortions in the market for leasing, dramatically increase the costs faced by businesses dependent upon leasehold property, threatening ongoing investment, business expansion and jobs. Moreover, stamp duty"—

on land tax—

"would become a major capital cost when setting up a business, creating a . . . real barrier to entry for individual tenants and small pub companies."

Why has the Treasury chosen to ignore the expressed views of its outside consultees? Why did the Revenue refuse to change either the thresholds or the peculiar discounting rate that it has chosen? Can the Financial Secretary tell us today which of the six trade bodies that were consulted have backed her proposals? Does she not accept that her Department's consultation has been a shambles? When every consultee rejects the result of a consultation, surely something has gone badly wrong.

The regulations before us represent not, as the Financial Secretary said in her written statement, another step forward in modernising stamp duty, but two steps back for business. First, they impose a fourfold tax hike that is unfair to businesses and sectors alike. Secondly, this is a bad, ill-conceived and ill-considered tax that is being rushed through Parliament expressly against all independent advice.

I am aware that these regulations are temporary and may have to be rewritten back into the next Finance Bill. I therefore ask the Financial Secretary to listen to the complaints and concerns expressed, and now to commit herself to revising her plans for next year's Bill. Both business and my party will continue to campaign for a fair deal on this issue. It is now time that the Government responded.

4.13 pm

Mr. David Laws (Yeovil): I join the hon. Member for Hertford and Stortford (Mr. Prisk) in welcoming back the Financial Secretary, although I appreciate that she has been back at her desk for some time now. She must have hoped when she was away, however, that by the time that she returned to her desk to deal with the outcome of the consultation, some of the heat would have gone out of this subject, which was the cause of great concern when the Finance Bill was debated earlier this year. She will be aware that, as the hon. Gentleman has just said, she and the Government have not succeeded in satisfying the professional, business and other groups that expressed concern at the Government's proposals earlier this year. Indeed, the chairman of the Institute of Indirect Taxation's stamp taxes committee said the following in a letter to her of 24 October:

"We note that this consultation has generated vigorous differences of opinion and approach between the Government, on the one hand, and the professional and commercial bodies who participated in the consultation, on the other."

It seems as if the Financial Secretary and the Government have been entirely unsuccessful in addressing the concerns of professional and commercial bodies in relation to this matter.

The impression was created in the Financial Secretary's speech a few moments ago that the Government were seeking to deal with several anomalies and unfairnesses in the existing system for dealing with leases and their taxation. However, as has been pointed out, the net effect of the measures that the Government are pressing through will be a significant increase in the tax burden on business. Although the Financial Secretary rather rattled off the numbers in the same way that the Chancellor of the Exchequer is inclined to do when revealing to the House increases in borrowing figures, I thought that I detected the admission that in the coming financial year the measures that we are debating today will raise some £170 million, even after the Government's concessions. The full-year cost of £230 million was mentioned earlier. If I have those figures wrong, I would appreciate the Financial Secretary's clarification later.

Mr. Simmonds: Is the hon. Gentleman aware that the British Retail Consortium has assessed that the cost to its retail members will be £200 million alone, so the estimates provided by the Chief Secretary and the Financial Secretary grossly underestimate the real cost to businesses in this country?

Mr. Laws: The hon. Gentleman is right that that is the assessment of business bodies. We will have to deal with that serious underestimate in the next few months. I hope therefore that the Government will eventually change their minds on the proposals.

Mr. Djanogly: Is the hon. Gentleman aware that there are implications for sectors other than business? The pensions industry is now only just cottoning on to the fact that transfers between members' retirement benefit schemes will also be caught, so pensions will be affected.

Mr. Laws: The hon. Gentleman is right that the proposals will be another blow to pension funds, which are already struggling as a consequence of recent changes in asset prices.

Without straying off the specific issue before us today, the background to the debate is obviously the concern among business about the overall level of business taxation in this country. The Financial Secretary will be aware of the report issued by the CBI recently, which compared business taxes in several different countries. The Government reacted in a robust and agitated manner to that report, but it was useful for highlighting the fact that, although our corporate tax levels and rates—and, to some extent, the social costs on businesses—are lower than in many of our European competitor countries, we have much higher taxes on property and transport costs, for example, which must be taken into account. The net increase in business taxation contained within the measures before us is highly unwelcome to business.

The Financial Secretary will be aware of the strong comments that the CBI made about the amended proposals that the Government have brought forward. A couple of weeks ago its press release talked about the "mass opposition" of companies in this country and complained about the Government pressing ahead despite that opposition. It said that the Government's decision

"would drive up prices, cost jobs and damage regeneration".

The CBI also said that the Government are underestimating the potential cost to business of this measure, and it states explicitly that the Government are

"understating how many leases will be affected and overestimating the present value of leases."

The hardest hit, as the hon. Member for Hertford and Stortford (Mr. Prisk) has already mentioned, will be particular sectors in which there are long leases—for example, the retailing and consumer services sector, many pubs and restaurants.

The director general of the CBI commented on the Government's latest proposals:

"It's extremely disappointing that the government, in its inexorable search for new areas to tax, is targeting the one sector that has kept the economy afloat: the high street . . . The majority of business premises are leased and duty increases on this scale will be damaging. This tax hike could easily swing the balance against marginal projects . . . Long term investment will be hit as firms look for shorter leases."

Surely, in the light of that criticism from business, the Financial Secretary must look again at the measures, especially at their net impact on business as a whole, rather than giving us the impression that they are simply designed to reduce avoidance and to tackle unfairness within the existing tax structure.

The hon. Lady must also address the fact that the measures hit particular sectors extremely hard. We have already heard examples of the effects on the leisure industry in particular constituencies, and reference has been made to Business in Sport and Leisure, an umbrella organisation that represents more than 100 private sector companies in the sport, leisure and hospitality industry. That organisation has pointed out that many parts of the leisure industry face an eightfold increase in stamp duty under these proposals. It cannot be the Government's intention to increase business taxes in such a penal way for some parts of the business sector. Business in Sport and Leisure stresses that there has been no suggestion from the Inland Revenue that the sector is involved in any avoidance of tax, so it cannot be the case that the Government designed the measures simply to capture tax avoidance.

The impact of the measures will be especially acute in those sectors where there are long leaseholds. Obviously, that is relatively common in the leisure sector, where there are leases of between 20 and 25 years due to the high cost of investment in leisure properties and the need to refurbish them regularly. For that reason, there is concern about the unfairness embedded in the measures. The tax increases will fall especially hard on some sectors and the Financial Secretary seems to have done nothing to address that concern. I hope that she will attempt to amend the proposals in future so that those hard-hit sectors will not be so severely affected. Although the hon. Lady said that about 60 per cent. of businesses will be exempt from the increase, she will be aware that in the leisure sector the figure will be 30 per cent. or less, as a consequence of the thresholds that the Government have set.

[Mr. Laws]

We must also consider fairness between different parts of the country. Earlier, the hon. Members for Taunton (Mr. Flook) and for Bridgwater (Mr. Liddell-Grainger) were in the Chamber. Their presence made me realise that there was a Somerset phenomenon in terms of unfairness, although the phenomenon goes well beyond Somerset. Can the Financial Secretary confirm that a leisure business—for example, one in the eastern part of my Yeovil constituency, quite a deprived area—which is above the threshold and affected by the totality of the Government's proposals on stamp duty land tax on leases, will pay increased taxation; yet for businesses in other parts of the country, such as a pub in Canary Wharf or Harvey Nichols in Leeds, there will be no increase in taxation because deprived area relief will interact with the measures?

Mr. Simmonds: The hon. Gentleman makes a good point. Is he aware that deprivation is measured on residential areas and not on the amount of commercial activity that takes place? That would create anomalies; for example, removing all the stamp duty from the Meadowhall shopping centre, just outside Sheffield, would add £50 million to its value—equivalent to 1p on the net asset value of the share price of the company that owns it. That is neither a sensible nor a wise use of public money.

Mr. Laws: The hon. Gentleman is right. He echoes the comments made by the Lords Committee on the Finance Bill. The House of Lords Committee urged the Government to reconsider the measures before the House today, and to look at how the deprived area relief interacts with them. It makes no sense that a leisure business in a deprived part of Yeovil should suffer as a result of the proposals, when a pub in Canary Wharf serving well paid investment bankers or a major department store in Leeds remain exempt. That is irrational.

The hon. Member for Hertford and Stortford (Mr. Prisk) mentioned many of the detailed concerns about the proposals felt by businesses and professional organisations, and I shall not repeat them. My criticism, and that of my party, is that the proposals represent a significant tax increase for business, and hit specific sectors very hard. There is no good economic rationale for hitting businesses with long leases, unless the Government are determined to change the maturity structure of leases. However, there seems to be no good reason to do that in the leisure sector. We also consider the proposals to be unfair in the way that they affect businesses in deprived areas.

The Government held a consultation and listened to the results, but they do not seem to have heard the points made by business. It may be too late to get them to change their mind today, but I hope that the Financial Secretary will return to these matters in the future. At present, the Government have got the proposals wrong.

4.26 pm

Mr. Stephen Dorrell (Charnwood): I begin by declaring a personal interest. I am a director and shareholder of a trading company that occupies leasehold property. As far as I know, we are not involved in renegotiating any leases, so I do not anticipate that the proposals would have any immediate effect. However, at some time in the future I could have a direct personal interest.

The Government say, euphemistically, that they want to modernise stamp duty. My hon. Friend the Member for Hertford and Stortford (Mr. Prisk) made a compelling case against the policy, in terms of detail and, more importantly, of strategy. What the Government describe as modernising stamp duty is, in fact, a policy of raising extra revenue through a new tax structure that they hope that voters will not notice.

We in this House have a responsibility to look beyond the immediate effect on voter perception and to consider the economic effect of the Government's tax policy. My hon. Friend the Member for Hertford and Stortford was right to say that the Government have ambitious spending plans and want to raise revenue without voters noticing. For that reason, they are looking for opportunities to use tax policy to squeeze extra revenue out of parts of the economy that they hope that voters are unaware of. However, getting extra revenue from stamp duty will do substantial economic damage, along the lines described by my hon. Friend.

The Minister herself identified why stamp duty is an especially damaging tax. She said that the reforms would remove cliff edges from the operation of stamp duty. Yet stamp duty is a cliff edge in itself—that is the nature of a tax on capital transactions. Cliff edges cannot be removed from it. In a nutshell, that is why the Government are wrong to use this tax to close their revenue gap.

The more tax that the Government raise out of capital transaction taxes, the more distortions they build into the economy, and the more economic damage is done. My hon. Friend the Member for Hertford and Stortford was right to focus attention on the effect that taxing new leases will have on encouraging urban regeneration and the establishment of new businesses. If we tax something we make it less likely to happen. That is one of the basic rules of economics. The Government are putting up taxes on urban regeneration and new business creation, and we must assume that they understand that the likely economic effect of their policy will be less urban regeneration and less new business formation, especially in the leisure industry.

Mr. John Taylor (Solihull): Does my right hon. Friend recall that when Lord Lawson was Chancellor of the Exchequer and halved the rate of stamp duty, he doubled his revenue from that source?

Mr. Dorrell: My hon. Friend is right—although he will probably remember that there were some secondary effects, which at the time were controversial. None the less, that example is a clear illustration of the principle that reducing the rate of tax on something tends to increase the activity, and increasing the rate of tax on something tends to reduce the activity. That is what the Government must be assumed to be planning as a result of this policy, and that is the fundamental objection to it.

I shall make two other points about tax policy, and explain why I think this tax is even worse than other forms of capital transaction tax. My first point is that when a new lease is taxed, what is really being taxed is a prospective revenue flow. Inevitably, an estimate has to be made. If both parties to the lease go under as a result of signing it, huge damage will have been done, but the Government will in the meantime have made off over the hills with their sack of gold. To tax a prospective revenue flow is to tax something that is particularly risky within the spectrum of economic activity.

My second point is that if we choose to focus on that tax base, we introduce a huge incentive for people to distort their estimates. Listening to the Minister justifying this draft of her policy, I noticed that she was describing the introduction of a tax system that already, before the structure comes into effect, the Government recognise will be riddled with avoidance and tax planning opportunities.

When I held the Financial Secretary's job, I learned that whereas in my previous existence—I am happy to say that this also applies to my present emancipated existence—I was allowed to call such activity tax planning, in her rather sterner existence she has to learn to call it tax avoidance, and sometimes tax evasion. No doubt she is better than I was at remembering the difference between those two. One is legal, and the other is not, but I could never remember which was which.

Introducing a new higher tax on an uncertain future revenue flow condemns us, without peradventure, to a new industry of tax planning experts, who even now, in the big accountancy firms, will be planning ways in which their clients can avoid the tax that the Financial Secretary is introducing. I guarantee to the House that, as with capital gains tax, the further this policy goes on, the more the Treasury will come to the House year after year with page after page of what it will describe as anti-avoidance legislation.At the moment, the phrase used is "abnormal rents"—but what the Treasury describes as abnormal rents is today's normality. When we tax today's normality, that creates tomorrow's abnormality, because that is where the tax planning industry will go.

I congratulate my hon. Friend the Member for Hertford and Stortford on the case that he has made against the measure. It is objectionable because it will introduce a new and higher rate of tax on something that we should be encouraging, and because the only thing that the new set of taxes will encourage is the tax planning industry and the big accountants, who must even now be rubbing their hands with glee.

4.34 pm

Mr. Jonathan Djanogly (Huntingdon): I wish to declare an interest in rented property.

Everything that I have read or heard about the regulations on stamp duty land tax points towards a Government who have failed to listen to the representations made to them by almost everyone who takes an interest in the issue. To my mind, we are now cruising towards the onset of a disaster, which is what will occur when the tax takes effect in what is now not many days' time. I therefore fully support my hon. Friend the Member for Hertford and Stortford (Mr. Prisk) in once again asking the Government to reconsider their position on the tax.

In short, it is my contention that the main result of the tax as amended by the regulations will be to increase hugely the stamp duty payable on leases and unnecessarily to increase the complexity of the calculation of tax, despite the provision in the regulations to vary the way in which it is calculated, which I believe will make the process even more complicated. In particular, retailers will be penalised and people in industry who want to enter into long-term leases will have to opt for short-term leases instead, depriving them of the security and certainty that they would otherwise have. That is not in the interests of British industry. I also wish to suggest on the basis of the regulations that this tax is the precursor to a massive Labour tax-raising exercise on property.

The Government seem to maintain that the ending of stamping leases will somehow simplify the system. While I agree that that may be a precursor or a necessity in respect of their proposals for electronic conveyancing, I regard the suggestion that the tax will become simpler to administer as defying belief.

Mr. Prisk: My hon. Friend referred to e-conveyancing, which is an important issue. Is he aware that the tax forms can now be submitted only in a handwritten form? Does he share my concern that that is a step backwards in terms of e-commerce?

Mr. Djanogly: My hon. Friend is right. I shall return to the form itself, as the regulations deal with it in passing, but not as they should do, which is a particular concern.

The formulae that the process now involves are making most professionals' eyes water. Indeed, I have heard from professionals that they simply cannot calculate them without using a computer programme. For most business men, the formulae have become a mystery. Unfortunately, that mystery is having a harsh impact, as up to 15 times as much is being paid at the end of it. The changes relating to the proposed charging of a 1 per cent. minimum will only make the matter even more complex.

The Government also seem fixated on the idea that the new tax is required to tackle tax avoidance and to ensure that everyone pays a full share. Indeed, the Financial Secretary keeps using the word "fair". For the majority of traders, however, the acquisition of a lease is simply a necessity in conducting their business, rather than a means of tax avoidance. In any event, over recent years, the inventiveness in the use of stamp duty avoidance schemes has been part of businesses' reaction to the no fewer than five previous stamp duty increases that we have seen since Labour came to power. Under the Conservatives, stamp duty was 1 per cent. on amounts of more than £60,000, and that was generally seen as acceptable. However, as the level has been ratcheted up, many companies have increasingly been forced to consider using avoidance schemes to avoid the rates of tax that have started to make their deals appear uneconomic.

Scrutiny of this new tax has been haphazard to say the least, as my hon. Friend the Member for Hertford and Stortford pointed out. The original consultation was conducted unfairly, not least because of the Government's decision to abruptly end it in early

[Mr. Djanogly]

January this year. Then, because of the Government's unfairly short timetable for the Finance Bill, we did not even talk about this tax in Committee. It was only on Report that we addressed it for the first time, at which point the Government tabled more than 40 amendments. That alone shows that they do not have a handle on this tax.

The Government admitted that they did not know how the tax would work and said that they would reconsult over the summer, which has led to the orders that we are discussing today. As I mentioned earlier, further consultations are continuing, especially in relation to partnership, on which the Government have admitted that they need to start again from scratch. On Report and earlier today, we have gone into various technical aspects of the new taxes and highlighted various failings of the legislation. I have made the point that the new taxes will increasingly be unacceptable to professionals and business people alike.

The Government reconsulted over the summer and it is worth reviewing some of their comments. The verdict from pretty much everyone who was asked about the proposals was "zero points", and I shall address some of the technical points that were made. In a recent article in the *Solicitors Journal*, a Mr. Nock, a barrister, said that

"the Government intends, lemming style, to rush headlong into bringing in stamp duty land tax on 1 December despite the many deficiencies in the Finance Act 2003. It appears the Government accepts it will take up to two years to discover the major defects and put them right, but is prepared to leave taxpayers and their advisers to live with the mess in the meantime."

If Mr. Nock is right, and having heard the debate today I fear that he is, how can it be acceptable that the Government can pass legislation that they know will not work? Mr. Nock gave the example of monthly or other periodic tenancies that are subject to tax as if they were a lease for a term of 12 years. However, if drafted as a lease for one month and thereafter from month to month until terminated by notice, the tax is assessed on the basis of a two-month lease. As Mr. Nock continues:

"Hundreds of . . . potential professional indemnity risks abound in the current legislation."—

I declare my interest as a solicitor—

"It is to be hoped, although not with any great degree of confidence, that the Inland Revenue Stamp Taxes Office will seek to apply the legislation contrary to the letter in most cases to produce a reasonable result."

That is a dramatic comment, because it means that if the Government are to be fair to taxpayers, the tax man will have to apply the law loosely. That will hardly be a comfort to most business people. Mr. Nock continues:

"In the paranoid pursuit of anti-avoidance rather than technical precision in setting the conditions for relief, transactions that were previously non-eligible for relief are now potentially exempt. The grant of a new lease 'in connection with' a company reconstruction, if part of an undertaking, is exempt or eligible for the lower rate even in the case of rent. Practitioners must therefore bring open minds to much of the legislation and not be too influenced by apparently similar stamp duty provisions. Clearly, these newly created reliefs have the potential for tax mitigation that would not exist with even moderately sophisticated legislation properly drafted."

My right hon. Friend the Member for Charnwood (Mr. Dorrell) made a similar point in his excellent contribution to the debate. So there we have a tax barrister saying that the new legislation, which was introduced to counter avoidance, could attract avoidance schemes because of its complexity.

Many other technical issues arise in relation to the orders. We could see an increase in negligence claims against professional advisers, with the consequence of increased costs for clients. That could happen because many entries in the land transaction return require valuations or estimates and, because it is a self-assessment tax, judgments will be required on such matters as market value, market cost and estimates of what is likely to be produced by variable consideration. That will put a lot of pressure on the professionals.

Certain actions—for example, substantial performance, such as the payment of rent or entering into the possession of property without any formal grant—are not notifiable, even though no SDLT is payable by reason of the low rent, and even though the grant of the tenancy may not be notifiable. The rules on notification in the case of the acquisition of freehold or leasehold interest in property might necessitate multiple notifications.

For example, where a developer acquires land and, without taking a transfer, enters into possession of the land, having paid the purchase price, he will be required to make a return. A fresh return may then be required each time a plot is sold or leased to third parties. In some cases, both the developer and the purchaser, or tenant, will be required to file returns. Of course, the term "acquisition" also includes releases, surrenders and variations—so more form filling and more red tape. Nothing in the schedule to the order will deal with that, as my hon. Friend the Member for Hertford and Stortford has said.

Service charges are not subject to this new tax, provided that they are not included as part of the rent. However, if they are taxable as rent, and since service charges are variable, an uncertain rent will be produced, so the tenant will be obliged to notify the stamp taxes office every time the landlord increases the service charge—again, more red tape, more hassle.

The complexity and length of the land transaction return might well increase in the light of the publication of regulations in the near future. Some professionals have made it clear that although the Revenue is currently attempting to make the form appear short, it is deceptive and advisers should take care not to be misled by the simplicity of the form.

Only a couple of weeks ago, Mr. Gordon Keenay of KPMG Stamp Taxes Group, who happens to be a former business director of the Inland Revenue stamp taxes office, noted:

"The downside on the legislative front, though, is the unprecedented breadth of the powers to modify this tax by Statutory Instrument. The Government ought not to use it as a more painless way to change the tax rules than waiting for the next Budget."

We will increasingly see a series of Statutory Instrument Committees, digging the Government, bit by bit, out of the mess that this tax has already been shown to be. Of course, we are seeing something similar to that happening today.

The problems with the orders go far beyond the technical. Other hon. Members have referred to important practical points. Yes, there is complexity. Yes, there is bad drafting. Yes, there are technical weaknesses. However, a whole host of practical issues have been raised, particularly by business people. The British Retail Consortium has been mentioned, but the director general has also noted:

"The Government has ignored all our advice and seems determined to hurt the very sector which is keeping the economy afloat at the moment."

Digby Jones, the director general of the CBI has said:

"Duty increases on this scale will be damaging. The Chancellor must promise an early review of the effects of this legislation."

I have a feeling that, because of all the debate that is going on, there will be regular reviews of this legislation, but not for reasons that the Government particularly want. Digby Jones also cited an example of a retailer, leasing a shop for 25 years at an annual rent of £120,000, who would now pay £2,400 in duty. Under the new rules that retailer would pay about £19,000, so the new £1,500 reduction, as proposed in the order, is not a sizeable relief in the context of the deals that businesses actually do. What we have seen over recent days is business people trying to understand where the Government are coming from in relation to the orders and this new tax, as it all seems nonsensical. Mr. Griffin, the head of stamp duty at Ernst and Young, said that the inevitable conclusion is that this is a political fudge.

We know that pubs, retailers and restaurants in particular will be hardest hit by of the tax. One of the reasons for that is that they typically take long leases of 20 to 35 years to amortise the multi-million pound cost of fitting out their buildings over the duration of the lease. The British Retail Consortium, too, has said that it reckons that about 74 per cent. of retailers will look to get shorter leases.

What about the Government's new concession in the order? A lot has been said about it, and I will not go over new ground. It is important to make the point, however, that the Government's figures are consistently being seen as underestimates by business. B & Q in particular expects that the average cost of its lease per store will increase from £35,000 to £285,000 because of this regulation.

With seemingly everyone either opposed to or critical of this new tax, what is behind it all? Mr. Griffin addresses it in the context of the new form, which was discussed by my hon. Friend the Member for Hertford and Stortford and is touched on in paragraph 6 of regulation 3. He notes:

"Whereas the old stamp duty form was a one-page document, which took solicitors five minutes to complete, the new form will run to eight pages, with a further 30 pages of explanation."

He says that the new form is effectively an "an information-gathering exercise." He says:

"It's an ideal platform for the chancellor to introduce a wave of property taxes... The Inland Revenue will compile a vast database of residential property... This system gives the chancellor enormous flexibility for future changes to stamp duty, and a launchpad for an array of new property taxes."

That gets to the nub of why we are here today. We are at the start of a massive Government offensive against property and property owners. They are going to start it through stamp duty, but they will use the build-up of information on the new forms to extend it across other sectors of property and the economy. Today, we are seeing only the start.

4.52 pm

Mr. Mark Simmonds (Boston and Skegness): Before I begin, I want to draw the House's attention to my interests, which I have declared in the Register of Members' Interests. I join my colleagues and others who have welcomed the return of the Financial Secretary to the Front Bench—it is the first time that I have taken part in a debate on this topic when I have had a feeling that at least somebody on the Treasury Bench understands and takes this matter seriously. That is not the conclusion that I have reached in relation to her two colleagues who have partaken of these debates previously.

I have spoken at length on this topic in previous debates, but I have no desire to continue at length today. Suffice it to say that I do not agree with this additional tax. It is not about closing loopholes, as the Financial Secretary and her colleagues have said previously. It is purely about raising additional revenue. It is nothing to do with modernisation; it is about trying to fill the gap in the Treasury finances created by the disparity between the increase in public expenditure and the reducing revenues coming into the Treasury.

The first point of contradiction that I want the Financial Secretary to explain relates to why, initially, the Chancellor and his Treasury team said that these measures would be revenue-neutral. The Treasury then gave a figure of £250 million, which was reduced to £230 million, and I understand from her opening remarks that it is now £170 million. As I told the hon. Member for Yeovil (Mr. Laws), the figure from the British Retail Consortium—which relates to retailers who are members of that organisation, and not the totality of retailers in the United Kingdom by any means—is £200 million alone. That ignores businesses in the industrial market and the office market and businesses that take out smaller leases in different sectors, including the licensed premises sector and the restaurant sector.

The Government appear to believe that all leases are tax-avoidance schemes, but that is simply not true. As my hon. Friend the Member for Huntingdon (Mr. Djanogly) said, businesses need leases to create flexibility and ensure that their capital is not tied up in property so that they have spare capital to invest in opening new stores or expanding their factories or office premises, which generates additional employment and allows them to go forward. The briefing for the debate written by the Royal Institution of Chartered Surveyors supports that point.

It is worth pinpointing several serious side effects of the measures, although I have highlighted them before. The Association of Licensed Multiple Retailers has produced pertinent statistics that we should all take on board before deciding whether the additional tax will be good for the economy, businesses and jobs. Its survey shows that the impact of the new lease duty will mean that 85 per cent. of retailers will not invest in certain

[Mr. Mark Simmonds]

areas, 80 per cent. will limit expansion, 61 per cent. will want shorter leases and 40 per cent. will cut jobs. If that would not be serious for the economy, I do not know what would be. We would have to cope with that in our constituencies. Marginal sites will be hit and such sites tend to be in areas with socio-economic deprivation. We need to regenerate those areas, not hit them hard with additional taxation.

The measures will affect employment. The retail sector employs a significant number of people in our constituencies. Some 5,500 people—12 per cent. of the work force—are employed in the retail sector in Boston and Skegness, which is a slightly higher percentage than average. In East Ham, 23 per cent. of the work force are employed in the retail sector and the figure is 24 per cent. in Thurrock—one in four people are employed in the retail sector in that constituency. The measures will have a dramatic impact on job creation and sustainability in the retail sector. They are diametrically opposed to what the Government have been talking about, although such contradiction is not peculiar, because they go against a flexible, entrepreneurial and dynamic economy.

I have asked several specific questions about the measures before but no answers have been forthcoming, so I hope that the Financial Secretary will answer them in her winding-up speech. How did the Government arrive at the net asset figure of £150,000 because no one seems to know where the figure came from? More appropriate figures have been proposed, such as the much more sensible threshold of £500,000 that was suggested by the consortium led by the CBI that wrote to the Financial Secretary during the summer. I was interested to hear her cite the results of the Investment Property Databank regarding the collation of the property market information. As far as I am concerned, it did not say that 60 per cent. of leases will be caught but that 98 per cent. of the value of all leasehold transactions in the United Kingdom will be caught by the measure—almost all leases. It has been argued that the average length of a lease is 10 years but leases are generally longer than that, especially those for prime properties. Therefore, if a lease had a net asset value of £150,000, the rent paid would be between £10,000 and £12,000 a year, which is low for commercial property these days.

My hon. Friend the Member for Hertford and Stortford (Mr. Prisk) mentioned the subject of my second question during his polished and articulate speech. Where does the 3.5 per cent. figure for discounted cash flow come from because it bears no relation to commercial practice? The team that was led by the CBI suggested alternative figures. One cannot borrow money commercially at an interest rate of 3.5 per cent. or issue bonds with a gilt yield of 3.5 per cent., so there is no correlation between the Government's figure and the reality in the marketplace.

I was intrigued and surprised to hear the Minister confirm that 60 per cent. of leasehold transactions would be exempt. According to a written answer to the Leader of the Opposition, the then shadow Chancellor, that figure was 87 per cent. The British Retail Consortium says that only 30 per cent. of leases will be exempt. The British Property Federation says that no leasehold transactions will be exempt in the City of London. The Royal Institution of Chartered Surveyors strongly supports the IPD's view that 98 per cent. of the value of commercial leases will be subject to lease duty. I know whom I would believe.

It is highly unlikely that the changes in stamp duty will be limited to increases of four to eight times. That will have a direct impact on the money that those with longer leases, up to 35 years, will be prepared to invest in new properties. I have in mind those who occupy retail warehouse units or those with licensed premises who need that length of lease to enable them to write off shop-fitting costs.

Why did the Treasury reject the proposals alluded to or specifically suggested by the group led by the CBI? If we accept the need to tidy up or, to use the Treasury's term, modernise, then a graduated tax rate, an exemption threshold of £500,000 and an increase in the discount rate from 3.5 to 7 per cent. are eminently sensible ideas.

The tax increase has serious implications for the commercial property market. Not only will there be market distortions, but shorter leases, which will inevitably affect the capital value of property and the capital and human investment that firms are prepared to make in their businesses. As my right hon. Friend the Member for Charnwood (Mr. Dorrell) said, it will reduce Exchequer yield because it will reduce and lessen economic activity.

The tax increase will also affect the UK's competitiveness in the global economy. Retailers make decisions on an international basis. They do not necessarily decide just to go from one town to another. International retailers that are based in the United States, parts of continental Europe or the UK have branches abroad. The United States and Germany have no taxation on the granting of new leases, so we are making ourselves uncompetitive. Potential investors outside and inside the UK are worried about whether they should leave their money in this country as the commercial property market is hit.

We discussed the impact on the UK property investment market, but it is not simply the traditional property investment sectors—retail, industrial and offices—that will be affected. The hon. Member for Chatham and Aylesford (Jonathan Shaw) made a pertinent point. The proposal will have significant impacts on tangential investment sectors based on the premise that, as the stamp duty takes a hold, leases will become shorter and capital values will be lowered. The only way to support the value if capital values decrease is by increasing rent, but as tenants cannot afford to pay increasing rents, some investors will withdraw from tangential sectors.

The specific examples given to me of sectors that will be hardest hit are those that should most concern the Government. They include hospitals, nursing homes, learning disability units and brain injury units. The main investor in that market said that, if the stamp duty regime is introduced, it will withdraw from the sector, having a direct impact on the Government's ability to increase their public sector provision.

The Treasury has provided an online calculator for small businesses. That is obviously on the internet. My constituency in rural Lincolnshire does not have broadband. People do not have access to such facilities. I hope that the Treasury has other ways to communicate

with businesses and professionals to ensure that information is disseminated to the relevant people as soon as possible, especially in light of the fact that there are only 13 working days to go.

When the rate increases are combined with property costs, the second biggest factor facing employers after wages, that challenges all the Government's lines on job creation and regeneration, which supposedly encourage a thriving, dynamic and entrepreneurial business sector. That does not fit comfortably with those reassurances. I am pleased that there is now some clarity in the orders, particularly regarding sale and lease-backs. However, it is not obvious whether, in the sale and lease-back proposals, the relief applies just to freehold to leasehold, or long leasehold to normal leasehold.

David Taylor (North-West Leicestershire): Surely the hon. Gentleman is aware that there is relief without limit for the conveyancing and leasing of non-residential property in disadvantaged areas. Could the Treasury not tackle the problems in his constituency and elsewhere by broadening the definition of those areas?

Mr. Simmonds: The hon. Gentleman made an interesting intervention, but he may not understand a point made by both the hon. Member for Yeovil (Mr. Laws) and myself. A change would not necessarily help because the definition would still be based on the affluence or otherwise of the residential population, not commercial activity in those areas. It is ludicrous, for example, that an enormously affluent and successful business environment such as Canary wharf should be completely exempt. Meadowhall shopping centre just outside Sheffield is also exempt, adding £50 million to its value. I think that it equates to 1p for the net asset value of the company that owns it.

Mr. Laws: The hon. Gentleman is making an effective point. Does he agree that the Government define many major city centres as deprived, so all the businesses in the area, even those selling to affluent shoppers, are exempt? In many other parts of the country, businesses are bearing a burden that they can ill afford to bear.

Mr. Simmonds: The hon. Gentleman made a good point, and he is right. My understanding is that in Birmingham, Manchester and Leeds the whole city centre is exempt, which is not right, as other commercially disadvantaged areas will be hit by the proposals.

There are two remaining issues that I would like the Financial Secretary to deal with today, or respond in writing if she does not have the facts at her fingertips. What happens if there is a 10-year lease with a three-year break clause? Is the stamp duty based on the length of lease up to the break clause, or on the entire lease? That would make a significant difference to the sums involved. I should like to have a much more detailed conversation about turnover leases, because I am not sure that the Financial Secretary understands how they operate, given her answer to my intervention, but I shall not ask about that now. However, what happens when a tenant takes a five-year lease in a shopping centre, trades for only one year, and then the shopping centre shuts? Do they get their money back? Is there a rebate system, or is it a case of the Government taking their whack, and it is just tough for the tenant? Such situations can arise in deprived areas.

In conclusion, the orders make provision for a minimum eightfold increase, and will damage flexibility in the marketplace. They may lead to lower investment, reduced margins and job losses. Furthermore, the Government have ignored the consultation process. The regulations will have an unnecessary and negative impact on a vital area of the economy merely to correct the Chancellor's financial and fiscal irresponsibility. I very much hope, therefore, that the Government will reconsider their proposals.

5.8 pm

Ruth Kelly: With the leave of the House, Mr. Deputy Speaker, I shall wind up our debate on the regulations. It is worth reminding hon. Members why we introduced the reforms in the first place and on what basis we did so. The reform of stamp duty land tax is a wholesale reform of tax on land transactions, and is not something that hon. Members should shy away from. It is a long overdue tax reform, which was welcomed in discussions of the Finance Act 2003 as a much-needed measure to modernise the system.

Mr. Laws: Do any professional or business bodies welcome the proposals as they stand?

Ruth Kelly: I am putting these lease duty proposals in the context of the broader package to reform stamp duty—an absolutely essential, but complex, tax reform that previous Administrations long shied away from. Reforming tax on leases, specifically on their rental element, is an integral part of that root and branch reform.

The right hon. Member for Charnwood (Mr. Dorrell) argued—to put it in one sentence—that he could not support an increase in the rate on leases because stamp duty is a transaction tax. I recognise his point, but the reality is that Governments of all persuasions, in many countries, have used stamp duty as a cheap and efficient way of raising revenue. Indeed, many countries have far higher levels of stamp duty than those currently operating in the UK. Given that stamp duty embraces an important quantum of revenue, it must be right to address anomalies, distortions and avoidance.

Mr. Dorrell *rose—*

Mr. Laws *rose—*

Ruth Kelly: I want to finish my point before giving way.

Stamp duty land tax does just that. It ensures that the tax is fair to all taxpayers, including those who were previously avoiding it. The charge on new leases is an integral part of that, as leases represent an interest in land.

Mr. Dorrell: The Financial Secretary seems to be arguing that although she recognises that capital transaction taxes cause distortion, because other

[Mr. Dorrell]

countries have them we should feel free to close our revenue gap by increasing the yield from precisely those taxes. Can she explain her case a little further?

Ruth Kelly: Is the right hon. Gentleman arguing for the abolition of all capital taxes? If so, where would he raise the revenue from?

Mr. Dorrell: All taxes distort; but in raising revenue, we should recognise that the more we raise taxes based on capital transactions, the more economic damage we do. That should be an even further incentive on the Treasury to begin to exercise some control over public expenditure.

Ruth Kelly: I am sure that we could debate this subject for hours, but this is not the appropriate forum in which to do so. It has long been accepted on both sides of the House that there is an argument for taxing transactions and interests in land. What we have done, and propose to do, is to modernise the way in which that tax regime operates.

David Taylor: Does my hon. Friend agree that the right hon.—and unjustly overlooked—Member for Charnwood (Mr. Dorrell) was wrong in one aspect of his critique of capital taxes, in that he suggested that they were innately cliff-edge taxes? That is not so if a graduated form is introduced. Might the Chancellor receive submissions to that effect?

Ruth Kelly: I have listened to my hon. Friend's comments, and I will draw them to the attention of my right hon. Friend the Chancellor.

It is only fair that the granting and transfer of leases is also subject to lease duty where transactions and transfers are subject to that tax.

Mr. Laws: Will the Minister give way?

Ruth Kelly: I want to make some progress: I shall give way in due course.

The distortions apparent in stamp duty, where the rate of duty is increased at eight and 36 years, are not a feature of stamp duty land tax. The tax is charged at a flat rate of 1 per cent. of the net present value over the relevant threshold. A business takes into account the economics of the transaction when it enters into it. Stamp duty land tax places a value on the benefit received by a business entering into a lease transaction using lease length and rental payments as determining factors. That is no different from modern valuation and accounting practice. For example, the International Accounting Board is to recommend that all leases are shown as assets on the balance sheets of companies that have them. Stamp duty land tax uses a method to calculate that value, then applies a tax rate to it.

The proposed structure for taxing lease rentals is more in line with the structure for taxing freeholds, but it acknowledges that leases are not the same as freeholds because the rate is set at a flat 1 per cent. instead of being dependent on value. That contrasts with the old stamp duty regime, which it replaces. It determined tax rate by the term of a lease. To assist smaller businesses and start-ups, the new regime taxes only the excess value over the appropriate threshold.

Mr. Laws: I do not know whether I heard the Financial Secretary correctly earlier. Will she confirm that she gave an indication to the House that, in tackling the distortions and threshold effects in stamp duty, she will actively consider them in the residential market? The latter arise as a consequence of the application of stamp duty thresholds. Will she introduce proposals to deal with that in the next pre-Budget report?

Ruth Kelly: I shall take the hon. Gentleman's comments as an early Budget representation and convey them to my right hon. Friend the Chancellor.

In determining the form of stamp duty land tax, I have been acutely aware that the reforms are not welcomed by the whole leasing community. Conservative Members have made comments to that effect. However, the reforms will exempt far more leases from the duty than the old stamp duty regime. In my opening statement, I made it clear that 60 per cent. of all leases would be exempt from stamp duty land tax. I listened to the comments of the hon. Member for Boston and Skegness (Mr. Simmonds). Although I understand that the IPD said that 98 per cent. of the value of leases will be subject to tax—I have no reason to dispute those figures, which are consistent—it underlines my point that small leases and start-ups will be exempt from the impact of the tax. We specifically designed it to be consistent with a small business agenda.

As I said earlier, 93 per cent. of leases in the residential sector will be exempt from the tax. In the Budget, my right hon. Friend the Chancellor offered more consultation with the industry and we undertook precisely that. The process provided much valuable information on the leases that businesses take out. For example, for the first time, we had genuine data on sale and lease-back transactions. Those data informed our subsequent judgments.

The consultation was fully taken into account in the decisions on the new regime. Through the consultation process, we could preferentially target small businesses and start-ups to ensure that they were significantly less likely to face an increase in tax from the measures and that most small businesses would be exempt from the tax.

Mr. Prisk: Will the Financial Secretary give way?

Ruth Kelly: I must make some progress because time is passing.

Earlier, I outlined the five principles against which we would test any measures that were proposed in the consultation process. I do not propose to repeat them. We did not receive a significant representation that fulfilled the tests. The hon. Member for Boston and Skegness mentioned the CBI proposal that received much support from the industry. It was one of several comprehensive proposals that were considered in detail. Although it claimed to be simple, it reintroduced a

stepped duty rate and extended it over 40 years. That is a step backwards from modernisation and reminiscent of the old stamp duty regime.

The CBI proposal also used a discount rate of 7 per cent. For short leases, that makes little practical difference to the net present value, which is calculated using a discount rate of 3.5 per cent. The main effect of a 7 per cent. discount rate would be on longer leases, which larger, more mature businesses, rather than start-ups and those with smaller value leases, typically take out. We consider that the longer the term of a lease, the more like a freehold it becomes. Given that the tax is set at a flat rate of 1 per cent.—a quarter of the rate of tax on freeholds—I could see no justification for lowering the discount rate on the longer-term leases.

Earlier, I also explained why 3.5 per cent. represents a risk-free rate.

Mr. Laws: Does the Financial Secretary accept that a specific sector—the leisure and pub sector—has a problem with the proposals? The nature of the business means that members of that sector have long leases. Does the Financial Secretary accept that the vast majority of businesses in that sector will be hit? Will she therefore agree to reconsider the effects on it?

Ruth Kelly: I am sure that the hon. Gentleman will understand that it is not possible to ensure that the measures will impact exactly equally on each sector across the economy, as each sector has its own particular requirements. I am confident, however, that in general the increase in the threshold will mean that, in most sectors, more businesses will be exempt from the tax than were exempt under the old stamp duty regime.

The hon. Member for Hertford and Stortford (Mr. Prisk) mentioned the licensed trade sector. Representations from the licensed trade were made throughout the consultation process, and we are grateful for that input. From the information supplied by a representative body in that sector, we learned that very few leases in the licensed trade were exempt from stamp duty under the current regime. The effect of the increase in the threshold will be that more than 30 times the number of leases in that sector will be exempt from stamp duty land tax as were exempt from stamp duty. The introduction of the slide system will mean that a further 5 per cent. of such leases will pay less stamp duty land tax than they are paying under the current system.

I shall try to address a few of the other points that have been raised today. The hon. Member for Huntingdon (Mr. Djanogly) argued that long-term leases would be penalised and that there would be a move towards short leases with less security. I would argue that our policy encourages flexibility in the lease market. Shorter leases provide a form of flexibility, and should that happen, it would be in line with Government policy. The hon. Gentleman made an important point about the security of businesses, but that is taken into account in the net present value calculation, wherein longer, more secure leases will have a higher net present value, reflecting that security, and will consequently pay more stamp duty land tax.

Several hon. Members mentioned pension funds, and I think that I can lay their fears to rest. When there is a change in the trustees—in other words, when there is a transfer between different pension schemes—there is now no charge imposed by the stamp duty land tax. I hope that I can reassure Members that the measures should not have a direct impact on pension funds.

The hon. Member for Hertford and Stortford asked whether the forms had been distributed, and I promised that I would return to that point during my winding-up speech. I have examined the forms closely, which I believe are currently being issued. Starter packs of forms are currently being dispatched to every relevant firm in the United Kingdom, and bulk orders are being taken by the Inland Revenue forms order line. However, if any solicitor or conveyancer should find themselves without a form, they can, as a fallback, get them from their local stamp office. I am not saying that I expect that to happen, but that facility exists, in case anyone is worried about that before the introduction of the new tax.

I was very impressed by the level of very detailed knowledge that the hon. Member for Hertford and Stortford showed when examining the regulations. I am sure that that derives from his previous experience of working in this field. I could address all those points—or, at least, as many as I managed to write down while he was speaking. He mentioned the complexity of the formula, and we will of course be providing an online calculator. For those firms that do not have access to that, the Inland Revenue will be perfectly willing to help anyone who phones in and asks for the calculation to be made on their behalf. I am sure that the hon. Gentleman need not be too worried about many of the points that he raised. I can write to him in due course to set the record straight. For example, he asked what was meant by "same premises" in relation to sale and lease-back relief, and I can assure him that it means the same area of land, not the same building. He also asked about chain breaking, and why we were excluding sole traders. I can inform him, following the consultation in which we have engaged, that the businesses active in this market are companies, or companies that organise themselves into partnerships, so the relief is targeted at those who need to benefit from it.

The hon. Gentleman's points on chain breaking were also relevant. He mentioned asbestos, and asked whether the threshold was high enough to allow firms to refurbish their properties when dealing with asbestos. I can assure him that the cost of dealing with asbestos does not count as part of ordinary refurbishment costs and would therefore be exempt from that limit.

I remind the House that the regulations that we are laying today will modernise the system. They are fair, and they will ensure that all businesses pay their fair share of lease duty.

They relieve companies in many ways. There is relief for chain-breaking companies and those involved in employee relocation, sale and lease transactions and surrender and re-grant of leases. There are provisions to reduce the compliance burden, and to provide certainty with regard to leases involving uncertain rents.

For those reasons, I commend the regulations to the House.

Question put:—

The House divided: Ayes 313, Noes 189.

Division No. 361] **[5:25 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, rh Kevin
Battle, John
Beard, Nigel
Beckett, rh Margaret
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela

Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverhton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Derek Twigg and
Jim Fitzpatrick

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Bacon, Richard
Baker, Norman
Baldry, Tony
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Opik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, rh Sir George

Tellers for the Noes:
Gregory Barker and
Mr. Peter Atkinson

Question accordingly agreed to.

Resolved,

That the Stamp Duty and Stamp Duty Land Tax (Variation of the Finance Act 2003) (No. 2) Regulations 2003 (S.I., 2003, No. 2816), dated 5th November 2003, a copy of which was laid before this House on 5th November, be approved.

Taxes

Motion made, and Question put,

That the draft Stamp Duty Land Tax (Amendment of Schedule 5 to the Finance Act 2003) Regulations 2003, which were laid before this House on 30th October, be approved.—*[Ruth Kelly.]*

The House divided: Ayes 317, Noes 186.

Division No. 362] **[5:40 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, rh Kevin
Battle, John
Beard, Nigel
Beckett, rh Margaret
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger

Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David

White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Derek Twigg and
Paul Clark

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Bacon, Richard
Baker, Norman
Baldry, Tony
Baron, John *(Billericay)*
Barrett, John
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Gregory Barker and
Mr. Peter Atkinson

Question accordingly agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

EDUCATION

That the draft Education (Amendment of the Curriculum Requirements for Fourth Key Stage) (England) Order 2003, which was laid before this House on 30th October, be approved.—*[Mr. Ainger.]*

Question agreed to.

School Transport (Essex)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

5.53 pm

Mr. Alan Hurst (Braintree): I am pleased to have the opportunity to raise the important matter of free transport to denominational schools in Essex. I am pleased to see my parliamentary neighbour, the hon. Member for West Chelmsford (Mr. Burns), in his place this evening, and my hon. Friends the Members for St. Albans (Mr. Pollard), for Harwich (Mr. Henderson) and for Thurrock (Andrew Mackinlay) are here too.

The genesis of the provision of free school transport lies in the Education Act 1944. That landmark legislation was brought before the House by the great reforming Minister—the great Prime Minister that the Conservative party never had—the right hon. R.A. Butler. He was a part-predecessor of mine in that he represented the three villages of Gosfield, Earls Colne and White Colne, which are now in the Braintree parliamentary division, but were then in Saffron Walden.

Since that time, it has been the invariable practice of education authorities to provide free school transport for pupils whose parents have chosen to enrol them in a denominational secondary school. Such provision is subject to the school being more than 3 miles from home and the nearest school of that denomination. In Essex, with one exception, all the schools affected will be Catholic schools in practice. In 1998, the county council ended free school transport for Catholic sixth forms, but it now proposes to end all free transport for Catholic secondary schools in the county, unless the school is more than 3 miles from home and is the nearest school of any type. In practice, that would mean that a child is compelled to go whatever school is nearest if the distance is more than 3 miles.

Thus, free transport to secondary schools would be ended for every Catholic child in the county, irrespective of their parents' financial circumstances and the school's distance from home. Instead of the free system, the county proposes a charge of £100 per term per child. In its generosity, it is to reduce that amount to £40 for parents whose income is below the qualifying level for income-based jobseeker's allowance. Essex county council indicated that the change would take place for the next school term, which is barely eight weeks away. At least, that was the position until some point this afternoon, when a county policy meeting occurred and the council backtracked somewhat on its earlier proposal. It is now proposing to introduce whatever changes it will make next September.

Frankly, I do not see that as a major concession to the principle of free school transport in our county. The original proposal breached the departmental guidelines, which say that, unless there are compelling reasons, policy should be changed only at the beginning of the school year. I believe that the faith of the county council is also being tested further than that. An implied contract exists not in law, but in ethics, between the county and parents, who will have read the prospectuses of Catholic secondary schools in deciding which school they would send their children to and would have been assured that free school transport was available.

Mr. Ivan Henderson (Harwich): There are two Catholic primary schools in my constituency—St. Joseph's in Harwich and St. Clare's in Clacton. The only option that children from both schools have is to go to St. Benedict's in Colchester. Does my hon. Friend agree that it is unfair to force a charge of £100 a term on those children's parents now they are attending that school in Colchester? Those parents only option is to pay the money if they can afford to do so or to pull their children out and send them to another school, which would completely disrupt their education.

Mr. Hurst: My hon. Friend is absolutely right. Indeed, the position that he describes replicates that of children in my division who attend the same secondary school in Colchester as those in Clacton and Harwich. In my judgment, there is a lack of good faith in allowing parents to put down their child's name for one school on the basis a particular premise, after which the authority changes the rules halfway or a few weeks into the process. That does not seem an even-handed system for parents. Hon. Members will realise that the proposals have caused uproar in Essex.

Mr. Kerry Pollard (St. Albans): Does my hon. Friend accept that there is a problem not only in Essex, but in my county, Hertfordshire, where many parents are worried that the same thing may happen? Does he agree that some new thinking is required? For example, school starting times could be staggered so as to let older pupils start at 8 o'clock in the morning or transport, could be collectivised in the same way as county supplies so that several counties could join in providing the transport system.

Mr. Hurst: I am grateful to my hon. Friend. Imaginative ideas are needed to resolve these difficulties, but provision for children should be at the forefront in our minds.

I am pleased to see the hon. Member for Rochford and Southend, East (Sir Teddy Taylor) in the Chamber. He no longer represents a division of the county, but one of the lost territories, if I can put it that way. He may have the opportunity to tell us how the borough of Southend is dealing with the matter.

Sir Teddy Taylor (Rochford and Southend, East): I know that the hon. Gentleman always tries to be fair, so will he make it clear to his colleagues—who are listening carefully to him—that no decision has yet been made, and the only reason why the county has to consider this and other horrible plans is the appalling financial settlement that Essex has received from the Government? On that particular point, does he realise that I and my hon. Friend the Member for Southend, West (Mr. Amess) went to see the Minister only yesterday to try to obtain further money for education because we are so short of it in Southend, even though we are very careful? He said that we could put the rates up more. I hope that the hon. Gentleman will accept that the county is in a difficult position because of the

appalling financial settlement that it has had from the Government, and it does not want to do nasty things like charging for school transport.

Mr. Hurst: Generosity is a virtue in humankind, but I fear that it was misplaced in allowing such an intervention. I have tried to avoid even naming which party is running the county council or the borough of Southend, and it was not my intention to inquire into the financial management of either, notwithstanding the fact that both have received substantial increases in the past six years. It is for residents in both county and borough to consider whether the financial resources allocated to those areas are properly managed. I had hoped to avoid partisanship, and I shall seek to continue to do so for the remainder of my speech, unless misled in another direction.

The county council has conducted a consultation exercise. If there is one word that strikes terror into the minds of everyone in public life, it is the word "consultation", which should usually be put in inverted commas. The council omitted formally to consult school governors, who are now an important part of any education system and bear great responsibilities. There was no formal consultation of governing bodies. The council heard from school governors because parents speak to them, and that was how they learned about the consultation exercise.

I understand that a petition with more than 2,500 names has been delivered to the county council, objecting to the proposals. Some 1,000 letters of protest have been received, and only five in favour. If consultation has any meaning close to that shown in a standard English dictionary, I would have thought that the county council would concede that the consultation has reached a verdict and abandon its proposals. Hon. Members will not be surprised to hear that that has not, alas, been the case.

Sir Teddy Taylor: Yet.

Mr. Hurst: The hon. Gentleman says "Yet", if my ears do not deceive me. I accept that the council met this afternoon and has slightly diluted its proposals by putting back the start date. I understand that it has also raised the prospect that because of the disruption and hardship that could be caused to children in their GCSE year, it may re-examine that aspect of the proposal. Frankly, that does not satisfy me and it will not satisfy the parents in the county of Essex.

The Braintree parliamentary division does not include a Catholic secondary school. The children from Catholic families travel to Colchester, to St. Benedict's, or to Chelmsford, to St. John Payne. I have spoken to parents and governors of both schools. The headmaster at St. Benedict's, Mr. Alan Whelan, tells me that he has about 500 children in receipt of free school transport. Mr. Frank McAvoy, headmaster of St. John Payne, has about 680 children in receipt of free school transport. The best estimate one can make is that some 250 children from the Braintree parliamentary division travel to Catholic secondary schools every day.

The arguments against the proposal are overwhelming. For a start, it would discriminate against poorer families. A family with three children in secondary education would be charged £900 per annum from taxed income. Even those on benefit would need to find £120 a year, or more than £2 a week. The poorest would suffer, and the threat is already demoralising parents and children. One school fears that it has already lost four pupils.

There is also discrimination against the Catholic community. Catholic parishes originally paid 25 per cent. of the cost of constructing the two secondary schools that serve mid and North Essex, and today they continue to contribute 10 per cent. of the cost of external maintenance and renovation. In fact, I am told that the Catholic community has recently paid £20,000 towards the cost of a new roof for St. Francis Catholic primary school in Braintree. Catholic parents already pay over and above what other parents pay towards their children's education. As a consequence, they are saving the county council costs that it would otherwise have to find. To add transport costs is unfair and, frankly, demeaning to the county council.

Savings are like a will-o'-the-wisp: exactly what the savings are and where they will come from can never be pinned down. If the charging policy is introduced, Catholic schools rolls may well reduce. Without being an advanced mathematician, I can say that, as a consequence, the average cost per child to the county will rise if there are fewer children but the establishment remains much the same.

Many Catholic children who live in rural areas will still be entitled to free school transport to their nearest county school. The transport costs will remain, but they will go to a different school. I know that hon. Members can imagine the disruption that that will cause to young children's education, so it is not for me to say more about that. Those children will be taken away from a secondary school, where they had friends whom they have been with ever since they entered primary school, and they will go to a school where they know virtually no one, part way through their school careers. I cannot understand how the consequences of that will produce any saving of any kind to the county, the parents or the children.

I cannot speak for other parts of the county, but most of the schools in Braintree district are already over-subscribed. Accommodating extra children who have been driven out of their schools of choice by the charging policy will produce a cost to the county for new buildings, extra teachers and equipment. The costs will just move along. How the county council could imagine in its great foresight that introducing that policy would not outrage all right-thinking people way beyond the Catholic community I do not know. How it thought that it could introduce it without medium and long-term costings I do not know. How it thought that it could introduce it at the beginning of January, when it has not even completed the process in mid-November, is beyond comprehension.

The consequence of the policy and driving out poorer children from the schools of their choice will be to change the nature of Catholic secondary schools. Those schools admit children irrespective of parental background or academic achievement. If the ending of free school transport causes children from poorer backgrounds to transfer to other schools, their places

[Mr. Hurst]

may be taken by non-Catholics from better-off families. The character of those schools may be imperilled over time.

Almost finally, I wish to deal with traffic congestion because this is partly a transport debate as well as an education debate. In some ways, although it would be a conceit, perhaps two Ministers should reply to the debate rather than one, but I appreciate that it is not beyond my hon. Friend the Minister's ability to speak about transport as well as education. All hon. Members know the effects of taking children to and from school on travel congestion. What joy it is, when the school holidays come, to be able to drive to any place that one wishes and arrive on time and, occasionally, even before time.

It has been estimated that between 8 and 9 o'clock in the morning, 11 per cent. of all cars on the road in term time are taking children to school. When we reach the magical point of 10 minutes to 9, 20 per cent. of all cars on the road are involved in school trips. To take away free school transport can only aggravate the situation and a greater burden will be placed on parents, children and other road users. There is a particular problem for parents with children at both a local primary school and a secondary school. The primary school, particularly one in the Catholic faith, is likely to be in one town, and the secondary school is highly likely to be in another town many miles distant. There is some considerable distance between Chelmsford and Braintree, so it would be necessary for those parents to be in two places at the same time as they transport their children to school.

The single most effective way, in my judgment, to reduce car traffic congestion is to increase rather than diminish school transport. It is for that reason that the Government have tested yellow bus schemes in three separate areas and are bringing forward proposals in a jauntily named document, "Beating the traffic—a new approach to the school run". I raised this matter with my right hon. Friend the Secretary of State, and he replied to me in a letter dated 13 October. In that letter he indicated that local authorities would be invited to pilot schemes to support children travelling to denominational schools. It is my judgment that the county council would be far better advised to work closely with the Secretary of State to see not only how free school transport can be retained in our county, but how it can be increased and enhanced.

The action of the county council flies in the face of all considered thinking about both transport and education. I urge my hon. Friend the Minister who is kindly replying to this debate to seek to persuade those in charge at Essex county council to reconsider and to return free school transport to Catholic secondary schools in the county of Essex.

6.12 pm

Mr. Simon Burns (West Chelmsford): May I thank the hon. Member for Braintree (Mr. Hurst), my neighbour, for allowing me to take part in this debate which refers to a matter of importance not only to mid-Essex but to the entire county? I found little with which to disagree in his elegant speech, which was equally interesting in terms of what he did not say, quite apart from what he did say.

A serious problem is affecting the whole county, but it is focused on mid-Essex, because, as the hon. Member for Braintree said, he has a Catholic secondary school in his constituency, and I have a Catholic secondary school in my constituency, St. John Payne school. Great concern has been expressed by parents, teachers and governors of both schools about the proposals by Essex county council that are currently out to consultation. I, too, have met both pupils and representatives of the teaching staff of St. John Payne school, and have had an opportunity to discuss their concerns with them and to learn at first hand about the proposals. I have also received many letters about those proposals. They pose a significant problem and if there is a way around it that avoids school transport being withdrawn from denominational schools, all of us in the Chamber would obviously be united in agreement that that is how we would want the process to end.

There is a problem, however, to which my hon. Friend the Member for Rochford and Southend, East (Sir Teddy Taylor) alluded earlier in an intervention: the formula for funding local government finance was changed for this financial year, and it had a significant impact on the county of Essex. As I understand it, the average increase in local government finance this year was just over 5.5 per cent. Essex got the third worst settlement, just ahead of Kent and Sussex, with 3.5 per cent.

As the Minister and the hon. Member for Braintree know, the significant majority of a local authority's budget is spent on education and there are specific requirements on that spending that must be fulfilled. As Essex county council received only a 3.5 per cent. funding increase, it had significantly less money to provide its services than it did the previous year. Owing to the statutory requirements on its education spending, it had considerable problems funding other services, such as social services. Ironically, it did not have sufficient money for its education budget either and had to decide the best way forward when it was faced with that problem. The council wants to avoid cutting back on teaching staff or spending for books and equipment in our schools, so it has examined its transport budget. Colleagues and county councillors have given me no inkling that the Government are prepared to think again, but perhaps the Minister will give us some good news during his speech. In the light of the consultations and representations, however, I hope that a solution will be found so that some of the problems that the hon. Member for Braintree rightly raised will not be realised. I hope that the council will be able to come up with a solution.

The simple way in which we could get around the problem and secure proper funding for the county council would be for the Government to re-examine the funding formula for Essex and ensure that they rectify the fiddling that many people in local government and Conservative Members believe to have happened. There is a strong body of opinion that the formula was changed solely to take money away from the shire counties that, ironically, tend not to be controlled by Labour so that it could be pushed into Labour heartlands to try to stave off any problems in the local election last May when the party faced re-election.

The Minister for School Standards (Mr. David Miliband): Disgraceful.

Mr. Burns: The Minister may say that that is disgraceful, but he goes around the country a lot and must talk to local education authorities throughout England. He must be aware that there is a school of thought that the situation that I outlined is why the funding formula was changed.

If we are to prevent the problems faced by Essex county council from happening, the Minister should use his not inconsiderable influence to encourage the Government to re-examine the basic funding formula and ensure that Essex county council gets a fair funding increase so that it is able to provide education services. That would have a knock-on effect on other services, which would mean that it would not have to take extremely difficult decisions such as that on which it is consulting. I hope that a compromise can be reached that will put off the implementation of the policy.

Andrew Mackinlay (Thurrock): There is little point in arguing party political points this evening. Does the hon. Gentleman understand the gravity of the situation for the continuation of Catholic education? If the policy were sustained, Catholic schools would change beyond all recognition within a generation—there would be none left. That is the gravity of the situation, so the matter should be a priority for Essex county council, as it is for other hard-pressed authorities.

Mr. Burns: I thought I had made it plain that I hope the proposals do not come to fruition. I fully accept and recognise that they will have an impact, which for some families will be significant, on all denominational education, which in my constituency is primarily Catholic. I assume the hon. Gentleman, like me, fully supports the concept of denominational education.

Andrew Mackinlay: I am a beneficiary of it.

Mr. Burns: I am glad to hear it.

I understand why the hon. Gentleman says that the matter is not a party political issue, but he misses the point. The nub of the problem is the local government finance settlement, which was particularly detrimental to the county of Essex, as it was to Kent and Sussex, when the money arrived in April this year.

6.20 pm

Sir Teddy Taylor (Rochford and Southend, East): I remind the Minister and the hon. Member for Braintree (Mr. Hurst) that the problem has a great effect on my constituency and other places in Essex. Southend has two Catholic schools, St. Thomas More, which is a school for boys, and St. Bernard's, which is a school for girls. A substantial number of pupils come across the border from Essex county council, which we have escaped from, to go to our schools. We also have four grammar schools, two for boys and two for girls, which hon. Members know about.

Children come from Essex to attend our schools because it is well known that the standard of education generally in Southend is high compared with neighbouring areas. A huge number of children want to come to Southend first, for the good education, secondly, for the grammar schools and the two good Catholic schools and thirdly, for their traditions. The hon. Member for Braintree made a good point about the effect of the proposals on poor families. That is encouraging. I hope that we unite against legislation on top-up fees because of their effect on poor families.

There is a big problem, which the Minister can resolve. Yesterday morning, I took the head teacher of that splendid school in Southend, St. Thomas More, and others to meet the Minister. They told him the terrible things that were happening in Southend. Does the hon. Member for Braintree, who takes a great interest in Southend, know that for the first time we are having to discontinue the teaching of Latin, not because we want to or because it is horrible, but because there is not enough money? Not only has Southend-on-Sea borough council spent every penny the Minister provided, but it has been given an extra £700,000 on top because of the financial crisis it faces. Despite that extra money, a teacher called Mr. Gulley from Temple Sutton school told the Minister yesterday that he had to sack teachers because the necessary money was not available.

The Minister must know, on the basis of what happened yesterday and what he has heard today, that Essex county council and Southend-on-Sea borough council have to contemplate doing horrible things that they do not want to do simply because the money is not available. Why is the money not available and why are they thinking of introducing such strange plans? First, the pay scale has been shortened, so teachers have to be paid more in a shorter time. Secondly, the increase in superannuation payments has not been fully funded by the Government. Thirdly, there are national insurance increases to consider. All those mean that the county and the borough have to consider doing things that they do not want to do.

Let us solve the problem that faces the parents of children going to Catholic schools in Essex and the splendid ones in Southend-on-Sea. The only way to do that, however, is to find a financial solution. There is no other way. We could put the rates up, but we have already done that. The Minister must be aware that the poor ratepayers in Southend and Essex have been hammered. I am sure that we could do a deal. I am sure that if the hon. Member for Braintree, my hon. Friend the Member for West Chelmsford and I told the county council that, despite the appalling financial settlement, the Minister had announced in an Adjournment debate that he was providing an extra £2 million for the county of Essex, the proposals would be dropped and a comprehensive, sensible arrangement would be agreed.

I am sure that, like me, hon. Members believe that the proposals that the council is considering are not advantageous. As has happened in Southend, the financial difficulties would stop educational training and prevent us from getting good teachers. If the Minister tells us that he will provide an extra £2 million for the county, I am sure that we can meet the county officials and councillors and solve the problem. The only thing that worries me a wee bit is the fact that people may play at politics. I hope that that will not happen, because it is in children's interests that we find solutions.

We have good Catholic secondary schools in Southend, and want to preserve the opportunity for the people of Essex, with all their problems, to come to our excellent schools. It would be tragic if they were

[Sir Teddy Taylor]

prevented from doing so. The Minister alone can solve the problem. If Members from all parties presented a popular front we could resolve this with our friends from Essex, if only the Minister were sensible and gave the county a fairer deal, as he has done for other counties.

6.26 pm

The Minister for School Standards (Mr. David Miliband): It is always a pleasure to be offered the chance to make six or seven friends with a quick bit of spending, but I fear I would make a large number of enemies if I followed the advice of the hon. Member for Rochford and Southend, East (Sir Teddy Taylor).

I congratulate my hon. Friend the Member for Braintree (Mr. Hurst) on securing this debate and on his long-standing interest in the topic. I believe that he secured a debate in July 2000 on related issues, and throughout his time in Parliament he has made Ministers and the House aware of the links between transport and education, and the importance of transport to successful education. He therefore deserves the thanks of the House for his work.

The Government recognise the problems and frustrations experienced by many parents regarding school transport, whether provided privately, such as travel by car, or by a local authority. The latest figures show that over the past 20 years car use has doubled, and that one in five cars on the road at 8.45 am or 8.50 am are taking children to school. Many of those cars are taking children to primary schools, some of which are denominational, and many make journeys of between one and three miles. The House will know that the public purse spends more than £0.5bn a year on school transport, about half of which goes towards special needs provision, leaving about £0.25 billion for other school transport.

For the benefit of the House, I shall deal with the legal position, then turn to issues affecting Essex in particular. The contribution of the hon. Member for West Chelmsford (Mr. Burns) will tempt me into areas of local government finance, and I look forward to illuminating the House on some of the finer points of the matter. However, it is important to make it clear that transport is always necessary for a pupil of compulsory school age who attends the nearest suitable school if it is beyond statutory walking distance. Local education authorities do not have a duty to provide free transport for pupils whose parents have chosen to send them to another school, even if it is beyond statutory walking distance. Those cases are entirely at the discretion of individual local authorities.

I shall set out the legal position for the House. The Education Act 1996 sets out LEA responsibilities to provide free transport to school for pupils of compulsory school age. Section 509(1) requires LEAs to make arrangements for the provision of transport that they consider necessary for pupils to attend school. That transport must be free. Section 509(3) enables authorities to pay all or part of a pupil's travelling expenses where transport is not "necessary", and I shall say more about arrangements for discretionary transport later. The purpose of the legislation is to make sure that every child can attend school, and section 444 of the 1996 Act states that no parent can be prosecuted for their child failing to attend school if the LEA fails to provide suitable transport for children who live beyond the statutory walking distance.

As my hon. Friend said, LEAs must provide free transport to denominational schools where pupils live beyond the statutory walking distances and where a denominational school is designated as the nearest school. Where pupils live closer to a non-denominational school, LEAs may provide free transport to a denominational school of a parent's choice if they consider that it is "necessary", or they may exercise discretion and provide free or subsidised transport.

Current DFES guidance to LEAs on denominational transport is that the Secretary of State hopes that LEAs will continue to think it right not to disturb well established arrangements of the kind that I described, some of which have been associated with local agreements or understandings about the siting of denominational schools. The Secretary of State continues to attach importance to the opportunity that many parents have to choose a school or college in accordance with their religious convictions. It is important to say, however, that there is no statutory duty requiring LEAs to provide free transport to denominational schools.

I remind hon. Members that statutory school transport is not the only source of assistance for young people with travel costs. Local authorities have powers to establish concessionary fare schemes for young people in their area under the Transport Act 1985. About 40 per cent. of shire counties have such schemes, many of which assist pupils making the home-to-school journey. In the metropolitan areas, all six passenger transport authorities provide flat fares or half fares on local buses. Tempted as I am to delve into the role of passenger transport authorities in transport policies, I hope that my hon. Friend will forgive me if I do not go too far down that route. In the capital, Transport for London, not the local authorities, operates a season ticket discount scheme for young people at roughly half fare. That is a commercial scheme without Government subsidy. Under-11s will be entitled to free bus and tram travel from January 2004.

My hon. Friend did not ask about post-16 transport, either in general or in relation to denominational schools, but I am happy to write to him if he is interested in that particular issue.

I shall move on to the management of budgets, which involves critical decisions for LEAs. There are many calls on LEA budgets and school budgets. Funding for home-to-school transport forms part of an authority's LEA budget. We do not seek to influence the level of that budget, unlike the schools budget: it is for authorities to decide on the level of their LEA budget within the total resources available. In doing so, they will of course need to provide a level of service consistent with their statutory duties. There are often calls for improvements in home-to-school transport financed from the education budget—although it is worth repeating that expenditure is already at a high level and has risen fast in recent years. Over the past 10 years, annual increases have been between 6 per cent. and 11 per cent.—well ahead of inflation—and the cost of

transporting pupils with special needs has accounted for an increasing proportion of the total spend on home-to-school transport.

In preparing for the debate, I was struck by the fact that some authorities have sought to contain costs and improve services through a range of measures such as integrating education and social care transport provision—for example, in Oxfordshire and Worcestershire—and introducing staggered school starting times, which my hon. Friend the Member for St. Albans (Mr. Pollard) mentioned, and which has been done in the Isle of Wight and in west Sussex. Elsewhere, LEAs have developed dedicated bus services to raise the standard of provision: that has increased uptake at minimal cost and helped to ameliorate pollution. Transport authorities, education authorities and schools are working together to put in place cost effective, high quality provision for schoolchildren—for example, the new services provided by bus operator Harrogate and District, in Harrogate, and by the Greater Manchester Passenger transport authority, in Wigan and Stockport.

I turn to the situation in Essex. I know that Essex LEA's proposals are of great concern to that county's residents, including county councillors and hon. Members who represent Essex constituencies. Most recently, on 16 October, the hon. Member for Colchester (Bob Russell) asked the Secretary of State what representations he has received over proposals by the LEA to charge travel costs for pupils attending faith schools. The Department has received more than 50 letters from hon. Members, councillors, parents and schools. All opposed the proposals, and a number complained that the consultation process was flawed. The local education authority will obviously want to take that seriously. The matter needs to be considered in the appropriate way in due course.

Let me deal with funding. The pot of money is limited and that requires difficult decisions about priorities. The position in Essex is different from that which the hon. Member for West Chelmsford described. Since 1997–98, per capita spending on pupils aged three to 19 has increased by 24 per cent. in real terms. That is £670 per pupil. In 2003–04, Essex received an increase of 3.2 per cent. per pupil on top of a separate transfer, which compensated for teachers' pay and the transfer of nursery grant and infant class size grant. Apart from the education formula spending share, there is the important revenue support grant. In Essex, it increased by 3.8 per cent. on top of a transfer of £586 million to provide funding for teachers' pension contributions.

Mr. Burns: What about the rest of the country?

Mr. Miliband: I shall deal with that shortly.

A further increase of 3.2 per cent. reflected the end of some standards fund grants. Like other local education authorities, Essex has also received generous standards fund increases, from a mere £7 million in 1998 to £46.8 million in 2002–03. Capital funding has increased from £13.8 million in 1998–99 to £64.4 million in 2003–04. For this year, the education formula spending total is £666 million, of which £20 million is spent on free home-to-school transport for approximately 21,000 pupils. Next year, the floor increase will be 5 per cent. per pupil—

Mr. Burns: What about this year?

Mr. Miliband: The hon. Gentleman says that he wants to talk about this year, but Essex county council's proposals are for next year. That is the focus of the current debate. The hon. Member for Rochford and Southend, East mentioned the meeting that I held with his constituents yesterday. I do not deny that some schools in some parts of the country have experienced genuine problems this year. The Secretary of State has dealt with them in successive statements in the House.

Last week, my right hon. Friend announced a floor of 5 per cent. per pupil for every LEA in the country. That is significant protection for LEAs. In addition, he announced a transitional grant of £9.8 million for next year—I was disappointed that the hon. Member for West Chelmsford did not mention that. It is intended to target problems in school budgets. The hon. Gentleman also made the extremely serious allegation that the Government were somehow fiddling the local government funding system. I reject that. He should know that there are three simple parts to funding education. First, there is an entitlement of £2,100 per pupil.

Mr. Pollard: Will the Minister enlighten us about the way in which Essex fared in the pecking order for transitional grant?

Mr. Miliband: Much as I should like to give my hon. Friend a full recitation, I cannot do that.

Mr. Pollard: I was trying to help my hon. Friend. Essex came second after Kent, and Hertfordshire came third.

Mr. Miliband: I am sure that all hon. Members are pleased that Essex benefited from the Government's decision to ensure that every LEA has at least a 12 per cent. increase over two years.

The hon. Member for West Chelmsford said that the education formula was fiddled.

Mr. Burns: The Minister must have misunderstood me. I said not that the education formula was fiddled but that the funding formula for the whole of local government was fiddled this year in the way it was changed.

Mr. Miliband: I am happy to accept the hon. Gentleman's statement that he does not believe that the education formula was fiddled. I understand that he is making a wider point about local government funding and that is probably a subject for another debate.

Let me try to end the debate on a more harmonious note. Hon. Members know that the Government launched a document about school transport on

[Mr. Miliband]

17 September. It offers a way forward for several LEAs, including Essex. The plan set out ways in which walking, cycling and bus use could be extended for journeys to school. The document explained that we were planning to legislate as soon as possible to allow LEAs to trial new approaches to school transport.

We envisage enabling legislation which would allow a number of pilot schemes to run for several years, trialling new approaches to school transport. LEAs will be able to charge for school transport, but not to the extent that parents find that the family car is a more cost-effective option. We want LEAs interested in trialling new arrangements to consult their schools, pupils, parents, bus operators and further education colleges on an alternative scheme, along the lines of the new post-16 arrangements that have been discussed in the House on several occasions. Authorities might, for example, design and consult on a scheme that supersedes the statutory walking distances; enter into innovative arrangements with schools or other agencies to provide school transport services fitted around an extended school day; and investigate school transport provision catering for the circumstances of denominational schools.

The primary objective of any local scheme would be to increase the choices available to parents and pupils for ensuring effective home-to-school transport. If we create such flexibilities, we envisage that we would look carefully at the experience of the first few authorities pioneering new arrangements before proceeding further. I hope that Essex county council, along with the schools and parents in the area, will reflect on the opportunities that are presented by the scheme. I hope that when they reflect on the strong statements that have been made on both sides of the Chamber, expressing concern about the proposals that have been made, they will also examine the value-for-money arguments that are important to any decision on the priorities for school spending, and bear in mind the powerful case made by my hon. Friend the Member for Braintree, whose expertise has really helped to enlighten the House today.

6.42 pm

Sitting suspended, pursuant to Order.

7 pm

On resuming—

Question, That this House do now adjourn, put and agreed to.

Adjourned accordingly at Seven o'clock.

House of Commons

Thursday 13 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

ROYAL ASSENT

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty has signified her Royal Assent to the following Acts:

Waste and Emissions Trading Act 2003

Arms Control and Disarmament (Inspections) Act 2003

European Union (Accessions) Act 2003

Fires Services Act 2003

PRIVATE BUSINESS

LONDON LOCAL AUTHORITIES BILL *[Lords]*

Motion made,

That the promoters of the London Local Authorities Bill [*Lords*] shall have leave to suspend proceedings thereon in order to proceed with it, if they think fit, in the next session of Parliament, provided that notice of their intention to do so is lodged in the Private Bill Office not later than the day before the close of the present session and that all fees due up to that date have been paid;

That, if the bill is brought from the Lords in the next session, a declaration signed by the agent shall be deposited in the Private Bill Office, stating that the Bill is the same in every respect as the Bill brought from the Lords in the present session;

That the Clerk in the Private Bill Office shall lay upon the Table of the House a certificate, that such a declaration has been deposited;

That in the next session the bill shall be deemed to have passed through every stage through which it has passed in the present session, and shall be recorded in the Journal of the House as having passed those stages;

That no further fees shall be charged to such stages.—*[The Chairman of Ways and Means.]*

Hon. Members: Object.

To be considered on Monday 17 November.

MERSEY TUNNELS BILL

Ordered,

That so much of the Lords Message [11th November] as relates to the Mersey Tunnels Bill be now considered.

That the promoters of the Mersey Tunnels Bill shall have leave to suspend proceedings thereon in order to proceed with it, if they think fit, in the next session of Parliament, provided that notice of their intention to do so is lodged in the Private Bill Office not later than the day before the close of the present session and that all fees due up to that date have been paid;

That on the fifth sitting day in the next session the Bill shall be presented to the House by deposit in the Private Bill Office;

That a declaration signed by the agent shall be annexed to the Bill, stating that it is the same in every respect as the Bill at the last stage of its proceedings in this House in the present session;

That on the next sitting day following presentation, the Clerk in the Private Bill Office shall lay the bill on the Table of the House and, when so laid, the bill shall be read the first, second and third time and shall be recorded in the Journal of the House as having been so read;

That no further fees shall be charged to such stages.—*[The Chairman of Ways and Means.]*

Message to the Lords to acquaint them therewith.

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Private Finance Initiative

1. **Chris Grayling** (Epsom and Ewell): To ask the Chancellor of the Exchequer what his policy is on the use of the private finance initiative. [138323]

The Chancellor of the Exchequer (Mr. Gordon Brown): Since 1997, total investment in public services has grown from £23 billion to £40 billion, with private finance initiatives contributing £4.6 billion of that this year—around 10 per cent. to 15 per cent. in any one year. We now propose to extend by pilots the PFI into provision for prisons, urban regeneration, social housing and waste services. I can also announce to the House that I will present my pre-Budget report on Wednesday 10 December.

Chris Grayling: Virtually all major capital expenditure is now being funded by PFI schemes through off-balance-sheet debt. In my constituency, a proposed hospital scheme would mean increased repayment costs of £20 million a year—more than the local health economy can afford. When I asked the Treasury in a written question what the repayment costs are for existing schemes, it could not answer the question. Does the Chancellor know the true cost of the debt that he is building up for the nation through these off-balance-sheet schemes?

Mr. Brown: The figures are published at table C20 of the Budget report, and I refer the hon. Gentleman to that. First, I congratulate him on his reappointment to the Conservative Front Bench, and all 88 Conservative Members who are now joining the slimmed-down Opposition Front Bench. We look forward to debating with the 20 Conservative Front-Bench Members who are now responsible for economic affairs. The Conservatives cannot complain any longer about public sector job creation.

On the future of PFI, the hon. Gentleman and his colleagues are completely wrong about the unfunded liabilities. We follow exactly the same rules as were followed by the previous Government, except for one thing—we tightened up the accounting standards. We follow exactly the same rule for disclosure, except that

we give every aspect, including maintenance, in the disclosure of figures in table C20. The Conservative party is now in the amazing situation in which it is against public investment and now appears to be against PFI. It will spend nothing on hospitals and schools—how many hospitals and schools would close under the Conservatives?

Mr. George Stevenson (Stoke-on-Trent, South): Can I refer my right hon. Friend to the private finance initiative in Stoke-on-Trent, which after decades of Tory deprivation has resulted in nine new primary schools being built and every school in Stoke-on-Trent being refurbished? One of the strengths of this successful private finance initiative has been that not a school building or a single member of staff was transferred to the private sector. Will he revisit this successful scheme to see what lessons can be learned for the future?

Mr. Brown: On the question of employment, we are discussing with the various parties concerned how we can secure the proper employment conditions for people who move from the public sector into PFI projects, as well as new recruits for PFI projects, just as we are doing for best value in local government. My hon. Friend is absolutely right—the Conservatives said that we would never increase the PFI when we came into government. We are now spending in total £35 billion on PFI projects. It is costing £4 billion to £5 billion a year on the balance sheet, which is exactly how it should be. It is 2 per cent. of annually managed expenditure, and perfectly affordable. I find it amazing that the people who urged us to support PFI in the first place have now walked away from it entirely.

Mr. Howard Flight (Arundel and South Downs): May I first congratulate the Chancellor and Mrs. Brown on the birth of their son? I hope that it will lead to benign views towards those of us who have many children to look after.

The Chancellor will be aware that many large businesses have off-balance-sheet liabilities—I assume that that is, in part, where he spotted the opportunity for the Government. He will also know that auditors are quite rightly urging businesses to take those liabilities into account in the prudent management of their overall finances. What account has he taken of £100 billion of off-balance-sheet Government liabilities, which represent the present value of total PFI payments for the next 30 years and the guarantees given on behalf of Network Rail and London and Continental? What account will he take of them in his plans to address the rapidly deteriorating public finances?

Mr. Brown: I thank the shadow Chief Secretary to the Treasury for his good wishes. If I am to have sleepless nights, I fully intend that the Opposition should have some as well. As for the figure of £100 billion that he cited in a speech yesterday, it is totally bogus and completely wrong. Fifty-seven per cent. of PFI projects are on balance sheet, not off balance sheet. He is trying to count every PFI commitment from now to 2030. What is more, most of the PFI commitments are in relation to maintenance and repair rather than construction programmes.

I find it amazing that the Conservative party will not spend money on public investment and now will not spend money on the PFI. The new shadow Chancellor's policy is to cut public spending to 35 per cent. of gross domestic product—a £50 billion cut. How on earth could the Conservatives finance any hospitals or schools? There are 110 hospital developments in this country and 20,000 schools have been upgraded. We have extended PFI to transport so that we can also invest in roads and railways. If the Conservatives are now saying that they oppose public investment and PFI, they are telling the electorate that they would close down hospital projects and schools.

Mr. Barry Gardiner (Brent, North): May I tell my right hon. Friend about the Jews Free school in my constituency, which was completely rebuilt using the PFI process? Some £47 million of investment went into the infrastructure of one of the best schools in the country. That is exactly the sort of thing that such oppositionist policies would stop.

Mr. Brown: Eighty per cent. of all PFI projects are on time and on budget as a result of the controls that have been brought in. We have reviewed PFI projects over the past few months and decided to drop information technology from the project list because of uncertainties about IT funding. We are not doing PFI projects of less than £20 million, but I shall announce today the areas in which we will pilot further work on the private finance initiative. I find it quite amazing that the first announcement from the new Opposition Front Bench is that they no longer believe in PFI and they do not believe in public investment. How could we possibly finance the development of our public services if that policy were pursued by the Opposition?

Several hon. Members *rose—*

Mr. Speaker: Order. I am going to move on to Question 2. I think that we have had a good airing of the failings of Her Majesty's Opposition, and we must get answers to the questions.

Interest Rates

2. **Miss Anne McIntosh** (Vale of York): What assessment he has made of the impact on the housing market of the increase in interest rates. [138324]

The Chancellor of the Exchequer (Mr. Gordon Brown): Despite the recent rise in interest rates, Britain still has the lowest interest rates for 40 years and the lowest mortgage rates for 40 years. At around 5 per cent., mortgage rates contrast with British rates of about 10 per cent. or more during the last world downturn. We estimate that households pay 7.5 per cent. of their disposable income in interest payments, which is half as much as 10 years ago. At all times, our policy is to maintain economic stability.

Miss McIntosh: The Chancellor commented in his Budget speech in 1997 that stability would be the hallmark and central plank of the Government's housing market policy. How does he square that with the Governor of the Bank of England saying that we will

see a return to negative equity and some correction in the housing market? Where does that put the Chancellor's central plank of stability in the housing market?

Mr. Brown: That is not what the Governor of the Bank of England said yesterday. He said that consumer spending is around trend and house price growth is moderating. He said, and he is absolutely right, that people should be vigilant about their debts. He also said that debt service payments are at a far lower level then they were 10 years ago in the last world downturn.

The hon. Lady should look at what we have achieved in stability. Since 1979, house prices in her region rose by 9 per cent. a year. Since 1997, they have risen by 8 per cent. a year. There are 75,000 more homeowners in her region and 1 million more homeowners in the rest of the United Kingdom. The reason for that is not just economic stability, but employment growth as well. Unemployment in her constituency is 1.2 per cent.—indeed, only 11 young people are unemployed in her constituency. It is about time the Opposition recognised the obvious: that we have economic stability.

Mr. John McFall (Dumbarton): May I ask the Chancellor about the report that he commissioned from Professor David Miles into long-term fixed-rate mortgages? Does he agree that if we move to such a system it will take the volatility out of the housing market? He is aware of the interest of the Treasury Committee in that matter. Will the report be published before the pre-Budget report so that we can discuss it with him when he comes before the Committee?

Mr. Brown: As my hon. Friend, who chairs the Treasury Committee, knows, two reports are being prepared on housing. One is on housing supply, which is being produced by Kate Barker, the former economic director of the Confederation of British Industry, now a member of the Monetary Policy Committee. At the same time, there is the report by Professor Miles on the housing market generally. We have not yet received his report, so it is too early to reach any conclusions, but interim reports will be produced at the time of the pre-Budget report. The reports cover big issues about the housing finance market and how it operates. I hope that the House will await the publication of them before drawing conclusions about the future system of housing finance.

We will always remain vigilant about the need for stability in housing, the mortgage market and the economy in general. It would be foolish, however, not to recognise the achievements of economic stability, which have given us the lowest inflation and lowest interest rates for 40 years. At the same time, they have meant that our economy has grown while other economies have been in recession.

Dr. Vincent Cable (Twickenham): May I add my best wishes to the Chancellor and his family? I also extend a welcome to the new Conservative Treasury spokesman, with the personal hope that he has a happier fate than an earlier commuter from Rothschild's to the House of Commons, Norman Lamont.

On the housing market, is not the brutal truth that with investment, exports and manufacturing output stagnating or falling, the growth of the British economy is sustained by consumer spending pinned against record levels of personal debt, which is secured, if at all, against house prices that the Bank of England describes as well above equilibrium level? If the Bank of England is correct in its expectations of a market correction and rising interest rates, what action will the Chancellor take on the problem of consumer debt, which is rapidly rising, with 8 million annual visits from the bailiff?

Mr. Brown: The hon. Gentleman has been writing articles in the newspapers, as reflected in his contribution, that spread alarm, without substance, about the state of the British economy. As the Bank of England said yesterday, consumer spending is returning to trend. The Governor said:

"there is no indication that the scale of debt problems have . . . risen markedly in the last five years."

He also said that the fraction of household income used up in debt service is lower than it was then.

I suggest that the hon. Gentleman look at the overall picture of the British economy. Yes, during the period of world downturn, when the rest of the European economy was not growing at all, it was necessary for both consumer spending and public investment to contribute to the growth that we have achieved in Britain; but he can see that business investment and manufacturing output are starting to return and that the export position will improve over the next period. What the Bank of England said yesterday about the prospects for growth, compared with what people said when we gave our Budget forecast in April, suggests that we have been right about the prospects for growth in the British economy, and the hon. Gentleman has been wrong.

Mr. Oliver Letwin (West Dorset): It is generally accepted, and I agree, that it was a good idea by the Chancellor to hand control of interest rates to the Monetary Policy Committee, and I congratulate him on that. It is clear that the MPC's decisions have a considerable effect on house prices, but does the Chancellor agree that it cannot be expected to control the level of exports, the rate of productivity growth, the level of employment or, indeed, the general balance of the economy?

Mr. Brown: That is why getting the fiscal and monetary balance right is the policy that is being pursued by the Government. I hope that in the spirit of cross-party agreement the right hon. Gentleman agrees not only that it was right to make the Bank of England independent, but that the policies we have pursued since 1997—which, uniquely among all the major industrial economies, have secured growth while other economies have experienced recession—are right.

Let me welcome the shadow Chancellor to his new post—we will enjoy our economic debates with him. We were sorry that he mysteriously disappeared during the election campaign of 2001, so we welcome him back.

Mr. Letwin: I think that that was a yes, so perhaps the Chancellor could now tell the House what aspects of his policies, other than the MPC's interest rates, have been

responsible for the fact that at a time when house prices are rising rather fast, household debt is now roughly the same size as the entire gross domestic product; that we have lost 700,000 manufacturing jobs; that we have a ballooning public sector deficit; that productivity growth has halved; and that we have the biggest traded goods deficit since 1697?

Mr. Brown: The shadow Chancellor will have to get the economy in proper perspective. He is trying to imply that the only economy that has grown consistently over the past six years is facing fundamental problems—he is absolutely wrong. The reason we have managed to grow and others have failed to do so is, first, that we decided to make the Bank of England independent; secondly, we set down monetary rules; thirdly, we went for a symmetrical inflation target, which the previous Government refused to adopt; and fourthly, we have a medium-term fiscal strategy, which has shown that we can cut debt to a sustainable level and still secure the rises in public investment that are necessary while meeting our fiscal rules. The problem, however, is that on each of those policies the Conservatives either oppose us or, alternatively, they wish to reverse the policy, as is the case with fiscal policy. The right hon. Gentleman must answer the question of how Britain could possibly have avoided a recession with 35 per cent. of GDP spent on public services.

Mr. Letwin: I am sure that the House will sympathise with the fact that the Chancellor has formed the habit of deploying a rather belligerent tone in his dealings with the Prime Minister, but I believe that our fellow citizens expect us in the Chamber to engage in a more rational discussion of issues, such as house prices and the balance of the economy, that closely affect people's lives.

If the Chancellor does not want to deal with a string of inconvenient facts, let us focus on just one of them. When he told us that instead of setting interest rates he would focus on productivity, which he described as

"a fundamental yardstick of economic performance",

did he in fact mean that it was his intention to halve the rate of productivity growth, or did he make some kind of mistake?

Mr. Brown: The right hon. Gentleman is wrong and ought to be corrected. First, productivity growth is rising by 2 per cent. and more at the moment. Secondly, manufacturing productivity is rising by 5 per cent. Thirdly, we have bridged the gap with the Japanese economy, we are now catching up with the German economy, we have reduced the productivity gap with the French economy, and we are making inroads into the very large productivity gap that we inherited with the American economy.

The right hon. Gentleman should look at the facts on productivity, and he will see that we alone of recent Governments have had productivity rising every year, and that will continue to be the case. As for house prices and the housing market, if he wants to repeat what the shadow Chief Secretary said in a speech a few days ago and somehow predict a housing shock and a threat to the stability of the economy, I must remind him that at every point in the past six years the Conservative party has predicted that there would be a recession.

If we take house prices, then yes, they have risen as a percentage of income. If we take house prices as a percentage of wealth, that is not the case, because household wealth has risen by 50 per cent. in Britain over the past six years under a Labour Government. If we take the debt servicing payments that people have to meet for their mortgages, under the Conservative Government, at certain points, people had to pay nearly 30 per cent. as new homeowners, but under the Labour Government it is 17 per cent. In respect of the housing position, the right hon. Gentleman is wrong, and wrong again.

Private Health Care

3. **Mr. Jim Cunningham** (Coventry, South): To ask the Chancellor of the Exchequer what recent discussions he has had on tax incentives for private health care.

[138325]

The Chancellor of the Exchequer (Mr. Gordon Brown): I have met BUPA and others. We estimate the cost of tax relief for private medical insurance at a billion pounds, almost all of which will go to those who are already on private medical insurance.

Mr. Cunningham: I thank my right hon. Friend for that answer and add my congratulations to those of others in the Chamber. What is my right hon. Friend doing to provide resources to ensure that the national health service remains free at the point of need?

Mr. Brown: When we came to power, we had to take difficult decisions on the uses of public expenditure. One of the decisions that we made was to abolish tax relief on private medical insurance for over-60s. That was a difficult decision, but all the evidence showed that in the nine years in which private medical insurance existed, a billion pounds had been spent and there had been no appreciable growth in the numbers of people on private medical insurance, but that the state was subsiding people who already had such insurance in the first place.

I cannot see how we can continue to finance both the development of the national health service and build the capacity in hospitals, with doctors and nurses being employed, and at the same time finance with a billion pounds of deadweight cost private medical insurance tax relief for people who already have such insurance. I suggest that the country has a choice—we can have a health service that is free at the point of need, where we invest in capacity, or we can spend money on private medical insurance. We will, at the same time as investing in the national health service, keep to the policy that puts the national health service, and not private medicine, first in this respect.

Mr. Tim Boswell (Daventry): Since the Chancellor announced the decision in 1997 to withdraw tax relief for older people in respect of private health insurance, can he tell the House how many older people have come off such insurance and what the costs to the NHS in current and capital terms have been in providing for those people in the public sector?

Mr. Brown: I will write to the hon. Gentleman with the figures. There was no appreciable growth in the numbers of people who took out private medical insurance when the tax relief was in place. I may say that the former Chancellor, Lord Lawson, said that the relief was not good value for money and merely meant health service inflation. He was opposed to it all along, as those on the Conservative Front Bench should be.

Barnett Formula

4. **Joyce Quin** (Gateshead, East and Washington, West): To ask the Chancellor of the Exchequer what recent representations he has received about the operation of the Barnett formula. [138327]

The Chief Secretary to the Treasury (Mr. Paul Boateng): My right hon. Friend the Chancellor receives periodic representations about the operation of the Barnett formula. The Government have no plans to change the formula.

Joyce Quin: My right hon. Friend will no doubt have seen the recent report of the Select Committee on the Office of the Deputy Prime Minister that recommended a review of the formula. The way in which the formula operates is politically indefensible on the doorsteps of voters in north-east England. Given that the formula is named after a former Labour Chief Secretary, will he not take the opportunity to introduce a new Boateng formula that is a great deal fairer to the nations and regions of the United Kingdom as a whole?

Mr. Boateng: I must resist that temptation, although I appreciate the kind thought. I know that my right hon. Friend takes a great interest in this matter. However, while I respect her view and that of the Select Committee, I do not share her analysis. The Barnett formula is transparent and well tried. There is no consensus about alternative funding arrangements, and existing arrangements have delivered to the north-east the second highest level of identifiable public spending in England. I think that that is something to be welcomed and appreciated by all.

Pete Wishart (North Tayside): Has the Chief Secretary had an opportunity to look at the latest edition of the *Holyrood* magazine? If he has done so, he will have found that the Secretary of State for Scotland has conceded that the Barnett formula is indeed a convergence formula. Does he agree with his right hon. Friend the Secretary of State, and does he believe that the best way of ending this futile debate about the formula would be to give the Scottish Parliament responsibility for collecting its own expenditure and to make it fully accountable for how it is spent?

Mr. Boateng: I cannot agree with the hon. Gentleman, who knows that examination of the figures shows that Scotland has done rather well out of the Barnett formula, as spending is 20 per cent. higher in Scotland. The reality is that the formula provides Scotland with a population-based share of comparable English increases. That can hardly be regarded as unfair. I would have thought that he would welcome that on behalf of his constituents.

Mr. Lindsay Hoyle (Chorley): Obviously, the north-east would welcome a change in the Barnett formula, but may I reassure my right hon. Friend that in the north-west we would benefit simply from its extension to cover both the north-west and north-east, so that we not only reap the same benefits, but do not end up with top-up fees?

Mr. Boateng: My hon. Friend is always a reassuring figure, but there is normally a sting in the tail, as on this occasion. I fear that I must resist his blandishments, too. The Barnett formula is delivering to all the regions and to the kingdom. If Conservative Members have any alternative—the Letwin-Flight formula, perhaps—we should hear about it, because it would be about slash and burn and cuts, cuts, cuts; and we are not having that.

Residential Property (Taxation)

5. **Mr. Andrew Rosindell** (Romford): To ask the Chancellor of the Exchequer what recent representations he has received on his policies on taxation in relation to residential property. [138328]

The Economic Secretary to the Treasury (John Healey): As with all tax issues, the Government consider representations that are received as part of the normal Budget process.

Mr. Rosindell: Does the Minister understand that since this Government came to power in 1997, their polices have been absolutely devastating for the hard-pressed homeowners of this country, with a 60 per cent. average increase in council tax and a devastating increase in stamp duty? When will the Government introduce policies that encourage, rather than discourage, home owning?

John Healey: As my right hon. Friend the Chancellor said, there are 1 million more homeowners in the United Kingdom since this Government came to power in 1997.

Dr. Brian Iddon (Bolton, South-East): Bearing in mind the Government's energy efficiency commitment, will my hon. Friend look again at the charging of VAT on refurbishing older properties and on do-it-yourself energy-saving products?

John Healey: My hon. Friend is a passionate and long-standing advocate of energy efficiency measures, and he will be aware that we are arguing with the Commission and our partners in the European Union for greater freedom to allow a reduced rate of VAT on energy-saving materials that people use on a DIY basis. We are still constrained by European rules that prevent some of the measures that my hon. Friend would like.

Mr. Andrew Tyrie (Chichester): Over the past five years, the Government have clobbered homeowners with massive increases in stamp duty that have resulted in a nearly fivefold increase in the total yield to more

than £3.5 billion a year and hit many people's main source of saving. A few weeks ago, the Government ruled out taxing capital gains on first homes—a seemingly enormous pledge that I welcome. Will they now rule out further increases in stamp duty, at least for the forthcoming Budget?

John Healey: I sometimes wonder whether Conservative Members are living in the real world. As I said to the hon. Member for Romford (Mr. Rosindell), the Chancellor considers representations and makes decisions on tax as part of the Budget process. As for tax rises—*[Interruption.]* The shadow Chancellor is shouting "60". The Tories treat this like a maths test for a seven-year-old. They go through our Budget documents looking for the plus signs and add them up, but they do not take into account the cuts in income tax, the pension credit, the working families tax credit or the child tax credit. The personal tax and benefit changes that have been made since 1997 have had a direct impact on householders, who are, on average, £775 a year better off: the poorest and those with children are better off still.

John Cryer (Hornchurch): Does my hon. Friend agree that council tax is fundamentally a regressive form of taxation because it was introduced by the Tories to replace Mrs. Thatcher's poll tax and is closely related to it? Will my hon. Friend the Minister consider making it more closely related to ability to pay, perhaps by extending the banding so that wealthier people in wealthier areas pay proportionately more?

John Healey: Questions about council tax bands and the ratios between them will form part of the analysis and decision making in the revaluation of council taxes that starts in 2005 and will affect bills from 2007.

I emphasise to my hon. Friend and Conservative Members that the average council tax per dwelling this year under Labour councils is £818, whereas under Liberal Democrat councils, it is £934 and £1,008 under Tory councils.

Euro Roadshow

6. **Mr. George Osborne** (Tatton): To ask the Chancellor of the Exchequer how many euro roadshow events he has attended in the past month. [138329]

The Financial Secretary to the Treasury (Ruth Kelly): Ministers have held a variety of meetings to discuss the euro in the past month. In addition, Treasury officials have held more than 150 meetings with opinion formers in Britain and Europe since the Chancellor's statement on 9 June.

Mr. Osborne: I gather from the Financial Secretary's answer that the Chancellor attended no roadshow events in the past month, unless one includes the radio interviews that he did last week. That is slightly surprising because the deal that he stitched up with the Prime Minister was that he kept the pound and the Prime Minister launched a roadshow. Where is it? Why does not the Financial Secretary simply admit what we all know—that the roadshow does not exist?

Ruth Kelly: I was going to congratulate the hon. Gentleman on his appointment to the Front Bench. However, given his preoccupation with Ministers' diaries and who answers the question rather than the substance of the issue, perhaps he has already decided that he prefers to answer questions from the Back Benches.

Perhaps I can clarify a couple of points. Ministers continued to meet last month. Indeed, my right hon. Friend the Chief Secretary addressed a meeting in Scotland and I filled in for my right hon. Friend the Chancellor, who was taking paternity leave, at a meeting in London. As the hon. Gentleman knows, Treasury officials have been deeply engaged in continuing discussions with stakeholders in the past month as in previous months.

Roger Casale (Wimbledon): I invite the Financial Secretary to meet my constituents who have shown since at least May 1997 that it is possible to hold an open, balanced and rational debate about the euro and Britain's membership of the European Union. When she does that, will she remind them that a benefit of joining the euro would be the ability to lock in the economic stability that a Labour Government have created in this country and that entry would almost eliminate the risk of a return to the 15 per cent. interest rates that pertained when the Conservative party was in power?

Ruth Kelly: I know that my hon. Friend takes a great interest in those matters and of course I would be willing to meet his constituents. We have to put the national economic interest first—that is why we set up the five-test procedure. We shall review that at the appropriate time in the Budget.

Business Taxation

7. **Bob Spink** (Castle Point): To ask the Chancellor of the Exchequer what plans he has for changes in the taxation of business. [138330]

The Paymaster General (Dawn Primarolo): My right hon. Friend the Chancellor is considering representations on business tax, including corporation tax, and will make his pre-Budget statement in due course.

Bob Spink: Did the right hon. Lady read the CBI's comments about the 19 new business taxes in the previous Parliament and the decision to drive up national insurance contributions, which destroy business competitiveness and productivity? Last year, business investment fell by more than at any other time in the past decade. Will she undertake not to introduce the Government's proposed new taxes on businesses?

Dawn Primarolo: I am sure that the hon. Gentleman is fully aware of all the international comparisons with tax levels for businesses in the United Kingdom. He also knows that the Government have undertaken huge reform of the corporate tax regime to support businesses

through provisions on intellectual property rights, the research and development tax credit and intangible assets as well as through lowering corporation tax for large and small companies. All the comparisons show that the United Kingdom is the best place in which to do business. Digby Jones, director general of the CBI, echoed that when he said:

"I would much rather be doing business in Britain than anywhere else in Europe . . . We are still the most successful economy in Europe."

That shows that the Government's policies are correct.

Mr. Andrew Miller (Ellesmere Port and Neston): Does my right hon. Friend agree that we need to encourage the vehicle industry to invest in future technologies, some of which have a long gestation period? Does she also agree that, as part of that, it is important that we show our commitment by continuing to give support to interim technologies?

Dawn Primarolo: I am sure that my hon. Friend is fully aware of the importance of the research and development tax credit for innovation in any industry, and that its extension to the small and medium-sized enterprises has been crucial in ensuring that those ideas continue to be funded and developed. We keep the R and D tax credit continually under review, and the definition of it has reduced the maximum expenditure necessary to qualify for that tax credit. I will continue to look closely at its operation, to ensure that industry is rewarded for innovation and development and that the tax system encourages that.

Mr. David Ruffley (Bury St. Edmunds): Is the Minister aware that Digby Jones also said recently:

"Ministers cannot keep siphoning off company funds without damaging investment, productivity and competitiveness. That will reduce the ability for the government to invest in public services—the money will simply not be there."?

Which part of that statement does the Minister not understand?

Dawn Primarolo: We are not siphoning off funds, as the hon. Gentleman puts it. [HON. MEMBERS: "It was Digby Jones."] The Government, in whose consultations Digby Jones is an active participant, want to reform the tax system to support growth, encourage stability, create investment and jobs, allow our businesses to grow and maintain the competitiveness of the British economy. All those things are being done, with stability at the heart of them, and Digby Jones agrees with that.

World Debt

8. **Stephen Hesford** (Wirral, West): To ask the Chancellor of the Exchequer if he will make a statement on progress the G7 Finance Ministers are making in tackling world debt. [138331]

The Chancellor of the Exchequer (Mr. Gordon Brown): Twenty-seven countries are receiving debt relief that will be worth $70 billion. Of the other 10 and more that are eligible, most are in conflict.

Stephen Hesford: Given the relative success of the debt relief talks, and the relative failure of the World Trade Organisation negotiations at Cancun, can my right hon. Friend see any possibility of convergence of the twin-track talks in order to benefit post-Cancun negotiations?

Mr. Brown: I am grateful to my hon. Friend, who I know takes an interest in these matters. He is absolutely right: the prospects of the developing countries depend not only on debt relief and adequate aid but on their ability to participate in the global economy. What comes out of the world trade talks is therefore crucial to their future. When we met at the International Monetary Fund and World Bank meetings in Dubai a few weeks ago, it was agreed that we should try to do everything that we could to remove the barriers to the resumption of trade talks. That will require Europe to make a move forward on the competition and investment clauses that were preventing agreement and progress. It will also require countries to look very carefully at their proposals on agriculture. I hope to meet the head of the WTO, Dr. Supachai, very soon to discuss what other things can be done by Governments in Europe and elsewhere to help to progress the talks forward, but I agree with my hon. Friend that we must ensure that they resume.

Rev. Martin Smyth (Belfast, South): I welcome the Chancellor's response. Could he tell us to what extent some of the debt has not been dealt with because of the recalcitrance of the Governments in certain countries about coming up to standard? Does he agree that, at a time when many people live in poverty even in the developed countries, we should not forget that those in the developing countries are much worse off?

Mr. Brown: I am grateful to the hon. Gentleman, and I know how much he does in Africa, working with the churches to help countries there to solve some of the problems that are preventing them from delivering decent health and education services to their people. The main reason debt relief has not progressed beyond the 27 countries is that most of the countries that would be eligible are in conflict, about to come out of conflict, or have made a decision to come out of conflict but not yet achieved it. I would bring debt relief up to $100 billion, which was our target, but we cannot sustainably give debt relief at a time when we have no clue as to how those resources would be used.

If countries come out of conflict, we are prepared to work with them on a restructuring plan so that they can rebuild their infrastructure and, at the same time, get rid of their debts. Conflict is the major barrier to debt relief. Of course we require transparency, and corruption in countries that are eligible for debt relief is a major issue. That is why, at all the recent meetings of the World Bank and the IMF, the emphasis has been on developing countries pursuing an anti-corruption, pro-stability policy to enable them properly to participate in the world economy.

Mr. Kelvin Hopkins (Luton, North): One way in which the developed world causes debt in the third world is by exporting heavily subsidised agricultural products, which devastates farming in those countries.

Would it not be a good idea to stop exporting surpluses, start buying more of those countries' food, and begin to seek the abolition of the common agricultural policy?

Mr. Brown: Agricultural issues are complex, but the basic problem is that agricultural protectionism cannot continue if the countries of which my hon. Friend speaks are to develop. That is why it is incumbent on the European Union and the American Government to make progress by liberalising agriculture and removing what are, in effect, subsidies worth $350 billion—seven times the amount given to the poorest countries in development aid.

My hon. Friend is absolutely right. We need to push further in the agriculture talks. Agricultural protectionism serves the poorest countries badly, as well as being bad for the environment and bad in other ways. We also need to press on with the international finance facility plan to meet the millennium development goals. In return for countries' opening up to investment and pursuing stability policies, we must help them to deal with major health and education problems.

Child Trust Funds

9. **Ms Meg Munn** (Sheffield, Heeley): To ask the Chancellor of the Exchequer whether building societies and other financial mutual organisations will be providers for the new child trust funds. [138332]

The Financial Secretary to the Treasury (Ruth Kelly): Any firm with a relevant Financial Services Authority authorisation will be able to enter the market subject to meeting the requirements of the child trust fund regulations. We expect a wide range of providers to offer accounts.

Ms Munn: When setting any price cap for child trust funds, will the Government take account of the cost of administering savings for children and the need to raise awareness of the importance of saving? In particular, will they encourage providers to ensure that all families, particularly those with low incomes, benefit from the opportunity to save for their children?

Ruth Kelly: I agree with my hon. Friend. When I decided to allow all FSA-authorised firms to enter the market, I paid careful attention to the impact on financial mutuals and building societies and decided to allow them to participate as well.

My hon. Friend is right to mention the price cap. In view of the factors she cites, I have commissioned independent research from Deloitte Touche on the impact of the cap and its interaction with the target market. I shall publish it in due course.

Mr. David Laws (Yeovil): How much consultation is going on with other Departments? Is it true that the Home Secretary is even less enthusiastic about the Chancellor's proposals than the Chancellor is about his proposals for identity cards?

Ruth Kelly: I think the hon. Gentleman has completely misinterpreted the Home Secretary's position. He is a firm advocate of child trust funds. Indeed, I shared a platform with him in Downing street to discuss the merits of the proposal. We have a once-in-a-generation chance to open up opportunities for poor children as well as those from wealthier backgrounds.

Mr. Nigel Beard (Bexleyheath and Crayford): Would my hon. Friend consider allowing parents who are eligible for the savings gateway to pay top-up amounts into the trust funds on the same terms?

Ruth Kelly: We have considered how to maximise the benefits for children from poorer families. We have decided both to make the policy universal—every child born after a certain date will have access to an endowment—and to concentrate Government resources on those who need them most. We have introduced a two-level endowment, which will apply at birth and when the child reaches the age of seven. Up to 40 per cent. of children will be able to benefit.

Tim Loughton (East Worthing and Shoreham): Can the Minister answer a question that seems to be causing some confusion among her officials? Will the trust funds be taken into account in the calculation of benefits, and will they affect those benefits?

Ruth Kelly: We have made it absolutely clear that in the assessment of family benefits for the purpose of calculation, child trust funds will be disallowed.

Sustainable Development

10. **Mr. Colin Challen** (Morley and Rothwell): To ask the Chancellor of the Exchequer what discussions have been held with Departments regarding their sustainable development objectives in the forthcoming comprehensive spending round. [138334]

The Economic Secretary to the Treasury (John Healey): Departments will be required to consider sustainable development as part of the 2004 spending review process, as they were in 2002.

Mr. Challen: I am sure that my hon. Friend will study very carefully the Environmental Audit Committee report entitled "Greening Government", which was published earlier today. One of its key observations is that the public service agreements in Departments other than the Department for Environment, Food and Rural Affairs have hardly any environmentally related targets at all. So will my hon. Friend and the Treasury put pressure on other Departments to increase the number of such targets in the next comprehensive spending review?

John Healey: I pay tribute to my hon. Friend's work on the Environmental Audit Committee, and to the work of the Committee itself. I should point out that we already have 14 departmental PSAs, deriving from the 2002 spending review, that incorporate sustainable development. But I shall indeed study his Committee's report carefully, and I will consider the case that he makes about targets. I shall of course then respond to the Committee, in full, in the normal way.

World Debt

11. **Valerie Davey** (Bristol, West): To ask the Chancellor of the Exchequer what recent discussions he has had with African Finance Ministers on debt and the millennium development targets. [138335]

The Chancellor of the Exchequer (Mr. Gordon Brown): To meet the millennium development goals, which include primary education for all by 2015 and the halving of poverty, we propose, in addition to the debt relief that we have given, the creation of an international finance facility that will provide $50 billion in additional finance per year. I am grateful to all parties in this House for their support for this proposal.

Valerie Davey: Many of my constituents especially value my right hon. Friend's commitment to this aspect of his work. Will he further explain the extent of the Government's support for development projects in Africa?

Mr. Brown: My hon. Friend takes a very keen interest in this issue and I thank her for that. We will raise aid to Africa to £1 billion a year, and that will be achieved before completion of this spending review, as the International Development Secretary announced last week. So more of the aid money that is being raised anyway is going to Africa, and more is going to anti-poverty programmes such as tackling illiteracy and tackling ill health. I believe that the partnership for Africa initiative is the right way forward, whereby, in return for African countries tackling corruption, pursuing policies for stability and opening up to investment, we provide the resources to enable them to tackle their problems. At the moment, the chances of meeting the millennium development goals are slim, unless we get the additional finance that we are proposing, through the international finance facility. So I hope that not only politicians but the churches, non-governmental organisations and others interested in the future of Africa will look at this proposal very carefully.

Richard Ottaway (Croydon, South): Following on from that point, if I may, I shall paraphrase one of the millennium goals, which is to stabilise world population growth by choice. The Chancellor will be well aware that the funding levels were agreed at the Cairo international conference on population action, in 1994. In the eyes of many, insufficient funding is going into population programmes; what is more, the question arises of whether it is going to the right agencies. Will the Chancellor undertake to review this matter, so that the millennium goals can be achieved?

Mr. Brown: This is not strictly a matter for the Treasury, as the hon. Gentleman knows, but I will report what he says to the International Development Secretary, who speaks for us on these matters. But whichever way he looks at it, the hon. Gentleman must know that population is going to rise. It is our duty to make sure that there is growth in African countries and in other developing countries by working with them to achieve the conditions for that growth. Such conditions include tackling corruption, ensuring macro-economic stability, and opening up to trade and investment. That is what the Monterrey consensus was all about, but it will be achieved through partnership. In return, we must help those countries to solve the problems of HIV/AIDS, tuberculosis and malaria; indeed, 2 million people a year are dying from tuberculosis, and 1 million are dying from malaria.

Such problems are soluble, but those countries need the capacity to build health care systems, and in the end, they need the money that only the richest countries can provide at this stage. That is why the international finance facility—supported enthusiastically, I hope, on both sides of this House—can be useful not only if we can persuade other countries around the world to adopt it, but if we can work with Africa to implement it.

Lawrie Quinn (Scarborough and Whitby): On my right hon. Friend's discussions with African Finance Ministers, what is his assessment of the priority that they are giving to the need to ensure that every child in Africa gets at least primary-level education?

Mr. Brown: I am grateful to my hon. Friend, who has taken a huge interest in these matters. I met many African Finance Ministers only a few weeks ago under the chairmanship of the French Finance Minister, Mr. Mer. There will also be a meeting of African Finance Ministers in Paris in February to discuss the international finance facility. The priority attached to primary education is shown by the fact that 65 per cent. of the money released from debt relief is going into education and health. Uganda, for example, has made primary education free, which has increased enrolment by more than 50 per cent. in recent years. There are 120 million children around the world who do not go to school, but that problem can be overcome with an investment of about $10 billion a year, which is not a huge sum if the international community acts together. I believe that we should be prepared to make that finance available.

Sir Nicholas Winterton (Macclesfield): This is a very important question, and I am delighted that the Chancellor of the Exchequer is answering it. Could he advise the House and me what particular discussions he has had with African Ministers about the deteriorating and highly serious problem in Zimbabwe, not least because it is currently excluded from the Commonwealth? Dreadful problems are occurring in that country, and debt is rising. Could he tell the House what we are seeking to do to help the hard-pressed people of Zimbabwe?

Mr. Brown: I discuss that matter regularly with Finance Ministers around Africa, but the hon. Gentleman will understand that the precise policies pursued by the Government are a matter for the Foreign Secretary, who will discuss these matters with the rest of the Commonwealth very soon. I met the South African Finance Minister only a few weeks ago and that subject was on the agenda. One significant problem is that HIV/AIDS affects the whole of the southern part of Africa—24 million people in Africa either are infected or are likely to be infected. Some initiatives, including one through the WTO, have been taken on pharmaceuticals, and have proved beneficial. The hon. Gentleman knows that there is a long way to go, and we

need all-party co-operation here and the help of other countries so that we can increase the resources and the capacity of health care systems to cope.

World Bank/IMF

12. **Ann McKechin** (Glasgow, Maryhill): To ask the Chancellor of the Exchequer if he will make a statement on new agreements arising from the annual World Bank and International Monetary Fund meetings to allow greater diversity and representation of poor countries on the boards of (a) the World Bank and (b) the IMF. [138336]

The Chief Secretary to the Treasury (Mr. Paul Boateng): The Government welcome recent developments at the Dubai annual meetings, when Ministers committed themselves to improve the capacity of developing country representatives and asked the World Bank and the IMF to look further at those countries' level of representation within those institutions.

Ann McKechin: I thank my right hon. Friend for his reply. However, does he agree that, if the IMF and World Bank are to take decisions that best reflect the development needs of the world's poorest nations, there is a need for a better balance between richer and poorer nations in the voting structure? The WTO, for example, allows for equal votes, and the voice of the developing nations is now being heard loud and clear.

Mr. Boateng: My hon. Friend, who takes a close interest in these matters, makes a very fair point about the balance of representation. That is why we are working to achieve a consensus in that regard, building on the pledge in our White Paper of 2000 and on the progress made at Monterrey. Building consensus is not easy, but we believe that a 25th seat on the IMF and the World Bank's board for sub-Saharan Africa is an option that ought to be explored and given serious consideration. We are working hard to that end.

Mr. John Battle (Leeds, West): My right hon. Friend will know that at the present rate of international aid, six out of eight of the millennium development goals are unlikely to be met until half way through the next century. What conversations have taken place at the IMF and World Bank to give support to the Chancellor's initiative for an international finance facility, which would boost immediate assistance and help to get those targets back on track?

Mr. Boateng: My right hon. Friend the Chancellor works closely with others on those issues, not least with the faith communities, which have a crucial role to play. That is why the recently announced support of the Vatican and His Holiness for the IFF was a particular help in taking that agenda forward. The issue was discussed recently with leaders of the World Bank and the IMF in Madrid. As a result of my right hon. Friend the Chancellor's initiative, the World Bank and the IMF are carrying out studies and we are hopeful of increasing recognition on the part of donor nations that we have to do more and that the IFF is our best hope of achieving that. The example that this House sets of genuine bipartisan support for that mechanism is one that other nations, especially donor nations, might well follow.

Mr. Tam Dalyell (Linlithgow): Treasury Ministers have an outstanding record in helping developing countries, but is that record being damaged in any way by the increasing commitments to Iraq and, in particular, are the reports—

Mr. Speaker: Order. My apologies for interrupting, but we have arrived at question 15. The hon. Gentleman should ask the Minister for the reply to that question.

Mr. Boateng: I take the point that the Father of the House makes and—

Mr. Speaker: Order. On the Order Paper, we have reached question 15. Question 14 has been withdrawn.

Iraq

15. **Mr. Tam Dalyell** (Linlithgow): To ask the Chancellor of the Exchequer pursuant to his Answer of 30th October to the hon. Member for Nottingham, South (Alan Simpson), *Official Report*, column 311W, on Iraq, when he expects to be able to provide the total cost of the military campaign in Iraq. [138340]

The Chief Secretary to the Treasury (Mr. Paul Boateng): The Chancellor announced in the Budget that £3 billion has been set aside to cover the cost of operations in Iraq. It would be premature to anticipate the total cost of the military operations at this time.

Mr. Dalyell: Is it true that the commitment to the Amazon rainforest and other developing country commitments have been seriously damaged by an increasing commitment to the finances for Iraq?

Mr. Boateng: No, the project that we are funding will be completed, as my right hon. Friend the Secretary of State for International Development has made clear. No announcements that we have made in relation to Iraq, and the funding of operations there, will affect the UK's firm commitment to increase aid in poor countries. That we are determined to do and are doing. I welcome the support of the Father of the House for that objective.

Business of the House

12.31 pm

Mr. Oliver Heald (North-East Hertfordshire): Will the Leader of the House please give us the business for next week?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 17 NOVEMBER—Consideration of Lords amendments to the Courts Bill *[Lords]*, followed by money resolution relating to the Anti-Social Behaviour Bill, followed by consideration of Lords amendments to the Anti-Social Behaviour Bill, followed, if necessary, by further Commons consideration of Lords amendments.

TUESDAY 18 NOVEMBER—Consideration of Lords amendments, followed by consideration of Lords amendments to the Criminal Justice Bill, followed, if necessary, by further consideration of Lords amendments.

WEDNESDAY 19 NOVEMBER—Consideration of Lords amendments. Consideration of Lords amendments to the Health and Social Care (Community Health and Standards) Bill, followed, if necessary, by further consideration of Lords amendments.

THURSDAY 20 NOVEMBER—Consideration of Lords amendments.

The House will be prorogued when Royal Assent to all Acts has been signified.

The House may like to be reminded that my right hon. Friend the Chancellor of the Exchequer has just announced that the pre-Budget report will be on Wednesday 10 December.

Mr. Heald: May I begin by paying a warm tribute to my predecessor? [HON. MEMBERS: "Hear, hear."] Apparently, several other right hon. and hon. Members wish to join in that tribute. My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) brought his own inimitable style to these occasions. He apologises for not being here today, but he is at another parliamentary occasion. However, he promises that he will be back on these occasions, week after week. I cannot promise that I will tease the Leader of the House as much as my right hon. Friend did, but I will try to hold the right hon. Gentleman just as firmly to account.

Last week, the Leader of the House was asked whether arrangements could be made for the President of the United States to address both Houses of Parliament. Will the right hon. Gentleman accept that the House has the right to expect such an event, and will he explain what is being done about that?

On a more sombre note, the right hon. Gentleman will have seen the widespread reports about the handling of child abuse allegations in Islington and, more particularly, the insulting and demeaning way in which victims have been treated. May we have an urgent debate on that vital issue?

The local government settlement is a matter of great concern among hon. Members on both sides of the House, especially following the swingeing increases in council taxes that were forced on local authorities last year. The right hon. Gentleman will know that the Local Government Association has already warned that next year there will be increases of more than £100 per home. Will he tell the House, therefore, whether that statement will be given next Tuesday, so that hon. Members may prepare? Will he accept a plea from me that it should not be given on Wednesday, when the business of the House will be taken up with contentious and difficult matters?

Last week, workers who had lost their pensions and whose employers are insolvent held a meeting at the House. It was organised on an all-party basis, and workers, including workers from the former Allied Steel and Wire in Cardiff, gave moving accounts of how they had lost their life savings. On that occasion, the Minister for Pensions said that he was considering the matter. May we have a statement and a debate in Government time on what the Government are prepared to do to help them?

Finally, I want to ask about the Government's controversial identification card scheme—not the one for people, but the one for horses and donkeys. The Horse Passports (England) regulations were laid on 4 November, and are due to come into force on 30 November. I understand that the Joint Committee on Statutory Instruments has not been able to consider the regulations. What advice does the Leader of the House have for Britain's horse and donkey owners? Should they trot off to obtain a passport, or should they rein back and await further news? I am sure that the right hon. Gentleman's predecessor would have been extremely concerned about the problem.

Mr. Hain: On the hon. Gentleman's last point, I understand that the problem is that we cannot get horses into photo booths.

I welcome the hon. Gentleman to his new post. I shall not offer him my full support, however, as I did that last week to his predecessor and it proved fatal. Even so, I join the hon. Gentleman in paying a warm tribute to his predecessor, who is a real treasure in the House of Commons. I look forward to him terrorising me from the Back Benches, just as he did from the Front Bench.

I should note that, these days, it is very hard not to be a Front Bencher in the Conservative parliamentary party. The sketch writer for *The Guardian*, Simon Hoggart, wrote earlier this week:

> "If you cut the ex-leaders, the very old and the certifiably insane, you need to have something startlingly wrong with you not be a Tory frontbencher these days."

The hon. Member for North-East Hertfordshire (Mr. Heald) asked some specific questions. He pointed out, rightly, that the question of President Bush's very important visit has been raised before. I am not in a position to say whether the President will address both Houses. That is a matter for the palace, and the question of security must be considered, as the hon. Gentleman will understand. However, the day before yesterday was 11 November—Remembrance day. We must remember that America, one of our closest allies, stood solidly by us when this country faced one of its darkest hours in the fight against the Nazis. If it had not done so, it is possible that we in the House of Commons would not enjoy our current freedom. That is the context in which we should greet the state visit by the President of the United States.

[Mr. Hain]

The hon. Member for North-East Hertfordshire also asked about the difficulties of child abuse in Islington many years ago. Under the Minister for Children, in the past few months the Government have put together a policy that is the most rigorous and radical protection of children's rights that any Government of this country have ever devised. We intend to take that important policy forward.

The intention is that a statement on local authority settlements will be made next Wednesday. The hon. Member for North-East Hertfordshire will understand that all days are potentially busy at this especially fraught time of year, shortly before prorogation. Therefore, I do not accept that it would be better to have the statement on one day or another.

The hon. Member for North-East Hertfordshire is right that the question of pensions and insolvencies is very serious. I know, from my personal knowledge as Secretary of State for Wales, that the plight of the ASW workers in Cardiff is very serious. The Government want to offer what help we can, and we are introducing new legislation to that end on the back of the pensions Green Paper. I hope that the proposals will have the support of the Conservative Opposition.

As the hon. Gentleman knows, earlier this week the Home Secretary made a statement on the general question of identity cards.

Mr. Paul Tyler (North Cornwall): I warmly welcome the hon. Member for North-East Hertfordshire (Mr. Heald) to his new post. There are now so many part-time spokesmen in the Conservative shadow Cabinet, but I notice that he is not addressing his questions to the part-time Leader of the House any more. That is perhaps a relief to the Leader of the House.

What is the position on the House of Lords reform? Last Friday the Secretary of State for Health announced that the House of Lords was not entitled to amend the foundation hospitals Bill because its Members were "unelected". When and how do the Government propose to redress that defect? Does the Leader of the House recognise that, since it was not a manifesto commitment, nobody has been elected to support those proposals in either House?

Will the right hon. Gentleman elaborate on the exchange of correspondence that was published yesterday between the Lord Chancellor and Secretary of State for Constitutional Affairs and the right hon. Member for Copeland (Dr. Cunningham), the Chairman of the Joint Committee on House of Lords Reform? I am sure that the Leader of the House has taken a close interest in the correspondence, and will have noted that the Secretary of State told the Committee that it could now consider not just the proposals made by the Government, including those in the consultation paper of 18 September, but any other proposals that it deems appropriate to the reform of the House of Lords. When will that take place? When will there be an opportunity for the House to discuss a motion on the remit of that Committee, if it is to continue? Is that the vote that, on 29 October, the Prime Minister referred to as a free vote on both sides of the House, or is the free vote for some other purpose? Will it be, for example, on the Second Reading of the Bill that the Government propose to introduce? When will there be an open debate on an amendable motion and a free vote on the whole subject to which the Secretary of State and Lord Chancellor referred?

The Extradition Bill will come before us in a few minutes' time. Is the Leader of the House aware that the amendments have only just arrived in the Vote Office? These circumstances arise every year and the Leader of the House referred to them just now. At this time of the Session, we are given so many amendments to consider in such a short time that the business of the House is indigestible. Will he give that consideration and recognise before this situation arises next year that there must be a review of the amount of legislation that is pushed through at this time of the year?

Mr. Hain: I will certainly consider the hon. Gentleman's last point. Obviously, the House wants an opportunity to look at all amendments carefully and give them proper scrutiny. Pre-legislative scrutiny helps generally.

On House of Lords reform, I voted, possibly with the hon. Gentleman, for a fully elected second chamber. He will have to wait with bated breath to see what may be in the Queen's Speech in that respect. I will certainly consider the correspondence issue carefully.

The hon. Gentleman should not misinterpret what the Prime Minister said about a free vote. He did not say that there would be a free vote on any forthcoming legislation to abolish the right of the hereditaries to vote in the House of Lords; he was referring to the free vote that took place earlier this year. As the hon. Gentleman knows, to my regret, there was no conclusive outcome. In those circumstances, another free vote so soon afterwards would not be profitable.

Mr. Harry Barnes (North-East Derbyshire): When people have a stroke, not everyone is fortunate enough to be taken by the Speaker and my hon. Friend the Member for Bolsover (Mr. Skinner) to the nearest accident and emergency unit to be treated in a specialist unit. Is my right hon. Friend aware that today the Stroke Association has launched a campaign, "Why are we Waiting?" to highlight the need for specialist stroke units to be added to hospitals throughout the country? The Under-Secretary of State for Health, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson), claims that next year 94 per cent. of hospitals will have stroke units, but the Stroke Association disputes that. It feels that the Government are not meeting their national service framework provision for all people. This would be a good topic to debate, when we could sort out the statistics and discover whether the Department of Health is spinning this matter too far.

Mr. Hain: I join my hon. Friend in congratulating the Stroke Association on its commendable and important work. I am grateful to him for raising the matter. As he implied, the Under-Secretary said recently:

> "We take services for stroke patients very seriously and are working hard to improve the care patients receive in hospital . . . By April next year, 171 out of 181 hospitals will be providing specialist stroke services with a team of dedicated health professionals in place with expertise in this area."

Mr. Andrew Mackay (Bracknell): Why is the Minister for Children not coming to the House next week to

make a statement, in the light of the serious letter that she wrote to Gavyn Davies, the chairman of the BBC, in which she blackened a courageous whistleblower who brought to light the dreadful cases of child abuse in Islington that she so ignored when she was its leader?

Mr. Hain: I was expecting the right hon. Gentleman to raise that question, as he has pursued it tirelessly, week after week after week. What it cannot be allowed to obscure, however, is the Government's excellent record in providing additional rights, extra protection and additional investment for children: for example, the sure start programme, which my right hon. Friend the Minister for Children was instrumental in bringing forward; significant rises in child benefit; successful literacy and numeracy strategies; and the "Every Child Matters" Green Paper, in the launch of which my right hon. Friend was involved. That is the important policy agenda. The Government's record on a joined-up children's policy is better than that of any of our predecessors.

Mrs. Louise Ellman (Liverpool, Riverside): The Leader of the House may be aware that in Liverpool this morning the chief constable of Sussex made a public apology to my constituents, the Ashley family, concerning the killing of James Ashley five years ago during a bungled police raid. Will the Leader of the House ensure that both the Wilding and Hoddinot reports on that matter are given full public scrutiny and exposure? Will he take all possible steps to ensure that such an incident never happens again and that the subsequent attempts to cover it up and to discredit the people involved can never happen in future?

Mr. Hain: I welcome my hon. Friend's question. A repeat of such a dreadful tragedy should never be allowed. I commend the chief constable for taking that unusual initiative and travelling that distance to try at least to put the matter to rest and to assure the family that the police service is genuinely apologetic.

Mr. Michael Jack (Fylde): This week, the Department for Environment, Food and Rural Affairs organised a presentation and a press conference to launch Lord Haskins' report proposing ideas for the most fundamental reorganisation of rural services for many years. In that context, the House was ignored. Will the Leader of the House look at the situation again and ensure that the Secretary of State comes to the House to make a statement, or that there is a debate in Government time, to enable all Members with an interest in the delivery of rural services to probe and evaluate those fundamental proposals from Lord Haskins?

Mr. Hain: My right hon. Friend the Secretary of State for Environment, Food and Rural Affairs is always accountable to the House and would not want in any way to divert attention from or hide important reports such as that of Lord Haskins. On the contrary, she has already said that she wants to hold a debate when the Government have had time to consider the report. However, I acknowledge the right hon. Gentleman's expertise and interest in the matter, as, I am sure, will my right hon. Friend.

Mr. Dennis Skinner (Bolsover): In the interests of balance, will the Leader of the House accept that not everybody in the House wants George Bush to address the Houses of Parliament? In fact, a considerable number of us—many are not in the Chamber at present—would be glad if he was not coming at all. Will the Leader of the House convey to the powers that be at the White House, and at the palace if necessary, that it would be in Bush's interests not to turn up? There are going to be some demonstrations, and that will not go down well at the White House and the Pentagon. Finally, what is the point of it, because he will not get any decent photo opportunities at the palace at present?

Mr. Hain: Thank you, Madam Deputy Speaker, very much indeed for that question.

Mr. Andrew Mitchell (Sutton Coldfield): Answer it then.

Mr. Hain: Indeed—I am about to do so.

The state visit has been long arranged. The President of the United States is the president of an important ally, and his visit should be treated properly in that context. Of course, as my hon. Friend implies, people have the right to exercise their freedom to demonstrate peacefully. He will also understand that, in view of regular terrorist threats over the past few years, as well as actual terrorist attacks, the security around the visit is a very important matter, and I am sure that he will want to take that into account.

Sir Nicholas Winterton (Macclesfield): The Leader of the House, as a Cabinet Minister, chairs an important Select Committee: the Modernisation Committee. I—one of the 49 per cent. of the main Opposition party who are not members of a shadow team—chair the Procedure Committee. Perhaps the right hon. Gentleman will indicate why he believes that that is so.

What thought is the right hon. Gentleman giving to the revised hours of the House, because he is aware that important Select Committees are finding it difficult to meet when the House is not meeting or when important debates are taking place in the Chamber? I refer particularly to the fact that both the Procedure Committee and the Modernisation Committee meet on the same afternoon. Is it not possible to make a better arrangement, whereby hon. Members who are interested in what goes on in the Chamber can also fully participate in the important work of Select Committees?

Mr. Hain: The hon. Gentleman does important work on behalf of the Procedure Committee. I well understand his point and I have it in mind to discuss it with him and other hon. Members.

I cannot understand why the hon. Gentleman is not on the Front Bench, because he is most certainly not one of those whom *The Guardian* reported as being certifiably insane. On the contrary, he ought to be a rising star in the Conservative party, and his long experience on the Back Benches would add extra weight and extra credibility, which is badly needed on the new Tory Front Bench.

Keith Vaz (Leicester, East): May we have an urgent debate on the availability on the national health service of the Prevenar vaccine, which, as my right hon. Friend

[Keith Vaz]

will know, is used to treat pneumococcal meningitis in children? I have been sent details of case of a two-year-old child who died because he did not receive the vaccine, which is readily available in America and Europe, but not in this country. May we have an urgent debate on this matter so that we can put that right?

Mr. Hain: That is obviously a very serious incident, and I understand why my hon. Friend raises it. I am sure that those responsible in the Government will want to take careful account of it, particularly as he raises it on the Floor of the House.

Mr. Adrian Flook (Taunton): The Leader of the House may not be aware of the impending havoc in university admissions that is forecast for October 2005 because of the Government's proposals to introduce top-up fees. Many current year 12 or lower sixth form students who may have been expected to finish their A-levels in June 2005 and take a gap year will not take that gap year, which will create a logjam in October 2005. The Government have written to me saying that they have no plan to introduce any special arrangement to resolve that problem. Does he not think that the House should debate the Government's intransigence on this matter?

Mr. Hain: The Secretary of State for Education and Skills is well aware of the issue that the hon. Gentleman raises, but may I ask whether he supports the policy, advocated by those on the Conservative Front Bench, of depriving up to 100,000 students of the chance to get a university education?

Mr. Flook *indicated assent.*

Mr. Hain: The hon. Gentleman does support that policy, so he would deprive many potential students in his and every other constituency of the chance to go to university. That is the issue that he should be concerned about, and he should back the Government's policy of expanding university education and preventing universities from getting into precisely the kind of financial mess that they were in when we inherited our dreadful legacy in 1997.

Jim Knight (South Dorset): The Leader of the House will be aware that Royal Mail announced today that it was back in profit, which is good news, but that is an unfortunate coincidence for me as it coincides with a notice from Royal Mail saying that seven of the 16 post offices in Weymouth are due for closure. Will the Leader of the House agree to allow us to debate the closure of sub-post offices in areas such as mine, especially as it appears that sub-postmasters and sub-postmistresses have already been asked to sign a contract agreeing to the closures even before the consultation has begun? All hon. Members are concerned about the elderly, the infirm and the immobile being able to gain access to local post offices when so many are closing in places such as Weymouth.

Mr. Hain: I very much sympathise with my hon. Friend's expression of concern. If those closures occur in his constituency, it would undoubtedly be a real problem, not just for him and the House, but for his constituents. As I have said before, there has been a long-term trend under the previous Government and under us of local post offices being unable to survive in today's consumer climate, in which people make different choices. I very much regret that because, for example, in my own village, Resolven in the Neath valley, we have a local post office that is a centre of the community. It is important that as many local post offices as possible survive, and the Government are working to achieve that.

Mr. Andrew Mitchell: Following the disgraceful but not untypical failure of the Prime Minister yesterday to answer questions about the cost of running the Government and the recently published figures that show that the cost of running government has increased by a massive 50 per cent. since 1997, may we have a whole-day debate in Government time that draws on past, as well as present, examples of waste and inefficiencies under Labour Governments?

Mr. Hain: One of the wastes and inefficiencies under this Labour Government has been the huge taxpayer subsidy to the Conservative party. Over the past year, the Conservatives have received more in subsidy than they have raised in private donations. They have received £4 million of taxpayers' support, and have raised £3.5 million from private donations. That is an absolutely outrageous waste of public money, which ought to be addressed.

Mr. Heald: Would you take the Short money?

Mr. Hain: Indeed, I am happy to support that. Political parties in trouble ought to get all the help they can.

On the overall staff figures in the civil service, is the hon. Gentleman saying that, for example, the 4,000 extra staff recruited to tackle the problem of asylum seeking, which the leader of the Conservative party bequeathed to us from his time as Home Secretary—[HON. MEMBERS: "Rubbish."] Asylum policy was a real mess. We have had to recruit more people to combat that problem; as a result, the number of asylum applications is decreasing and the problem is being tackled seriously. Some 3,000 people have been recruited to organise the new deal, which has offered job opportunities to about 800,000 people. Is he saying that those people should be given the sack?

The truth is that we are addressing efficiency in the civil service. As a result of the Lyons review, which we set up, we are also ensuring that 20,000 jobs are shifted from London to the rest of the country—so there is a better opportunity to disperse civil service jobs. The hon. Gentleman should be asking those questions, rather than the spurious ones that he asked.

Mr. Alan Meale (Mansfield): Will the Leader of the House consider allowing time to debate the excellent work done by trading standards officers throughout the length and breadth of Britain, especially as we are approaching the festive season? As part of that debate,

perhaps we might also consider the problem of junk mail, which is already pouring through people's letterboxes all over the United Kingdom.

Mr. Hain: I guess that in the coming months more junk mail will pour through people's letterboxes from the new leader of the Conservative party. I am sure that it will go straight into the bin, along with the rest of the junk mail.

Trading standards officers do a valuable job, and I commend my hon. Friend for drawing the House's attention to that and for allowing us to support the work that they do.

Madam Deputy Speaker (Sylvia Heal): Dr. Julian Brazier.

Mr. Julian Brazier (Canterbury): Thank you, Madam Deputy Speaker. I am not a doctor, but I am flattered that you should think so.

May I press the Leader of the House for an early debate on the closure of so many local jobcentres? In Kent alone we are faced with the loss of three, including the essential one on Whitstable high street. Those centres are vital to many of the most vulnerable people in our communities—not only youngsters who may otherwise get into trouble but many disabled older people. Will the Leader of the House also look at the disgraceful way in which money is being put into posts for full-time public sector officials to work with the disabled in areas where voluntary organisations such as the Shaw trust are working far more cost-effectively than any public sector body?

Mr. Hain: Obviously, we want a balance between the excellent work of voluntary groups such as the Shaw trust and Government support provided through public subsidy for officials to help take that work forward. Unless this is one of the candidates for the 20 per cent. Conservative cuts—

Mr. Brazier: Yes, cuts in administration.

Mr. Hain: Ah, I see. The hon. Gentleman wants the further support that we have provided withdrawn from some of the most vulnerable groups in our communities.

On the wider issue—what was it?

The Deputy Leader of the House of Commons (Mr. Phil Woolas): Jobcentres.

Mr. Hain: Yes, jobcentres. As the hon. Member for Canterbury (Mr. Brazier) will know, the Government are seeking to bring together benefits agencies with jobcentres, and I guess that that must at least in part be the explanation for the issue that he raises. It is a sensible thing to do, and I should have thought that he would support a one-stop shop to provide people with the opportunity to come off benefit and welfare into work in a way that record numbers of people are doing and have done under this Government. Employment is now at its highest ever, unemployment is at its lowest for a generation, and people who have not been able to get work because they have been caught between benefit and job opportunities are now getting the chance to work and the extra hope and opportunity that that brings. The hon. Gentleman should be applauding that, not criticising it.

Mr. Jim Cunningham (Coventry, South): May I ask my right hon. Friend when we shall have a date for a decision on the location of new airports in this country? I am sure that he will be aware that there is widespread concern in Coventry and in Warwickshire regarding a proposed airport for Rugby. May we have a date for that decision?

Mr. Hain: This is obviously a matter that my right hon. Friend the Secretary of State for Transport is actively considering. I know that my hon. Friend is a champion of airports in his area, and the Secretary of State is well aware of the importance that he attaches to those airports, and of the important role that they play in the region.

Tim Loughton (East Worthing and Shoreham): The Leader of the House has dealt very lightly with the concerns of my hon. Friends about the Minister for Children. The problem is that the last four or five months of her tenure in office have been completely bedevilled by her fighting rearguard actions about her suitability for that post, which has been seriously called into question by her irrational remarks this week. If the Leader of the House is so convinced that his Government now have the most rigorous policy on child protection, why cannot we have a debate on it? May I remind him that in the 10 months since Lord Laming produced his report on 28 January, there has been not a single debate in Government time on child protection matters? There was one statement on the Green Paper on 8 September, which lacked an awful lot of detail. If he is so impressed by his policy, cannot we have a debate in the House and put it to the test properly?

Mr. Hain: The hon. Gentleman will understand that I cannot anticipate at this stage what will come in the Queen's Speech. I assure him, however, that over the course of the coming year or so the work that was initiated in the Green Paper on children's rights, into which my right hon. Friend the Minister for Children put a great deal of work, will be debated fully in the House, and he will have every opportunity to raise whatever issues he wants.

Mr. John Battle (Leeds, West): Since I entered the House in 1987, I have been campaigning for victims and their families who suffered from asbestos pollution in my constituency. In the 1990s, we won a court case to prove that the company was liable. The company was then bought by an American company, Federal Mogul, which bought the parent company, Turner and Newell. Some three years ago, that American company put the whole operation in Britain into liquidation to avoid paying out to the families and their victims. We now learn that the administrators have in the last two years received £75 million from the funds—the victims have received nothing. I refer my right hon. Friend to the early-day motion tabled on this subject, and I ask the House and the Government to have a discussion on this

[Mr. John Battle]

matter and to look into the responsibilities of corporate insurance. This issue affects hundreds of thousands of our constituents who suffer from asbestos pollution.

Mr. Hain: My hon. Friend has championed this cause—I am grateful to him because it is an issue that affects everyone—as he has championed many other causes both in his present role as a Back Bencher and in his distinguished ministerial career. On this particular issue, I shall consider his request. He has other opportunities to apply for a debate, and it would be good to give the issue an airing.

Mr. Richard Bacon (South Norfolk): Given that the Treasury private finance initiative building incurred professional fees of £25,303,000, which is more than 20 per cent. of the total construction cost of the building, and the Home Office, for its PFI project, paid £2 million to the contractor for the insertion of a refinancing clause that should have been included anyway, can we have a debate next week in Government time on the Government's relationship with its PFI contractors? At the moment, it looks as though the contractors are running rings around this Government.

Mr. Hain: I do not accept that for a moment. I do not anticipate an early debate, but the hon. Gentleman is welcome to apply for one if he wishes.

Mr. David Watts (St. Helens, North): May I inform my right hon. Friend that there is still major confusion about the future of the west coast main line, with Ministers, the regulator, the Strategic Rail Authority and Virgin all saying different things? Can he arrange for the Secretary of State for Transport to come to the House to clarify whether he is still committed to the full modernisation of the west coast main line by 2005 to Liverpool, and by 2008 to Scotland? It would be an opportunity to clear up some of the confusion that now arises over the scheme.

Mr. Hain: I will certainly ensure that the Secretary of State understands my hon. Friend's point. I know that my hon. Friend will also want to commend my right hon. Friend, however, on the expert way in which he is driving forward unprecedented investment in railway stock and in the railways, to try to deliver the first-class railway service that this country needs but of which it has been deprived for many long years, not least because of the abject failure of the Conservative party in government to invest in the railway system.

Bob Spink (Castle Point): May we have a debate on the impact of overdevelopment in the south-east, which has been forced on us, against the people's wishes, by the Deputy Prime Minister? We could consider the impact of that overdevelopment on communities such as Castle Point, where the quality of life is already severely affected by congestion and by the lack of investment in our infrastructure.

Mr. Hain: The Government are very concerned about congestion in the south-east and are taking action to do what we can to address it in terms of modernisation of our transport system and planning policy. The hon. Gentleman will understand, however, that powerful economic forces are at work in the south-east of England, which has been booming for a number of years. That is at the root of the problem. It is not easy to resolve that with any quick fixes.

Mr. Parmjit Dhanda (Gloucester): Is my right hon. Friend aware of my constituents, Mills and Poole, who served 13 years in prison for a murder that they did not commit? From answers to written questions over recent weeks, I understand that there are 58 people in this land in a similar position, who are waiting 182 days on average before their eligibility for compensation is assessed, and there are further processes to take place before they receive their compensation. That is a long time to wait for an interim compensation payment in relation to a crime that those people did not commit. Can my right hon. Friend prevail on the Home Office to make a statement on this issue?

Mr. Hain: One hundred and eighty-two days is indeed a very long time to wait. My hon. Friend will obviously understand that these claims must be properly assessed to conform to the correct procedures. I commend him on raising this matter, and I am sure that the Home Secretary will want to respond and look at the matter urgently, because it is a real concern, as he said.

Mr. Andrew Rosindell (Romford): The Leader of the House will be aware that we have regular opportunities to debate the affairs of Northern Ireland, Wales and Scotland. Although the House of Commons makes laws and decisions that affect the British overseas territories and the Crown dependencies, no debate ever takes place on those territories for which we are responsible. Will the Leader of the House allow the House to have an annual debate on the overseas territories so that we may discuss issues that relate to them, bearing in mind that the people who live there have no elected representation in the British Parliament?

Mr. Hain: The hon. Gentleman, of course, has the opportunity to apply for an Adjournment debate on a range of issues, and that subject could be one of them, if he wished.

Mr. Martin Salter (Reading, West): Will the Leader of the House give us some indication of when we shall have the opportunity to debate the higher education Bill and the flawed plans—in my view—to introduce student top-up fees?

Mr. Hain: We will obviously find time to discuss the matter and, indeed, it has been discussed regularly in Education questions and when the Secretary of State made his statement. I am sure that my hon. Friend would want to join me in opposing any policy that the Government could adopt that would echo the Conservatives' policy of denying at least 100,000 students the opportunity to study at university while plunging our universities into the financial chaos from which we have rescued them since we have been in government.

Paul Flynn (Newport, West): When can we discuss early-day motion 1902, which congratulates the

Government on their courageous and far-sighted proposals on identity cards, which will deal with the serious and growing problems of identity theft and fraud?

[That this House congratulates the Government on its far-sighted proposal to deal with the growing problems of identity theft and fraud; believes that conscientious objections to identity cards on the basis of liberty and privacy can be overcome by the use of zero knowledge protocol which will allow speedy identification while biometrically protecting confidential information which will not be stored on a central database; and is convinced that this protocol will make identity cards acceptable by also providing new access to services for users.]

The EDM urges the Government to examine ways in which objections on conscientious grounds about liberty and confidentiality could be overcome by using zero knowledge protocols, which would biometrically protect the confidentiality of the information and avoid the use of a central database. With that system in place, virtually all the objections to identity cards could be overcome.

Mr. Hain: My hon. Friend makes a very interesting point. As he knows, the Home Secretary announced the Government's intention to proceed with consulting on and taking forward a programme to introduce identity cards. He also knows that we are effectively a long way down that road, given the need for biometrics on driving licences and passports that is coming up. I am informed that it might not be possible to get into the United States of America in one or two years unless one carries a biometric because that is one of the security measures that the country is introducing. The Home Secretary will obviously consider my hon. Friend's suggestion.

Mr. Clive Betts (Sheffield, Attercliffe): I am sure that the Leader of the House recognises that we in Sheffield warmly welcome the substantial increases in funding for the national health service, which has produced improvements in the treatment of cancer, heart disease and other illnesses. However, I hope that he will arrange a debate on the priority—some would say the lack of priority—given to mental health services. The Sheffield community health trust recently announced an overspend for this year of £650,000, which has led to the partial temporary closure of a brand new respite care unit, among other things. We also have no 24-hour crisis intervention service in the city and there is inadequate funding for adult outreach services and early intervention services for young people. Will my right hon. Friend arrange for a debate so that we can give publicity to those issues and hopefully get more priority for those services?

Mr. Hain: Obviously, the issues to which my hon. Friend draws our attention are of concern and he will want to pursue them as a constituency MP. I am sure that he will agree that the Government have accorded mental health the status of being one of their four main priorities on health policy. There must be delivery across the board throughout the country, so perhaps the issue needs to be considered in the context of his Sheffield constituency.

Mr. David Kidney (Stafford): The water framework directive has massive implications for our water quality, supply and cost in addition to much broader environmental implications. The directive must be transposed into national law by the end of 2003. Department for Environment, Food and Rural Affairs officials tell me that our regulations are ready to be published but the House will consider them only under the negative procedure. Does my right hon. Friend think that the matter, which the Select Committee described as hugely important, will merit a full debate in Government time in December when the regulations appear?

Mr. Hain: I am grateful to my hon. Friend for raising the matter but he will understand that, with the Queen's Speech debate ending in early December and the need to send him and colleagues packing in time for Christmas, it is not possible for me to promise him such a debate.

Mr. John Lyons (Strathkelvin and Bearsden): Is my right hon. Friend familiar with early-day motion 1793 on the topic of the 60th anniversary of D-day?

[That this House notes that 6th June 2004 will mark the 60th anniversary of the Normandy landings; recognises the sacrifice made by thousands of service personnel on this day and throughout the Second World War; congratulates the Government on issuing free passports for those veterans wishing to travel to France to mark the anniversary but expresses concern at the apparent low key nature in which the United Kingdom Government intends to commemorate this day; and calls on the Government to ensure that the 60th anniversary commemorations are a fitting tribute to the veterans who will attend and honour all those who paid the ultimate sacrifice to protect our freedom.]

Several people raised the matter with me last weekend at Remembrance day services. They want the House to find a proper and sensitive way to commemorate the event, and I think that there would be all-party support for that.

Mr. Hain: I am sure that there would be such support. The Government intend to ensure that the D-day celebrations are an important commemoration of the sacrifices made and the courage shown by those who took part in the D-day operation. I, too, was involved in Remembrance day services. I was greatly moved by the first ever national Welsh Remembrance day service on Sunday, as I am sure was the whole House.

Mr. Gordon Prentice (Pendle): The House recently decided to pay some Select Committee Chairmen an additional £12,500 a year. However, there is no transparency about the way in which Members get on to Select Committees. Will my right hon. Friend the Leader of the House hold discussions with his opposite numbers in all political parties represented in the House and place in the Library a memorandum from each party specifying in some detail its procedures for putting Members on Select Committees?

Mr. Hain: This is obviously primarily a matter for the Committee of Selection but my hon. Friend makes an interesting suggestion. It would be valuable if the Conservative party and the Liberal Democrats—and other parties, no doubt—published details of the way in which they select Committee members. We in the

[Mr. Hain]

parliamentary Labour party have a transparent procedure. Nominations are invited—people may nominate themselves—and the names go to our parliamentary committee, which is the Executive of the parliamentary Labour party. Indeed, my hon. Friend sat on that parliamentary committee until a week or two ago. The parliamentary committee recommends names to the full membership of the parliamentary Labour party, so the process is fully transparent and democratic. The Conservative party and the Liberal Democrats should at least match that process and the House should know about their procedures.

Dr. Brian Iddon (Bolton, South-East): Has my right hon. Friend noticed the significant growth of all-party parliamentary groups in this Parliament? The upside of that is that hon. Members can attend meetings of interesting groups but the downside is that pressure is being put on room bookings and attendance at meetings of long-established groups is going down. Has the time come to undertake a review of all-party groups, taking into account the views of all right hon. and hon. Members?

Mr. Hain: I understand the points that my hon. Friend raises, especially about congestion with room bookings. The matter is primarily for the Administration Committee and the Parliamentary Commissioner for Standards rather than me, but I shall certainly look into it. My hon. Friend might be interested to know that one of the groups that was turned down for all-party group status was the Manchester United football supporters group. Speaking as a Chelsea fan, that gives me great pleasure.

Mr. Kelvin Hopkins (Luton, North): We have witnessed widespread failures across the board in all forms of privatisation. We have seen failing companies that work with local education authorities. There have been failures by Railtrack and the whole railway industry. The water industry has failed to invest in sewerage systems that need to be replaced because Victorian sewers are crumbling. There has been widespread failure in almost every area and we have heard comments today about PFI schemes, which are clearly causing problems and are horrendously expensive. Is it not time for my right hon. Friend to grant a thorough debate on the future of privatisation and whether we should think again about going back to proper public investment, which works better and is cheaper and publicly accountable?

Mr. Hain: I am sure that my hon. Friend also acknowledges that the Government have presided over record public investment in our infrastructure, including the areas that he mentioned, and public services. I would not want him to imply that that is not the case—I am sure that he does not. In addition, a great deal of private sector investment has been levered in through PFIs, whatever the problems associated with them—there is one in my county borough council and I know that there are issues to consider. My hon. Friend should not paint such a one-sided picture.

Shona McIsaac (Cleethorpes): Is it possible to have a debate in Government time, perhaps after the Queen's Speech—I realise there is pressure on next week's business—on the employment figures released this week, which were excellent news? In particular, I should like the debate to focus on the impact of the new deal on youth unemployment in every constituency the length and breadth of the land.

Mr. Hain: It would be very good to find time for such a debate. The Government's record on employment, including the figures announced today, is tremendous, as my hon. Friend implies. We have created a rise in employment of more than 1.6 million. More people are in work now than ever before in Britain's history and unemployment has come down. I am sure that the new deal has been a great success in her constituency, as it has in all constituencies, including mine.

Mr. Heald *indicated dissent.*

Mr. Hain: The hon. Gentleman shakes his head, but the figures speak for themselves. Some 810,000 people have been given job opportunities. The new deal has given many people in my constituency—lone parents, people with disabilities, people who have not worked for a long time and young unemployed people—the chance to work. They now have hope and opportunity. The Conservatives want to plunge those people back into the very despair that they reigned over in their 18 miserable years in office.

Kevin Brennan (Cardiff, West): We have codes of conduct for civil servants, special advisers, Members of the House and Ministers. Is there not a case for introducing a code of conduct for shadow Ministers, given the real possibility of conflicts of interest, and may we debate that?

Mr. Hain: It is a very interesting idea. Members are, of course, covered by the standards of conduct laid down by the House and set out in the Register of Members' Interests. Ministers are covered by the Government code of conduct, also approved by the House. There is, however, no code of conduct for shadow Ministers. The hon. Member for North-East Hertfordshire (Mr. Heald) may want to consider that, as, indeed, may the Parliamentary Commissioner for Standards.

Jeremy Corbyn (Islington, North): Will the Leader of the House confirm that the Sessional Orders that apply to the House also apply to access to the building by Members on a specific day when the House is sitting? Will he also confirm that demonstrations have frequently been held outside the Houses of Parliament during parliamentary sittings in the past five years? In light of that, it would be completely unreasonable to disallow a peaceful march to protest against the visit of President Bush next week from going across Westminster bridge and up Whitehall to the rally in Trafalgar square. Will the Leader of the House consult the Home Office on that so that arrangements can be made with the Metropolitan police to facilitate the march? While he is discussing those matters, perhaps

President Bush can do a question and answer session with Members of Parliament, because he appears not to be meeting any other members of the public during his visit.

Mr. Hain: I cannot comment on the details of President Bush's visit. Policing and the route of the march are matters for the Home Secretary and the Metropolitan Police Commissioner. I emphasise that the Home Secretary has made it clear that people have a right to protest, which will be upheld provided that it is conducted and exercised peacefully.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003 (Consequential Modifications No. 2) Order 2003 (S.I., 2003, No. 2752), dated 28th October 2003, a copy of which was laid before this House on 29th October, be approved.—*[Gillian Merron.]*

Question agreed to.

Extradition Bill [*Money*] (No. 2)

Queen's recommendation having been signified—

1.26 pm

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint) *rose—*

Mr. Nick Hawkins (Surrey Heath): On a point of order, Madam Deputy Speaker. You will be aware that the Extradition Bill only finished in another place at 6.19 pm last night and it is today's main business. Although the Clerks have been most helpful to me and the hon. Member for Orkney and Shetland (Mr. Carmichael), as has the Minister's private office, is it possible to bring pressure on the Government so that in future business that finishes in another place the night before is not our main business the following day?

The Government could have listed the Extradition Bill for debate next week, which would have placed much less pressure on servants of the House, such as the Clerks. It would also have enabled the House of Commons Library to brief Opposition Members on what has happened. The Government made significant concessions on points made by both main Opposition parties, but those were only put on the record in another place yesterday. Surely we need a gap between when such important business finishes in another place and when it comes to us, so that proper advice can be taken; otherwise, the Government have an unfair advantage because they know what they are going to propose and it is difficult for the Opposition parties to prepare for it.

Mr. Alistair Carmichael (Orkney and Shetland): Further to that point of order, Madam Deputy Speaker. I associate myself with the remarks of the hon. Member for Surrey Heath (Mr. Hawkins). There is no need for us to be in this highly unsatisfactory situation. The Bill went to Committee in January. As the hon. Gentleman said, matters were, by and large, resolved in the other place, but had that not been the case, we would have been, to all intents and purposes, unable to scrutinise the measures introduced in the other place and the substantial raft of Government amendments passed.

Madam Deputy Speaker (Sylvia Heal): I understand the difficulties outlined and the problems experienced by hon. Members and staff of the House in those circumstances, but it is not a matter for the Chair. The arrangements for the business of the House are not part of Mr. Speaker's responsibilities. It may have been more appropriate to raise that issue in business questions when the Leader of House was responding.

Mr. Paul Tyler (North Cornwall): Further to that point of order, Madam Deputy Speaker. That is precisely what I did just a few minutes ago. I am surprised that the Leader of the House was not prepared to respond to the points raised.

Madam Deputy Speaker: I beg the hon. Gentleman's pardon. The Leader of the House obviously heard what you said and he is present for this exchange. Perhaps the arrangements will be considered differently in future.

1.27 pm

Caroline Flint: I beg to move,

That, for the purposes of any Act resulting from the Extradition Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred by the Secretary of State under the Act.

The House will recall that a money resolution was duly tabled and passed at the conclusion of Second Reading in this House last December. Indeed, it was passed without debate or a Division. However, on closer examination after the Bill had reached another place, we discovered that the money resolution was not comprehensive enough and did not deal with one clause. That clause is clause 154 of the latest print of the Bill or clause 153 of the version of the Bill as it left this House for another place.

The clause deals with people who are extradited to the United Kingdom and then, for whatever reason, either not put on trial or acquitted. It provides that in such circumstances the person concerned can apply to the Secretary of State to have the costs of his or her return travel to the country from which he or she was extradited paid for out of public funds. Something very similar can be found in our existing extradition legislation in section 20 of the Extradition Act 1989.

It is an infrequently used provision. Nevertheless, I am sure that hon. Members will understand why it is desirable. If we are to use public funds to pay for the return travel of those extradited but not convicted, we need a money resolution to cover it. I apologise to the House for the fact that the original money resolution was not drawn widely enough to cover that, but I trust that hon. Members will be forgiving and agree to remedy that deficiency by passing this supplementary money resolution.

1.28 pm

Mr. Hawkins: I repeat what I said in my point of order: I am grateful to the Minister and, in particular, the private secretary and others in her office for their help, given the shortage of time. I have no difficulty agreeing to the money resolution. As the Minister says, it is unfortunate that the matter was not dealt with earlier, but she has apologised to the House on behalf of the Government for that. We would certainly not want to prevent those who are extradited but then not convicted from having the opportunity to apply to public funds for reimbursement. Each case would, of course, be considered on its own merits.

While we are on the subject of the costs incurred by British citizens who are dealt with by courts abroad, will the Minister undertake to look into a related matter? She will probably be aware that in Committee and in another place there was a great deal of discussion about the parallels with the British plane spotters in Greece, even though that was not an extradition case. Whenever any British citizen goes abroad to a face court they may well incur a large expenditure. I recently tabled questions to the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Sunderland, South (Mr. Mullin), because the British plane spotters who were arrested in Greece and had to surrender bail have not had their money returned. I received a reply only this week in which the Under-Secretary said:

"My right hon. Friends the Foreign Secretary and the Attorney-General have made no representations to the Greek Government to ensure repayment of the British plane spotters' bail money.

The Greek court released the bail money on 22 May 2003. One of the 12 has now received his money. The others are currently in dispute with their Greek lawyers, one of whom has taken out an injunction to prevent this money being released until a solution is agreed. This is now a private, legal dispute between the plane spotters and their lawyers."—[*Official Report*, 11 November 2003; Vol. 413, c. 205W.]

I realise that the Under-Secretary of State for the Home Department, the hon. Member for Don Valley (Caroline Flint), cannot give me an answer today, but when she is looking at the costs of British subjects who face the courts abroad, particularly people who receive as much publicity as the plane spotters, to whom we shall undoubtedly return when we discuss the substance of the amendments, will she undertake to talk her colleagues in the Foreign Office? The Conservatives believe that it is unacceptable that British citizens who were taking part in a perfectly lawful activity and should never have been arrested in the first place are now substantially out of pocket. According to the answer that I received from the Under-Secretary of State for Foreign and Commonwealth Affairs, the British Government are not helping them. They need help, and I am sure that the case will again attract a great deal of publicity if the Government do not provide it, so I hope that the Minister will undertake to talk to her right hon. and hon. Friends in the Foreign Office.

1.31 pm

Mr. Carmichael: The Minister well knows that hon. Members, particularly the hon. Member for Surrey Heath (Mr. Hawkins) and myself, are, by our very nature, forgiving people. We have no difficulty at all with the comprehensive and eminently sensible money resolution.

The hon. Member for Surrey Heath made some interesting, if not necessarily germane, comments about the plane spotters in Greece. If I recall correctly, he has a constituency interest, although I may be wrong. When we first heard about the plane spotters in Committee, there was snow on the ground, but it has now been replaced by autumn leaves. Unfortunately, however, the plane spotters' situation has not been resolved satisfactorily.

1.33 pm

Caroline Flint: I shall raise this issue with my colleagues in the Foreign and Commonwealth Office. To pick up a comment by the hon. Member for Orkney and Shetland (Mr. Carmichael), I have yet to be involved with a piece of legislation in which the hon. Member for Surrey Heath (Mr. Hawkins) did not have a constituency interest. He is a diligent constituency MP, and always makes sure that when we are discussing legislation, we have a realistic view of the way in which it affects people outside. I would not be surprised if he mentioned a number of his constituents in our debates today, as it would be quite right to do so.

I welcome the comments made by both hon. Gentlemen. All the main Government amendments were made on Report in the Lords, which finished two

weeks ago, and the Government amendments that were considered on Third Reading in the Lords were tabled a week ago, so I hope that there was time to look at them. I was pleased to receive thanks from the hon. Gentlemen for the way in which the Department, particularly my private office, has helped them.

Question put and agreed to.

EXTRADITION BILL (PROGRAMME) (NO. 2)

Motion made, and Question proposed, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following provisions shall apply to the Extradition Bill for the purpose of supplementing the Orders of 9th December 2002 and 25th March 2003:

Consideration of Lords Amendments

1. Proceedings on Consideration of Lords Amendments shall be completed at this day's sitting and shall (so far as not previously concluded) be brought to a conclusion at Six o'clock.

2. The Lords Amendments shall be considered in the following order, namely, Nos. 3, 26, 27, 72, 74, 111, 1 and 2, 4 to 25, 28 to 71, 73, 75 to 110, 112 to 244, and any remaining Lords Amendments.

Subsequent stages

3. Any further Message from the Lords may be considered forthwith without any Question put.

4. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Gillian Merron.]*

Question agreed to.

Orders of the Day

Extradition Bill

Lords amendments considered.

Mr. Deputy Speaker (Sir Michael Lord): I must draw the attention of the House to the fact that privilege is involved in Lords amendment No. 157. If the House agrees to the Lords amendment, I shall ensure that the appropriate entry is made in the *Journal.*

Clause 2

PART 1 WARRANT AND CERTIFICATE

Lords amendment: No. 3.

1.35 pm

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I beg to move amendment (a) to the Lords amendment.

Mr. Deputy Speaker: With this we may discuss Government amendments (b), (c), (d) and (e).

Caroline Flint: I invite the House to agree the to the Government amendments to the Lords amendment. We are trying to preserve the spirit of the Lords amendment while, at the same time, using language that is suitable for a piece of UK legislation. We are concerned about the information that an incoming Part 1 warrant should contain. In the Government's view, the Bill is explicit about that, but in another place Members took a different view. In particular, they decided to import wording from the framework decision on the European arrest warrant into the Bill. We have no objection to that in principle, but it is much more sensible to use language that can be readily understood by people in this country, and which has been prepared by our expert parliamentary counsel.

We therefore propose to remove the requirement that the warrant should contain details of the nature and legal classification of the offence, as well as the applicable statutory provision, replacing it with any provision of the law of the category 1 territory under which the conduct is alleged to constitute an offence. Basically, what does the requesting country think that the person has done, and how is its law applied? I am sure that hon. Members will recognise that that is a slightly neater and more straightforward formulation. I should also make it clear for the avoidance of doubt that there is already a separate requirement to give details of the sentence that could be passed.

Similarly, we are replacing a description of the circumstances in which the offence was committed with details of the conduct alleged to constitute the offence. It is important that the person's acts, not the reasons why he or she committed the offence, should be clear. The term "circumstances" could lead to confusion. The requirement is therefore expressed more neatly and clearly and in keeping with the way in which our legislation is usually drafted.

We are seeking to remove one part of the Lords amendment without replacing it—the requirement that the warrant should contain information about the

[Caroline Flint]

degree of participation in the offence by the requested person. I am not sure that I understand what that means or why it is relevant. For extradition purposes, it does not matter whether the person is the ringleader or an accomplice, provided that they are alleged to have committed an extradition offence. For example, it does not matter whether someone was waving a sawn-off shotgun at the bank teller or driving the getaway car—it is the offence that is important. Clearly, the nature of participation may be an important consideration in the eventual trial and determination of sentence, but for the purposes of extradition to another EU country it is not relevant.

As I have tried to suggest, we have sought to accept the spirit of the amendment made in another place, while ensuring that the drafting is as clear and effective as possible. I invite the House to accept the Government amendments.

Mr. Nick Hawkins (Surrey Heath): As I said earlier, only this week did the Government say that they were prepared to start to climb down in the face of the defeats that they suffered in another place. Even though it was a last-minute concession, or at least a meeting of the Opposition parties halfway, it was nevertheless welcome. I do not hold the Minister responsible in any way. Her predecessor, the hon. Member for Coventry, North-East (Mr. Ainsworth) was very intransigent in Committee, but he has now resumed his role as the Government hard man or deputy Chief Whip. Baroness Scotland met my noble Friend Baroness Anelay of St. Johns, who is my party's spokesperson in another place, only on Tuesday afternoon, and discussed the climb-down that the Government were proposing to make.

We have found that the Government are meeting us about halfway on this matter. Even though that is welcome, we have said throughout the proceedings on this Bill and in Committees in both Houses that the warrant relating to the extradition of a British citizen to a category 1 country should include detailed and specific information. Of course, the Opposition still have fundamental objections to the concept of the European arrest warrant and the way in which minor administrative judicial officials in other countries, working as investigators, juges d'instruction or the like, may be able to require the extradition of UK citizens, while the British courts will be unable to look behind the warrant. We maintain that objection.

Yesterday, the Home Secretary referred in his statement on identity cards to the distinguished writer Frederick Forsyth and told us that he regarded him highly as a writer, but not as a political commentator. I regard Mr. Forsyth highly in both capacities, however, and I refer my hon. Friends and those outside the House who take an interest in these matters to his trenchant and accurate comments on this issue. I was reminded of his prescience in looking at the European arrest warrant, as well as the Government's proposed amendments to allow more to be included on the back of it, when I was stuck in traffic yesterday listening to a recording of one of his brilliant Saturday morning Radio 4 essays, which were broadcast before the BBC revealed its bias and took him off the air.

Unfortunately, despite the strong views on this matter that we expressed in Committee and in another place, the rules constraining today's proceedings allow us to debate only the matters coming from the Lords and the way in which the Government are responding to the defeats that we inflicted on them there. The Government's halfway house proposal is an attempt to soften the blow by ensuring that the warrant contains some details about what the requesting country alleges against the UK citizen. We hope that that may enable challenges if requesting countries make inappropriate requests and the warrant is clearly defective because it does not provide what amendment (a) will require.

I should stress, however, that that does not entirely allay our fears, and I wish to refer briefly to what my noble Friend Lord Lamont and some other noble Friends said yesterday in another place in furthering the concerns expressed by distinguished jurists and commentators such as Leolin Price, QC, and Torquil Dick Erikson, who have helped us a great deal. Lord Lamont spoke about the difficulty that may arise if British citizens find that they are being summoned abroad on the basis of code Napoleon and corpus juris-type requirements. At column 1412 of *Hansard*, he expressed concern about the way in which British citizens' rights may be trampled on by people investigating matters rather than prosecuting them.

None the less, the European arrest warrant will now have to contain the details that we regard as equivalent to the legal classification of the offence in question, as set out in the original Opposition amendment and in the European framework decision. We will discuss the list of offences later in respect of Lords amendment No. 236. I understand why the Government do not feel able to include reference to the degree of participation, as we suggested in the original amendment, on which we defeated them. They believe that there is a danger that the question whether somebody was a ringleader, as the Minister puts it, or one of the hangers-on in an offence might cause confusion and create a loophole.

That is why we have agreed, however reluctantly, to accept the Government's halfway house, but we still feel very strongly that, because extradition cases may now be much more common, as my noble Friend Lord Lamont said yesterday in another place, there may still be occasions on which somebody is arrested and brought before foreign courts without the degree of protection that British citizens have previously been able to expect.

Mr. Alistair Carmichael (Orkney and Shetland): We have had confession and forgiveness from the Minister, and now we apparently have repentance, even though it has come at the eleventh hour, as the hon. Member for Surrey Heath (Mr. Hawkins) said. None the less, the Liberal Democrats welcome that repentance, which represents a significant improvement. Indeed, it is a tribute to the manner in which business is done in another place. I should like to observe in passing, however, that it is regrettable that one sometimes has to debate such matters in this place four times before the argument is finally accepted and that it is sometimes not the force of argument, but the force of timetabling, that seems to carry the day.

1.45 pm

As I said, the safeguards that are being introduced are important and should be included in the Bill. The one significant change that the Government seek to make to the Lords amendment is the exclusion of the reference to the degree of participation. I agree with the hon. Member for Surrey Heath that that represents an improvement to the amendment, which strays from what we wanted the warrant to include and relates to what is properly a matter of evidence. It is important that such distinctions are maintained.

I commend the Government for having taken the point that was made and improved on it.

Caroline Flint: I welcome the support of the hon. Members for Surrey Heath (Mr. Hawkins) and for Orkney and Shetland (Mr. Carmichael). We try to show that we are a listening Government and ensure that the process of scrutinising legislation—in the case of extradition, it is very detailed legislation—is seen to work, and I commend my noble Friend Baroness Scotland for all her endeavours in that regard.

Obviously, we want to introduce legislation that clearly respects the rights of British citizens while recognising that the European arrest warrant has huge benefits in terms of securing effective arrests and a more open and transparent way of ensuring that nobody who commits a crime can escape the consequences by crossing a border. The measures in the Bill and the tightening up provided by the amendments will further reassure people about the way in which the European arrest warrant, and consequently extradition, will be applied.

Government amendments (a) to (d) agreed to.

Lords amendment No. 3, as amended, agreed to.

Clause 20

CASE WHERE PERSON HAS BEEN CONVICTED

Lords amendment: No. 26.

Caroline Flint: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment (a) in lieu thereof, Lords amendment No. 111, Government motion to disagree thereto and Government amendment (a) in lieu thereof.

Caroline Flint: I invite the House to disagree with the amendments made in another place, and to agree to the amendments in lieu tabled in the name of my right hon. Friend the Home Secretary. I shall seek to demonstrate that we have accepted the substance of the amendments made in another place.

The Bill contains detailed provisions to cover a situation in which we receive an extradition request for a person convicted in absentia. They reflect the approach that the UK has always adopted, although I should add the rider that in absentia cases are very rare. The Bill provides that, where we receive a request in respect of a person who has been convicted in absentia, the judge, after considering all the main bars to extradition, must decide whether the person deliberately absented himself from his trial. Clearly, if the person deliberately absented himself by not turning up for the trial or escaping from custody, he should not be entitled to any special treatment. However, if the judge concludes that the person did not deliberately absent himself, he can order extradition only if the person will be entitled to a retrial or a review amounting to a retrial. The reference to a review is intended simply to reflect the fact that not every other EU country uses the same terminology as we do. However, a review has to have the same features as a retrial in order for extradition to be permissible in those circumstances. A retrial differs from an appeal. An appeal starts from the basis that the original verdict stands unless the court finds to the contrary. A retrial, by contrast, begins with a blank sheet of paper with the case against the person having to be proved afresh.

That is the background. Let me now say more about the amendments. In another place, the clauses dealing with in absentia convictions were amended to specify more precisely the features that a retrial or a review should include. Three particular features were specified—the right to be present at the trial, the right to call and cross-examine witnesses, and the right to legal aid. There can clearly be no objection of principle to those important features of any fair trial. We think, however, that some improvement could be made to the wording. That is hardly surprising, since the Government, unlike opposition parties, are able to call on the services of our expert parliamentary counsel, who are always there to serve us.

Accordingly, the Government amendments achieve broadly the same results—but they do so in a slightly different way. They provide that the judge cannot conclude that that which is on offer amounts to a retrial or a review, and therefore cannot order extradition, unless the person has the right to legal assistance or legal aid—if he lacks means—and the right to cross-examine witnesses and call his own witnesses. The wording that we adopted is drawn straight from article 6.3 of the European convention on human rights, so it has an impeccable pedigree.

On the third right that was dealt with in the amendment passed in another place—the right to be present at the retrial or review—we simply do not believe that we can create an absolute right of that kind. As hon. Members will be aware, no such absolute right exists in this country. A judge at a trial has the power to order a person to be removed from the court if he is being abusive or disruptive. Exactly the same is true in other countries. We have to respect that, which is why the Government amendments in lieu do not refer to the right to be present.

With that explanation, I hope that hon. Members will feel that the Government have gone as far as possible to meet the concerns that were expressed in another place. I therefore invite this House to agree to the Government amendments in lieu of those that were made in another place.

Mr. Hawkins: Once again, the Government have responded to a defeat that was inflicted on them in another place by my noble Friends, those of the hon. Member for Orkney and Shetland (Mr. Carmichael) and one or two Cross Benchers. I agree with the hon.

[Mr. Hawkins]

Member for Orkney and Shetland that given that the Bill is pretty much a year old—we debated it in Committee as long ago as January—it is a great shame that we finally have these last-minute concessions only because the Government were worried about fighting on too many fronts in the last few days of the Session and did not want a kind of ping-pong between the two Houses on several Bills at once. Nevertheless, the concessions are of course welcome.

We defeated the Government on these matters in another place on 27 October—the debate starts at column 32 of that day's *Hansard*. We were seeking to provide further vital protection for UK citizens who may face extradition to countries with legal procedures that are very different from our own. We debated that at length in Committee back in January. Many organisations on both sides of politics—whether Liberty and Justice on one side, or the Freedom Association and the Democracy Movement on the other—expressed great concern about the provisions on the European arrest warrant. Organisations such as Fair Trials Abroad pointed out that because procedures in other countries are so different, the Bill needs to provide extra protection, especially in cases involving extradition for the purposes of retrial after conviction in absentia. As recently as yesterday, my noble Friends Baroness Anelay of St. Johns, Lord Lamont of Lerwick and Lord Pearson of Rannoch and Baroness Carnegy, among others, expressed concern about legal procedures in countries such as Italy. My hon. Friend the Member for Stratford-on-Avon (Mr. Maples), who had hoped to speak in this debate but sadly cannot be with us because of other parliamentary commitments, has done likewise in respect of other countries, including Spain and France. I am very pleased that the Government have agreed, albeit at the last minute, to deal with that.

The Minister has now finally agreed that there must be a right to legal aid and to recall and cross-examine witnesses. A great deal of discussion took place yesterday and on 27 October about the examples cited by organisations such as Fair Trials Abroad to the effect that legal aid, as we understand it, is sometimes unavailable even in major European countries such as Spain, Portugal and France. My noble Friend Lord Lamont, in particular, referred to that.

The Government have made it clear that all UK citizens who are extradited must have the benefit of their rights under the European convention on human rights. We understand their wish, as reflected in their amendments, not to create any loophole that might enable someone to escape a deserved extradition simply by not being present in court. That was the basis of the discussions between the Minister's noble Friend Baroness Scotland and my noble Friend Baroness Anelay on Tuesday afternoon. Our intention, as the Government recognise, was to avoid an overseas country being able to hold an improper retrial, or trial in absentia, of a UK citizen.

We are glad that the Government have accepted with good grace the defeat that we inflicted on them in another place, and we are reasonably content with their compromise version of our amendment. We wish, however, that it had not been necessary to keep pressing them—on three or four occasions, as the hon. Member for Orkney and Shetland said. In all the previous debates, we were told that they had no plans whatsoever to give way; only at the very last minute, faced with the danger of ping-pong between the two Houses at the end of the Session, do we get some common sense. It would surely be better had the Government conceded this vital point at a much earlier stage, as they could have done.

Mr. Carmichael: The hon. Member for Surrey Heath (Mr. Hawkins) made repeated reference to his noble Friend Lord Lamont of Lerwick. I may represent one of the smaller constituencies, but we in the northern isles punch above our weight in terms of our contribution to proceedings in both Houses.

The Minister said that in absentia trials are relatively uncommon in this country. Indeed, they are extremely rare. I can think of only a small range of very minor offences, such as those under the vehicle excise duties legislation, where trials can be held in the absence of the accused. The situation is very different in other continental jurisdictions—in France, for example, one can be tried in absentia on a charge of murder. This is an important protection, and I am delighted that, albeit at this late stage in the proceedings, the Government have been persuaded of the merits of the arguments that were put to them in Committee and in the other place.

The availability of state-funded legal assistance is important. The hon. Member for Surrey Heath speaks with justifiable pride of the practice in United Kingdom jurisdictions in that regard. Although I understand that that is a 20th-century phenomenon south of the border, the Minister may know that an Act of the Scots Parliament some time in the 15th century first provided for that north of the border. I am therefore delighted that those south of the border have been able to catch up with us over time.

The right to be present at a retrial or review and to cross-examine witnesses is also important. I commend parliamentary draftsmen and counsel for their elegant re-expression of the provision, and the Minister for reintroducing the amendment in a way that does not significantly disturb the sense of the Lords amendment. Liberal Democrat Members have no difficulty with the amendments in lieu.

2 pm

Caroline Flint: Again, I thank hon. Members for supporting the Government amendment. It is designed to deal with those who commit crimes while ensuring that they have the protection that they deserve.

Lords amendment disagreed to.

Government amendment (a) in lieu of Lords amendment No. 26 agreed to.

After Clause 21

Lords amendment: No. 27—a new clause.

Caroline Flint: I beg to move, That this House disagrees with the Lords in the said amendment.

I invite hon. Members to agree to remove the new clause, which was inserted on Report in the Lords. It is unnecessary and inappropriate, as I shall endeavour to explain. Extradition is a classic balancing act, involving the rights of the person whose extradition is sought on

the one hand, and the need for society to ensure that those accused of serious crimes are swiftly brought to justice on the other.

The Government believe that the Bill strikes the right balance between the rights of the fugitive and the interests of justice. We have built several important safeguards into the extradition process. Many are the same as those in existing extradition legislation but the most important of them are new.

To ensure that the requested person's human rights are fully considered and safeguarded, we have included specific bars to extradition on the ground of human rights in part 1 and part 2—clauses 21 and 86 in the copy of the Bill that we are examining today. Those clauses are unambiguous. They provide that a judge must refuse to extradite a person if the extradition would be incompatible with the fugitive's convention rights under the Human Rights Act 1998. If extradition would breach the fugitive's rights under the European convention on human rights, it must not and cannot take place.

Not only does that protect against infringing individual rights in this country, but ECHR case law has clearly established that those obligations extend to the fugitive's likely fate if he is extradited. If there is a significant risk that his rights under ECHR will be breached when he is returned to the requesting state, we cannot extradite. That is important, and it might help hon. Members if I gave an example.

The key case is that of Soering. In its judgment in that case, the European Court of Human Rights stated:

"It would hardly be compatible with the underlying values of the convention, were a contracting party knowingly to surrender a fugitive to another State where there were substantial grounds for believing that he would be in danger of being subjected to torture, inhuman or degrading treatment or punishment, however heinous the crime allegedly committed. Extradition in such circumstances would be plainly contrary to the spirit and intent of Article 3."

On article 3, the Court stated:

"The decision by a Contracting State to extradite a fugitive may give rise to an issue under article 3 and hence engage the responsibility of that State under the convention, where substantial grounds have been shown for believing that the person concerned, if extradited, faces a real risk of being subjected to torture or to inhuman or degrading treatment or punishment in the requesting country."

The Court went on to explain that article 6 issues could arise in extradition proceedings when there was a significant risk of the denial of a right to a fair trial in the requesting state.

Not only do our procedures have to comply with ECHR, but we could not extradite where there was a significant risk that the procedures in the requesting state would result in a breach of the fugitive's convention rights. We should be in no doubt that fugitives and their lawyers will not be slow to use the provisions and take every opportunity to argue that ECHR protection means that extradition should not take place.

That brings me neatly to the amendment that was made in another place. It inserted a new clause that contains four subsections, with which I should like to deal. The first subsection requires the district judge to have particular regard to article 6.3 of the ECHR. As I am sure hon. Members know, article 6.3 guarantees the right to a fair trial and refers to minimum rights, including the rights to mount a defence, to have publicly funded defence lawyers, to call and cross-examine witnesses and to have an interpreter if necessary. Although those rights are important, I do not understand why the article needs to be singled out.

As I said, those who represent fugitives will doubtless try to argue that extradition should be barred on the ground of the ECHR. In many cases, their submissions will be built around likely breaches of article 6.3. However, there will be times when it could be argued that extradition would lead to breaches of articles 2, 3, 4, 5 or 6.2, to name a few. A breach of any would be serious, and the district judge would need to give all such arguments serious consideration. I do not understand why we should draw attention to one specific article, almost suggesting that breaches of other articles are a lesser matter. I am sure that those who devised the amendment did not intend that, but we should avoid that inadvertent effect. We should trust our judges to consider all possible ECHR breaches carefully.

Subsection (2) of the new clause would enable the judge to accept a written assurance from the requesting state that the person's rights under article 6.3 will be properly observed if he is extradited. Apart from the general point that we should not single out article 6.3, the provision is unnecessary because the Bill already covers its substance. As the measure is currently drafted, it is open to the fugitive and the requesting state to make representations to the district judge on the ECHR question, to advance arguments and to present evidence—written or otherwise.

In accordance with normal practice, the district judge will weigh up the evidence and arguments and reach a decision, which can be subject to appeal. In the course of that, it is open to the requesting state to submit evidence to the judge—in writing if it wants—about its procedures or any other matter in an attempt to demonstrate that the person will receive a fair, ECHR-compliant trial. The judge will decide how much weight to attach to such assurances. I cannot understand what subsection (2) of the new clause would add, given that the requesting state can already give written assurances.

Subsection (3) would require the Secretary of State to monitor proceedings once the person had been returned. A moment's thought would demonstrate that that was not practical. Apart from practical difficulties and the costs, on what basis would the monitoring be carried out? How would the monitors decide whether rights under ECHR had been upheld? I fail to understand how the provision would be workable.

The amendment ignores the fact that the UK has had extradition relations with a variety of countries throughout the world for more than 100 years. We conduct a large proportion of our total extradition traffic with EU member states and we have not previously believed it necessary for the Secretary of State to monitor their internal systems. If the position in countries to which we already extradite were as bad as the amendment implies we would have stopped extraditing to them many years ago. Furthermore, for the UK unilaterally and directly to monitor other EU member states' judicial systems, whether generally or specifically in extradition cases, would be a flagrant abuse of their sovereignty.

[Caroline Flint]

I am sure that the House will appreciate that the UK would take great exception to other countries taking such drastically intrusive measures in respect of our procedures in this country. How would we feel if every time we got someone back from another country, they were accompanied by an official representative of that country checking on whether our criminal justice procedures were fully up to scratch?

Subsection (4) would require the Secretary of State to bring any deficiencies that the monitoring process highlighted to the district judge when he considered fresh requests from that country. I doubt whether that will be necessary, as a fugitive will not hesitate to bring any human rights breaches to the attention of the judge, especially when the circumstances are similar. If a person is wanted by country x, the fugitive will be quick, if it helps his cause, to point out what happened to the last person who went from Britain to that country.

There are deeper objections to the final part of the new clause. Requiring the Secretary of State to intervene in any subsequent cases involving requests from a particular country would effectively make the Secretary of State a party in an extradition case, and could have serious diplomatic ramifications if the requesting state took exception to his intervention.

While it is true that the Secretary of State is currently involved in extradition cases, and will remain involved in part 2 cases, he very deliberately acts in a quasi-judicial fashion. Asking him to intervene to comment on the quality of another country's criminal justice system is a very different matter. On the other hand, if the Secretary of State did not become involved in a particular case, the fugitive could seek judicial review of the Secretary of State's decision not to intervene in his case. Of course, we would expect the vast majority of such attempts to fail, but we would nevertheless be bringing in another avenue of challenge and delay of exactly the sort which plagues our present system and which we are trying to avoid.

It is already the job of the judge at the extradition hearing to determine under the human rights bar whether extradition poses a threat to the fugitive's convention rights. If there is a significant risk of article 6.3—or indeed any of the other convention rights—being breached in the requesting state, the bar to extradition will apply. The person will not be extradited. That could not be clearer and, indeed, the Bill has been given a clean bill of health in this regard by the Joint Committee on Human Rights.

Ultimately, we have to decide whether we trust our extradition partners. We have had that trust in other European countries for more than 100 years. If we trust them, we should be prepared to extradite to them without putting in place a complicated monitoring system as envisaged by the new clause. In the light of all that, I see no need for the new clause. I apologise for having spoken at some length, but these are important issues and I wanted to take the opportunity to explain the difficulties that we have with each part of the new clause. I hope that the House will see fit to remove it and send the Bill back to another place on that basis.

Mr. Hawkins: I certainly do not think that the Minister need apologise for speaking at some length, because we all recognise that these are important matters. The new clause, which the Government are now seeking to remove, was introduced by Lord Goodhart in another place on behalf of the Liberal Democrats, but with very strong support from my noble Friend Baroness Anelay of St. Johns and other noble Friends, including Lord Lamont of Lerwick, to whose comments I shall refer in a moment.

The Conservatives are sorry that the minimum procedural rights clause—clause 22—which was inserted in another place, is to be removed. However, we have reluctantly agreed, in the light of the Government's helpful concessions on other matters, that we understand why the Minister believes that some of the monitoring might not be workable, and that the Government believe that highlighting article 6.3 of the European convention on human rights might suggest—although we never intended to; nor, I am sure, did the Liberal Democrats—that the rest of the ECHR was somehow less important. Nevertheless, it is important, particularly in the light of what the Minister has said, to refer to some of the reasons why we think that these issues remain important, even if, somewhat to our regret, the Government have decided that they cannot live with clause 22 and that it will be removed.

We believe that certain minimum procedural rights need to apply to any British subject who might be extradited, because of the concerns that have been expressed by organisations such as Fair Trials Abroad. The issue of British citizens being able to understand proceedings in another language is crucial, and I am sure that the Minister will say that the ECHR provisions elsewhere in the Bill will cover that. I should like to refer to what Lord Lamont of Lerwick said in another place on 27 October:

> "I recently watched a television documentary about a famous sporting English figure who was tried in France. When asked what he thought about the court verdict, which went against him, he said 'I did not understand a word of the proceedings'. I am not commenting on that case, but a person should not have to go through legal proceedings"—

in one of our fellow EU countries—

> "without understanding a word of what is said.
>
> The second point on which a person can be at a huge disadvantage is not having legal aid. There was criticism in the famous case involving plane-spotters in Greece about the quality of lawyers provided."

I was involved in the case of a British lorry driver who was arrested in Patras, Greece, earlier this year. He was put on trial in a Greek court within 24 hours. He was not given a choice of lawyer, and a local jeweller was pressed into service as an interpreter simply because he understood some English. That is clearly unacceptable, and is the kind of occurrence that led to the minimum procedural safeguards being introduced in another place in clause 22.

2.15 pm

I had the opportunity to raise that particular case with her Majesty's ambassador to Greece, Mr. David Madden, and he and the consul in our embassy in Athens were enormously helpful when I visited them at Easter this year. Coincidentally, while I was in Greece I

happened to meet a couple of United States federal marshals who had gone over to Greece from Seattle to try to extradite a drug smuggler and counterfeiter. I was able to have a very useful conversation with them about the different ways in which extradition procedures work. They were concerned to hear about the issues relating to the lorry driver, David Wilson, which I had been raising with our ambassador and consul.

British citizens who get into difficulties are very well looked after by ambassadors and consuls all round the world. With the new European arrest warrant—about which the Conservatives have strong reservations—and this new legislation coming in, we wanted to ensure that ECHR protections were incorporated in the Bill for the benefit of our citizens. My noble Friend Lord Lamont of Lerwick pointed out that, in the case of the plane-spotters, one was

"a lady who merely sat in a car reading a newspaper"—

while the plane-spotting was going on.

"Most people would have thought that she should have a separate lawyer."

That was not the case.

"There is an absence of adequate legal aid in many Mediterranean European countries."—[*Official Report, House of Lords*, 27 October 2003; Vol. 654, c. 41.]

That applies even within the EU, as my hon. Friend the Member for Stratford-on-Avon (Mr. Maples) described extensively in Committee.

One reason my noble Friend Lord Lamont of Lerwick and I have been so uneasy about the Bill is that when the Government say that people should not evade justice by crossing national borders, they do not seem to acknowledge that British people in other countries are at a tremendous disadvantage when the legal proceedings under systems such as the Code Napoléon are unfamiliar to them. Similarly, non-British persons who had never visited the UK before might find themselves at a disadvantage before our courts. That is why we must have safeguards in relation to extradition proceedings.

In the light of the Government's concessions on other matters that we are debating today, we reluctantly accept that they are going to remove clause 22, but I am glad that the Minister at least acknowledged that this proposal from the Conservatives and Liberal Democrats in another place represented a worthy aim, and that we were trying to introduce an extra level of protection for British subjects. I am glad that she has put it on record today that she believes that all the things we intended to do in clause 22 are covered in other parts of the Bill. I would not want, in accepting the Government's view on this matter, to suggest that we are totally happy with the European arrest warrant or with everything that the Government are putting forward. We are not. We continue to have massive concerns about the European arrest warrant, as the Minister knows. Very reluctantly, however, in the light of the other concessions, we will go along with the Government on this.

Mr. Carmichael: Yet again, I can say that the Liberal Democrats are broadly content with the totality of the deal that has been struck. The hon. Member for Surrey Heath ((Mr. Hawkins) said that the Conservatives had arrived at their position with some reluctance, and we can understand that. I am pleased with the Minister's assurances that the aims that we were seeking to achieve, particularly in relation to article 6.3 of the ECHR, might be achieved in other ways. I also take on board the Minister's comments about the Secretary of State's role, as it would be under the new clause. I think it was confused, and would be confusing.

The hon. Member for Surrey Heath said that the clause had been added at the instigation of my noble and learned Friend Lord Goodhart, albeit with Conservative support. I pay tribute to him for all he did: he brought a wealth of experience to the proceedings, allied to good sound Liberal principles. I do not think I am giving away any secrets by saying that last night I received a memorandum from him about the arrangements arrived at in the other place. It says:

"The Government says that the new clause is unworkable (probably correctly!)"

I think it fair to say, apropos my earlier comments, that repentance will clearly not be the sole provenance of Ministers today.

Caroline Flint: Let me first confirm that the ECHR deals with the language issue. It guarantees the right to an interpreter if that is necessary, which is entirely right.

I welcome the endorsement of Opposition Members. As was pointed out by the hon. Member for Orkney and Shetland (Mr. Carmichael), we can always present ideas but those ideas are always open to further scrutiny and change, regardless of which side of the House is involved.

Lords amendment disagreed to.

Clause 63

EXTRADITION OFFENCES: PERSON NOT SENTENCED FOR OFFENCE

Lords amendment: No. 72.

Caroline Flint: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may take Lords amendments Nos. 74, 77, 154, 219, 222, 223 and 236.

Caroline Flint: Let me first deal with Lords amendments Nos. 72 and 74. Under the terms of the framework decision on the European arrest warrant, we are obliged to remove the dual criminality requirement for offences falling within the list if they attract a penalty of three years' detention or more in the requesting state. The Bill originally went further by removing the dual criminality requirement for list offences attracting a one-year penalty or more. It was amended in another place to bring it more closely into line with the terms of the framework decision. The Government continue to believe that there is no reason in principle why the United Kingdom should not exceed its international obligations when we think it is in our interests to do so, but on this specific point we recognise the strength of feeling in another place, and are keen to try to accommodate it.

As the House knows, we have been investigating the offences that are on other EU countries' statute books but have no counterpart in the UK. We have found very

[Caroline Flint]

few, which is hardly surprising. I am sure Members would expect all EU states to have similar ideas of what constitutes criminal conduct. The practical consequence is that it is hard to conceive of circumstances in which a person might be accused of an offence in another EU country that attracts a penalty in the one-to-three-year bracket but which would not constitute a criminal offence in this country.

Accepting the amendments, as we propose to do, should not result in the extradition of fewer people. We can therefore respond to the evidently strong and sincere feelings in another place safe in the knowledge that we will not, as we feared originally, be offering sanctuary to those who have committed serious crimes elsewhere in the EU.

The other amendments seek to include the generic list of offence categories in the Bill. I know that both Opposition parties wanted that, and I am glad that we have been able to oblige. We have also ensured that the list can be amended only to reflect changes agreed at European level—although I hasten to add that we know of no plans for changes—and only by order subject to the affirmative resolution procedure. That is exactly in line with the recommendation of the Home Affairs Committee.

Let me say a little more about the list. Various people have commented critically that the UK does not have offences of, for instance, swindling or xenophobia. The point is that the items in the list are not intended to be precise offences; it is a list of broad categories. While the UK has no offence described as swindling, plenty of our fraud offences fall into that category. Similarly, much of our race relations legislation falls into the racism and xenophobia category. As we have said before, we generally have much more extensive and developed race relations legislation than other EU countries.

One of the great advantages of the European arrest warrant, along with the list, is that it will enable us to extradite those who come to this country and breach our laws. If someone comes to the UK from Portugal and, while here, incites racial hatred, we shall for the first time be able to secure his extradition. Had we adopted the Conservative stance, that person would have been able to act with impunity. We are still waiting for the Conservatives to explain how that can be in the interests of justice.

The European arrest warrant offers real benefits to this country. The hon. Member for Surrey Heath (Mr. Hawkins) has tried to be consensual and supportive in general, but when it comes to this issue he breaks in every now and again with a little snipe against the warrant. We do not think anyone should be allowed to go to another EU country, break its law and expect to get away with that. We have been happy to respond to the Opposition parties' request by including the list.

Mr. Hawkins: We are very pleased about the major concessions made by the Government following the defeats that we, the Liberal Democrats and others inflicted on them in another place. There was a great deal of debate in Committee. This was the first group of amendments we discussed when we began the Committee stage here back in January. At that time, the hon. Member for Somerton and Frome (Mr. Heath) and I agreed that the Bill was "front-end loaded", in that so many of the big issues were being dealt with at the outset.

Mr. Carmichael: The hon. Gentleman, my hon. Friend the Member for Somerton and Frome and I have served on many Committees this year, but according to my recollection my colleague in this instance was my hon. Friend the Member for Torridge and West Devon (Mr. Burnett). It is an easy mistake to make.

Mr. Hawkins: I apologise. The hon. Gentleman and his hon. Friend the Member for Torridge and West Devon served on the Committee considering this Bill, but the hon. Member for Somerton and Frome and I have served together in the trenches during many Committee stages.

On this occasion, the Government were defeated by 115 votes to 107 in another place on 27 October. The record of the debate begins in column 66 of that day's *Hansard*. We are pleased that the Government recognise that the operation of dual criminality should mean that what we proposed all along will not create any loopholes, although I am rather sad that they took so long to do so.

I shall return shortly to issues relating to not gold-plating the European framework decision, because they were discussed both by us in Committee and in another place. But before I do so, I should point out that amendment No. 236 has been helpfully included in this group at my specific request. I am grateful to the Minister and her private office, and to the Clerks of the House, for Mr. Speaker's deciding literally a few hours ago that it should be so included, rather than being grouped with the mere drafting amendments at the end.

2.30 pm

The European framework decision list was debated at length in Committee and in another place. In Committee, we were taunted somewhat by the then Minister, the hon. Member for Coventry, North-East (Mr. Ainsworth), in respect of the Opposition parties' wanting to debate the framework list's contents and the fact that certain categories, such as xenophobia, are not—as the Minister herself concedes—precise. From our point of view, part of the mischief is the very point that she makes: they are broad categories. Part of our concern was that a British citizen might be subject to an extradition request in respect of an act that is not actually an offence in UK law.

My right hon. Friend the Member for West Dorset (Mr. Letwin) said on Second Reading, and I have said on many occasions, that we wanted part 1 of the Bill to apply only to terrorism, which is why we did not say in Committee that the entire framework list should be included in the Bill. However, following the debates in another place, and in the light of the Government's amendment No. 236, any British citizen who wants to see what extradition he or she might be subject to will at least be able to look at the categories in the European framework list.

We have not changed our view. We still think that the draconian measures in part 1 of the Bill should have been restricted merely to terrorist offences, and I

discussed with the Clerks whether it was possible, even at this very late stage, for me to amend the Government amendments to achieve that end. However, I was advised that it was not possible to draft an amendment that restricted part 1 only to terrorism; it was possible only to draft a restricting amendment that would have included part 3 as well, thereby affecting those whom we want to extradite back to the UK. Had I drafted such an amendment, the Minister would have said, "The Opposition are trying to drive a coach and horses through this Bill." *[Interruption.]* She is smiling, so I know that that is precisely what she would have done.

We are not trying to damage the Bill. We recognise that the Minister and Baroness Scotland have made a genuine concession, and we are very pleased that they accepted our point about the framework list. Even though we do not like the list very much, we would rather include it in the Bill than risk British citizens not seeing what they might be subject to. Moreover, we very much welcome the time limit change from 12 months to three years.

I want to refer briefly to what was said in Committee about the framework list and the time limit. We said that we were seeking to

"reintroduce the requirement for a possible sentence—for an offence for which someone is to be extradited—to be a minimum of three years. We should recognise that it always used to be three years: that was the minimum sentence specified in the framework directive. Instead, the Government want the sentence to be 12 months in accordance with previous extradition legislation".—[*Official Report, Standing Committee D*, 7 January 2003; c. 14.]

Our point, which we made throughout in Committee, is that there will probably be more extradition cases under the new provisions. The Minister's predecessor argued that the measure was first introduced in the Extradition Act 1989, but we said that that was not really a fair comparison. We referred at some length to the fact that even before we began our proceedings in Committee, the Labour-dominated Home Affairs Committee had said that it was not happy with the gold-plating of the framework directive. Given that Ministers were unable to convince their own colleagues on that Committee, I and other members of it, including my hon. Friend the Member for Upminster (Angela Watkinson)—she played a distinguished part in our proceedings, and I am delighted that she is on the Front Bench with me—felt that it was absolutely necessary not to gold-plate. One of the main complaints from British citizens is that we so often gold-plate a European Union measure and attach all manner of extra sanctions, and that as a result, our citizens are more put upon by the EU than are those of other EU countries.

The Government have accepted at the very last minute that, because of the dual criminality point that the Minister mentioned, no loophole is in fact being opened up, so we can return to the provision requested by us and by her own colleagues on the Home Affairs Committee, and in respect of which another place defeated the Government. This is very welcome, even though it has come very late. Members on both sides of the House can now say that as a result of the debates in Committee, on the Floor of the House and in another place, we will end up with a better and clearer Bill that will allow British citizens to see what the European framework decision really means. I do not agree with the Minister that broad categories are helpful. They will be a hindrance, and I predict that many cases will arise about the vagueness of the European framework list. But it is at least better that we be able to see what the Government are doing in the Bill.

Mr. Carmichael: I am delighted that the Government have now accepted amendments Nos. 72 and 74. If we have not quite achieved symmetry in this regard, we have certainly come full circle. As the hon. Member for Surrey Heath (Mr. Hawkins) said, these issues were debated in Committee on 7 January. I am delighted that, as we come to the end of the substantive part of our proceedings, we have managed to achieve some accord. I am pleased that the Government now accept that the gold-plating that the Bill previously sought to achieve is neither necessary nor desirable, and that the slightly intemperate language that was used in Committee about Opposition Members seeking to create loopholes was without foundation.

I want to place on the record my feeling of relief at the fact that, despite the application of his ingenuity, the hon. Member for Surrey Heath was unable to find a way to re-engage in the debate on the restriction of part 1 to terrorist proceedings. He said that the matter was debated fully, and it is probably fair to say that it was debated to within an inch of its life; it was certainly debated to within an inch of mine. However, the remaining string of amendments are significant and to be welcomed. It is certainly desirable that they be included, because they provide an important safeguard. When an Act has to be used daily by lawyers and practitioners, it is preferable that it contain as much of such information as possible. Indeed, the scope for confusion and for the giving of poor advice is minimised by including such information, so from a practical point of view—if nothing else—the amendments are to be welcomed.

I do not share the concern that the hon. Member for Surrey Heath expressed about the exact continuity between the nomen juris applied in foreign jurisdictions, and that which we would use in this country. I suspect that the difference between us is that he is a practitioner in England and Wales, whereas I was trained in Scots law. Scots law has a principle-based system, whereby the importance is not the name that is applied to an act, but the conduct that lies behind it. The Minister is right to say that the category of swindling, for example, could be well understood; it is clear that it could mean just about any species of fraud known to Scots law. To get too hung up on the label that we attach to an offence would not be helpful. I realise that the English and Welsh system approaches matters from a different standpoint: it is not a Roman or principle-based system, as ours is north of the border. I suspect that that is perhaps the genesis of the difference.

The restriction to terrorism in respect of part 1 only was not something that the Liberal Democrats were able to support. Interestingly, however, having reviewed the *Hansard* report of Committee proceedings, I saw that, although we had said that we would not support the Conservatives, my hon. Friend the Member for Torridge and West Devon (Mr. Burnett) and I recorded no vote at all. It could well be that at that stage were sufficiently bereft of the will to live even to express a preference.

Caroline Flint: I welcome most of the comments from Opposition Members. On the matter of the one or three-

[Caroline Flint]

year threshold, I was not party to this Bill from the outset, but I see nothing wrong in seeking to set a gold standard in Europe. Unfortunately, on this occasion, other European countries were not prepared to follow our lead on that matter, but our intentions were right and good—to ensure that serious criminals had nowhere to hide. For an offence that carries a sentence of more than one year, we felt that that should be applicable, but we did not secure the support of other European colleagues. We listened to concerns coming from another place, and indeed expressed in Committee, so we believe it is now right to support the amendments on the three-year threshold.

I am pleased with the comments of the hon. Member for Orkney and Shetland (Mr. Carmichael) about the list and about the difficulties of being too prescriptive or defining too clearly each and every individual crime. Unfortunately, we could have a recipe for paralysis there, given the nature of the Bill's intention to tackle serious criminals. I provided one example of swindling, but looking down the list I note that No. 11 deals with computer-related crime, which is quite a broad category. As the Minister responsible for dealing with high-tech crime, I know that technology is changing all the time, so being too prescriptive in defining individual crimes can be a problem. Sometimes it is necessary to have a broader-based category, but what is important is where the list sits in the context of the Bill.

We have already discussed some of the safeguards pertaining to the reasons for extradition, the use of the European arrest warrant and all the other associated procedures that would kick into action when a British citizen has committed an offence in Europe or when someone from elsewhere in the EU has committed an offence in the UK.

I generally welcome the comments that have been made in the debate and I ask the House to support amendments Nos. 72 and 74 and associated amendments in the group.

Lords amendments Nos. 72 and 74 agreed to.

Lords amendment No. 111 disagreed to.

Government amendment (a) in lieu of Lords amendment No. 111 agreed to.

Clause 1

EXTRADITION TO CATEGORY 1 TERRITORIES

Lords Amendment: No. 1.

2.45 pm

Caroline Flint: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Michael Lord): With this we may discuss Lords amendments Nos. 2, 4 to 25, 28 to 71, 73, 75, 76, 78 to 110, 112 to 153, 155 to 218, 220, 221, 224 to 235, 237 to 244.

Caroline Flint: This is a large group of amendments, which represents all the Government amendments that were passed in another place. I should explain why they have been grouped together: it is simply a reflection of the fact that all the amendments were welcomed in the other place. I can assure hon. Members that the Bill was subject to intense and rigorous scrutiny there, and there was no question of the Government trying to sneak anything into the Bill. Every single Government amendment was carefully examined and, I repeat, Opposition Members or Cross Benchers opposed not one of them. I hope that the House will take a similarly positive approach and that we do not spend time unduly on this group.

Having said that, I should like to make some brief comments about the amendments. Several deal with minor technical and drafting points, which is inevitable with a Bill of this size. However, quite a few make substantive changes to the Bill, and I should like briefly to highlight some of the more significant ones.

We are providing that the designation of extradition partners will be by the affirmative resolution procedure in line with the recommendation of the Delegated Powers and Regulatory Reform Committee in the other place. A part 1 warrant will be acceptable only if it has been issued by a judicial authority in the requesting state. We have imposed a requirement that any person arrested in an extradition case must be given a copy of the warrant as soon as possible, and we have put it beyond doubt that the partial removal of dual criminality cannot apply in any case where any part of the conduct occurred in the United Kingdom.

We have widened the extraneous considerations provision to ensure that extradition cannot take place in cases where the person would be disadvantaged on the grounds of gender or sexual orientation, and we have tidied up the evidential provisions and clarified the rules on the receivability of documents. As we have already discussed, we have put into the Bill the generic list of 32 offence categories for which dual criminality is partially removed, and provided that it can be amended to reflect changes only at European level—an issue that we debated on the previous group of amendments.

We have provided for the complete repeal of our existing extradition legislation and built that into the Bill. Incidentally, I should add that we have made a firm commitment that no existing cases in the system will be transferred to the new system. We have inserted a provision to allow the UK to comply with the extradition obligations arising from our ratification of various UN conventions. We have made it clear that the Crown Prosecution Service and other prosecuting authorities have a duty to act in extradition cases.

I could go on, but that gives the House a flavour of the improvements to the Bill. I should add that many of the changes are responses to points and suggestions that were made, I acknowledge, by Opposition parties. Accordingly, I hope that the House will welcome the amendments and the transition of the Bill into law. The heart of the matter is that crime cannot be allowed to escape because people cross a border. We need to ensure that we work with other mature democracies to ensure that the system can be run as smoothly, efficiently and, I have to say, as cost-effectively as possible without putting at any risk the rights of the individuals concerned.

I again pay tribute to my noble Friend Baroness Scotland, who has worked exceedingly hard on this and countless other Bills in the other place. I also give my appreciation to hon. Members of all parties who have taken part in debates on the Bill in Committee and to officials who have ably supported Ministers and Committee members. I thank the staff of the House for their help. I hope for a speedy decision on this group of amendments so that the Bill can become law.

Mr. Hawkins: I can, as the Minister hopes, be fairly brief in my response. I am grateful to her for her welcome remarks about Opposition parties in the House and in the other place, and I am pleased that the Government are able to accept some of the amendments. We particularly welcome the decision to ensure that any further changes are made by way of affirmative resolution. We debated that at some length in Committee, and I do not propose to go over it again, but it is very welcome.

I should like to focus on a couple of amendments in the group, not to put any pressure on the Minister today, but to ask her to undertake to write to the hon. Member for Orkney and Shetland (Mr. Carmichael) and me with further elucidation on any points that remain outstanding.

First, amendment No. 205 relates to the role of the Lord Advocate in conducting extradition proceedings in Scotland, which is something that the hon. Member for Orkney and Shetland will know more about than I do from his past professional experience north of the border. It would be helpful if the Minister could give me some information—we did not discuss it in Committee—about the number of extradition cases in which the Lord Advocate has been involved since the earlier Extradition Act 1989, and the Government's best estimate of whether a big increase in the Lord Advocate's work load is anticipated as a result of the changes. I realise that the Government may find it difficult to be precise, but some indication would be helpful.

Secondly, amendment No. 213 deals with the transmission of warrants by electronic means. I am rightly concerned that electronic means other than facsimile transmission will be introduced. The only requirement is that the designated authority should receive the electronic communication in a form that is intelligible and capable of being used for subsequent reference. I hope that the Minister will be able to write to the hon. Member for Orkney and Shetland and me to explain a little more about the Government's thinking. Obviously, other electronic means are now used regularly, but we do not want to see any downgrading in the significance of warrants in matters as important as extradition. Given the concerns that many of us have about the lack of security of email—many celebrated cases in other contexts have recently come to light—it would be helpful to know what extra safeguards might be introduced to ensure that electronic communication can be used without interference. Is it the case that something as important as an extradition request will come by other electronic means? I would prefer that such matters were dealt with more formally than in a mere email request. I have little doubt that other hon. Members would share my concern about the lack of security in such transmissions.

The Minister paid tribute, appropriately, to Baroness Scotland, and I wish to pay tribute to Baroness Anelay of St. Johns and my other noble Friends who made a significant contribution—as the Minister will acknowledge—to improving the Bill. It received many days of debate in the other place, and consideration of it continued there until 6.19 last night. It is a good example of how all the expertise in the other place can massively improve legislation, without the limitation of time imposed by the Government's guillotines. Perhaps the Government will learn the lesson for the purposes of this House. If we had had fewer guillotines, we could have made those improvements here. As it is, with the Government seeking to guillotine everything, such debates must take place in the other place, where there is time for proper debates.

We are not completely happy with the legislation. My hon. Friend the Member for Stratford-on-Avon (Mr. Maples) has repeatedly made it clear that he regards this as a bad Bill and the European arrest warrant as something deeply to be regretted. Many other Opposition Members also have considerable reservations, but we will have to see how it works in practice. However, I am certain that it is a much better Bill now, as a result of the Government's concessions and the improvements made by the other place, than when it was first presented to this House about a year ago. The Government need to learn the lessons of that.

I am grateful to the Minister for the helpful way in which she presented the amendments today. We have had more of a meeting of minds than when the matter was last debated in the House.

Mr. Carmichael: The Minister mentioned the amendment relating to the use of the affirmative procedure and the importance of judicial authority in the issuing of warrants. I welcome those two points, because the Liberal Democrats placed particular emphasis on them in Committee. I am delighted that they now appear in the Bill and that their importance has been accepted.

I listened to the Minister waxing lyrical about proceedings in the other place. She explained how all the amendments had been considered and fully debated, and I almost began to look forward to a day when I might be translated to the other place. However, I hope that that will not happen for some years yet. The hon. Member for Surrey Heath (Mr. Hawkins) made a good point when he said that the use of the guillotine in this House is having an adverse effect on our ability to scrutinise Bills. We must continue our attempt to find a better way to deal with legislation, because I am all too aware—as someone who has taken part in a significant number of Committees since I entered the House in June 2001—of the significant deficiencies in the present system. The caveat to that, however, is that any changes will have to be matched by responsibility on both sides of the House. The tendency towards filibustering and making specious and spurious points will have to be resisted by all hon. Members. The remarkable aspect of the way in which the other place operates is that there is a little more statesmanship and bit less politics. All parties in this House could learn something from that.

The Minister said that the essence of the Bill was to ensure that people responsible for committing crimes could not escape responsibility simply by crossing a

[Mr. Carmichael]

border. Nobody could argue with that. Because it is now so much easier to cross borders within the European Union, legislation like this is inevitable. However, in our enthusiasm to reflect that, we should not lose sight of the need to protect the fundamental liberties and rights that we prize in this country. In some small measure, the amendments that we have discussed today and the issues that we discussed in Committee make a real contribution to that. With some reservations, we may be pleased with a job well done on this Bill.

Caroline Flint: I will write to the hon. Member for Surrey Heath on the role of the Lord Advocate and the issuing of words by electronic means, both of which he mentioned. The hon. Member for Orkney and Shetland talked about how we perform our duties of scrutiny in both Houses of Parliament. It is fair to say that a combination of talents is brought to Parliament by those who represent their constituents—and therefore have direct experience of what the public feel about issues through surgeries and other activities—and by noble Lords as they perform the job of scrutiny.

I have mentioned the work of the Home Affairs Committee, which adds to our debate in such areas. The all-party groups and people with particular experience of an issue also add to our discussions. It is important to have opportunities to debate, but that might not always happen on the Floor of the House or in Committee. We need an informed process, and I am pleased that the Government have considered other methods, such as pre-legislative scrutiny, to offer other opportunities to tackle some of the big issues of our time. The Bill deals with big issues, because it is concerned with the rights of individuals as well as the need to fight crime wherever it takes place. The Bill represents good work in both Houses of Parliament, and I look forward to its becoming law and being implemented.

Lords amendment agreed to.

Remaining Lords amendments agreed to.

Committee appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendment No. 27 to the Bill: Mr. Alistair Carmichael, Caroline Flint, Mr. Nick Hawkins, Shona McIsaac and Derek Twigg; Caroline Flint to be the Chairman of the Committee; Three to be the quorum of the Committee.—*[Derek Twigg.]*

To withdraw immediately.

Reasons for disagreeing to Lords amendment No. 27 reported, and agreed to; to be communicated to the Lords.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order 119(9) (European Standing Committees),

TRANS-EUROPEAN NETWORKS

That this House takes note of European Union Document No. 12817/02, amended draft Decision amending Decision No. 1692/96/EC on Community guidelines for the development of the trans-European transport network, No. 13244/03 ADD1, amended draft Decision amending an amended draft Decision to amend Council Decision No. 1692/96/EC on Community guidelines for the development of the trans-European transport network, and No. 13297/03, amended draft Regulation amending an amended draft Regulation to amend Council Regulation (EC) No. 2236/95, laying down general rules for the granting of Community financial aid in the field of trans-European networks; and endorses the Government's approach to discussions on these documents.—[*Charlotte Atkins.*]

Question agreed to.

PETITION

Fireworks

3 pm

Mr. Andrew Rosindell (Romford): I rise on behalf of my constituents Joanne and John Sifleet of Riversdale road in Collier Row, Romford. A horrifying incident took place at their house on the evening of 5 November, Guy Fawkes' night. The daughter of Mr. and Mrs. Sifleet cheated death when, just after 8 o'clock, a massive firework smashed through a double-glazed window and exploded in a room that she had occupied only a few minutes earlier.

Joanne Sifleet and her husband John were sitting downstairs when a mammoth firework ripped through the upstairs bathroom window, devastating everything in its path. Their daughter Chloe, a pupil at the local Clockhouse infants school in Collier Row, had been in the bathroom only minutes before. Luckily, she escaped injury, having left the bathroom to join her sister Gemma, 4, in another room upstairs. As reported in the local *Romford Recorder* newspaper, her mother said:

"We heard this almighty bang . . . the kitchen ceiling started to fall down. We raced upstairs and I could hear my children screaming, 'We don't want to die, Mummy.'"

Clearly, that was a horrific incident for any family to endure. After it, Mr. and Mrs. Sifleet immediately organised a petition among residents of the Collier Row and Romford area. The petition was collected last weekend and contains well over 100 signatures.

The petition states:

To the House of Commons:

The Petition of the residents of Romford and the Collier Row area

Declares that "Display Fireworks" and imported non British Standards Fireworks have become such a nuisance to the general public that their sale and illegal importation must be restricted.

The Petitioners therefore request that the House of Commons urges the Secretary of State for Home Affairs to introduce Legislation which will ban the sale of "Display Fireworks" to the general public and stop the import and sale of non British Standard Approved fireworks.

To lie upon the Table.

Flooding (Eastleigh)

Motion made, and Question proposed, That this House do now adjourn.—*[Charlotte Atkins.]*

3.3 pm

Mr. David Chidgey (Eastleigh): I am grateful for the opportunity to raise a matter of great importance to my constituents in Eastleigh. I want to draw the Minister's attention to the plight of the many local residents from foul water flooding after heavy rain.

I appear to have about three and a half hours to entertain the Minister on this matter, and my file contains a great many complaints from constituents, received over a considerable time. However, he will be relived that I intend to stick to plan A, and be as concise as I can. He will therefore have considerable time to respond.

It has become all too common in the Eastleigh area that the foul sewers serving residential areas overflow after heavy rain. Gardens and homes are flooded with raw sewage, and lavatories become unusable because the drains are full. Southern Water turns up promptly to clear up the mess afterwards, and that is all very well, but gardens are ruined and homes take many months to recover. If the storm-water drains cannot cope and surface water flooding is involved, residents often end up having to haggle with the water company and their insurers to determine which is responsible for reimbursing them for the costs of the flood damage.

All too often, as I am sure that the Minister knows, residents who win a satisfactory result have to pay higher insurance premiums. In some cases, they cannot get their insurance renewed at all.

I shall set out the scale of the problem. Since the 1980s, there has been massive housing development in Eastleigh. Tens of thousands of homes have been built in the area, around what used to be villages. We welcome the regeneration of our communities that has resulted. In recent years, thousands more homes have been built in brownfield developments in the heart of the old Victorian town of Eastleigh. We welcome that too, but it is clear that the drainage and sewage treatment infrastructure has not kept pace with housing developments on greenfield sites around the villages or on the brownfield sites around the old town.

The Minister will know that water companies like to claim that the problem is that global warming has caused heavier rain, which overloads their systems. However, I doubt that that is entirely true. An analysis by Southern Water's experts of the Eastleigh drainage system shows that the town's sewerage system will not cope with the demands posed by the new housing. After some prodding by myself and others, the company has released the executive summary of a study currently under way of the effect that some 1,400 new houses will have. Those houses are being built on brownfield sites in central Eastleigh.

The study predicts that a storm of a severity that might occur only once a year—a so-called "one in one year" storm—will cause such an overload on the drainage system that at five points the sewers will overflow on to the highway, and therefore into people's homes. It also predicts that progressively worse flooding will happen as a result of even more intense but less frequent storm events—storms that might happen every 20 or 50 years, for instance. That shows that, without new investment to cater for housing development, residents can expect to suffer flooding at least once a year in five places in an area that is no larger than a square mile. More than half of the new development has already been built.

Bad though the situation is, that is only half the problem. Sewage from the Eastleigh area is pumped directly into the Chickenhall waste water treatment works, located beside the River Itchen. The Minister will know of that river if he is a fisherman, and of the fine opportunities that it allows for sports fishing on inland water. He will know too that the river is the subject of a sustainability management project, and that an application has been made for EU designation as a special area of conservation. That designation would recognise the river's importance as a special environmental resource.

Interestingly, Southern Water—like other water companies in a similar position—is licensed by the Environment Agency to discharge partially treated effluent into the River Itchen through a storm-water overflow from its sewage treatment works. Because of the increase in flooding incidents over recent years and those projected for the future, the water company proposes to bring the storm-water overflow into full use, which will inevitably mean more partially treated effluent flowing into the Itchen. Only a few miles downstream, at Gaters Mill, is Portsmouth Water's water-extraction plant. While the people of Portsmouth may not take kindly to the thought of drinking from Eastleigh's effluent, it is a fact that the treatment at the extraction plant renders the water safe. However, what about that long stretch of river between the sewage treatment works and the extraction plant? What will be the impact of increasing the flow of partially treated effluent on the salmon spawning-grounds in the river, on the watercress beds and on the youngsters who use the water sports activity centre provided by the county council? Surely, planning to increase the discharge of waste-water floods into the Itchen flies in the face of attempts to create a special area of conservation free from pollution. We are suffering from a fundamental failure to ensure that our sewage and waste-water treatment systems have kept and do keep pace with demand, particularly in the area that I represent.

It is important to recall that one of the great achievements in urbanisation in the 19th century was the building of water supply, drainage and treatment systems to serve the swelling populations of our towns and cities. Killer diseases, such as typhoid, were eradicated. Not for nothing did public health engineering become a highly respected profession. It is a sad reflection that all too often in the case of sewers, it is out of sight, out of mind. We are now painfully aware that following decades of underinvestment in the repair and maintenance of our main drainage systems we are left with literally thousands of miles of crumbling, failing sewers. What a way to treat such a valuable legacy left to us by our forefathers.

How can it be that in the 21st century my constituents are faced with the fear of foul sewage flooding their properties on a regular basis—not because of some rare, exceptional weather occurring perhaps once in every 50 years or so, but every year and every time we get heavy

[Mr. David Chidgey]

rain? How can it be that while Eastleigh borough council is making every effort to provide affordable homes on brownfield sites in line with Government policy, trying to address the needs of some 10,000 people seeking homes, our water company is wringing its hands over the lack of funds that are needed to expand its sewerage and treatment systems to meet the extra demands? How can it be that its existing sewerage and treatment system is so overloaded that the only recourse is to discharge partially treated effluent into a river that is recognised as being so important to the environment that it should have special protection from pollution?

I fear that the residents of Eastleigh are not alone in their predicament. This pattern of failure is repeated across the country. One has merely to look at the statistics from Ofwat, from the Department for Environment, Food and Rural Affairs and from Environmental Data Services to confirm that our water and sewerage companies are buckling under the strain of obsolete and failing infrastructure, increased demand from new development and inadequate streams of essential investment. Clearly, there needs to be a full inquiry into how we regulate, manage and resource the water and drainage industry. We need to look at the roles of local authorities, the Environment Agency and Ofwat and we need to see some joined-up government to ensure that the industry is working in the best interests of the community, the environment and, more important, the customer—my residents.

We need to ensure that local authorities and water and sewerage companies are fully in the loop where planning applications impact on the demand for drainage. At present the system is that local authorities have recourse to the Environment Agency as a statutory consultee in the process. Surely there is a powerful case for water and sewerage companies to be made statutory authorities under planning regulations. That would end the practice of all too many companies who do not or, even worse, will not reply to planning application notices, leaving local authorities to make decisions in the dark and without expert guidance. We need a statutory consultation process with teeth, not just a rubber-stamp exercise—local authorities constantly complain to me about that—with regulations that place obligations and accountability on the consultees.

We need to address the powers of the Environment Agency in controlling pollution. Just this week Southern Water—I mention it not because of any particular campaign against it, but because it is the company that serves my area—was found guilty of pumping raw sewage into the Solent. The Minister will know that the Solent is an area of international environmental importance. It is nothing short of an outrage that such an area of water should be subject to such pollution, yet the fine was a mere £5,000. In 2001 the water company is on the record as coming second in the league table of the worst water company polluters in this country, yet its total fines for this year amount to a mere £64,500. That is hardly even an incidental running cost to a company with a turnover which last year was in excess of £436 million. Clearly, there is a powerful case for reviewing the regulation of the industry with regard to investment priorities.

For far too long maintenance and renewal of sewerage systems has been the poor relation in the industry. I am pleased that Ofwat is now expressing concerns which, I believe, the Government share, about the lack of investment in this area. It is clear that water companies have put the interests of shareholders first. That is not just a knee-jerk reaction such as we so often hear in relation to privatised companies. Ofwat's report for 2002–03 on the financial performance and expenditure of the water companies states:

"In 2002–2003, dividend cover fell as a result of a higher level of dividends despite lower operating profit. We recognise that investor confidence must be maintained but the level of dividends also needs to be sustainable over the long term. Dividends from regulated business should reflect the cost of capital and distribution to shareholders of a proper portion of the benefits of greater efficiency."

That leads us directly to the nub of the issue. Ofwat is calling for greater investment in tackling crumbling and failing sewage and waste-water treatment plant. Water companies have failed to make efficiency gains necessary to maintain profits, but have nevertheless maintained their dividends to shareholders. As a result, investment that should have been made in sewage and waste-water treatment has not happened. Having got Ofwat, their customers and my constituents over a barrel, the water companies have the audacity to raise charges by more than a third to meet their obligations. In Eastleigh my constituents face a price hike of 35 per cent.—the highest in the country.

Eastleigh borough council wrote a letter to Ofwat regarding investment priorities. It concerns asset management planning 4. The first recommendation in the submission is:

"That the funding currently being used to improve beach quality be diverted to improving the capacity of sewerage works. This would prevent blockages of the system caused by backing up and improve River Quality."

The point about that is that the total package we are looking for, which would include improvements to our sewage treatment works to introduce techniques to remove nitrates and other chemicals, should not cause a cost increase, as we are told almost daily that beach quality is now up to standard in almost every area. Why, then, are we putting money into that area when we could be putting it into improving the sewerage system?

The council's second point is that much of the infrastructure serving Eastleigh is reaching the end of its design life or has already passed it. However, technologies are available that could be used to seal the leaking pipes with minimal disruption. The council submits that significant expenditure is necessary to upgrade all existing substandard pipework. Where is the money to come from? It is suggested that the £2.2 billion underspend in asset management plan 3 of all water companies, including Southern Water, could be transferred to enable those works to be carried out.

Like the council in its submission to Ofwat, we note that Southern Water proposes to increase its water bills by 35.1 per cent. during the AMP period and that such an increase is excessive, especially as in Eastleigh alone there have been two major sewer failures this year; gardens and homes were flooded with sewage and main roads were closed. That was the result of serious underfunding of the infrastructure during the past 20 years. Those are the views of my local borough council and I thoroughly endorse them.

To draw the attention of the House to the predicament suffered by so many people, I focus on the case of Mr. Alf Bushell, which was featured on Saturday in our local paper, *The Southern Daily Echo*, under the banner headline, "Veteran's Loo Trek Misery". Alf is an 81-year-old war veteran, a former Royal Marine who helped to shoot down enemy aircraft during the second world war and whose ship sank off the coast of Italy. This man should be treated with respect and dignity, but whenever it rains he has to walk 15 minutes to the nearest public convenience—whatever the weather—because his lavatory becomes blocked. Is it right that Alf and dozens of his neighbours in Consort road, my constituents, should suffer indignities that more correctly belong in the middle ages? I look forward to the Minister's response.

3.22 pm

The Minister for the Environment (Mr. Elliot Morley): I congratulate the hon. Member for Eastleigh (Mr. Chidgey) on obtaining this debate and on outlining such a thorough and comprehensive case. He has genuine concern about those complex problems and I express my sympathy with those of his constituents who have been affected, especially Mr. Bushell and his neighbours. The hon. Gentleman has raised several helpful points and I am pleased to be able to address them in some detail.

Flooding problems are all too familiar and many hon. Members, including me, have constituents who have suffered. We know very well of the misery that such problems can cause. The Government are anxious that the problems should be addressed and I shall try to respond as positively as I can.

Sewer flooding and the protection of the environment from waste water discharges from sewage treatment works and sewerage systems are a key concern for the Department for Environment, Food and Rural Affairs. In tackling those issues we need to take into account such things as statutory obligations under European directives on waste water treatments and habitats—I listened carefully to the hon. Gentleman's comments about the Itchen. We also have domestic obligations in respect of sites of special scientific interest. Sewerage companies and regulators should, and generally do, take those obligations seriously.

The hon. Gentleman described the particular problems in Eastleigh and I shall address those before setting out the Government's general response to some of the other issues that he raised. My understanding is that a substantial contribution to the problems in Eastleigh is the fact that the pumping station at Bishopstoke and the Chickenhall sewage treatment works are unable to cope with both foul water and rainwater during especially heavy rainfall. That is the root of the problem. The hon. Gentleman is right to point out that, although increased heavy rainfall contributes to the problem, there is a range of other issues. I do not dispute that.

The facilities at Chickenhall include tanks to store storm water until the increased flows subside. However, the tanks do not have sufficient capacity to contain storm water during severe weather conditions and that has led to occasional flooding of adjacent land and properties. Addressing that problem will also limit pollution of the River Itchen and could prevent flooding of upstream properties by restricting flows to the works. For those reasons, I am glad to be able to tell the hon. Gentleman that I understand that, by 31 March 2005, Southern Water plans to install additional storm water storage capacity at the Chickenhall works. Furthermore, the company proposes to change the storm water management arrangements at the works.

Those proposals—if they go ahead—will allow excess storm water to be discharged directly into the river when the storage tanks are full, instead of flooding the surrounding area. Any discharges from the existing outfall, which are only consented to by the Environment Agency during heavy rainfall events, will contain screened foul water highly diluted by rainwater. No proposal has been made, or would be considered by the Environment Agency, for the construction of a new raw sewage outfall at the works. That would not be approved.

Mr. Chidgey: I concur with the Minister: there is no question that raw untreated sewage will go into the river. However, as he knows, there are three stages in sewage effluent treatment. We do not have tertiary treatment, although the sewage is treated to ensure the removal of bacteria. I am worried that although we may be meeting the standards downstream at Gaters Mill, where there are excellent treatment works to make the water potable, we do not have the protection that I want in the river itself—between the sewage works and the water extraction treatment works. The area is supposed to have improved protection from pollution due to its environmental importance, so I am worried to hear the Minister say that Southern Water's management plan is to increase, at times, the flow of partially treated effluent into the river.

Mr. Morley: I very much hope that will be an interim measure. In addition to the work to improve the storm-water handling capacity—in essence, at peak times—I expect the company to provide more stringent treatment standards by 31 December 2005. The hon. Gentleman is right to note that there is only secondary treatment, but the proposal is that standards should be tightened up.

Tighter standards are required to take account of population growth in the area and to protect good water quality in the River Itchen. I expect improvements at the treatment works. A range of new technologies is becoming available, which will considerably improve discharge quality. They are currently under consideration by all water companies, and I hope that Southern Water will look into them.

I shall touch briefly on the general principle of sewer flooding, as the hon. Gentleman is right about its prevalence. Last autumn, Ofwat asked sewerage companies to consider further measures to tackle sewer flooding. It specifically asked companies to prioritise sewer flooding alleviation projects primarily on an assessment of the severity and frequency of the problem, not simply on the cost. Companies were also asked to include the worst cases of external flooding in addition to internal flooding.

We expect that additional investment by companies before 2005 will be considered by Ofwat, as part of the logging-up process, and I understand that Southern Water has agreed to spend an additional £10 million on major flood alleviation schemes in the period up to 2005. In the longer term, as part of the current price control

[Mr. Morley]

regime, to which the hon. Gentleman referred, Ofwat asked sewerage companies to include a prioritised list of projects and costs in their business plans for 2005–10. Companies could include costed proposals to extend or improve their sewerage network.

I understand the pertinent points that the hon. Gentleman made about the level of investment and dividend, efficiency savings and costs to consumers. Southern Water's draft business plan suggested a 35 per cent. increase, but that was the initial business plan. The regulator will put those plans under rigorous scrutiny. I am sure that all the assumptions and bids will be carefully scrutinised. I want to see continued improvement, but I do not want the cost simply to be passed on to consumers. Efficiency gains, company profits and long-term investment programmes must be considered. We would expect the regulator to look at all those issues, and I have every confidence that the regulator will do so.

My Department's role in the review is to make clear to companies, regulators, customers and investors the Government's views on such issues, as well as the maintenance and renewal of sewerage assets. In the initial guidance that the Secretary of State issued to the director general of water services in January, it was made clear that sewerage undertakers' assets should be maintained in a way that will deliver a high standard of serviceability to customers and the environment and that, within the priorities of water company programmes, there needs to be an increase in the rate at which companies rectify sewer flooding problems if they are to get on top of the situation. That guidance has been given to the regulator. We want to ensure that sewer flooding and sewer repair and maintenance continue to be high on the agenda of both Ofwat and the companies.

As part of the current stage of the price review, we are considering issues that should be included in the final periodic review guidance to Ofwat, which will be published in January. That ministerial guidance relates to the kind of priorities that we want to see. I can assure the hon. Gentleman that all the issues that he has raised, including costs, will certainly be taken into consideration as we prepare that guidance.

Mr. Chidgey: I can see that the Minister is getting to the end of his response, so I want to intervene quickly. One of the issues that he has perhaps not been able to address so far is that of local authorities being in the loop with water companies as statutory consultees. I mentioned that in my remarks. Could he perhaps give me some guidance on what is proposed in that respect?

Mr. Morley: I am happy to do so. Those are important issues, and we are considering that point. It is true to say that water companies are not currently statutory consultees in the planning process. I agree that, in relation to further housing development in Eastleigh, it is important for Southern Water to be involved in the process to understand the projections, so that it can consider the implications for its infrastructure. We have addressed that to a very large extent.

Planning guidance, which is issued by the Office of the Deputy Prime Minister, makes it clear to planning authorities that they need to work closely and at an early stage with water and sewerage undertakers, so that new water supply and disposal infrastructure is timed to coincide with the development that it serves so that, if expansion in needed, the plans for that investment can be put in place. Of course, that is the point of structure plans and district plans, which are publicly available so that everyone who has an interest can be aware of what is planned for the long term.

I understand that there is no evidence to suggest that those non-statutory arrangements are inadequate. My information is that Southern Water is often consulted on planning authorities by the local authorities and that it is happy to offer guidance and advice, so it feels very much involved. Of course, if it were felt that the current arrangements, which are based on planning policy guidance, were not satisfactory, we might want to consider that in the future.

Mr. Chidgey: To provide a little more information, it is correct that discussions between Southern Water and Eastleigh borough council are good at present, but that is as a result of several years of frustration. I make the point again that planning officers in the borough council have had to suffer the frustration of asking for comment from the water company on large-scale planning applications coming through their office, and have had the sorry situation of not getting a response at all. That is the issue—is compulsion necessary? Does a statutory obligation need to be placed on the water companies so that they are part of this planning process?

Mr. Morley: The simple answer to that, if the situation is working, is no. If the situation is not working, however, we may have to look at other measures.

On the hon. Gentleman's final comment about fines in relation to pollution, I recognise that that is an issue. He will know that fines are a matter for the courts, and they often depend on the circumstances in relation to the particular advice. The issue is often raised with the Department, and I will certainly bear his comments in mind.

I have a great deal of sympathy with the hon. Gentleman's case. Southern Water has given undertakings that proposed improvements are to be made, which I hope will deal with some of the problems. In the longer term, on the price review, we expect water companies to put in place proper long-term plans to deal with the issue of sewer flooding, which will be part of the ministerial guidance. I repeat to him that that final guidance will go out in January. We are in the process of compiling it, and I will take seriously the comments that he has made.

Question put and agreed to.

Adjourned accordingly at twenty-four minutes to Four o'clock.

House of Commons

Monday 17 November 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON LOCAL AUTHORITIES BILL *[Lords]*

Order read for resuming adjourned debate on Question [13 November],

That the promoters of the London Local Authorities Bill [*Lords*] shall have leave to suspend proceedings thereon in order to proceed with it, if they think fit, in the next session of Parliament, provided that notice of their intention to do so is lodged in the Private Bill Office not later than the day before the close of the present session and that all fees due up to that date have been paid;

That, if the Bill is brought from the Lords in the next session, a declaration signed by the agent shall be deposited in the Private Bill Office, stating that the Bill is the same in every respect as the Bill brought from the Lords in the present session,

That the Clerk in the Private Bill Office shall lay upon the Table of the House a certificate, that such a declaration has been deposited;

That in the next session the Bill shall be deemed to have passed through every stage through which is has passed in the present session, and shall be recorded in the Journal of the House as having passed those stages;

That no further fees shall be charged to such stages.—*[The Chairman of Ways and Means.]*

Hon. Members: Object.

Debate to be resumed on Tuesday 2 December.

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Disability Discrimination Act

1. **Mr. Anthony D. Wright** (Great Yarmouth): If he will make a statement on the effect of changes to the Disability Discrimination Act 1995. [138633]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): By ending the small employer exemption and extending the employment provisions to more occupations in October 2004, we will bring 1 million more employers and 7 million more jobs within the scope of the Disability Discrimination Act. From the same date, the new duties requiring service providers to tackle physical barriers to access will increase accessibility to services for the 8.6 million disabled people in this country. I hope that the changes, which are designed to facilitate greater participation by disabled people in all walks of life, will be welcomed by hon. Members on both sides of the House.

Mr. Wright: I thank my hon. Friend for that answer. Although it is recognised that the Government have done more to help disabled people than any previous Government, it is quite clear that such people still come up against barriers. A recent Scope survey found that 45 per cent. of employers reported that they were worried that they could not afford to employ a disabled person and that nearly 20 per cent. would be reluctant to employ such a person because they had not worked with one before. Will she tell us how the changes to the Disability Discrimination Act will resolve those difficulties?

Maria Eagle: Legislation sets a framework, and the issues that were highlighted by the Scope survey were more about raising awareness. Many small firms, and even larger firms, are not used to employing disabled people because such people have been excluded from the labour market. The firms make all kinds of assumptions about how difficult that would be, which are not borne out by the facts. May I suggest that small firms in my hon. Friend's constituency contact the Disability Rights Commission in the first instance, which can be done by accessing www.drc-gb.org? The website contains a wealth of advice on how firms can employ disabled people, so they will come to realise that it is not that difficult and that there often is no cost involved in employing them above that which is incurred when employing anyone.

Sir Archy Kirkwood (Roxburgh and Berwickshire): Does the Minister agree that any changes to the Disability Discrimination Act 1995 that might be a feature of the upcoming parliamentary Session would best be done using pre-legislative scrutiny? The Government have made it clear that they are willing to contemplate that, but is the Department yet able to say what form of pre-legislative scrutiny might take place on any disability discrimination Bill that might be introduced in the next Session?

Maria Eagle: The hon. Gentleman is trying his best to get me to pre-empt the Queen's Speech, which of course I am far too junior to do. He is right to say that the Government set great store by pre-legislative scrutiny, and the consideration of such changes is especially suitable for such scrutiny. We shall consider that, but I cannot give him more information at present.

Mr. Tim Boswell (Daventry): After our previous exchanges, will the Minister accept that it is still important that if further advances are to be made, legislation must become a reality? It is not just a matter of consultation, desirable as that may be, because the Government must get on and grasp the nettle on some of the details. If the Minister is holding out for pre-legislative scrutiny, will she at least bear in mind the importance of bringing to bear some of the recent reports of the Disability Rights Commission on its

experience of the current legislation in action, to ensure that if we wait a long time for legislation, it will be worth having when we get it?

Maria Eagle: May I tell the hon. Gentleman, who I faced across the Dispatch Box when he was a Front-Bench spokesman on the matter, that I welcome his support? I hope that the fact that he now sits on the Back Benches when discussing the issue does not imply that there have been any policy changes by his party. I hope that the Conservative Front-Bench spokesmen will support the changes that are being suggested, which are generally well known, especially those that will take place next October. I hope that we will hear an expression of support for the changes from them when they speak. The hon. Member for Daventry (Mr. Boswell) knows of my impatience to get on with this. Consultation is tremendously important when changes are visited on many organisations and small businesses but, at the end of the day, it is implementation that matters.

Mr. Tom Clarke (Coatbridge and Chryston): Is my hon. Friend aware that the Disability Discrimination Act 1995 was a perfectly reasonable piece of legislation for its time, enhanced by this Government's actions, including the introduction of the Disability Rights Commission? Given the worries, which I think we both share, that some small businesses and others are being provoked into thinking that the implementation of the changes will be a huge challenge, will she join me in advising such people to contact the DRC, the Employers Forum on Disability and the national register of access so that they get not only good advice, but advice that does not cost them money unreasonably and does not worry them unnecessarily?

Maria Eagle: My right hon. Friend is right to highlight the fact that much excellent free advice is available to all companies, whether they are employers or service providers, on what they need to do to meet their obligations under the changes. Many organisations will offer to charge them for advice, but they should primarily go for the free advice first. Much of the advice is common sense and it is not necessary to pay an enormous amount to get advice that is freely available from the DRC and organisations such as the Employers Forum on Disability, all of which are doing excellent work in that regard. I certainly echo my right hon. Friend's sentiments.

Mr. Jonathan Djanogly (Huntingdon): Many charities and small voluntary organisations will suffer from the legislation. They work from old buildings and need Government help, which they feel they are not receiving. The Minister just passed the buck. What will the Government do to help those organisations?

Maria Eagle: I would not agree with the hon. Gentleman's choice of phrase when he says that those who need to meet their obligations to disabled people are suffering as a result. He should not forget that there are 8.5 million disabled people in this country, all of whom would like access to goods, services, facilities and employment opportunities like anyone else. It is about time they had that right and it is not a matter of people suffering to provide it.

The hon. Gentleman should also realise that the law requires reasonable adjustment. There is no question of small organisations or those with few resources being put out of business or put to ridiculous expense. The requirement is reasonableness. That is a matter of common sense and proportionality. Ensuring that people get access to services should be proportionate to the resources available to those who are providing them. If approached positively, the requirements will make a massive difference to the ability of disabled people, for too long excluded from opportunities in society, to participate in society. That must be good for the country as a whole.

Identity Cards

2. **Mr. James Plaskitt** (Warwick and Leamington): If he will make a statement on his assessment of the possible role of identity cards in combating benefit fraud. [138634]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): As my right hon. Friend the Home Secretary has made clear, the main case for ID cards is to counter terrorism, organised crime and illegal immigration, but it is common sense that they would also be a big help in combating benefit fraud involving false identity.

Mr. Plaskitt: I thank my right hon. Friend for that answer. We have made useful progress in combating benefit fraud, especially in respect of income support and the jobseeker's allowance, but with millions more national insurance numbers in circulation than there are citizens in the United Kingdom, is it not the case that the more technologically sophisticated proof of identity would help us to make even more progress?

Mr. Smith: Indeed it would. We inherited an enormous problem with the number of national insurance numbers—some 71.5 million, well in excess of the adult population. If we subtract the actual adult population of 47 million, the deceased records of 15.5 million and the 7.2 million who have gone abroad, 1.8 million are left. As the House would rightly expect, we are working intensively, sampling the national insurance records to check their authenticity. That work should be completed by the end of the year. I expect to report further progress to the House early next year.

Mr. Steve Webb (Northavon): The 1997 Labour manifesto estimated the cost of housing benefit fraud alone at £2 billion, suggesting that the total cost of benefit fraud runs into many billions of pounds, yet the Department's evidence is that identity fraud accounts for a tiny fraction of that grand total. Indeed, the Home Secretary said last week in the House that social security fraud was not really what he was talking about when he said that he was cutting down on fraud. Will the Secretary of State confirm that when he says that the

measure will be "a big help", the marginal effect of ID cards on social security fraud will be acknowledged as peripheral to the debate on the cards?

Mr. Smith: Yes, the main fraud that we encounter is not people making false claims of identity, but people making false claims regarding their circumstances. However, that does not mean that cracking down on such fraud will not result in substantial savings. Savings derived from checking multiple claims, verifying national insurance numbers, better recording of immigration and emigration, preventing people who are living together committing fraud, and checking documents add up to about £100 million. It speaks volumes of the way in which Liberal Democrats do their costings that £100 million is neither here nor there to them. That is money that could and should be going to schools and hospitals, not to fraud.

Mr. Frank Field (Birkenhead): As the Secretary of State has, rightly, welcomed ID cards as a potential means of providing a safe entrance into the social security system, may we take it that, when the proposal was discussed in Cabinet, he gave the Home Secretary 100 per cent. support for its introduction?

Mr. Smith: As the House knows, we are united in our dedication to combat terrorism, crime and fraud of all kinds. I have strongly supported the good sense in an incremental approach, which demonstrates how an identity document with biometric data would work, initially with driving licences and passports. Once we have established that the technology works and is viable, the House will be able to make a decision on the question of compulsion in future. To my mind, that is a common-sense way to achieve a desirable goal.

Mr. David Ruffley (Bury St. Edmunds): On 13 February, the National Audit Office stated that the rate of reduction of fraud and error in jobseeker's allowance and income support had "slowed" this year. Can the Secretary of State explain that latest departmental failure?

Mr. Smith: We remain on track to hit our targets to reduce fraud in income support and JSA. The Conservatives ought to note that when they were in government, they did not even have a target to tackle fraud, whereas since 1998, we have cut fraud in IS and JSA alone by more than a quarter. Of course there is more to do, but we will take no lectures from the Opposition on how to do it.

Lawrie Quinn (Scarborough and Whitby): Given the developing partnership with local government in the fight against benefit fraud, and the increasing mobility of the British population, what discussions has my right hon. Friend had with the Local Government Association and other local government bodies on how the anti-fraud initiative might help them in the front line of dealing with the problem?

Mr. Smith: My hon. Friend makes an important point. We are working closely with local authorities. The total number of cases in which action is taken—including prosecution, and the imposition of administrative sanctions and other penalties deployed in combating fraud—is more than double the number in 1997–98. A significant proportion of the increase is accounted for by extra cases and prosecutions brought by local authorities. As well as giving them extra resources, we are keeping in close touch with them on their progress, because the effort has to be a united one involving central Government, local government and all agencies working together to combat an illegal menace that deprives the budget areas that should have priority claim to resources that wrongly go to fraudsters. We have been cracking down jointly with local authorities, and we shall certainly continue to do so.

Pension Credit

3. **Hywel Williams** (Caernarfon): What steps he has taken to promote the take-up of pension credit in Wales. [138635]

7. **Mr. Huw Edwards** (Monmouth): If he will estimate the number of pensioners in Wales likely to qualify for the pension credit. [138639]

The Minister for Pensions (Malcolm Wicks): I am pleased to be able to report that 111,000 pensioner households in Wales are already getting pension credit, of which 75,000 now get more than they would have under the minimum income guarantee. We estimate that about 250,000 pensioner households in Wales are eligible for the new credit.

Hywel Williams: Given the level of pensioner poverty in Wales, many Welsh Members are promoting pension credit irrespective of our reservations. Our efforts would be far better directed if we had information on take-up by constituency. Is that information likely to become available?

Malcolm Wicks: It is difficult to give accurate estimates by constituency. I think that on average, across the whole of Great Britain, we are talking about 5,000 or so people in each constituency, but obviously that is subject to quite significant variation. We will have more details by constituency as the take-up of pension credit proceeds. I welcome the hon. Gentleman's support for pension credit. Whatever our differences of opinion, there are people in our constituencies who need the extra money and we should all endeavour to make sure that they receive it.

Mr. Edwards: May I inform my hon. Friend that about 250,000 pensioner households in Wales will greatly welcome the fact that the Government have recognised that they have modest savings, modest occupational pensions or modest earnings, and that they deserve extra help? The Government are giving them that help. Will my hon. Friend say how those with caring responsibilities will also gain from the extra help?

Malcolm Wicks: This is good news for carers because of the pension credit package. One of the ways in which we can help people is through our local pension service, which often works closely with local Members. In Wales, during October alone, we visited more than 2,500 older people, and more than 3,000 have attended

outreach events run by the Pension Service. To bring the statistics down to earth, people gaining include a gentleman in Monmouth, my hon. Friend's constituency, who is aged over 80. He called into one of our local surgeries and requested a visit. He is entitled to about £45 a week on pension credit. That is an example of a policy that in practice is benefiting local people.

Huw Irranca-Davies (Ogmore): The Minister will know that because the policy particularly affects the poorest pensioners in my constituency and in every constituency in the land, it is especially to be welcomed. Tribute has already been paid to the Pension Service. However, what measures are we using to reach those who are out of the network of information—for example, those who are contactable through social services within county council services? It is vital that those who do not currently use senior citizens' groups benefit equally from the important measure that the Government have introduced.

Malcolm Wicks: Our first line of communication will be to write to every pensioner in Wales and throughout Great Britain about pension credit. They will all receive the application form, and where appropriate a form will be sent in the Welsh language. That is the service that we offer. In addition, through local advice surgeries, home visits and by working closely with social services, Age Concern and other services, we shall endeavour to inform everyone about their pension credit entitlement.

Employment Trends

6. **Mr. John MacDougall** (Central Fife): If he will make a statement on long-term trends in employment. [138638]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): The labour market statistics continue to show employment growing and unemployment on a downward trend. As a result of our policies for economic stability and welfare to work the United Kingdom now has the highest employment and the lowest unemployment of the G7.

Mr. MacDougall: I thank my right hon. Friend for his response and I congratulate the Government on their great success in reducing unemployment levels to their present levels. I hope that we can continue to improve our performance.

May I bring to my right hon. Friend's attention areas of special need, such as Central Fife, where we had a strong influence in traditional industries and manufacturing industries, which have suffered badly. What special efforts are the Government making to tackle such areas? Can he give a reassurance to the House that we will not return to the days when, under the now Leader of the Opposition, we had the longest continuing increase in unemployment of any— *[Interruption.]*

Mr. Speaker: Order.

Mr. Smith: I thank my hon. Friend for his remarks. I take this opportunity to congratulate him on the sterling work that I know he has done over a number of years in regeneration and tackling unemployment in his constituency. He makes the important point that good though progress is, we need to do still more. It is especially important that we focus on pockets of particular disadvantage and remaining unemployment within each of our constituencies. I can assure my hon. Friend that through the incentive structure within Jobcentre Plus; the partnership work that we are encouraging with local business; and the work that we are doing, for example, through child care partnership managers to ensure that appropriate child care is available to help those who need it to move into jobs, and other area-based initiatives, we shall continue to drive forward. Our ambition is not just to have a better employment system, which is what we have, but to have full employment in every region and every community.

Mr. Nigel Evans (Ribble Valley): Is the Minister not worried about all the manufacturing jobs that are being exported to eastern Europe and Asia? When Black & Decker announced that it was going to the Czech Republic, when Dyson announced that it was going to Malaysia and, more recently, when Wedgwood announced that jobs were going from Stoke-on-Trent to China, were alarm bells not ringing in his Department? What advice is he giving the hard-pressed people who are scouring department stores in this country for gifts that are made in Britain?

Mr. Smith: It never ceases to stagger me that Opposition Members should run down British manufacturing industry and its enormous achievements. This Government have acted, for example, by introducing the research and development tax credit—there was no such encouragement under the Conservatives—and developing a skills strategy. It is only by being competitive in the high value-added areas of manufacturing industry that we will build on the considerable manufacturing success in this country. There have been successes in the aeronautical industry, for example, and success in my own constituency, where BMW is producing new Minis—a sales leader across the world—and taking on more workers. We should hear more from Opposition Members about the success of manufacturing industry instead of hearing them talk Britain down.

Mr. David Clelland (Tyne Bridge): Is my right hon. Friend aware that Lloyds TSB is proposing to close its call centre in Newcastle to exploit low-paid workers in India, with the potential loss of almost 1,000 jobs in my constituency, despite promises made when the centre opened two years ago that those would be long-term, sustainable jobs? What can he do to try to dissuade Lloyds TSB from that course of action, and what does he propose to do in light of the potential loss of tens of thousands of jobs in this country?

Mr. Evans: It is the same question the other way round.

Mr. Smith: I understand the concerns expressed by my hon. Friend on behalf of his constituents, and I can well imagine local anxieties. However, my answer is the same as the answer that I gave earlier. It is by investing in skills and competitiveness that we can best ensure jobs

for the future. I urge employers in my hon. Friend's constituency and elsewhere to keep the promises that they made to local workers and urge Members on both sides of the House to back a strategy of investing in skills so that more people can fill the 10,000 vacancies that are reported to Jobcentre Plus each and every day.

Economic stability and success are generating jobs in all parts of this country, and unemployment has fallen most in the areas where it was highest. If people face job insecurity, that is worrying, and we must do everything that we can to support them, but it is by equipping people with skills for competitiveness and supporting our competitive industries that we will best ensure employment for the future.

Mr. John Wilkinson (Ruislip-Northwood): Is it not important to secure not just full employment, but productive employment? Over the past three years, the decline in manufacturing employment has been offset by a massive increase in public sector employment. East Germany, Poland and so on always had full employment in the days of the Warsaw pact and COMECON—the Council for Mutual Economic Co-operation—but they were never productive or satisfying places to live.

Mr. Smith: It is an outrageous slur on our nurses, doctors, teachers and police officers—we are proud of the extra numbers employed in those front-line services—to suggest that they are not productive. They are productive, and not only has there been a welcome increase in public sector employment, but there are more jobs in the private sector.

Employment Service (Selby Taskforce)

8. **Mr. John Grogan** (Selby): If he will make a statement about the contribution of the Employment Service to the Selby taskforce. [138640]

The Minister for Work (Mr. Desmond Browne): Jobcentre Plus is a key member of the Selby taskforce, making a positive contribution to its work to help the local community. Working closely with local organisations, Jobcentre Plus has provided advice, guidance, and training to help those made redundant to make the move back into work. I know that my hon. Friend has been working hard to support the efforts of the taskforce, and I am sure that his work, in conjunction with that of the taskforce, is appreciated by those people who have moved into work.

Mr. Grogan: Will my hon. Friend congratulate Mrs. Alison Seabrooke who, incidentally, is married to a Selby man and who, perhaps more than anyone else, has helped co-ordinate the various agencies involved in the Selby taskforce, and helped to ensure that the current mine closure is handled differently from the mine closures that occurred in Yorkshire in the 1980s and 1990s? Does my hon. Friend share my hope that UK Coal and the National Union of Mineworkers will work hard to reach agreement on terms that will allow 260 Selby miners to transfer to nearby Kellingley colliery?

Mr. Browne: I am more than happy to join my hon. Friend in congratulating Mrs. Seabrooke on her contribution to the efforts of the taskforce. I will pass on to those working closely with Jobcentre Plus my hon. Friend's advice about the opportunities available to Selby miners, to ensure that the best is made of those opportunities.

Pension Credit

9. **Rob Marris** (Wolverhampton, South-West): What plans he has to maximise take-up of the pension credit. [138641]

The Secretary of State for Work and Pensions (Mr. Andrew Smith): Pension credit is already making a real difference in the lives of pensioners. As I reported to the House last week, at the end of October there were 1.97 million pensioner households—around 2.3 million individuals—receiving pension credit, and 1.2 million households—around 1.4 million individuals—are now receiving more money than they did before, with an average award of £47.10 per week. Our advertising campaign is continuing and we are working with partner organisations, such as Help the Aged, Age Concern and the National Association of Citizens Advice Bureaux, to fulfil our aspiration that as many pensioners as possible should take up their entitlement.

Rob Marris: I suggest to my right hon. Friend that take-up of pension credit is likely to be higher if there is confidence in the assessment and delivery process, and conversely, that if confidence fell, take-up would fall. The computer history of large organisations in the private sector and in the public sector, including the Department, is not always good. Can my right hon. Friend assure me that the telephony and the computer systems are robust enough for pension credit?

Mr. Smith: Yes, indeed. We learned the lessons of previous experience in that area, and ensured that the project was not dependent on new IT, that the staff were thoroughly trained, and that the take-up was phased. On telephony, I can report that the average to date is 95 per cent. of calls being answered within 30 seconds, not by a metallic recording machine, but by a human being. Last week the pension credit application line answered 100 per cent. of calls within 30 seconds.

Mr. David Willetts (Havant): Does the Secretary of State recall his Minister of State, the Minister for Pensions, saying:

"No one of sound mind could advocate wholesale means-testing"?

Does the Secretary of State believe that the pension credit, requiring 60 different pieces of information on one's financial circumstances, is not a means test, or does he think that means-testing more than half of the entire population of British pensioners is not wholesale means-testing, or are we driven reluctantly to conclude that the Minister of State thinks the Secretary of State is not of sound mind?

Mr. Smith: As emerged from the pensions debate that the hon. Gentleman and his colleagues initiated a few weeks ago, the income assessment for pension credit is a million miles away from the old intrusive, demeaning means-testing that disfigured this country in the past. I

note that last week the hon. Gentleman was forecasting that it would take six to seven years to reach the 3 million figure. I will make a deal with him. If we are wrong and it takes that long to hit 3 million, I will apologise to the House. If and when we hit our target, as I am confident we will, he should be back in the House explaining why we are right and admitting that the Opposition were wrong.

Mr. Willetts: Let me tell the Secretary of State that we do not do deals. The Government must do the deals. As a matter of arithmetic, at the current rate at which the pension credit is being taken up by new claimants, if he extrapolates that trend, when will he reach his target for the take-up of the pension credit?

Mr. Smith: The hon. Gentleman knows that we must hit 3 million by 2006. I am confident that we are on course and look forward to his coming to the House and apologising when we hit our target.

Mr. David Watts (St. Helens, North): Will my right hon. Friend join me in congratulating St. Helens council on recently holding an advice street stall in the town centre at which hundreds of pensioners were helped with the pension credit? Will he encourage more councils to do the same?

Mr. Smith: I join my hon. Friend in congratulating his local authority, working in partnership with the Pension Service. Such activities are taking place across the country, because partnership is at the heart of our drive to maximise take-up of the pension credit. It is a pity that the Conservative party does not join in that partnership to encourage the take-up of pension credit. Anyone listening to the hon. Member for Havant (Mr. Willetts) a few minutes ago would have thought that the Conservative party would abandon the pension credit.

Sir Sydney Chapman (Chipping Barnet): Further to the comments of my hon. Friend the Member for Havant, when the Labour Government came to power, the Chancellor of the Exchequer said that one of the Government's central objectives was to get rid of means-testing for the elderly. Was the Chancellor of the Exchequer right or wrong, or have the Government done a massive U-turn?

Mr. Smith: I have already pointed out that the pension credit is a million miles away from the old, degrading, intrusive weekly means test. We receive hundreds of messages through the local Pension Service to the effect that pensioners who have successfully applied for pension credit appreciate not only being better off, but the value of the sensitivity and the helpfulness with which the Pension Service has handled their applications. That is amplified not only by those working on the telephone lines, but by the important work of the local Pension Service, which visits people in their homes and helps them to claim their entitlement. Conservative Members should admit that that is not the old-style means test.

New Deal (Young People)

10. **Siobhain McDonagh** (Mitcham and Morden): If he will make a statement on the impact of the new deal for young people. [138642]

The Minister for Work (Mr. Desmond Browne): The new deal has already helped nearly 450,000 young people into work, including 720 in my hon. Friend's constituency.

Along with our other welfare-to-work policies, the new deal has helped reduce youth unemployment to around its lowest level since the mid 1970s and has virtually eradicated long-term youth unemployment. The new deal for young people has been a great success. To put that achievement in perspective, I remind hon. Members that between 1990 and 1992, when the current Leader of the Opposition was Secretary of State for Employment, youth unemployment rose by 60 per cent.; since 1997, it has been reduced by 40 per cent.

Siobhain McDonagh: I thank my hon. Friend for that answer. Given the scheme's great success in my constituency and others, will he tell the House what work has been done on what the impact might be if it were withdrawn?

Mr. Browne: I know that my hon. Friend strongly supports the work done by Jobcentre Plus in her constituency. She will know from her experience how many individuals the new deal for young people has helped—it has helped 720 people in her constituency in six years. If she can contemplate 720 people becoming unemployed for 18 months or more in her constituency, it would be a decent measure of what abandoning the new deal for young people would do over the next six years.

Mr. George Osborne (Tatton): The new deal for young people cost taxpayers a third of a billion pounds last year, so we are entitled to ask whether it helps young people. The Employment Service survey found that three out of four new deal options reduce the chance of a young person moving away from the new deal itself or jobseeker's allowance. Is the Minister happy with that?

Mr. Browne: May I first congratulate the hon. Gentleman on his promotion to the Front Bench? I look forward to working with him on the part of the brief for which he is responsible. When he has an opportunity to acquaint himself with more information about the new deal for young people, he will come across independent research by the National Institute of Economic and Social Research, which found both that long-term youth unemployment would have been twice as high without the new deal and that a large number of young people left unemployment quicker than they would have done without it. That same institution has produced research showing that the economy as a whole is richer by £500 million a year as a result of the new deal for young people. It is more than justified by those factors alone.

Mr. Ian Davidson (Glasgow, Pollok): While I accept that many young people have indeed been helped by the scheme, many others seem to have disappeared from the

system: they neither appear on the records nor are they in work. Is the Minister, like me, worried that they are being deserted by the system?

Mr. Browne: I hear what my hon. Friend has to say. I know from the interest that he takes in his constituents that he speaks with some degree of knowledge of the labour market in Glasgow. I can reassure him by saying that research shows that approximately the same number of young people go into work from that group as from other groups. Our Department consistently carries out research on the destinations of young people, both on leaving school and from the new deal. The evidence suggests that people leaving to unknown destinations are just as likely to enter jobs as those leaving to known destinations—about 57 per cent. do so.

Pension Service

11. **Tim Loughton** (East Worthing and Shoreham): If he will make a statement on the effectiveness of the Pension Service. [138643]

The Minister for Pensions (Malcolm Wicks): The Pension Service is the first ever service dedicated to the needs of elderly people. It operates through a network of 26 pension centres across the country, supported by a local service provided in accessible locations and delivered in partnership with local statutory and voluntary organisations. It has only been operating since April 2002, but we already know from customer and partner feedback that it is making a real difference.

Tim Loughton: The Secretary of State just talked about pensioners who have made successful applications for pension credit as if that should qualify them for a special achievement award. Despite the local field workers in the Pension Service, most pensioners have to rely for advice on the hotline to the call centres, where it is recommended that they should allow at least 20 minutes for their call to be processed. Can the Minister name one other advice line that recommends a minimum of 20 minutes to deal with what should be a straightforward benefit to members of the public, elderly or otherwise?

Malcolm Wicks: The hon. Gentleman's cynicism about this social policy is a cause for concern. I hope that he does not go around spreading that cynicism in his constituency, because much good work is going on there. People can now choose how to apply for pension credit—by filling in the application form, by ringing the freephone number, by visiting the advice surgery or by having a home visit. That is a great advance. In October alone, in the hon. Gentleman's constituency—I am sure he knows this—91 home visits were made, 173 people dropped into local surgeries, and there were 16 surgery appointments. *[Interruption.]* The hon. Gentleman, from a sedentary position, seems to say that he is not participating. If he wants to know about the good work on the pension credit in his own constituency, he should get out more.

Mr. Nigel Waterson (Eastbourne): When I visited the Pension Service in my constituency last Friday, I found its dedicated staff working flat out to try to explain the pension credit to pensioners. Given the Minister's assumption that 1.4 million of the poorest pensioners will not get round to claiming it owing to its complexity and means-testing, why not simply boost the basic pension, which has 100 per cent. take-up, and restore the link with earnings?

Malcolm Wicks: We know that since 1980, members of the Tory party have become born-again earnings linkers—a bit late, methinks. Let me tell the hon. Gentleman about the figure of 1.4 million: that is the number of individuals who have already gained from pension credit and are better off. The number will grow and grow. I welcome the hon. Gentleman's support for our local Pension Service, which comprises a dedicated group of people. However, they will be helped by enthusiasm from local Members of Parliament, not by Conservative Members stirring up apathy about a major social advance.

If the extra money for pension credit were simply put into increasing the basic pension, some people in all our constituencies would be £30 a week worse off. We make no apologies for helping the poorest among the elderly population.

Child Support Agency

12. **Tony Lloyd** (Manchester, Central): If he will make a statement on the new scheme for dealing with Child Support Agency cases. [138645]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): The new scheme was introduced for new cases and those connected to a new scheme case in March this year.

Steady progress is being made, and I am pleased to be able to report that nearly 6,000 of the poorest families are already benefiting from the new child maintenance premium.

My right hon. Friend the Secretary of State will shortly place in the Library a second report on progress in implementing the new child support scheme.

Tony Lloyd: I am sure that the 6,000 beneficiaries will be grateful for the new scheme and that my hon. Friend will confirm that the Government clearly perceive it to be a fairer system. Can my hon. Friend therefore understand the frustration of the many people on the old scheme who feel that they are locked into it, and sometimes pay not only more than they believe to be right but more than their former partners believe to be right? Can he provide a ray of hope to many people that the management system in the CSA will get to grips with the problem and that the new scheme will be rolled out for all those who need it?

Mr. Pond: We understand why people are impatient to move to the new scheme, which is fairer, simpler and helps to ensure that children get the support that they need and deserve as effectively as possible. We are making good progress, with the CSA clearing thousands of cases each week, but we have always said that we will transfer existing cases to the new scheme when we are satisfied that it is working well. We shall not make the

mistakes of 1993, when the existing scheme was introduced too hurriedly and at considerable cost and heartache both to parents with care, and non-resident parents and to their children.

Mr. Paul Goodman (Wycombe): The Under-Secretary will naturally want to be candid with hon. Members about the reasons for the delay in transferring the old cases to the new scheme. Will he confirm or deny the report in this week's *Computer Weekly*, which claims that up to 40 per cent. of the old records could contain defects, omissions and anomalies; that up to 14 million individual items may need validating, correcting or checking; and that the CSA has

"no clear solution to its difficulties, no real idea when it will transfer the million cases . . . and has not told the whole truth to Parliament about its affairs"?

What did the Under-Secretary know about that and when did he find out?

Mr. Pond: Well, Mr. Speaker! May I welcome Conservative Members' new-found enthusiasm for this matter? A little more than two weeks ago, we had an opportunity to discuss it in practical terms in Committee. Only one Conservative Member, who stayed for one minute of the proceedings, turned up. Conservative Members were concerned with three letters—not "CSA" but "IDS".

We are doing what we can to ensure that the new scheme operates effectively. It is working effectively—we are dealing with thousands of cases every week. We know that it is far fairer and simpler than the previous scheme, which the Conservative party was responsible for introducing. We shall ensure that we tackle the problems that we are experiencing with the IT system. The hon. Gentleman knows that those problems have been disappointing for the Government and all other hon. Members. However, we shall ensure that we deal with them. We are working with our partners, Electronic Data Systems—EDS—on that, and we are determined that children get the support that they deserve and need as quickly and effectively as possible.

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): I support the comments of my hon. Friend the Member for Manchester, Central (Tony Lloyd). I emphasise that many of my constituents have told me that the CSA has told those on the old system that it will take many years to get on to the new system. Will my hon. Friend consider that seriously and do what he can to speed up the process?

Mr. Pond: I assure my hon. Friend and his constituents that we will transfer the existing cases as quickly as we can, because we understand the frustration and impatience both of non-resident parents and of parents with care about the need to move quickly—but we shall do so only when we are sure that the system is working effectively. We would be doing no favours to the House, and certainly not to the parents or children involved, if we tried to move forward before we were ready.

Benefits Entitlement (Savings Income)

13. **Dr. Vincent Cable** (Twickenham): If he will reduce the imputed return on savings in the calculation of benefits entitlement. [138646]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): We have already done so in respect of pension credit, for which the tariff income on savings is half that for the minimum income guarantee, which it replaced. We have no plans to change the tariff income on other benefits, but we keep all income and capital rules under review.

Dr. Cable: I accept the Minister's reply, in that the Government have indeed reduced the assumed rate of annual return from the ludicrous level of 20 per cent. However, does the Minister accept the criticisms of the pensions experts who came before the Treasury Committee last week, who said that the current assumed rate of 10 per cent. on savings over £6,000 was totally unrealistic, because no bank offers anything remotely like that, and was a significant disincentive to saving?

Mr. Pond: Less than 5 per cent. of customers are assessed as having any tariff income at all, and we must bear in mind that the first tranche of savings is disregarded altogether. The tariff income rules allow people to continue to receive income-based benefit even if they have some savings, rather than their being disqualified outright. I think that the hon. Gentleman would agree that it would be wrong to disqualify people totally simply because they had some savings. The tariff income rules are a way of phasing out the entitlement to benefit, without pushing people over a cliff edge, but we keep all the rules under review, and will continue to do so.

Unemployment (Nottingham, North)

14. **Mr. Graham Allen** (Nottingham, North): When he next plans to visit Nottingham, North to meet jobcentre staff to discuss the number of local unemployed people. [138647]

The Minister for Work (Mr. Desmond Browne): Unemployment in my hon. Friend's constituency has fallen by 31 per cent. since 1997. From March next year, Jobcentre Plus will be working with Nottingham city council to co-ordinate a number of local employment projects within the neighbourhood renewal employment strategy, to help even more people into jobs in the future. My hon. Friend will remember that last month my right hon. Friend the Secretary of State told him that he would be happy to visit his constituency, and he knows that he has only to invite him.

Mr. Allen: My hon. Friend will realise that in 1997, unemployment was the No. 1 issue in my constituency, as in many others. Now it often barely rates a mention—and that is the greatest tribute to my right hon. and hon. Friends on the Front Bench, and the rest of the Government, for what they have done since 1997. However, some of the hardest cases still remain. Will my hon. Friend take some time to consider the possibility of the Employment Service and others connected with

employment doing more outreach work? In my constituency, individuals in places such as the Bestwood and Broxstowe estates are doing incredibly good work on a one-to-one basis. Will my hon. Friend re-examine this matter and see whether the Employment Service and Jobcentre Plus can be pushed out to where the unemployed are, so that we can crack some of the harder remaining cases?

Mr. Browne: I thank my hon. Friend for his recognition of the Government's achievements on employment. They have not been achieved alone, and a significant number of partners, including local Members of Parliament, have contributed to them. I am aware that last year my hon. Friend corresponded with my right hon. Friend the Secretary of State about the other matter that he raised. Jobcentre Plus and the Pension Service are developing local partnerships across the country, exactly as my hon. Friend describes in his constituency, and I know that he will be pleased to hear that as part of the jobcentre roll-out, we will offer some of our services in local community surgeries, and from sites shared with local authorities. We are also planning worklessness pilots in some of the most disadvantaged areas throughout the United Kingdom.

Pension Credit

15. **Annabelle Ewing** (Perth): What recent assessment he has made of the take-up rate of pension credit in Scotland. [138648]

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): Pension credit has got off to a good start in Scotland. Already, 155,000 pensioners in Scotland are better off than they were under the old system and, for the first time, people who have saved for their retirement are being rewarded. At the end of October, there were already 202,000 pensioner households in Scotland receiving pension credit.

Annabelle Ewing: I thank the Minister for that answer. Obviously, however, much still needs to be done to ensure that all pensioners in Scotland receive their entitlement as soon as possible. In that regard, is the Minister concerned by reports that one of the partner organisations in the take-up campaign, Help the Aged, has proposed swingeing and disproportionate cuts to its services in Scotland, including the closure of the Edinburgh office of its free telephone advice service, SeniorLine? Surely that is likely to have a negative impact on take-up in Scotland.

Maria Eagle: I am always concerned to hear about organisations that do good work, such as Age Concern, having that kind of difficulty. I hope, though, that the hon. Lady will be able to step into the breach and start to encourage pensioners in Perth to claim their entitlement. If she did so, far more people would claim. I hope that she will be able to do that, even though her party opposed the pension credit.

John Robertson (Glasgow, Anniesland): I congratulate my hon. Friend and her Department on the work that they are doing. Will she assure me and the elderly people of Anniesland that, even when we reach the June deadline for contacting people, we will not stop there, and that we will not be satisfied until every pensioner is getting what they are due?

Maria Eagle: My hon. Friend is well known for the work that he does in this area, particularly on encouraging pensioners to take up their entitlement. I am sure that he will not stop doing so come next June. It is certainly our intention that everybody who is entitled to pension credit should take up that entitlement, and the Pension Service—particularly the local service—will continue its effort to ensure that as many people as possible, and preferably all those who are entitled, take up their entitlement.

Hospital Patients (Benefit Payments)

16. **David Taylor** (North-West Leicestershire): How many people in receipt of benefit have been in NHS hospitals for more than a year. [138649]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): The latest information is that there are, at any one time, between 20,000 and 25,000 people on benefit who have been in hospital for more than 52 weeks. In May this year, we extended the period before benefits are reduced as a result of a stay in hospital from six to 52 weeks.

David Taylor: Almost 9,000 people with mental ill health in England and Wales have been in hospital for more than a year. Given that benefit cuts at that point can be demonstrated to be anti-therapeutic, and can therefore lengthen the stay in hospital, is it not right, in medical, moral and monetary terms, to push that 52 week limit even further, perhaps to something approaching two years? The cost would not be great, the Chancellor is listening, and this is the time of year to do it.

Mr. Pond: I pay tribute to my hon. Friend, and also to Mind and the other mental health charities that have argued this case. My hon. Friend will recognise, however, that 97 per cent. of hospital in-patients leave hospital within six weeks, and so would not even have been affected by the pre-May 2003 rules. Our recent change means that even more people will see no reduction in their benefit while they are in hospital, but I think that my hon. Friend would agree that we have to draw the line somewhere, and that it is right in principle that social security benefits should not be paid in full indefinitely when someone is in an NHS hospital and therefore getting their day-to-day living expenses met. However, this is an issue that we shall keep under review.

Miss Anne McIntosh (Vale of York): The hon. Gentleman referred to those who have been in hospital and are over a certain age, many of whom will be elderly and mentally infirm patients. What provisions has his Department made to ensure that checks on those eligible for pension credit have been made? Also, could his hon. Friend the Minister for Pensions possibly find the time

to respond to the question that I put to him a month ago? He said that he would reply if I wrote to him; I have written, but I am still waiting for a reply.

Mr. Pond: I will ensure that the hon. Lady gets a reply, and I apologise if there has been a delay. We estimate that, at any one time, about 20,000 pensioners and 3,000 income support recipients aged under 60 are benefiting from the May 2003 change to which I referred. We want to ensure that those who are in hospital long term receive the benefits to which they are entitled. I will certainly give the hon. Lady my assurance that we will continue to do that.

New Deal (Young People)

17. **Mr. Edward Leigh** (Gainsborough): Pursuant to the Government's response to the 62nd report of the Public Accounts Committee, Session 2001–02, on the new deal for young people, how the Government will track the progress of those who have left the new deal for young people and moved into employment. [138650]

The Minister for Work (Mr. Desmond Browne): Consistent with the Department's response to the Public Accounts Committee report, we are working with the Inland Revenue to link our records with theirs where possible. That work will improve our understanding of what happens in the long term to people who leave our programmes, such as the new deal for young people. We are also conducting separate work to identify immediate destinations of people on leaving the new deal for young people.

Those are just part of our extensive programme of research evaluating our welfare-to-work programmes. That research both measures the success of our programmes and identifies areas for further improvement.

Mr. Leigh: As the Minister has explained, the Employment Act 2002 gives his Department the chance to access all the Inland Revenue records of all those who have been on new deal so that we can check exactly what is happening to their employment. Is the Department doing that and trying to track all those who have been on the new deal, and what has it learned from that analysis about the sustainability of their employment and about their earnings? If it is not doing so, that will add credence to the charge made by the Minister's colleague the hon. Member for Glasgow, Pollok (Mr. Davidson), that many people are simply vanishing from the system.

Mr. Browne: The hon. Gentleman makes an important point, and we are of course undertaking such checks. I repeat that we are working with the Inland Revenue to link our records with theirs where possible. We will report to the House once that work is concluded, or when we are in a position to draw conclusions from it.

Potato Ring Rot (Wales)

3.30 pm

Mr. Bill Wiggin (Leominster) *(urgent question)*: To ask the Parliamentary Under-Secretary of State for Wales if he will make a statement on the outbreak of potato ring rot at Bwlch and what discussions he has had with the Department for Environment, Food and Rural Affairs and the National Assembly for Wales to prevent its spread to the rest of the United Kingdom.

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): First, I welcome the hon. Gentleman to his new post. He has served on the Welsh Affairs Committee and on the Welsh Grand Committee. He does not represent a Welsh seat, but his constituency is a part of the country that has been contested by our two nations for some time.

Ministers and officials at the Wales Office, the Department for Environment, Food and Rural Affairs and the National Assembly have been in discussions since we first became aware of the ring rot outbreak at Bwlch last Wednesday, 12 November. The infected potatoes were discovered during a routine annual inspection conducted by the plant health and seeds inspectorate on behalf of the National Assembly. We believe that the potatoes were grown from seed imported from the Netherlands in 2002 and planted in Wales earlier this year. The Assembly and DEFRA acted swiftly. The first priority was to contain the disease at Middlewood farm and assess the risk that it might spread.

Assembly officials visited the farm immediately they were notified of the outbreak to assess the situation. Equipment and machinery on the site were disinfected and sterilised, and the farmer, Mr. John Morgan, who is a seed potato farmer of international reputation, fully co-operated with the public health authorities. To our knowledge, this is the first outbreak of potato ring rot in the UK, and it is a credit to the systems that we have in place that the disease was identified during a routine check.

We are following very strict guidelines agreed in the European Union, and further tests are being conducted on the potatoes at Bwlch. Those tests will take some time to complete.

Mr. Wiggin: Can the Minister explain how this bacterial infection, which is one of the world's most damaging potato diseases, was able to get into Wales? How was the disease able to get past the checks in the Netherlands and in the UK just two years after the devastating foot and mouth crisis? Despite the Government's assurances following foot and mouth, they have failed to provide adequate checks and safeguards to protect the UK farming industry. Why is it that not every batch of imported stock is tested? Should not the Government already have put in place extra surveillance of meat and agricultural imports to prevent our domestic agriculture from being affected by foreign diseases? Will they tighten security for imports on a disease basis?

What about Mr. Morgan? He has complied with the Government, as the Minister said, and done everything he can to ensure that the outbreak remains in his potato sheds. He has been let down by the security system. Can he expect some compensation for the loss of his business? He will be unable to grow potatoes again for at least four years. Like me, he is deeply concerned about the impact on tourism and the cost to the community. Can the Minister assure the House that Mr. Morgan is the victim, not the villain?

What extra resources are the Government putting in place towards plant security, or does the Minister think that enough is already being done? Is he aware that ring rot bacteria can survive for two years in dry conditions? However, is it right that, unbelievably, Mr. Morgan is allowed to sell his potatoes for consumption? It is only his resolve to protect the national industry, and the fact that he has to live with himself, that prevents him from using that route to recoup some of his losses. I hope that the Minister will consider that before ruling out helping this farmer.

What actions have been taken to prevent the disease from spreading? Is there an action plan? Does it take local knowledge into account? How much co-operation is required from potato farmers? How many potato farmers are there in Wales, and has the Minister estimated the size of losses to people throughout the United Kingdom if he fails to control the disease? Has he not learned the lesson of foot and mouth, for example? I hope he has sufficient stocks of everything he needs.

It is known that the infected farm may have supplied seed potatoes to other farms. What steps are being taken to ensure that the seeds are not sown, and that the bacteria are dealt with properly? What assessment have the Government made of the economic consequences of the outbreak for the potato sector? Have the Dutch authorities been contacted to establish where else in the UK seeds of the same origin have gone? Finally, will the Government confirm that they will do more to prevent the disease from reaching Britain?

Mr. Touhig: As far as we are aware, Mr. Morgan has acted perfectly properly throughout the whole business. As I have said, he is a farmer of international repute, and I have nothing but praise for his response to the problem that he discovered.

Our own response should be measured and determined. We were right to act immediately to isolate the bacterium, but—I am not suggesting that the hon. Gentleman did this—we must not imply that this problem is on the same scale as problems that have hit our farming industry before. Farming has gone through a pretty tough time. It is in all our interests to act responsibly, in order to protect the long-term interests of our farmers and rural communities.

No compensation schemes currently exist, although there may well be discussions between the farming unions and various Departments on whether compensation is possible. My colleague the Assembly Health Minister is due to make a statement tomorrow. We have been in touch with the Dutch authorities: indeed, my colleague at the Department for Environment, Food and Rural Affairs, my hon. Friend the Member for Exeter (Mr. Bradshaw), raised the matter with a Dutch Minister at a meeting in Brussels this morning.

There have been some movements of potatoes from the farm in question, but they have been traced, and action has been taken to ensure that they are not taken

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anywhere else. They are being examined and tested. As for the economic consequences of the outbreak, I am afraid that it is not possible to make a proper assessment at this stage; but there will clearly have to be one, especially in view of Mr. Morgan's specific difficulties. As for the implications for potato farmers throughout Wales, there are six seed potato growers in Wales, and many other farmers are involved in producing potatoes. All those factors will have to be taken into account when the Government decide on a longer-term response.

The hon. Gentleman asked about protecting our country from any import of the seeds. No imports from non-EU countries are allowed, and there is an arrangement for proper checks and inspections of those from EU countries. There is a problem with ring rot in a number of European countries: it has recently been discovered in Austria, Belgium, the Netherlands, Germany and France, as well as parts of north America. As far as we know, this is the first outbreak in this country, although the bacterium was discovered in the late 1800s. I think that our response has been appropriate, but it will take six to eight weeks for us to assess the damage caused to the crop.

Paul Flynn (Newport, West): I join others in welcoming the hon. Member for Leominster (Mr. Wiggin) to his position as Opposition spokesman on Wales. His appointment is in the Tory tradition of appointing alien governors-general for Wales. However, I regret his comparison with foot and mouth disease, which has also been made in the press. It is ludicrous to compare this disease, which can and probably will be contained, with a virulently infectious disease such as foot and mouth. The comparison is not only untrue and inaccurate but extremely damaging. Many people have suggested that there is already a reluctance to book holidays or arrange other tourism activities in the Brecon area, and there have even been some cancellations, because of exaggerated press reports. While we should of course take this matter seriously, should we not also ensure that our comments are restrained and measured?

Mr. Touhig: I agree with that final point. As I said in response to the hon. Member for Leominster, it is important that our response be proper, well thought out and careful. I fear that we are in danger of over-hyping this issue, although I do not think that anyone would want to diminish its importance and seriousness.

I saw press reports over the weekend suggesting that this is the arable form of foot and mouth. We do not accept that at all. My hon. Friend the Member for West Carmarthen and South Pembrokeshire (Mr. Ainger) spoke to me only today about discussions he had with the National Farmers Union in his area over the weekend. It too is concerned that, if our reaction to the disease gets out of hand, people will think it is a huge problem. That would have a huge detrimental effect on our farming industry and on the countryside. We do not want that to happen, so our response must be measured, proper and appropriate to the difficulty.

Sue Doughty (Guildford): First, I apologise for the absence of my hon. Friend the Member for Montgomeryshire (Lembit Öpik), who normally deals with these issues.

The outbreak is a serious issue and it is important that we take it seriously, but I am concerned that we do not whip up the whole issue into a frenzy that will affect tourism in Wales and the farming industry not only in Wales but in other parts of Britain. I would like it confirmed that the Secretary of State for Environment, Food and Rural Affairs will not allow the media to whip up the issue into the same problem that we had over foot and mouth.

I seek an assurance that the consignment is fully traceable. What advice can the Minister give about the liability of the original supplier, and what assurance can he give that the burden will not fall on the importers or growers, who, as we have heard, have acted perfectly correctly? We have concerns about the suppliers. What responsibility does DEFRA have for the quality of the inspections by plant health inspectors? How is the number of tests arrived at? Tests led to the discovery of the outbreak. Would more tests have led to the discovery sooner?

Britain had the advantage of having disease-free status. What resources does DEFRA have, once we have contained and sorted out this problem, to regain that status, which is so important for our agricultural export industry? In many other European countries—France, Holland, Spain and Denmark—compensation arrangements are in place. What assessment will the Secretary of State make of parallel schemes that could be adopted for use in this situation? We now understand that at least three farms in west Cornwall and in the Isles of Scilly received consignments of potatoes from the original farm in Wales. Can the Minister tell us how many farms received those consignments?

Mr. Touhig: On the last point, my advice is that four consignments left the farm. The recipients have been contacted and movement restrictions have been put in place in respect of those seed potatoes. I can only refer the hon. Lady to the point that I made earlier on compensation. There is no scheme at present, but I have no doubt that the farming unions and Mr. Morgan in particular will want to make representations at some stage. Ministers will obviously have to take account of that.

It is important that we recognise that the system that we have in place is working and is appropriate—an annual routine inspection discovered the outbreak. It is important that we recognise that that annual inspection is operating throughout the European Union, and it has proved to be effective in this case. It is important, as the hon. Lady says, that we in no way harm our farming community more than it has been harmed in recent years, by giving the impression that this is of the scale of the problems that the industry has faced in most recent times.

It is important that we do a proper assessment, which will take some weeks, of the extent of the outbreak. It is right to state that it needs to be properly assessed. The bacteria can exist for perhaps four or five seasons, in sacking, in barns and so forth. That is why we need to disinfect and to sterilise the places where these particular potatoes were stored. We are taking appropriate

measures. Possibly my Cardiff colleague the Assembly Minister will have some further information when he makes his statement tomorrow.

Mr. Tam Dalyell (Linlithgow): My hon. Friend will recognise that, without being selfish, those in the agricultural community in the Lothians, who send their considerable condolences to Welsh colleagues, are greatly concerned about the outbreak in Wales, because theirs is one of the major seed-producing areas of Europe. What does he think of the suggestion, of which I have given him notice, made by James Withers on behalf of the Scottish NFU that the Scots should use only Scottish seed for the moment, that high health regions should be introduced, and that imports of seed from Holland, Germany and Denmark should be at least considered and possibly forbidden? Does he agree with the Scottish NFU that the European Union ought to consider disease-free areas?

Mr. Touhig: I am grateful to my hon. Friend for giving me notice of that question earlier today. Of course, in Scotland, there already exists a voluntary ban on importing seeds from the Netherlands, although that is not because of any case of ring rot in Scotland. The EU has protected area status for some diseases, and it is up to individual member states to prove that they are disease-free. Such status does not exist for ring rot at this time. I am sure that my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs will be interested in my hon. Friend's remarks, and I will certainly ensure that his remarks are brought to her attention.

Mr. Robert Walter (North Dorset): I want to take issue with the Minister's last remarks, because restrictions in regard to ring rot are in place. If he looks at the DEFRA website, he will see that there are restrictions on potato imports from Germany. That site also says that ring rot is prevalent in Denmark, Finland, France, Germany, Greece, Spain and the Netherlands, but we have had no restrictions on potatoes coming from the Netherlands since 1997. Given that Germany is next door to the Netherlands and we have restrictions on German imports, why have the Government not seen fit to place restrictions on imports from the Netherlands?

Mr. Touhig: I can only refer the hon. Gentleman to the points that I made earlier on how we have responded to this outbreak. I cannot, in fact, tell him that it would have been appropriate to place restrictions on imports from the Netherlands. It is for my colleagues at DEFRA to make a proper assessment. I have no doubt that they will take account of his remarks, and if appropriate action is needed, I am sure it will follow.

Kevin Brennan (Cardiff, West): May I tell my hon. Friend that, if any more compensation is to be handed out by the Government, there are greater priorities than this—for example, the Allied Steel and Wire workers? If more retrospective compensation is to be paid to the agricultural industry, which already receives massive public subsidy, does he agree that other priorities should be considered first?

Mr. Touhig: I am well aware that my hon. Friend and others campaign on behalf of the workers at Allied Steel and Wire, and I am sure that hon. Members of all parties have great sympathy with them, especially in light of the problems with their pensions. I can only tell my hon. Friend that no such compensation scheme exists at present. The Government are not suggesting that there should be such a scheme—I have simply indicated that I have no doubt that others will raise the issue in the coming weeks.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): The Minister said earlier that the annual inspection regime works. Well, self-evidently that is not the case, or there would not have been this outbreak. May I urge on him the need to look again at the imported material and to speak to members of the other Governments, because the problem is rife in Denmark, Finland, Germany, Spain, the Netherlands and Greece? Should there not be a general moratorium until such time as we are confident that inspection procedures are equally good on the other side of the English channel? I do not say that as an anti-European person—I am not a Eurosceptic—but it is high time we took on the problem and dealt with it urgently. With respect to what the Minister said about containing the problem in Bwlch, the Government have got that part right, and I congratulate them on that.

Mr. Touhig: I thank the hon. Gentleman for his final remarks. It is good to see that we are at one on this approach. I know of his keen interest in rural matters, given the constituency that he represents, and we do not want this to get out of hand in terms of the public being afraid to come into the countryside or its being suggested that this is a greater problem than it is. I can confirm that the disease is found in north America, Canada, parts of the former Soviet Union, Austria, Belgium, Finland, France, Germany, Denmark, Greece, Spain and the Netherlands. To date, as far as I am aware, the Government have not considered banning the importation of seeds from those countries, but I have no doubt that, having read the *Hansard* report of today's urgent question, colleagues at DEFRA will consider the matter.

Mr. Douglas Hogg (Sleaford and North Hykeham): The Minister has told us that the source of this problem is imported seed potato from the Netherlands. To his knowledge, what steps are the Dutch authorities taking to address the problem on that farm of origin? What steps are the British Government taking to ensure that no disease is lurking in UK farms that may also have received imports from the affected farm in the Netherlands?

Mr. Touhig: We have been in touch with the Dutch authorities on this matter to trace the supplier of this particular seed. My DEFRA colleague, my hon. Friend the Member for Exeter, raised the matter with his Dutch counterpart this morning, and ongoing discussions will take place on the matters that the right hon. and learned Gentleman raises, to determine whether other steps are needed and are appropriate. I cannot give the right hon. and learned Gentleman any more up-to-date information at present, but I am sure that this matter

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will figure in DEFRA questions later this week, and that the Secretary of State and her Ministers will have more to say about it.

Mr. David Heath (Somerton and Frome): I commend the Minister on the steps that have been taken to contain the present outbreak. Does he agree, however, that dealing effectively with potential epidemics of both animal and plant diseases require a robust and regularly reviewed contingency plan? Can he tell me when the contingency plan for potato diseases was last reviewed and whether he will place a copy in the Library?

Mr. Touhig: He's got me on that one, Mr. Speaker. I cannot tell the hon. Gentleman that, but I will certainly make inquiries, write to him and place a copy in the Library.

Mr. Nigel Evans (Ribble Valley): The potato crop is important not just for Wales but for the entire United Kingdom, with many millions of pounds' worth of potatoes being sold. We very much hope that the disease has been contained to this particular farm, but the Minister has mentioned a number of other countries in addition to Holland where this disease lurks. Indeed, I suspect that it is not only from Holland that we import potato seed. What extra action are the Government taking to ensure that any potato seeds coming from any other European Union countries, Russia, the Czech Republic, or other countries that he has mentioned, such as Canada, are not bringing the disease into the United Kingdom?

Mr. Touhig: I have no doubt that my colleagues at DEFRA have been reviewing the matter, and as I have said in answer to other questions, we will clearly be looking at imports of seeds from the countries where this disease is prevalent and where there have been recent outbreaks, in mainland Europe, north America and elsewhere. I have no doubt that at some stage that will lead to a review of whether we need to take action to prevent the importation of those seeds, and I am sure that the Government will then take the appropriate action.

Mr. Geoffrey Clifton-Brown (Cotswold): May I start by declaring my entry in the Register of Members' Interests as a potato grower? The DEFRA website on 29 April 2003 said:

"Potato ring rot is a highly contagious disease of potatoes, which is not present in the UK. If it were to be introduced, successful eradication would be very difficult, and losses would arise through lower yields, compliance with control measures, and reduced exports. Following interceptions of this disease on potatoes from Germany, the Potatoes Originating in Germany (Notification) (England) Order 2001 was introduced in October 2001, to enable the PHSI to monitor trade from this source and target inspections more effectively."

Can the Minister have urgent discussions with his colleagues at DEFRA to ensure that that order is now extended to Holland and to any other source countries where the disease is likely to be present? Can he also comment on the 2,500 inspections of potato seed each year? Are those adequate, and will he again have discussions with his colleagues on that? Finally, we should not overstate the danger of this disease: it poses no danger whatever to the public, they may continue to eat potatoes perfectly safely—and my potatoes grown in Norfolk are some of the best.

Mr. Touhig: I am glad that the hon. Gentleman declared an interest in the matter. I will ensure that the *Hansard* report of today's question is brought to the attention of my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs, because several issues have been raised to which it would be more appropriate for a Minister from her Department to respond.

The hon. Gentleman makes an important point. I shall ensure that the matter is brought to the attention of my colleagues, and we shall take whatever steps are appropriate in view of the difficulties that we face. It is important that we do not overstate the difficulty at the present time. Let us do the assessment and take the appropriate action because, as the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) said, it is important to note that the situation is isolated. We did the right thing at the beginning and we need to continue to do that.

Mr. Patrick McLoughlin (West Derbyshire): On a scale of one to 10, with 10 being very serious, how serious is the outbreak?

Mr. Touhig: To answer that question would perhaps lend weight to those who are trying to suggest that the problem is greater for our country than it is, and I would not wish to take that course. The matter is serious, and it is appropriate that we respond seriously. In view of the huge problems that this country's farming community has faced in recent years, I do not think that any hon. Member wants to do anything more to harm or cause grief to farmers and their families.

Point of Order

3.55 pm

Mr. Andrew Mackay (Bracknell): On a point of order, Mr. Speaker. I am sure that it will not have escaped your attention that, as we speak, the Minister for Children is making a personal statement outside the House. You will recall from exchanges during business questions last week and on a previous point of order that many people in the House believe that the Minister should make a statement here, especially bearing it in mind that she traduced the whistleblower in the Islington child abuse case by suggesting that he was mentally unstable. Is there any way in which you can protect our interests and ensure that Ministers make statements inside the House from the Dispatch Box, and not outside to the media?

Mr. Speaker: I understand that the right hon. Lady is making a statement that has nothing to do with parliamentary proceedings. It is a matter outside the House about which she is making a statement.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Mr. Speaker. If the Minister for Children is saying anything that has any bearing on her ministerial responsibilities, surely that would rightly be a matter for the House. Is that not something to which the House may wish to return tomorrow, when we might want an early opportunity to hold the Minister to account here for her ministerial responsibilities, however widely that might be construed?

Mr. Speaker: We have just been speaking about farming matters. The farmers in Scotland often say that the cares of tomorrow are for a day still to come. We will worry about tomorrow, tomorrow. *[Interruption.]* I was not giving the right hon. Gentleman any encouragement whatever—it was the opposite, actually.

Courts Bill [*Lords*] (Programme) (No. 2)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following provisions shall apply to the Courts Bill [*Lords*] for the purpose of supplementing the Order of 9th June 2003—

Consideration of Lords Message

1. Proceedings on consideration of the Lords Message shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement at this day's sitting.

Subsequent stages

2. Any further Message from the Lords may be considered forthwith without any question put.

3. Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Margaret Moran.]*

The House divided: Ayes 303, Noes 123.

Division No. 363] **[3:57 pm**

AYES

Abbott, Ms Diane
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Bayley, Hugh
Beard, Nigel
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark

Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moore, Michael
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Oaten, Mark *(Winchester)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ruddock, Joan
Russell, Bob *(Coichester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Nick Ainger and Margaret Moran

NOES

Ainsworth, Peter *(E Surrey)*
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baron, John *(Billericay)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Burns, Simon
Butterfill, John
Cameron, David
Chapman, Sir Sydney *(Chipping Barnet)*
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Forth, rh Eric
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey

Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prisk, Mark *(Hertford)*
Randall, John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Streeter, Gary
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Wilshire, David
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Hugh Robertson and Gregory Barker

Question accordingly agreed to.

Orders of the Day

Courts Bill

Lords message considered.

After Schedule 5

Lords amendment: No. 24A to Commons amendment No. 24.

4.13 pm

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Speaker: With this we may discuss Lords amendments Nos. 24B to 24D.

Mr. Leslie: The Government tabled substantial amendments in Committee to the fine enforcement provisions. Those amendments were widely welcomed and demonstrated the Government's strong commitment to improving enforcement of fines across the country.

The amendments from the other place make small changes to the new schedule that this place added in Committee in relation to the discharge of fines by unpaid work. Amendments Nos. 24A, B and C are drafting amendments and remove redundant references to "parts of" schedule 6, for which there is no need. I am grateful to their lordships for taking the opportunity to agree to that drafting improvement.

The fourth amendment, No. 24D, subjects the regulations setting the hourly rate for converting a fine into unpaid work to affirmative resolution, rather than to the negative procedure provided for in the Bill as drafted. That reflects the Government's acceptance of the recommendation in paragraph 4 of the 26th report of the Delegated Powers and Regulatory Reform Committee. Hon. Members often prefer powers to be taken by positive resolution, as that allows for greater scrutiny, so I hope that the House will welcome the small but important change that the Government have agreed to.

Mr. Nick Hawkins (Surrey Heath): As the Minister explained, the discharge of fines was debated in another place. We also had, as he will recall, quite a lot of discussion in Committee of fines and the scandal that many fines imposed by the courts are not collected. My hon. Friend the Member for Woking (Mr. Malins), who shares my shadow Home Office responsibilities and also serves as a recorder and district judge, has expressed concern to the House on many occasions about the large number of fines that are not collected from offenders. It is therefore a good thing that the Government are going to pay greater attention to fines.

It will also be beneficial for the rate at which fines can be discharged by unpaid work if the affirmative rather than the negative procedure is adopted. As the Minister rightly said, Conservative Members have regularly called for such a procedure, not only for this Bill but for many other measures. My noble Friend Baroness Anelay of St. Johns had discussions about this matter

[Mr. Nick Hawkins]

with Ministers in another place, and we have made it clear that we would strongly prefer the rates to be set by affirmative resolution. We were therefore delighted that the Delegated Powers and Regulatory Reform Committee made the same recommendation, and we are pleased that the Government agree with us about that, in addition to other significant concessions that we discussed on Report and Third Reading and which the Government have made.

I welcome not only the three drafting changes that the Minister mentioned but the substantial concession that the affirmative procedure will be adopted if changes are made in future. I do not doubt, as I said on Report and Third Reading, that the amendment is a further change that proves that Parliament has done its job in both Houses, and the Bill is a great deal better than it was when the Government originally introduced it.

Mr. David Heath (Somerton and Frome): It is always dangerous to say so, but I suspect that we may not use all the time allocated for debate on the amendments, as they are entirely welcome. That is particularly true of amendment No. 24D because, as the Minister pointed out, it provides for the use of affirmative resolution in the setting of rates, for which we, along with Conservative Members, argued in Committee and elsewhere. Such powers are an important part of secondary legislation. I still have concerns, as the Minister knows, about the level at which rates are set, but I will have an opportunity to debate that with him when the orders are laid, and I look forward to doing so at the earliest opportunity.

The three drafting amendments suggest the perils of amendments not receiving proper scrutiny if they are introduced at a late stage in proceedings on a Bill. Clearly there must have been a word-processing problem that allowed references to "parts of" schedule 6 to remain, or there may have been an alternative schedule to the Bill or—who knows?—another Bill has been truncated and modified to fit the legislation. Either way, it would have been better, as I think the Minister accepts, if the change had been introduced earlier, so that it could have had the benefit of proper consideration in Committee. The proposals were effectively rubber-stamped in the House and in the other place, and there was no debate on the content of the amendment. Had it not been for sharp-eyed draftsmen in the Department, the error would not have been noticed in time to be corrected before the Bill completed its passage. Once we remove references to "parts of" schedule 6 and the redundant title of part 1, we will have a better Bill, and I certainly do not intend to oppose the amendments.

Mr. Graham Allen (Nottingham, North): I know that the Minister is anxious to join up parts of Government in the criminal justice system. Will he bear in mind the probation service, young offenders teams and the community by ensuring that it is possible for the community to make suggestions for the unpaid work to be done by people who have committed offences? That applies not just to community service but to unpaid work as proposed in the new schedule, which may include tasks such as cleaning up verges in the countryside. From speaking to the probation service, I know that reasons are found—not least because of guidance issued by the Government—not to have such work done by people who are on probation. It is often difficult to have such work done by people on young offenders teams who are under the relevant age.

Mr. Heath: I do not want to prolong the debate, but the hon. Gentleman will recall that we debated these matters during proceedings on both the Criminal Justice Bill and the Courts Bill. He is on to an important point. If any form of community sentencing is to be seen as a viable alternative, it must be visible to the communities affected by the original offences. I entirely concur with the hon. Gentleman's views.

Mr. Allen: I thank the hon. Gentleman for his support. Such visibility is important for the community. I am not proposing that unpaid work, whatever form it takes in the criminal justice system, should be only punitive because there is a need for rehabilitative work as well. In afflicted communities such as mine, which includes many outer-city estates, appropriate work, such as cleaning up graffiti or filth and litter, which sadly blight our communities, would be seen as relevant punishment, even if it is only part of the sentence or part of the unpaid work. I underline the need for a balance between the punitive and the rehabilitative. I hope that my hon. Friend will consider that with his colleagues in the Solicitor-General's office and the Home Office.

Mr. Leslie: That short but perfectly formed debate covered a number of useful points. My hon. Friend the Member for Nottingham, North (Mr. Allen) urged the Government to bear in mind the need to join up all aspects of the criminal justice system and to reflect the needs of local communities and neighbourhoods in any voluntary activity undertaken as part of the unpaid work programme. Clearly, we must engage not just probation and young offenders teams but the voluntary organisations to which we will look to supervise some of the unpaid work in those petty session areas in which we intend to pilot the programme. We need visible justice, and such unpaid work must be useful to the neighbourhoods that are affected by crime.

The hon. Member for Surrey Heath (Mr. Hawkins) rightly stressed that fine enforcement must be a continuing and constant priority. We agree that revenue collection is not the only issue, but it is critical for the justice system to prove that when the magistrates bench or any other court issues a fine as a punishment, it must be carried through. We will not tolerate default.

I appreciate the hon. Gentleman's welcome for the affirmative procedure for setting the hourly rate for the unpaid discharge of fines. The affirmative procedure will also give opportunities to debate some of the issues raised by the hon. Member for Somerton and Frome (Mr. Heath), who asked about the rate, which we are still considering but which is likely to be no less than equivalent to the national minimum wage. I apologise for the drafting improvements that are now required but we are, at least, taking the opportunity to correct the Bill.

There is no need to take up any more time. It is pleasing that there is consensus on these important matters at the final stage of the Bill.

Lords amendment agreed to.

Lords amendments Nos. 24B to 24D agreed to.

Anti-social Behaviour Bill [*Money*] (No. 2)

Queen's recommendation having been signified—

4.25 pm

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): I beg to move,

That, for the purposes of any Act resulting from the Anti-social Behaviour Bill ("the Act"), it is expedient to authorise the payment of money provided by Parliament of any expenses incurred by the Secretary of State in consequence of the Act.

The motion relates to some welcome Lords amendments to the Bill that would create a new procedure for dealing with complaints about high hedges. The motion is necessary to plug a gap in the original money resolution relating to the Bill, which was agreed by the House on 8 April. The costs associated with the high hedges provisions were fully debated on 7 April, when the House considered and agreed the money resolution relating to the High Hedges (No. 2) Bill, which was introduced by my hon. Friend the Member for Ealing, North (Mr. Pound). We are delighted to have found a suitable vehicle to introduce those measures, which enjoy strong support across the House, but as the issues relating to the money resolution have been debated on a number of occasions, I shall not detain the House any further. I commend the motion to the House.

4.26 pm

Mr. Eric Forth (Bromley and Chislehurst): That is all very well, but it does not cover the potential consequences of the money resolution. Since we never see the details of money resolutions, the Minister is asking us to sign a blank cheque, which is what such resolutions always amount to, so it is worth pausing to explore the implications of where we are and where we might be going.

One oddity of the procedure that has always puzzled me is that we are being asked to approve a motion stating

"That, for the purposes of any Act resulting from the Anti-social Behaviour Bill"—

let us note that it refers to any Act rather than to a specific one—

"it is expedient to authorise the payment of money ... of any expenses incurred by the Secretary of State".

That is asking rather a lot of the House. At this stage in the proceedings, we, the supposed custodians of taxpayer's money, are being asked to say, "Yes, we will sign up to that form of words," relating to any Act and any expenses, and without any knowledge of what they may be.

Although the Minister has highlighted a particular part of the Bill, which I will deal with in a moment, I have quickly perused the Lords amendments that we are about to consider. I make that point because one of our difficulties is that we do not really know—the Minister did not tell us—whether the money resolution purports to cover the assumed expenditure under the previous working of the Bill or whether the Government have attempted to take into account the financial implications of the Lords amendments, which have yet to be considered and agreed by the House. That puts us in a rather odd position. We do not know whether the House will agree to the substantive and substantial Lords amendments that follow this motion on the Order Paper.

Here is the position: we are being asked to sign up to a motion authorising the expenditure of unspecified moneys, and the Minister has told us in her charming way that it is all to do with high hedges, but I wonder whether that is the whole story. I have glanced through the Lords amendments, and I think I have picked up considerable implications for the courts, local authorities, the Secretary of State, the police, waste authorities and something called the appeal authority, which I may return to in a moment.

The array of potential costs is substantial, and this question arises immediately: are we being asked to assume that all those different institutions will absorb into their existing financial structures the undoubted additional costs that the Lords amendments would impose if we approved them, or will the Secretary of State give more money to each of those institutions in order to offset the additional costs that may or may not be incurred if we agree to the amendments?

We can already see that an awful lot of conditionality is involved here. Nothing is certain—nothing has been clearly laid before the House—so we are being asked collectively, as the custodians of taxpayers' money, to sign up to a whole series of conditional propositions to which we know none of the answers. I might even go so far as to say that it would have been better had we considered the money resolution after the Lords amendments, because we might have had a rather clearer idea of what we are supposed to be financing.

Mr. Graham Allen (Nottingham, North): Did the right hon. Gentleman make any of those proposals when he was shadow Leader of the House?

Mr. Forth: The hon. Gentleman perceptively puts his finger on the fact that now, as I glory in the freedom of the Back Benches, I am able more thoroughly to explore what is put before the House. When I was constrained by my responsibilities as shadow Leader of the House and by collective responsibility, I left that to others. If the hon. Gentleman did not do it, he should explain why not; but I do not have to explain myself. I invite the hon. Gentleman to participate in these proceedings as a good parliamentarian: he may seek to catch your eye, Madam Deputy Speaker, when I have completed my analysis, which has barely started. I look forward to his contribution. He is obviously very keen to participate in matters relating to money resolutions: I welcome that. Perhaps he and I can form an informal partnership—linking arms, as it were, across the Chamber to hold the Government to account on money resolutions and many other matters.

As I was saying before the hon. Gentleman enabled me to make those remarks, let us look at one or two of the provisions that have the potential to affect the money resolution in ways as yet unspecified by the Minister. Amendment No. 1 to clause 13 suggests replacing the words "residing in" with

"with a right (of whatever description) to reside in or occupy".

To my mind, that immediately hints at a considerable broadening of the scope of the clause. That continues in

[Mr. Forth]

amendment No. 2, which refers to

"a person with a right (of whatever description) to reside in or occupy other housing accommodation".

Such a broadening of the provisions has a potential impact on court costs. It is self-evident that introducing the potential for more cases to be brought before the courts must have cost implications. The money resolution does not tell us whether the courts will be expected to bear those costs from within their own budgets or whether there are implications for the Secretary of State's budget. One way or another, of course, it all comes back to the taxpayer. Sadly, that is a given in this place—it is always the hapless taxpayer who picks up the bill. Our concern should be to dig underneath that to try to identify whether the additional tax burden falls on the taxpayer through the court budget, per se—which implies that another part of courts' activities will have to suffer—or through the Secretary of State's coming forward to give more money to the courts to recompense them for their additional responsibilities as a result of the amendment, were we to agree to it.

I do not apologise, Madam Deputy Speaker, for the degree of conditionality in my remarks. I think that it is legitimate for me to link the money resolution, which is before us without detail or specification, and the following business—our consideration of the Lords amendments—because the amendments have cost impacts—

Madam Deputy Speaker (Sylvia Heal): Order. I am afraid that the right hon. Gentleman will be out of order if he goes into those: he must address his remarks to the money resolution.

Mr. Forth: In that case, Madam Deputy Speaker, I remind hon. Members that the money resolution says that

"for the purposes of any Act resulting from the Anti-social Behaviour Bill . . . it is expedient to authorise the payment of money provided by Parliament of any expenses incurred by the Secretary of State".

I am trying to tease out the extent to which the Secretary of State will have to provide those expenses and the way in which he or she will be obliged to do so. I am unclear as to the exact link between the Secretary of State, who is specifically referred to in the money resolution, and the institutions that are inevitably drawn in by the Bill and the amendments. Local authority costs frequently occur. There is a direct implication of costs in references to guidance by the Secretary of State. One could argue that a Secretary of State can issue guidance cost free because the gigantic bureaucracy of any Department can produce and distribute guidance without additional cost. I query that because I have always believed that simply assuming that bureaucracy can costlessly provide an additional product, in this case guidance, implies either sleight of hand and even dishonesty or poor management. Nothing in life and certainly nothing in Government should be cost free. One should be able to account for everything, even something as apparently simple as issuing guidance. If that cannot happen in a money resolution, where can it occur?

Clause 61 has clear implications for police costs. Again, an additional responsibility has been placed on—

Madam Deputy Speaker: Order. I remind the right hon. Gentleman that the original money resolution to the Bill was agreed after Second Reading on 8 April.

Mr. Forth: I am aware of that, Madam Deputy Speaker, but may I invite you to follow my logic? Surely the Lords amendments that we are about to consider may materially affect the Bill. If you can tell me that if we agree the Lords amendments, the Government will have to introduce a further money resolution to take account of them, that part of my case will be satisfactorily laid to rest.

Madam Deputy Speaker: In reply to the right hon. Gentleman's point, the money resolution relates only to the high hedges provisions, and nothing else in the amendments.

Mr. Forth: That is an interesting ruling, which I accept, but it does not answer my other question. If a previous money resolution gave effect to the original Bill and if we subsequently agreed Lords amendments that would materially affect the contents, at what stage would the House of Commons be invited to agree a further money resolution to take account of the alterations?

Madam Deputy Speaker: Perhaps I can clarify the position. The money resolution that we are currently debating relates merely to the provision for appeals to the Secretary of State against enforcement notices on high hedges.

Mr. Forth: With respect, that does not answer my question, which I hope you will accept as legitimate, Madam Deputy Speaker. You have given an assurance that a prior money resolution related to the previous form of the Bill. You now tell us that the money resolution simply reflects the potential cost implications of the part of the measure that deals with high hedges, with which I shall deal in a moment. However, that leaves unanswered an interesting question. Were we later to agree to several Lords amendments, which, in my view have clear cost implications, would not that necessitate a further money resolution? That puzzles me, and I am happy to see that you are about to help me.

Madam Deputy Speaker: Again, if it will assist the right hon. Gentleman, I make it clear that if what he outlines had been the case, further money resolutions would have been tabled to cover the point.

Mr. Forth: The helpful implication is therefore that the Government want to argue that the Lords amendments have no money implications. I shall ask the Chairman of the Public Accounts Committee to take full account of that. If it turns out that any additional burdens on the taxpayer arise from the Lords amendments, I hope that the Public Accounts Committee and the National Audit Office will want to examine that closely.

If, as appears to be the case, we are being told, by implication if not explicitly, that the Government have not seen fit to table a further supplementary money resolution to allow for the possible cost implications of the Lords amendments, I shall rest content with that for the moment. I simply flag up for the Minister the fact that she had better be very careful about the expenditures in her Department—and, perhaps, in other Departments and institutions—because we are apparently being reassured that there will be no cost implications for the courts, the police, the waste authorities or any of the others that I listed earlier. I am rather reassured by that, but frankly, I shall believe it when I see it.

Mr. Michael Fallon (Sevenoaks): Are we not caught between the clarity of Madam Deputy Speaker's ruling and the ambiguity of money resolution No. 2, which simply refers to "any Act resulting from" the Bill? Surely it was incumbent on the Minister to have drafted her money resolution better, so as to express the interpretation that Madam Deputy Speaker has given to it—that it is limited to that particular part of the Bill?

Mr. Forth: I am grateful to my hon. Friend, who is a distinguished member of the Treasury Committee—to whose attention I think I should also draw this matter. I am happy that he is in his place. He is right: the Minister cannot expect both to present vague drafting of that kind yet also to say, in her very brief introductory remarks, that it applies only to the additional costs resulting from the insertion, in this Bill at this stage, of an entirely new Bill, in the form of new clauses. We have to have one thing or the other. The Minister said that what she was asking us to approve related only to the high hedges provisions—and what I am now saying to the House, to the Treasury Committee and to the Public Accounts Committee is that we shall watch carefully to see whether that is the case.

One of the values of this little debate is that we may have teased out a lacuna in our procedures. Even after several centuries of practice, perhaps we can still occasionally drop a ball here or there—who knows? In the context of what we have just found out, we may want to re-examine the relevance of money resolutions—but that debate is for another day.

You have helpfully guided me in the direction of the high hedges provisions, Madam Deputy Speaker. Indeed, the Minister identified those as the sole reason for the money resolution before us. That is interesting because I, and one or two of my hon. Friends, took issue with those ideas when they were part of a private Member's Bill—a badly drafted one, we thought, and full of anomalies. Many questions were asked about it when it was laid before the House, and I am happy to say that it expired, partly because its promoter failed to answer any of the questions that he was asked at the time.

Sadly, the Bill's subject matter has now re-emerged in the guise of an enormous series of amendments to a different Bill, and will therefore receive no further effective scrutiny in this House, because of the absurdity of the timetable that is about to be imposed on us.

Mr. John Gummer (Suffolk, Coastal): Has it occurred to my right hon. Friend that it is an outrage that a Bill that was so unsatisfactory that the House did not bother to give it even the slightest of fair winds should now be reintroduced in a way that gives the House no chance whatever of discussing it? This is a constitutional disgrace, and the Government should be ashamed.

Madam Deputy Speaker: Order. Whatever the right hon. Gentleman's feelings are, we are discussing the merits of the money resolution, not of the Bill.

Mr. Forth: I am grateful to you, Madam Deputy Speaker, and although I completely agree with my right hon. Friend, I am unable to say so, because you have denied me that opportunity—but if I am lucky, my words might just get into *Hansard*.

Mr. Gummer: On a point of order, Madam Deputy Speaker. I hope that Mr. Speaker is aware of precisely what this means: we cannot talk about the subject under the money resolution, and we shall not be able to talk about it under the rules that the Government are imposing. It remains—although I am sure that my right hon. Friend will not wish to comment on this—a parliamentary disgrace.

Mr. Forth: Let us look, so far as we are allowed to, at the implications of the insertion in the Bill of an entire controversial, complicated Bill involving enormous bureaucracy at local authority level and potential infringements of property and—dare I say it?—civil rights. All those things have many money implications. It has been argued that a large number of people are concerned about what have loosely come to be known as high hedges. However, if bureaucracy has to be provided in local government as a result of the money resolution, we do not know with any clarity whether the mechanism will allow local authorities to ask for additional funding from the Secretary of State to recompense them for the additional costs. We do not know any of the details at all.

We know that the Government have a regrettably long record of imposing additional responsibilities on local authorities and not giving them the funding to reflect that. We could find ourselves in the ridiculous position where a highly controversial measure is introduced by this back-door method and a huge bureaucracy has to be developed in local authorities to give effect to it, without the compensating finance being given to local authorities.

Mr. Fallon: My hon. Friend is, perhaps, suggesting some addition to the local government settlement in respect of the bureaucracy and appeals arising from the Bill. Would not those shires or districts with lower hedges have to subsidise those with higher hedges?

Mr. Forth: Of course, that is one of the possible implications—but we do not know. My hon. Friend and I, and the House, are left guessing about that. Sadly and typically, the Minister did not do us the courtesy of giving us any details at all. She thought that she could get away with a charming smile at the Dispatch Box and a few words of introduction, in the hope that this would all float through. The days of money resolutions floating through are over, as of now. There will now be some

[Mr. Forth]

attempt to scrutinise them—I give my modest personal guarantee on that. I should be grateful if the Minister could pass that on to her colleagues.

I see that the hon. Member for Nottingham, North (Mr. Allen) is gasping to get into the debate and add his little contribution—it is true to say that he would be thought a lesser parliamentarian if he were not. However, let me not digress, because I am very focused on this part of the Bill and I want to tease out as much of the detail as possible.

The Minister mentioned that the money resolution was supposed or intended to provide additional funding for the appeals mechanism. Indeed, you helpfully mentioned that, Madam Deputy Speaker, having singled it out on the advice of your experts. I wonder, however, whether it goes further than that. Are we supposed to assume that the other provisions contained in this enormous additional Bill which is being sneaked into the Bill at this late stage, without any potential for real amendment or scrutiny, are cost free? I never thought that, when I was here on Fridays participating in the scrutiny of what was then a private Member's Bill. The promoter of that Bill, my good Friend the hon. Member for Solihull (Mr. Taylor), is with us because of his long-standing, passionate interest in this matter. He is smiling because he knows that the Government will do his work for him. I congratulate him on that. He has got what he wanted and argued passionately for at the time. He and I managed to be on different sides of this hedge and not fall out, which I value greatly.

My hon. Friend will agree that this is not a satisfactory way for us to examine the cost implications of this large addition to the Bill, even if it were assumed that it could be related only to the appeals mechanism, to which you referred some little time ago, Madam Deputy Speaker. The truth is that these complex provisions, which occupy pages, must surely involve additional costs to local authorities throughout the land. Even though some provisions are supposedly for the recovery of those costs, I do not think that anyone in the House would be prepared to believe that there would ever be a full recovery of all the costs involved in a measure such as this to the satisfaction of the taxpayer. After all, should not this stage of the proceedings begin and end with the taxpayer? We are in the House on behalf of the taxpayer, and it is on their behalf that we should be considering the matter and speaking this afternoon.

I am very unhappy about how this has been brought about. I have a request to the Government and to the Minister in this particular case: I would wish that when we have money resolutions brought before us, the wording were much more precise so that the House is given an opportunity properly to weigh the validity of the request being made. The words we have before us are effectively a blank cheque. Although the Minister said that the matter involves simply the amendments on high hedges, you, Madam Deputy Speaker, helpfully referred more specifically to the appeals mechanism. We are considering either the whole provision or part of it, but we are not sure about that.

Angela Watkinson (Upminster): The proposed new clause 45 refers to a fee, which a complainant under this new legislation must submit to the "relevant authority". Does my right hon. Friend anticipate that the size of the fee will have to be calculated to cover the costs of a local authority in dealing with a complaint from one of its residents?

Mr. Forth: I am grateful to my hon. Friend, because that is exactly the point. What we do not know, because the Minister has not told us, is whether the Secretary of State will give local authorities a sum sufficient to cover all the costs of the additional bureaucracy, the initial applications, the complaints mechanism, the appeals mechanism and the enforcement mechanism—all those are in this Bill within a Bill. Alternatively, will an estimate, or an attempt to estimate, be made as to recovering some of those costs by way of fees, or indeed land charges, which are also referred to in the Bill? We simply do not know.

We are thus in the absurd position of having a money resolution before us that seeks at a very late stage to give effect to a large addition to the Bill of which we know no details at all, although they will be of crucial interest to us as council tax payers and as taxpayers at large. We have no idea what the relationship will be between the Secretary of State and local authorities and no idea what the relative impact is likely to be on rural authorities on the one hand and urban authorities on the other.

My hon. Friend the Member for Solihull, who represents a suburban seat, was the last Member but one to attempt to take such a Bill through the House. The hon. Member for Ealing, North (Mr. Pound) made the subsequent attempt. I know that a lot of my hon. Friends who represent rural seats were concerned about the implications of such provisions for rural areas. They might well be, because even supposing that the implications are to be restricted to the appeals mechanism—as you so helpfully told us a few moments ago, Madam Deputy Speaker—we still do not know what the relative impact is likely to be on hard-pressed authorities, be they urban, suburban, or indeed rural. That is a range of random thoughts that I had on glancing at the proposals.

Mr. John Taylor (Solihull): I am extremely grateful to my right hon. Friend for giving way. He is making his point with great force and he referred to me with considerable chivalry. It is true that we were on opposite sides of the argument but have remained honourable friends—in his case, right honourable. I invite him to share my view and analysis that the problem is primarily suburban. Although he is making his very powerful—

Madam Deputy Speaker: Order. There have been points at which I have made it clear that the resolution under discussion is a money resolution relating to that part of the Bill that relates to appeals rather than anything else.

Mr. Taylor: Thank you so much for your guidance, Madam Deputy Speaker. On that very point, I put it to my right hon. Friend that inasmuch as there may be a cost to local authorities, there could be a saving in the law courts.

Mr. Forth: That is a typically incisive comment from my hon. Friend, who is not only effectively the author of the series of amendments that relates directly to the money resolution, but a distinguished lawyer—a lawyer who has practised in a community with exactly these problems. So in this case I defer to him and accept what he is saying, which the Minister would not dream of telling us, probably because she does not know about these things and is not going to help us at all. There may be an offset in the cost between, for example, fees and court costs or police and other costs.

Mr. Fallon: My right hon. Friend should be a little wary of a lawyer telling us that something is good news. He may well mean that there may be a reduction in private expenditure by those pursuing their cases through the courts, with a consequent increase in public expenditure through extra levies raised on council tax payers or taxpayers generally.

Mr. Forth: I hope that the Treasury and Public Accounts Committees will be watching such matters like a hawk, lest either you, Madam Deputy Speaker, or even—who knows?—the Minister has been misinformed.

In this short debate, we have managed to pin down one fact very precisely on the taxpayer's behalf: the fact that the only additional costs arising from the motion relate to the appeals part of the Bill that is being smuggled into the overall Bill.

Mr. Taylor: My hon. Friend the Member for Sevenoaks (Mr. Fallon) rightly said that the measure might save many people a lot of money in their own pockets, but public expenditure is involved in running the law courts. That is the point that I was making earlier.

Mr. Forth: Of course. Law courts, local authorities and waste authorities all have the potential to become involved, but that, it appears, is a matter for another day.

For every citizen who is agitated about the height of a hedge, there is a proud owner on the other side of the hedge. Those who imagine that this is a vote-winner ought to think a little more carefully. My point is that, ultimately, all these people are taxpayers. I am not going to stand on one side of the hedge or the other; we ourselves are all taxpayers, and we are supposed to be representing taxpayers here. I am not sure that we have been given the best opportunity to do so today.

4.56 pm

Mr. Michael Fallon (Sevenoaks): I apologise for missing the beginning of the debate and am sorry that I did not hear the Minister offer some explanation for the motion.

When I heard your ruling, Madam Deputy Speaker, I felt rather troubled. As my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) pointed out, the motion neither refers to the appeals mechanism—although you informed us that it did—nor confines itself to the new part A of the Bill that will constitute the high hedges legislation.

You kindly informed us, Madam Deputy Speaker, that this expenditure would be dedicated to the appeals mechanism. I always wonder at the wisdom of the Chair, but in this instance I am bound to wonder how you acquired information that has not been laid before the rest of us. Surely if the motion is to apply only to a specific section—the appeals mechanism—of a specific and discrete part of the Bill, there is no reason why it should not say so. You therefore need not have been troubled, Madam Deputy Speaker, to explain the motion that the Minister has been championing.

Mr. Forth: Before my hon. Friend continues with his analysis, let me worry him a little more. As he will know, Lords amendment No. 45(1)(b) refers to

"such fee (if any) as the authority may determine".

Subsection (7), however, states that the

"fee determined . . . must not exceed the amount prescribed in regulations made . . . by the Secretary of State".

First the amendment implies that the local authority can set the fee; then, almost immediately, it says that the Secretary of State can place limits on that fee. Does that not have cost implications for the authority, let alone the appeals mechanism?

Mr. Fallon: It certainly does. It is a shame that the Financial Secretary is not here to move her own motion and explain it properly. I well recall that, under past Governments, the Treasury Minister who had tabled a motion appeared and did her, or his, best to explain it. That would have been helpful in this case—not least because, as my right hon. Friend has said, it is obvious from the tabling of the motion, and the clarification offered from the Chair, that someone somewhere has made an estimate. Somebody, somewhere has realised that quite considerable additional expenditure could be involved, and someone at the heart of Government has already started to wrestle with the much more interesting question of which group of taxpayers should fund it. Should it be the generality of taxpayers, which is why the measure is being brought before us? Should it be council tax payers, who are of course being cross-subsidised in any case by the grant from central Government, or should it be only a section of council tax payers, which was the import of my earlier intervention, with those shires with only a small number of high hedges, or those shire districts with smaller numbers of high hedges, being called upon to cross-subsidise to deal with all the fees, appeals, rulings and bureaucracy involved in high hedges in urban areas?

We are told that we all have to help fight crime and deal with antisocial behaviour, but I am not sure that all my constituents in Sevenoaks realise that the measure may involve some cross-subsidising of the high hedges of Solihull. There might be no objection to that. The council tax payers or the national taxpayers of Solihull might be quite happy to chip in to the fees and expenditure incurred in dealing with high hedges in Sevenoaks—and we do have some high hedges in Sevenoaks—but if this is to be a new line of public expenditure and a new element of council taxation, Ministers must be a little more forthcoming about the scale of the expenditure involved and exactly how they see it falling vis-à-vis council tax payers and taxpayers generally. We are owed a little more explanation.

5.1 pm

Ms Blears: I am delighted that the right hon. Member for Bromley and Chislehurst (Mr. Forth) now has, in his own words, the glory of the freedom of the Back Benches and is able to range across these issues. Perhaps I can put his mind at rest—I hope so.

I listened carefully to the right hon. Gentleman's arguments. There are two main issues, the first of which is whether the original money resolution covered the costs arising from the Bill and the amendments to it, including amendments tabled in the Lords. The original money resolution covered all the provisions of the original Bill, amendments made in the Commons and amendments on those subjects in the Lords—it covered any Act arising out of the original areas of the Bill. This resolution is necessary because the provisions on high hedges were added in the Lords; the Commons was not in a position, at that point, to approve expenditure on high hedges.

Mr. Forth: I am grateful to the Minister for coming back to us, with her usual graciousness and courtesy, with her explanation, but can she tell me what the difference is in substance between what is being added to the Bill by way of the High Hedges (No. 2) Bill, which was smuggled in, and the substantive additional elements that have been added by their lordships? There may be differences in scale and scope, but what is the difference in substance? How can an open-ended money resolution that we passed previously cover some but not all? Can she make the distinction?

Ms Blears: Yes. I thought I had done so in my earlier remarks, but the right hon. Gentleman clearly did not quite understand it, so I will repeat it. The difference is that the original money resolution applied to all the areas that were under consideration in the original Bill. It therefore included amendments to the Bill in the Commons and amendments in the Lords on any of those matters falling outside the original subject areas. The proposals on high hedges did not form part of the subject matter of the original Bill, so we need to plug the gap in the money resolution.

The proposals on high hedges are new, whereas the subject matter of the Lords amendments—raves, travellers, parenting orders and housing injunctions—formed substantive parts of the original Bill and were therefore covered by the original money resolution. The proposals were not smuggled in but were welcomed by many people and enjoyed cross-party support in the House, so I hope that the right hon. Gentleman will accept, in the spirit of the debates on the Bill, that there is good logic and intellectual coherence in our introducing a new resolution.

Mr. Fallon: I am very grateful to the Minister for explaining that. I fully understand why the first resolution should necessarily be general, but I do not understand why the second resolution is not more specific. Why does it not specifically refer either to the appeals mechanism or to the part of the Bill that has been introduced?

Ms Blears: I was about to deal with the second issue that has been raised: the extent of the money resolution and, indeed, how the appeals mechanism fits with other provisions on administering the system for high hedges. Hon. Members will know that we intend to consult local government on how the administration of the system should proceed, what the appropriate fees should be, and whether the fees should be calculated on a full cost recovery basis or whether any additional expenditure is needed to deal with the appeals process. It is right to consider those matters with local government during the consultation on the regulations, which will determine the procedure for dealing with these important and welcome measures. On that basis, I commend the money resolution to the House.

Question put and agreed to.

Resolved,

That, for the purposes of any Act resulting from the Anti-social Behaviour Bill ("the Act"), it is expedient to authorise the payment of money provided by Parliament of any expenses incurred by the Secretary of State in consequence of the Act.

Anti-social Behaviour Bill (Programme) (No. 3)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following provisions shall apply to the Anti-social Behaviour Bill for the purpose of supplementing the Orders of 8th April 2003 and 24th June 2003:

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion three hours after their commencement at this day's sitting.

2. Those proceedings shall be taken in the order shown in the first column of the following Table, and each part of those proceedings shall (so far as not previously concluded) be brought to a conclusion at the time shown in the second column.

TABLE

Lords Amendments	*Time for conclusion of proceedings*
Nos. 1 to 22	An hour and a quarter after the commencement of proceedings on consideration of Lords Amendments.
Nos. 23 to 41	Two and a quarter hours after the commencement of those proceedings.
Nos. 42 to 74	Three hours after the commencement of those proceedings.

Subsequent stages

3. Any further Message from the Lords may be considered forthwith without any Question put.

4. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Gillian Merron.]*

The House divided: Ayes 310, Noes 161.

Division No. 364] **[5.06 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Bayley, Hugh
Beard, Nigel
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*

Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Vernon Coaker and Mr. Fraser Kemp

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Mr. John Randall and Hugh Robertson

Question accordingly agreed to.

Anti-social Behaviour Bill

Lords amendments considered.

Madam Deputy Speaker: I draw the attention of the House to the fact that privilege is involved in Lords amendments Nos. 14, 28, 45 to 48 and 54, which are to be considered today. If the House agrees to these Lords amendments, I shall ensure that the appropriate entry is made in the *Journal*.

Clause 13

INJUNCTIONS AGAINST ANTI-SOCIAL BEHAVIOUR ON APPLICATION OF CERTAIN SOCIAL LANDLORDS

Lords amendment: No. 1.

5.21 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I beg to move, That this House agrees with the Lords in the said amendment.

Madam Deputy Speaker: With this we may discuss Lords amendments Nos. 2 to 8, 62, 64, 72 and 73.

Yvette Cooper: Many of the amendments are for clarification. The aim of amendments Nos. 1, 2, 3 and 5 is to clarify who is eligible to be protected by injunctions under new section 153A of the Housing Act 1996. The intention, which remains unchanged, is for social landlords to be able to apply for injunctions to protect tenants, leaseholders and anyone else who occupies property owned or managed by a relevant landlord, and to protect staff providing housing management and related services on behalf of the landlord.

Mr. Gerald Kaufman (Manchester, Gorton): Does my hon. Friend agree that the votes cast a few minutes ago by the Liberal Democrats to prevent the Bill from becoming law this Session are consistent with the votes they cast in the summer to prevent it from becoming law at all, and consistent with the votes of the Liberal Democrats on Manchester city council, who voted against the Bill and said that too much antisocial behaviour legislation is already on the statute book?

Yvette Cooper: My right hon. Friend is right. Many Liberal Democrats have opposed a large number of the Bill's most important measures during its passage through this House and the other place. I am sorry to hear that the Liberal Democrats on Manchester city council have taken a similar line. We often find that those working most closely with local people and communities are most strongly aware of the difficulties faced by people who live on local estates where there is severe antisocial behaviour. The strongest advocates of greater action are often local councillors and those involved in the local community.

The amendments also allow social landlords to apply for injunctions to protect visitors engaged in lawful activity in the locality, including the work force, staff or contractors employed by social landlords, and other residents in the area, including owner-occupiers and tenants of other landlords.

Mr. James Paice (South-East Cambridgeshire): The Minister says that the amendments will protect visitors to social housing. How is that to be done? As the specific reference to visitors has been removed, which parts of the clause will ensure that they are covered?

Yvette Cooper: We think that the issue is covered in clause 13. The specific reference to visitors has been removed because of concerns raised by practitioners that the existing provisions might give the courts leeway to adopt a narrow interpretation and assume that the provisions apply only to visitors. The reference has been removed to ensure that the wide range of people in the area is covered and that the courts do not use a narrow interpretation. We made our intention clear throughout our debates in this House and in the other place, and we decided that it was better and clearer to remove the reference. New section 153A(4)(c) of the Housing Act 1996 deals with the matter. If the hon. Gentleman wishes to pursue the matter further in his remarks, I shall be happy to respond. Practitioners wanted to be reassured that the provisions would cover the full range of people in the area and that their application would not be restricted by decisions made in the courts.

Mr. Paice: I am grateful to the Minister for her reply, but I have to press her a bit further. If I understand her correctly, she is saying that the matter is covered by new section 153A(4)(c), which extends protection to

"a person employed (whether or not by the relevant landlord) in connection with the exercise of the relevant landlord's housing management functions."

I cannot see how that covers all types of visitor—friends, for example.

Yvette Cooper: The hon. Gentleman is right about new section 153A(4)(c), but the overall impact of Lords amendments Nos. 1, 2, 3 and 5 and new section 153A combined is to include everyone who is visiting the area. It is important that, for example, a regular visitor to a particular area who finds himself being intimidated by antisocial behaviour is protected by decisions made by social landlords. The impact of the Lords amendments to new section 153A is to cover those who are visiting as well as those who are already resident in the area, including owner-occupiers and tenants.

Lords amendments Nos. 1 and 2 also ensure that injunctions are available to protect residents in the area, even if they are temporarily absent from their home. If someone has been forced out of their home by racial or sexual harassment, for example, an injunction under new section 153A should be available to protect them if they wish to return.

The effect of Lords amendment No. 4 is twofold: it replaces "locality" with "neighbourhood" and changes "the housing accommodation" to "housing accommodation". Those appear to be relatively minor wording amendments, but they are designed to make it clear that landlords have a responsibility for the protection of the communities who live in and around their housing stock. The new wording better reflects that role.

Lords amendment No. 6 makes it clear that "housing accommodation" refers not to single premises, but to the whole of the landlord's stock in a particular neighbourhood. It also encompasses, for example, the common parts of an estate.

[Yvette Cooper]

Lords amendments Nos. 7 and 8 enhance the use of demotions as a tool to prevent antisocial behaviour. They require landlords to serve notice before issuing demotion proceedings and specify the information that the notice should contain. That is valuable in ensuring that tenants are aware of the sanction that is being applied, and that they are given a chance to amend their behaviour and to have a proper hearing.

Lords amendment No. 72 is designed to ensure that tenants who have the preserved right to buy lose it on demotion. The purpose of Lords amendment No. 73 is to ensure that time spent as a demoted assured shorthold tenant does not count towards the right to buy qualification or discount periods. The existing provisions of the Bill ensure that time spent as a local authority or housing action trust demoted tenant will not count towards the qualifying period for right to buy or the accrual of discount. The amendment ensures that the same rules will apply to time spent as a demoted assured shorthold tenant.

Lords amendments Nos. 62 and 64 apply to the powers of social landlords to seek antisocial behaviour injunctions. There are times when antisocial behaviour will not fall within the responsibility of social landlords. In those cases we want to ensure that local authorities have sufficient powers to tackle antisocial behaviour more generally within their areas.

5.30 pm

Where antisocial behaviour injunctions are not available, the local authority can use other powers, including applying for an injunction under section 222 of the Local Government Act 1972. Local authorities already use that section to deal with antisocial behaviour, including, for example, the activities of drug dealers.

The purpose of the amendments is to ensure that injunctions that prohibit antisocial behaviour that are obtained by local authorities in such proceedings can be properly enforced. Where the conduct that is prohibited includes violence, threatened violence or a risk of significant harm, we want to give the courts a right to attach a power of arrest to the injunction. The changes that the amendments make are modest, but the practical effect is potentially significant.

Lords amendment No 64 provides that the provision will be commenced in England by the Secretary of State and in Wales by the National Assembly for Wales.

The amendments are relatively straightforward. They attempt to clarify and improve the Bill and I ask the House to support them.

Mr. Paice: I am grateful to the Minister for explaining things to the House. I think that she is coming to the Bill for the first time. The two principal issues in this group of amendments, which relate to clarification, are ones that we raised in Committee, when we sought clarification ourselves. I cannot help but note that in Committee the hon. Member for Coventry North-East (Bob Ainsworth) Minister who was then dealing with the Bill—he is now the Under-Secretary of State for Transport—rebutted our concerns and said that the Bill was perfect. I am delighted that the Government have recognised since then that changes need to be made but I am concerned about some of the changes.

In Committee, I challenged the Government about the definition of "visitors", which seemed a broad term. I could see that it was a problem that, as the Minister has said, was open to interpretation by the courts. It could be interpreted narrowly or much more broadly. In Committee, the then Minister said:

"'Visitor' means what it says and the meaning is unusually clear in the law."—[*Official Report, Standing Committee G*, 13 May 2003; c. 241.]

It is fine that it is unusually clear in the law, but the fact that the Government have now introduced changes makes me wonder how clear other things are in the law.

The serious point is that the Minister has repeated this afternoon what Lord Bassam said in the other place. He said that part of the objective of this part of the Bill was

"to protect visitors engaged in lawful activity in the locality."—[*Official Report, House of Lords*, 11 September 2003; Vol. 652, c. 503.]

We all want to protect visitors, but, assuming that the amendments are agreed to, I am perplexed by what the Bill will provide. It seems that protection will be extended to

"a person with a right . . . to reside in or occupy other housing accommodation in the neighbourhood of housing accommodation mentioned in paragraph (a)",

or to

"a person employed . . . in connection with the exercise of the relevant landlord's housing management functions."

I accept that effectively the Minister is making it clear in *Hansard* that she wishes the provision to extend to visitors, but I fail to see how the two criteria of

"a right to . . . reside in or occupy"

or "a person employed" necessarily cover all visitors, and especially the visitors about whom we are most concerned. For example, such visitors may be friends of elderly residents who come round for afternoon tea. They are certainly not occupying and do not appear to be covered.

We are in the final throes of our consideration of the Bill. I shall not take up the time of the House by opposing the amendment, but I am concerned about the implications of the Minister's proposals. I should be grateful if she would be kind enough to write to me, and perhaps put a copy of her letter in the Library, about the way in which visitors are to be protected, given that she is excising reference to them from the Bill. The provision is apparently restricted to people who reside in an area, who have a right of occupation, or who are employed in connection with the exercise of the relevant landlord's housing management functions.

The other significant issue is locality. In Committee, the hon. Member for Harrow, East (Mr. McNulty) resisted our concerns about the definition of locality, which were shared by our noble Friends in another place and by Liberal Democrat Members in the House. He said:

"At the moment, locality is determined by judicial discretion in each case. That is as it should be. It is up to the courts to decide exactly what is covered in given circumstances, and we do not intend that it should be defined as narrowly as pertaining to particular residences."—[*Official Report, Standing Committee G*, 13 May 2003; c. 228.]

That is precisely what the Government are doing—they are defining "locality" narrowly so that it pertains to all the residences owned in an estate by a social landlord. I am not going to revisit the arguments that we had in Committee about specifying a distance. We proposed a distance of within 100 m of a particular property, but any figure would have done, as the purpose was to challenge the definition of locality. The Minister has changed "locality" to "neighbourhood", which is defined as

"the whole of the housing accommodation owned or managed by a relevant landlord in the neighbourhood and any common areas used in connection with the accommodation."

That does exactly what the Government said they would not do. They define "neighbourhood"

"as narrowly as pertaining to particular residences."

I emphasise the plural used by the hon. Member for Harrow, East.

I should be grateful if the Minister explained precisely how the Government are defining "neighbourhood". At what stage, for instance, does the neighbourhood cease? If a social landlord owned a cluster of properties and, in the next street, owned another cluster of properties, would that be the same neighbourhood? Would the provision apply to the second group of houses? What sort of boundaries, borders or even horizons have been created to define a particular neighbourhood in Lords amendment No. 6?

None of the other amendments in the group causes the Opposition any great concern, so we support them. However, I am extremely concerned about the excision of the reference to visitors and the definition of locality. I support the Minister's desire to clarify the provision, but I am not sure that she has achieved that in the amendments, so I would be grateful if she could comment further.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): I echo the comments of the hon. Member for South-East Cambridgeshire (Mr. Paice), as I have been reassured by what the Minister has said today but remain doubtful about the effect of the amendments on the Bill. I, too, would be grateful for clarification. On the use of "locality" versus "neighbourhood", we did indeed have a lengthy and, it appeared at the time, unproductive discussion of the issue. I therefore welcome the amendments.

In the other place, Lord Bassam said:

"We want to support landlords who wish to do more than manage or protect their own tenants and take action to tackle anti-social behaviour more generally in the neighbourhoods in which their properties are situated."

He went on to say that

"there must be a link with the housing management function."—[*Official Report, House of Lords*, 11 September 2003; Vol. 652, c. 503.]

I felt comfortable with that, because it seemed to extend the provision outside the individual residence, but it is still not entirely clear. I would welcome clarification of the matter. If the amendments reflect what was said in the other place, it would be good to put back a link to the local crime and disorder reduction partnership, as there would almost certainly be scope for working together beyond an individual residence. Will the Minister consider that?

One of my greatest concerns remains the amendments to clause 14. A demotion order can move quickly to a loss of property and homelessness. There has been a great deal of debate about that. I welcome the amendment, which requires a notice to be served, so that there is a warning prior to the demotion order. I hope that that will slow down the process slightly, but does the full amendment, including the 12-month limit specified, address the concerns expressed in both places that somebody could become homeless not purely because of antisocial behaviour, but possibly because of a technical knock-out? Once a demotion order was made, a landlord could dispossess people of their property rather easily.

Aside from those points, I generally agree with this group of amendments.

Yvette Cooper: The hon. Member for South-East Cambridgeshire (Mr. Paice) wanted me to clarify the effect of removing the reference to visitors. This is a case when the procedures of the House and the way that documents are made available to us, with the Lords amendments on one piece of paper and the original Bill as a separate document, instead of a version that combines the two, mean that it takes longer to understand the proposals.

Let us consider the revised clause, if the amendments removing the reference to visitors were accepted. There would be a revised section 153A(4)(c) under the new wording, although the amendment is to paragraph (b) under the old wording. The new section 153A(4)(c) would read:

"The second condition is that the conduct is capable of causing nuisance or annoyance to any of the following . . .

(c) a person engaged in lawful activity in or in the neighbourhood of housing accommodation mentioned in paragraph (a)".

The hon. Gentleman has in front of him the original Bill. Section 153A(4)(b), which currently reads:

"a person visiting the housing accommodation or otherwise engaged in lawful activity in",

would be renumbered (c) and read:

"a person engaged in lawful activity in or in the neighbourhood of the housing accommodation".

Removing the words

"visiting the housing accommodation",

means that the reference is to

"a person engaged in lawful activity".

Someone visiting a friend in the housing accommodation under discussion is clearly engaged in lawful activity. Removing the phrase

"visiting the housing accommodation"

puts the emphasis on everybody who is engaged in lawful activity in that area, rather than on those who are visiting or otherwise engaged in lawful activity. Although we do not believe that that has a substantial legal impact on the wording, it ensures that when the courts interpret the measure, we have provided as much clarity as possible. We do not focus too much attention on those who are visiting, and have made it clear that everybody is covered. Visitors would clearly continue to be covered by the new wording.

[Yvette Cooper]

5.45 pm

The hon. Gentleman's second point was also raised by the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) and concerns the switch of wording from "locality" to "neighbourhood". Again, the impact of the change is small. "Locality" is the word used in the previous legislation. Practitioners raised concerns about the narrow interpretation of case law in particular examples such as the Enfield and Nottingham cases. "Neighbourhood" was added instead to ensure that existing case law was not simply read forward because "locality" had again been used. That has been done purely to try to reassure practitioners while providing as much clarity as possible to the courts.

"Neighbourhood" is just as flexible a term as "locality". It includes the whole area and clearly includes owner-occupied property and property owned by other landlords on multi-tenure and jointly managed estates. Changing the word does not negate any of the earlier discussions about this matter.

The hon. Lady also referred to demotions. I know that Liberal Democrat Members raised that point in Committee. We believe that demotions are a potential alternative to what landlords may currently have to do. As landlords do not have any way of providing a sanction or clear warning to tenants where there is problem antisocial behaviour, they may need to go straight to trying to evict them, perhaps making somebody homeless because of unacceptable antisocial behaviour.

The demotions have been introduced as an alternative sanction for landlords. They allow tenants one last chance to amend their behaviour by responding to the sanction. Notices should be given to ensure that tenants are aware of the threatened sanction and that they have the chance to make appropriate representations and give their side of the story. Equally, we are not discussing changing the overall approach to demotions, which provide an alternative to evictions and give social landlords a sanction to address antisocial behaviour. We know that many social landlords currently feel that they cannot act with sufficient flexibility because there are not enough measures to address that problem.

I have responded to hon. Members' concerns and hope that all hon. Members will support these relatively straightforward measures.

Lords amendment agreed to.

Lords amendments Nos. 2 to 8 agreed to.

Clause 24

INTERPRETATION

Lords amendment: No. 9.

Ms Blears: I beg to move, That this House agrees with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to take Lords amendments Nos. 10 to 22.

Ms Blears: Amendment No. 9 removes clause 24(2), which was made redundant by Government amendments moved on Report. Amendment No. 10 corrects an earlier drafting error.

Amendment No. 11 specifies that the term "guardian" in clauses 25 to 29 has the same meaning as in the Children and Young Persons Act 1933. That makes the law consistent, because that meaning is already applied to parenting orders for criminal conduct or antisocial behaviour under the Crime and Disorder Act 1998.

The Government listened carefully to the points that were made in the other place about the importance of the work of local authorities in tackling antisocial behaviour in their areas, particularly through local crime and disorder partnerships. That is the context in which we agree with amendment No. 12, which ensures that the agreement of the local authority is given before powers to disperse groups can be used. Local authorities and the police already work closely together in a whole range of partnerships to tackle crime and disorder in local communities, and are implementing strategies for dealing with many of the issues addressed in the Bill. It is right that we should expect there to be agreement on the authorisation of the powers that are used as part of that process. The amendment will strengthen the Bill and lead to even greater partnership working between local authorities and the police.

The provisions of part 4 extend to the British Transport police. Amendment No. 13 merely updates a cross-reference to the Railways and Transport Safety Act 2003.

The aim of amendments Nos. 14, 15 and 16 is to give to county councils the power to apply for antisocial behaviour orders that is currently available to the police, district councils and registered social landlords. It was requested for county councils by the County Councils Network. We recognise that county councils have responsibilities that encompass tackling antisocial behaviour because in many cases they are responsible for youth services, the provision of education, and social services. The amendments therefore extend to county councils the power to apply for ASBOs on the same basis as registered social landlords, the British Transport police and, under the Bill, housing action trusts. Moreover, sometimes the main legal department for an area rests within the county council. It is important that county councils be played into the provisions, because they can often provide essential legal and technical support to district councils in terms of exercising those powers.

Amendments Nos. 17 to 22 are largely technical. They move all the clauses in part 5 to the end of the Bill, in accordance with the drafting convention that dictates that parts of Bills entitled "Miscellaneous powers" should be placed at the end. The important matters of substance relate mainly to the necessity for the police to have the agreement of the local authority in exercising the dispersal powers and to the need to include county councils to ensure that they can play an effective part in the essential partnerships with the police in tackling such matters.

Mr. Paice: I am grateful to the Minister for explaining that many of the amendments are entirely non-controversial and what I have always described as "technical", probably because I do not understand them.

I am, however, concerned about the amendment that deals with authorising the use of the dispersal powers that the Bill creates. The Minister clearly foresaw that,

because it was the only one that she concentrated on. There is no difference between Conservative Members and the Government about the importance of the involvement of local government in dealing with crime, particularly low-level crime. We welcome the setting up of crime and disorder reduction partnerships and, as the Minister knows, have our own proposals on how to enhance local involvement in those matters. Equally, unlike Members of some parties, the official Opposition welcome the measures on dispersal powers. We believe that it is right that the Government should give the police powers to disperse groups of people in such circumstances. In Committee—the Minister will not remember this, because she was not the Minister responsible at the time—we discussed why the power needed to be restricted to a particular authorised area. We said that if the police saw that there was a problem, they should be able to deal with it there and then, rather than having to go through the panoply of procedures involved in authorising a specific area.

Nevertheless, I still do not understand why the Minister wants effectively to give local authorities the veto over an area. If, as the Government intend, the power is to be restricted so that it does not—as we contend that it should—apply across the country, the local authority should of course be consulted. But there is a great difference between consulting an authority and saying to it, "You must make the decision: yes or no. If you say that the police should not have dispersal powers in this particular neighbourhood area, that will be the final say on the matter." In all honesty, the Minister knows as well as I do that there is a huge variety of local authorities. One or two—thankfully, it is only a minority—are not always as helpful to the police as we would like. The amendment creates the risk that however much local communities and the police want to be able to use dispersal powers in a particular authorised area, the local authority may say, "No, we don't agree. We don't want the police riding roughshod over our community"—or whatever kind of language it chooses to use.

I do not wish to comment on any of the other amendments, but I stress to the Minister that I am worried that her attempt to involve local authorities through consultation, which is a worthy objective, may backfire. I fear that by saying, in the words of the amendment, that authorisation

"may not be given without the consent of the local authority",

she will add to a concern that many local people express when they tell us, as they often do: "Local authorities do not really care about us." I want local authorities to be involved, but I am very concerned about giving them a complete veto.

Mrs. Brooke: I am pleased to see the amendment, because we are talking about serious measures to disperse young people for their mere presence. I contend that legislation is already in place to move young people on when serious problems arise. Given the way in which the dispersal orders are to be enacted, involving the local authority means increased democratic accountability and shared responsibility for decisions. That is welcome. In some areas, there could be great sensitivities in relation to different ethnic minorities. The amendment provides a protection when the local authority needs to work so closely with the police in those circumstances. As members of the Committee will verify, I maintained throughout our deliberations that we should refer all the measures to the local crime and disorder reduction partnerships. It is not enough simply to move people on; one has to know where they will go and what they will do once they have been moved.

6 pm

The amendment, by including the local authority, offers a genuine opportunity to consider what other measures we should introduce to support the dispersal order. The amendment is therefore a positive, not a stopping provision. It could encourage the inclusion of all the supportive measures about which I spoke at such great length.

The Local Government Association suggests the inclusion of county, district and unitary authorities in the Bill. It is interesting that county councils are being allowed to issue ASBOs. It makes sense to ensure that consultation takes place with the county council because in areas where there is a county council plus a district council, the former provides the youth and education services. Although I would not like the veto to be extended, the consultation element should be made clear. The amendment should be welcomed and we shall wait to ascertain the outcome: whether the new curfew orders will be used more than the previous orders and whether the dispersal orders will be greatly used.

Ms Blears: The hon. Member for South-East Cambridgeshire (Mr. Paice) and the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) have shown how providing a balance is genuinely a matter of fine judgment when deciding whether there should be consultation or agreement between local authorities on the appropriate steps to take. It is my judgment that there should be a strong relationship between the police and local government in implementing the powers. I was disappointed when the hon. Member for Mid-Dorset and North Poole and the Liberal Democrats took such great exception to the powers when they were originally introduced in the Bill. They could be useful in specific circumstances when antisocial behaviour occurs and local people are intimidated by others gathering in an area and causing harassment and distress.

The local authority is an essential partner in tackling crime, disorder and antisocial behaviour and it should therefore be engaged in a joint enterprise with the police in dealing with it. I stress to the hon. Member for South-East Cambridgeshire that I do not like to view the amendment as a veto because if we implement section 17 of the Crime and Disorder Act 1998 properly, we should not be in a position whereby one partner pulls against the other. The partnership should be strong and influence matters on the ground. From my experience, crime and antisocial behaviour are tackled effectively in places where the police, the local authority, businesses, voluntary groups and the local community are engaged together, bringing added value to the partnership and making it work. If the local authority and the police pull against each other, that is evidence of a poor partnership, which we would want to investigate further.

We do not want a veto, but if the dispersal powers are exercised in the case of very young children on the streets and they need to be taken to their home or, if they are

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likely to suffer significant harm, a place of safety, social services and possibly the education authorities need to be involved to ensure that the needs of the young people are taken into account.

The dispersal provisions have been controversial. I recently met members of the Youth Parliament and we had a couple of hours of useful debate during which the young people asked me some searching questions. To some extent, they put me on the spot and I thoroughly enjoyed discussing the provisions with them. I want to put on record the fact that the provisions are as much about protecting young people in the community so that they feel free to go about their lawful business without being intimidated by others as they are about tackling antisocial behaviour.

Our attempt to involve local authorities through the amendment is evidence of our twin-track approach, which is apparent throughout the Bill. That means support for those who want to change their behaviour, for parenting and for young people, coupled with tough and effective enforcement. That twin-track approach will help to tackle antisocial behaviour in our communities. I am pleased that we have come down on the side of involving local authorities and ensuring that local councils, with their elected members, play a genuine role.

I am sure that the hon. Member for South-East Cambridgeshire knows that local authorities and the police increasingly use the national intelligence model together, share information and are involved in joint tasking and co-ordination. That is another big step change in the partnerships' successful operation.

Mrs. Brooke: I welcome the Minister's comments on twin tracking. When we held our discussions in Committee, there was great emphasis on enforcement and not enough emphasis on support. It has therefore been pleasing to hear her comments today.

Ms Blears: I am delighted that the hon. Lady is delighted because it is important that we constantly consider the issue with the two points in mind. Our aim is to try to divert young people especially—I accept that antisocial behaviour is not confined to them—from crime and disorder. As a former public health Minister, I believe that prevention is better than cure and that if we can act to reduce crime, we should do that. I am equally convinced of the merits of tough and effective enforcement and sanctions. Any responsible policy should encompass both.

Mr. Paice: The Minister may be delighted that I was not delighted. I re-emphasise that I agree with her about the importance of local authorities, the police and other agencies working together. I passionately believe in that. She is also right that the better they work together, the more effectively they operate. I am worried that she effectively said that if that ideal relationship is not in place, the local authority will call the tune and that whatever other agencies, community organisations and the police may say, unless the local authority consents to making an area authorised, it cannot happen. That is my only point of concern. I support encouraging bodies to work together, consultation and the rest of the panoply of relevant measures, but I am worried that the Minister claims that whatever the police or the community says, the local authority has the final word.

Ms Blears: The hon. Gentleman knows as well as I do that we have a wide range of tools not only to encourage good partnerships but to take positive steps to ensure that they are in place. It is occasionally necessary to put our money where our mouth is. If we talk about involving local government in what we do, it is occasionally right to put that at the heart of our policy making. We have agreed to the amendment and are prepared to say that the local authority's agreement is an integral part of our ability to get the most out of the powers that we have put on the statute book. That is not only a symbolic indication of the importance of local government but something more fundamental. It stresses that the crime and disorder partnerships must have equal buy-in from every partner if we are genuinely to tackle crime and antisocial behaviour.

The hon. Gentleman also knows that we, like his party, have proposals for the future direction of the police services and community safety. At the heart of the proposals is a genuine commitment to more local involvement from the community, local authorities, businesses, the voluntary sector and all of us as citizens in taking responsibility for tackling crime and antisocial behaviour. It is occasionally right that the commitment is reflected in the words of legislation. In this instance, there should be a joint enterprise for using the dispersal powers.

I hope that I have given sufficient reassurance about the reasons for the decision that the Government have made. I believe that we have made the right judgment. I am sure that I have not convinced the hon. Member for South-East Cambridgeshire, but I am delighted to have convinced the hon. Member for Mid-Dorset and North Poole.

Lords amendment agreed to.

Lords amendments Nos. 10 to 22 agreed to [one with Special Entry].

Clause 48

DEALING WITH NOISE AT NIGHT

Lords amendment: No. 23.

Ms Blears: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this we may take Lords amendments Nos. 24 to 38, and 65.

Ms Blears: This group of amendments relates to environmental matters that were originally in the Bill: night noise, graffiti, fly posting, spray paints and data on waste. Clause 48 amends the Noise Act 1996 to end, for England and Wales, the previously adoptive character of sections 2 to 9 of that Act. From now on, all local authorities in England and Wales will have the power to investigate complaints of excessive noise at night, give warning notices in respect of such noise and, where the noise remains excessive after the service of a warning notice, either prosecute or, more likely, issue a fixed penalty notice. Those powers will now be available for all local authorities, rather than having to be adopted.

Amendment No. 23 will allow local authorities to retain their receipts from night noise fixed penalty notices for use on any qualifying functions. The amendments will encourage and support the increased use of night noise fixed penalty notices by local authorities, with resulting benefits for people who suffer noise from their neighbours at night. The provisions are similar to those for the fixed penalty notices that can now be issued for littering and dog fouling, and we feel that if local authorities can keep the income from their fixed penalty notices, they will be more inclined to use their powers to relieve the considerable nuisance caused by excessive noise late at night.

Clauses 54 and 55 give local authorities the power to clean graffiti from property owned by public utility companies and statutory undertakers. I am delighted to say that amendments Nos. 24 to 33 will allow local authorities to recover the costs of removal from the owners of that property.

Siobhain McDonagh (Mitcham and Morden): I thank the Government, and especially my hon. Friend for her work on the amendments. They embody suggestions that I made in Committee, and I am thrilled that statutory undertakers will now be responsible for maintaining their street furniture, which when covered in graffiti not only causes offence, but makes people worried about moving about their local high streets and other areas. I am also thrilled that if local authorities remove that graffiti, they will have the power to recharge.

One of the many themes supported by Members on both sides of the Committee was that powers that are given must be workable and usable. I believe that these powers will be used, precisely because the local authorities will be able to recharge. I also think that many of the statutory undertakers will—

Mr. Deputy Speaker: Order. *[Interruption.]* Order. The hon. Lady has been here long enough to know that she must resume her seat when the occupant of the Chair is on his feet, and also that there is a distinction between an intervention and a speech. However congratulatory she means to be, she must keep that balance.

Ms Blears: As I was saying, Mr. Deputy Speaker, amendments Nos. 24 to 33 will allow local authorities to recover the costs of removal from the owners of such property. I am delighted to pay tribute to the work of my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh), who has pursued this matter with such vigour, and without whose tenacity and determination these provisions might not have reached the statute book, as I hope they will.

We are aware of the concerns that have been raised about the financial impact that the amendments might have on the industries concerned. That is why we propose to pilot the measures in 12 authorities, so that they will not put an undue burden on business. The pilots will give us the opportunity to evaluate the impact of the measures, and we shall consult the companies and local authorities concerned to ensure that we get the scheme right.

The amendments also provide for guidance to be issued by the Secretary of State, or the National Assembly for Wales, on the operation of the provisions, and local authorities will have to comply with it. The guidance will be drawn up in consultation with the industries and local authorities concerned.

Hand in hand with the clean-up measures goes tougher enforcement action against the perpetrators. That is a common theme: more action, but more enforcement as well. Amendment No. 34 will increase the fine for those prosecuted under section 224 of the Town and Country Planning Act 1990 from level 3, a fine of up to £1,000, to level 4, a fine of up to £2,500. That increase recognises the growing incidence of fly posting, and the need for a more punitive deterrent for those responsible for that environmental crime.

Mr. Eric Martlew (Carlisle): Will the fly-posting provisions apply to political parties?

Ms Blears: Anybody who contravenes the Town and Country Planning Act will be liable to a fine higher than the current level 3 fine. I am aware that there are different provisions in different parts of the country about what kind of party political advertising can be permitted. For example, I know that in Birmingham there is a tradition of allowing posters to be stuck on street furniture. That certainly is not a tradition in my community, so the position varies from local authority to local authority. None the less, where those provisions are contravened, the fine will be up to £2,500 rather than the present level of £1,000.

Mr. Martlew: If there were a general election, and a political party—the Liberal Democrats, for example—was fined £2,500, would that be added to its election expenses?

6.15 pm

Ms Blears: That would be a matter for the returning officer and the Electoral Commission; it would be determined by electoral law at the time.

Amendments Nos. 35 and 36 concern the age below which sale of aerosol paint should be restricted. The Government have been open to argument on that point throughout the passage of the Bill. We remain convinced of the need to take the tools of the criminal damage trade out of the hands of the taggers, but the precise age at which it is proportionate to restrict sale of those items is a matter for debate. Having listened carefully to arguments both in this House and in another place, we agree that an age limit of 16 is more appropriate than one of 18.

Amendments Nos. 37 and 38 relate to the Secretary of State's power to require data returns to be made by local authorities and the Environment Agency about cases of fly-tipping with which they deal. There are currently no national data on levels of fly-tipping. The Environment Agency and most local authorities already collect some data, but not in any standardised way. It is important that we develop our information base on the extent of fly-tipping, to help inform future policy development both nationally and regionally. Local authorities will also benefit from the measure, as they will be able to access reports from the database.

The amendments introduce a new wording of section 71(4) of the Environmental Protection Act 1990 with regard to the requirement for information. The previous

[Ms Blears]

provisions introduced a reporting requirement only in section 59 of that Act. The revised wording will ensure that local authorities may be required to report all the incidents with which they deal, no matter which power they use to do so. This is a wider provision, and I understand that local authorities welcome the power, rather than seeing it as a bureaucratic burden, because they want access to the database that will be developed. We shall try to ensure that it is a web-based facility, which can be accessed with minimum cost and trouble to local authorities, and I think that it will prove useful in determining our future policy on waste and fly-tipping, which, unfortunately, is an increasing problem.

Mr. Paice: I broadly welcome this group of amendments, and I particularly welcome the introduction of an appeal system. It is always a matter of concern to me when we give public bodies—be they local authorities or any other public body—powers over the private sector against which there is no appeal. The matter was debated in Committee. I am particularly concerned when we create a power for an authority to take action and to reclaim moneys from the private sector, so the introduction of an appeal mechanism is extremely welcome, and I thank the Minister and the Government for it.

I was interested to hear the Minister's remarks about the money side of this question and about the fact that she is putting into the Bill the way in which local authorities will be able to utilise the money that they have raised for approved purposes. It is worth bearing in mind that my hon. Friend the Member for Surrey Heath (Mr. Hawkins) made precisely such a suggestion in Committee and was, not for the first time, rebuffed by the Government and told that they did not believe in hypothecation and that it would not happen. Of course, they are now putting that precisely into the Bill, enabling income to be hypothecated directly for particular items of expenditure.

I cannot help but gloat a little—I suspect that the Liberal Democrats will, too—at the way in which the Minister so charmingly said that the Government had now been persuaded that 16, rather than 18, should be the minimum age in relation to the sale of aerosols. If my recollection is correct, the hon. Lady was not the Minister in Committee, but, if my recollection is correct, there are Members in the Chamber today—including the former Minister with responsibility for the police—who were around at that time, and who were members of the Committee. They will remember how totally and utterly the Government rejected the logic of the arguments put by my hon. Friends and me for reducing the age at which someone should be prevented from buying an aerosol. I remember drawing attention to the fact—I think it was on Second Reading—that someone can, at 16, use a shotgun, go into a pub and have a drink, or even get married. At that age, they can have a driving licence and buy a car, but if they bend the car, they cannot go and buy the paint to mend it until they are 18. That seems utterly ludicrous. I am delighted that the Government have heeded the arguments made in the other place, albeit at the eleventh hour, but I cannot pretend to be surprised or even disappointed that they did not heed the argument made in this place that 18 was too high an age at which to ban something as everyday as the purchase of a can of aerosol paint.

I do not wish to deny the damage that graffiti does. It is a serious problem, and my hon. Friends and I support the Government's efforts in that regard. I would also say in all honesty to the hon. Member for Mitcham and Morden (Siobhain McDonagh) that I do not in any way resent the fact that she has been extremely successful in getting her proposals into the Bill. As I said earlier, I support the amendments in their entirety, but I have to say to the Minister that she is extremely courageous to suggest that the Government have listened to the arguments and been persuaded on the issue of age, given the strength and volubility of the way in which several Ministers—and, indeed, Back Benchers who supported the Government in Committee—sought to decry the efforts that some of us were making to reduce the age to 16. Even at this late hour, however, this is a welcome concession, and I am delighted to support it.

Mrs. Brooke: I, too, welcome this group of amendments. The hon. Member for South-East Cambridgeshire (Mr. Paice) welcomed the qualifying functions in amendment No. 23 in relation to what the money could be spent on. I would like a little clarification on that. In know from my past life in a local authority that sometimes, when money is ring-fenced too tightly, it cannot be spent on sensible things. Obviously, we want the receipts to be able to finance extra activity. My councils, like others, can barely afford noise patrols at the moment, for example. I wonder whether there will be any consultation before the provisions are finally drawn up.

I welcome the fact that amendment No. 29 puts guidance on to the face of the Bill. I have not seen such a provision on any other of the relatively few Bills with which I have been involved so far. I strongly support amendments Nos. 35 and 36. I well remember discussing those issues in Committee; in fact, I got the Committee report out so that I could revisit that debate. However, given the spirit in which we are discussing the Bill today, it would be unkind to quote some of the comments that were made. I am sure that these measures are the right ones. The obvious point has been made that if someone can have a driving licence at the age of 17, it is nonsense that they cannot go out and buy spray paint. Overkill such as that can be counter-productive.

I would like to make a serious point about amendment No. 30, which states that one of the grounds for appeal is that

"the defacement is neither detrimental to the amenity of the area nor offensive".

I am all in favour of collaborative work to involve young people in creating attractive graffiti, but whenever that sort of work is undertaken, it should be with the permission of the property owner or landowner. I am concerned that this provision could create a complex situation if used as a general defence. I imagine that whether the graffiti was detrimental to the amenity of the area would be a subjective judgment.

Mr. David Heath (Somerton and Frome): I, too, am slightly puzzled by that defence, because it appears to invite those on the magistrates bench to substitute their

artistic taste for that of the local authority. That does not seem to be an entirely sound legal ground for exemption, and I wonder whether guidance will be specifically given to the bench and to local authorities as to how they should interpret

"detrimental to the amenity of the area".

Mrs. Brooke: I thank my hon. Friend for making more clearly than I was the point that I was trying to make about subjective judgment. I support the measures on removing offensive graffiti, but I do not want to see a loophole that could lead to some rather strange debates about whether graffiti was detrimental to an area. I emphasise that I am very much in favour of partnership working and creating interesting graffiti, but it must be done with the permission of all the parties involved.

Mr. Stephen Pound (Ealing, North): Can the hon. Lady come up with a single example anywhere in these broad and sweeping kingdoms of any bit of this foul, feral scrawl that we call graffiti that could possibly be described—even by a Liberal Democrat—as attractive and interesting?

Mrs. Brooke: A person who has painted something on a property could stand up in court and argue that it was beautiful. I probably would not think that it was, but if it was not obviously offensive, the person who had painted it could create a certain amount of legal difficulty. I am sure the Minister will reassure us on that.

Ms Blears: I shall deal first with the issues raised by the hon. Member for South-East Cambridgeshire (Mr. Paice). He argued that our decision to allow the retention of moneys from the fixed penalty notices for night noise was inconsistent. However, we are already proposing, in clause 51, that local authorities should have the right to retain the income from fixed penalty notices for graffiti and fly posting. That builds on existing powers to retain fee income from littering and dog fouling. This is therefore nothing new. We are allowing local authorities to retain the money from the fixed penalty notices issued for night noise, in an attempt to encourage them to use the powers more widely. That is why we are getting rid of the adoptive provisions and making them apply across local authorities. It is therefore not new for us to introduce a measure to enable the authorities to retain such income. There is a consistency of approach here, and probably also a read-across to the retention of moneys by the police in relation to the income from fixed penalty notices for speeding, which is ploughed back into road safety measures. The Government have a coherent and consistent approach on those issues.

6.30 pm

The hon. Gentleman indulged in some unfortunate gloating in relation to spray paints. I never saw him as the kind of person who would gloat in such circumstances—perhaps I was mistaken—but I think that every Member of the House would acknowledge that graffiti is a huge problem for our communities. That is why we have made it a central part not just of the Bill, but of the "Together" action plan, which we issued a few weeks ago. If the hon. Gentleman has read that, he will know that we have a major programme called Operation Scrub It, which we hope will lead to the removal of graffiti up and down our land. We also have Operation Scrap It for abandoned cars and Operation Gate It for alley gating, so we have scrub it, scrap it and gate it, and our plans for tackling antisocial behaviour will be very effective indeed.

I am delighted to say to the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) that I understand that when reducing the age in respect of possession of spray paints was discussed in Committee, my hon. Friend the Member for Coventry, North-East (Mr. Ainsworth), who was previously responsible for the Bill, said:

"I will continue to listen to representations, or any other evidence to show that it is not the age group that the Bill mentions that is presenting the problem. If people think that they have that evidence, they should let us have it, because I do not pretend that we have the whole picture mapped out, or that we know exactly what is going on in our society."—[*Official Report, Standing Committee G*, 22 May 2003; c. 405.]

That is perfect evidence of my colleague's open-mindedness and his willingness to listen to evidence, take a rational decision and not reach foregone conclusions.

Mr. David Marshall (Glasgow, Shettleston): I am delighted at the measures that my hon. Friend is putting through the House, but I am sorry that they do not apply to Scotland. Have there been any joint ministerial discussions between the Scottish Executive and her Department as to the possibility of having the same measures introduced in Scotland?

Ms Blears: I am grateful for my hon. Friend's support for these provisions. Although there have been no formal ministerial discussions as yet, I am aware that discussions are going on in Scotland around similar areas. Clearly, the matters that concern people living in England and Wales are of equal concern to residents in Scotland. Therefore, there will be discussions and, I hope, the sharing of good practice.

The hon. Member for Mid-Dorset and North Poole raised the issue of night noise and whether her local authority could afford monitoring patrols. If she talks to her local authority, she will find that there are other ways to monitor noise, such as through the use of technology and electronic devices, which are much more cost-effective than local authority officers marauding on the streets late at night seeking out noise.

There is a serious issue here, and we want to make the powers as easy to use as we can, because the fact that they have been adoptive has militated against local authorities taking such action. Increasingly, when these powers are taken together with some of those to deal with noisy licensed premises under the licensing legislation, we will begin to have a coherent set of powers that really can help to attack the tremendous nuisance caused by excessive noise. Some people have to live with noise day in, day out—or rather night in, night out—which has a detrimental effect on their well-being.

The powers will be extremely welcome, and I am pleased that the hon. Lady will support them, although I am surprised by her enthusiasm—whether the powers be on environmental crime, tackling graffiti, fly posting or antisocial behaviour in general—which leads me to

[Ms Blears]

question why her party finds it impossible to support the Anti-social Behaviour Bill. I find this a very contradictory position to take: she is so supportive of all those proposals to tackle antisocial behaviour, yet her party cannot find it in itself to support the Government and the legislation.

Mr. Heath: Without any temptation to gloat at the Minister's expense, may I simply say that had her colleagues expressed their views in the way that she has this evening, committed themselves to the dual working that she has committed herself to this evening and introduced at an earlier stage those amendments that she has introduced this evening, the Bill might have taken a different course?

Ms Blears: It is perhaps more likely that we might have seen a very different response to the proposed legislation if there had been no change of Liberal Democrat spokespeople.

I reassure my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) that I understand that the Scottish Executive have published an antisocial behaviour Bill, which includes a ban on the sale of spray paints to under-16s. I am sure that there will be extensive joint working between us with regard to those issues.

I am pleased that the amendment, which I commend to hon. Members, commands the support of the House.

Lords amendment agreed to.

Lords amendments Nos. 24 to 38 agreed to [one with Special Entry].

After clause 59

RAVES

Lords amendment: No 39—a new clause.

Motion made, and Question proposed, That this House agrees with the Lords in the said amendment.—*[Ms Blears.]*

Mr. Deputy Speaker: With this we may discuss amendment (a) to the Lords amendment, Lords amendment No. 40, Lords amendment No. 41 and amendment (a) thereto, and Lords amendment No. 74.

Mr. Paice: I shall speak to my amendment (a) to Lords amendment No. 39. I welcome the debate on the two issues covered by this group of amendments—namely raves and dealing with unauthorised encampments. Indeed, by my recollection, both were raised in Committee and unauthorised encampments were the subject of a lot of discussion. My hon. Friend the Member for Surrey Heath (Mr. Hawkins) and I spoke at length and, if I dare say it, with some passion because of constituency experiences—this is a serious problem.

I shall take the two issues separately if I may and deal first with raves, to which amendment No. 39 and my amendment (a) are relevant. I welcome what the Government are doing about raves. Reducing the relevant number from 100 to 20 is extremely sensible. It means that organising a rave for 99 people, which I understand has been the practice of a lot of people who tried to get just inside the law, will end. I also strongly welcome the removal of the term "open air" from subsection (2) of section 63 of the Criminal Justice and Public Order Act 1994. However, the purpose of my amendment (a) is to challenge the Government as to why they have not removed the same term from subsection (1).

Subsection (1) states:

"This section applies to a gathering on land in the open air of 100 or more persons".

The Government are making an amendment by striking out 100 and inserting 20, but they have left in the words "open air". Subsection (2) refers to

"as respects any land in the open air, a police officer of at least the rank of superintendent",

but the term "open air" is to be deleted. I cannot help but feel that that is an oversight by the Government. The Minister is looking perplexed, which leads me to think that this has not clicked with either the Government or her advisers. The number in the 1994 Act as amended by the Lords amendment will be reduced from 100 to 20 without the term "open air" being removed. It seems to me that the gathering has to be on land in the open air.

Mr. Heath *rose—*

Mr. Paice: I give way to the hon. Gentleman, who may be able to correct me.

Mr. Heath: I think that the hon. Gentleman is right in his drafting amendment, but I also think that passing his amendment, whose wording is simpler than that used by the Government, would make subsections (3) and (4) of amendment No. 39 redundant. Those would no longer be necessary, as the hon. Gentleman would have extended the application to an occurrence in the open air or within a closed building.

Mr. Paice: I understand what the hon. Gentleman is saying. Perhaps the Minister will persuade me that subsection (3) is indeed sufficient, but I do not see for the life of me why the Government could not have simply struck out the words "in the open air" in both instances.

Let me now deal with the other amendments concerning travellers and the 1994 Act. I think this discussion will illustrate the absurdity of automatically timetabling all our debates. The travellers issue was not debated during the main part of the Bill's passage; the Government introduced it in the form of an amendment on Report, and the timetabling meant that it was not reached. This, therefore, is our only opportunity to debate the amendments to the 1994 Act involving travellers—and because we are discussing Lords amendments, that opportunity is extremely limited.

It is a tragedy that the Government have arranged matters in this way. I am not saying that I object to the amendments, which move in a direction that I urged on the Government in Committee. I am merely saying that had the Government allowed more time on Report, when the amendments first appeared, we might have felt more certain that they were getting this absolutely right.

I am still concerned about the fact that there is nothing in the Government's amendments, now incorporated in the Bill, or in the Lords amendments to

deal with the detritus left by travellers, which was raised by almost everyone in Committee. That is a huge problem on both public and private land, but in many ways it is worse on private land, because it is for the owner of that land to pay the cost of clearing what may be huge piles of unpleasant waste. I welcome the addition of a power for the police to move on unauthorised travellers, the removal of the numbers limit, and many other new measures. However, as I said on Third Reading, I am worried about the loophole created by the Government in regard to alternative sites.

The Bill seems to say that police officers can move travellers on if they are illegally encamped and an alternative site is available. The Minister kindly nods, implying that my simplistic mind has got it right in this instance. On Third Reading, I feared that the Government risked driving a coach and horses through the intention of the relevant clauses. Since then they have tabled Lords amendment No. 40, which would insert the word "suitable". That worries me chiefly because "suitable" is a subjective term. I do not want to return to the issue of what constitutes appropriate graffiti, but "suitable" is subjective as opposed to objective. One person's definition of a suitable alternative site might not be another person's definition.

I speak as one with some years' standing in the House, representing a constituency where hundreds of travellers are going in and out all the time. They and their advisers know the law back to front, and if there is a loophole to be exploited they will exploit it. The word "suitable" immediately creates an opportunity for travellers and advisers to seek to undermine the law by challenging the suitability of a site in the eyes of the law.

6.45 pm

Lords amendment No. 41 seems to constitute an attempt by the Government to define a suitable alternative site, although it does not say as much. It states that a police officer

"must consult every local authority within his area the land is situated as to whether there is a suitable pitch for the caravan . . . in the local authority's area."

That seems to me to restrict the scope of clause 61 dramatically. If, for example, travellers were encamped in a local authority area but close to its border, the officer would have to consult that authority. If there were no alternative site in the authority's area, the powers in the clause could not be used. There might, however, be a suitable alternative site only a mile away, in the area of another authority that would not have to be consulted.

My constituency shares its boundary with two other counties, as well as the rest of Cambridgeshire. We have serious problems with unauthorised encampments, often within a mile or two of the Essex and Suffolk borders. There may be very convenient alternative sites in those counties, but if I understand the Bill correctly, the authority that must be consulted is the one whose area contains the illegal encampment. I am being parochial here, but I would hope that we all know our constituencies better than anywhere else.

The Minister will confirm whether "local authority" means a county or a district authority—

Ms Blears: Both.

Mr. Paice: In any event, because South Cambridgeshire borders many miles of the Essex boundary, if there is no alternative site in the rest of Cambridgeshire—which there may well not be, because of the large number of travellers—but there is one just over the border in Essex, that cannot be taken into consideration.

I do not pretend that I have necessarily got the drafting right in my amendment, but it is too late to change it now. Let me again use the example of South Cambridgeshire. You will know the adjoining district of Uttlesford, Mr. Deputy Speaker, because it is in your constituency. I suggest that if it contained an alternative site, its authority should be consulted.

Mr. Heath: The hon. Gentleman is making an excellent point, which I fear we will not able to resolve at this late stage. Will he also consider county authorities which, under the Caravan Sites and Control of Development Act 1960, made provision for transit sites covering all district council areas within their boundaries? Those sites will be discounted for the Bill's purposes unless they happen to be in the same district council area as an illegal encampment.

Mr. Paice: I am grateful for the hon. Gentleman's support. The Minister said a moment ago that the county area would be covered, but what worries me is the possibility of a site's being just outside the county area. I could have framed my amendment to include all adjoining counties—indeed, I suspect that many of my constituents would have preferred "adjoining countries"—but I am trying to be reasonable, and to propose an amendment that the Government might consider acceptable.

Mr. Martlew: In my county of Cumbria, there is a transit site very near my constituency. From the south of the county, it is 90 miles away. I suspect that it would not be suitable to ask travellers to go 90 miles.

Mr. Paice: The hon. Gentleman makes the point that I made earlier about the use of the term "suitable". What is suitable? How far is suitable? Is 90 miles suitable? I do not know. It will require a court eventually to decide. As the hon. Gentleman knows, travellers are fully aware of every aspect of legislation affecting them and they will test it.

I come back to the issue of alternative sites and what may be a suitable distance. It would be easy to suggest that a suitable alternative site should be one within five, 10, 15 or even 90 miles, whatever distance one chose. Rather than have a debate about how far is suitable for an alternative site, I suggest merely that we should ensure that all adjoining districts to the district in which the unauthorised encampment is located should be taken into account. Please do not think from my earlier comments, Mr. Deputy Speaker, that I am entirely desirous of deporting all the unauthorised encampments in my constituency to yours. I simply use it as an example of what I am trying to get across with the amendment.

[Mr. Paice]

I fear that what has happened is that the Home Secretary and indeed the hon. Member for Coventry, North-East (Mr. Ainsworth), the previous Minister who dealt with the Bill in Committee, were determined to be tough but that, since the Government tabled their amendments, there have been voices urging that they be weakened. I fear that amendments Nos. 40 and 41 do weaken the original proposals, even though, as I said earlier and as the hon. Member for Somerton and Frome (Mr. Heath) said, this is the first time that we have debated them; we did not have a chance to debate them in earlier proceedings. The purpose of my amendment on travellers is simply to ensure that, where we are searching for what may be a suitable alternative site, not just that district or the county but all adjoining districts are consulted, so that, if the unauthorised encampment is close to a county boundary, we ensure that the other districts surrounding it are also consulted under new subsection (3B) in amendment No. 41.

This is in many ways the most important group of amendments that we shall discuss this evening. I hope that I have managed to explain to the Minister the import that I attach to them and the reasons why I tabled them. I look forward to her response.

Mr. John Denham (Southampton, Itchen): I will be brief and make a few remarks on the amendments to clause 61. I listened with interest to what the hon. Member for South-East Cambridgeshire (Mr. Paice) said. I personally am pleased to see these clauses in the Bill because they enact a strategy that was announced during my time as a Home Office Minister. If time were not pressing, I might discuss why they did not get into the Bill at an earlier stage, but I will leave that for another occasion. However, I am pleased that that approach is being taken.

I can see both sides of the argument. The difficulty is that far too few local authorities, including district councils, have made provision for the type of temporary move-on site that I take to be meant by "suitable". I hope that the Minister will be able to reassure the House that we are talking not about an all-singing, all-dancing long-term residential camp site but about a suitable site to which someone can be directed, with the basic facilities that are necessary. Without an incentive for local authorities to make that provision, it is unlikely that they will do so. The police will be hampered in the use of the power by the lack of any facilities in the surrounding area.

I agree that in an entirely sensible and utterly co-operative world the position taken by the hon. Gentleman—that all provision should be taken into account— would make sense, but we are at a period when district councils must be focused on making that provision. It is an argument that needs to be advanced. In my local authority area, the cost of clearing up just two encampments in the past year has been £50,000 and we are not yet at the end of the financial year. We need to get local authorities—the incentive is in the Bill—to invest that money in the sort of move-on facilities that can cut the costs that they are incurring on clearing up waste. I think that what the Government are doing will provide the incentive for local authorities to act and not just to say, "We assume that someone else will deal with the problem and the police can direct people in that direction."

The issue may need to be revisited when there is an adequate pattern of provision in every area, and it is logical to look at everything that is available in the whole of Hampshire, in my case, but we are not in that situation at the moment. Therefore, provided that the term "suitable"—I trust that there will be Government guidance—clearly means basic, hard-standing chemical soak-away facilities, a standpipe or whatever, and not the all-singing, all-dancing residential complexes, for which it has been difficult to get planning permission, the Bill will take us a significant way forward.

Mr. Nick Hawkins (Surrey Heath): As the right hon. Gentleman knows, I raised Committee concerns I had in respect of my constituency, which abuts Hampshire. Does he recognise that there are considerable difficulties even in areas where there is substantial local authority provision? Chobham in my constituency, a small village, was hugely over-run by a massive new site being created in breach of all the planning rules, even though there was already an existing proper site provided by the local authority, so a local authority-provided site does not necessarily solve the problems.

Mr. Denham: Of course, there are problems. The difficulty ever since the original Act has been that local authorities have been reluctant to provide the transit move-on sites that are necessary. The Bill and the logic of the approach says, "Here is a power that is available to the police but only if the local authority in that area acts to make suitable provision." Without that early incentive, we will not see an expansion in the type of facilities that need to be available, and then in practice the much faster move-on powers will not be available to the police.

As we all know, it can take weeks to move on an unauthorised encampment. In one case in Southampton recently, there was a dispute as to whether the landowner or leaseholder should take action. Things dragged on even longer, so I welcome the moves that are being taken, even though I suspect that, if we are successful at providing more temporary camp sites, there may be a case in years to come to revisit the debate that the hon. Member for South-East Cambridgeshire has started.

While I am on my feet, may I say to the Minister in supporting the overall approach that is being taken that I was a little disconcerted to find last week that the guidance coming from the Home Office on the use of antisocial behaviour orders and the new powers to deal with travellers is not exactly extensive? If we wish to see the police use the new ASBO power against travellers, some extended guidance from the Home Office on how to do it, how to collect evidence and how to get the ASBO to court would be enormously useful. I am convinced that that complements the measures in the Bill well but we need to ensure that it can be used at local level.

Mrs. Brooke: I await with interest the Minister's response on amendment No. 40 and amendment (a). We had an interesting exchange. It is a matter of waiting for her pronouncement on that.

On the amendment on travellers, I was interested in the interpretation by the right hon. Member for Southampton, Itchen (Mr. Denham). I had not realised before he spoke that there would be an incentive to provide transitional sites. I understand the logic now that it has been expressed in that way, but I question whether that is sufficient incentive. I suspect that it will take a lot more and a lot of persuasion to get local authorities to do something about what is a serious issue for all our constituents.

I favour amendment (a) to amendment No. 41. It seems to make a lot of sense. Indeed, I do not see how one can argue against it. If we have a site 100 yd over the border, surely it needs to come into play. There must be some wording that could pick that point up.

Amendment (a) to Lords amendment No. 41 could have greater longer-term significance. The principle of making local authorities work together is surely another way forward because some local authorities will argue that they simply have not got places, whereas a number of different types of council, covering larger areas, can truly work together. County councils were specifically mentioned. I represent part of the unitary authority of Poole, which is in the county of Dorset, although it is a separate authority. We would have big problems with moving travellers on without that amendment because of the proximity of the unitary authority boundary and the county council boundary. So I very much support that amendment and await the Minister's comments.

7 pm

Ms Blears: I wish to respond to the Opposition amendments that have been tabled to Lords amendments Nos. 39 and 41.

During previous stages, hon. Members mentioned the problem of raves, so the Government took the opportunity in the other place to introduce measures to deal with that important issue. The Lords amendments will change existing legislation to include indoor trespassory raves, reduce the numerical threshold for action from 100 to 20 people and make it an offence for a person on whom a direction has been served to attend another trespassory rave within 24 hours of the direction being given. Those three trends, which show how legislation was being gradually undermined, were identified by our work with the Association of Chief Police Officers. People were organising events for just under 100 people, events that took place one after another in similar places and an increasing number of indoor events.

Amendment (a) to Lords amendment No. 39, tabled by the hon. Member for South-East Cambridgeshire (Mr. Paice), may appear attractive at first sight, as its wording is simpler—the words "in the open air" would be omitted—but I assure hon. Members that section 63 of the Criminal Justice and Public Order Act 1994, as amended by the Bill, will address the problem both of raves in the open air and of indoor trespassory raves. I emphasise that fact. If we were to agree with the hon. Gentleman's proposal, we would catch all indoor events—for example, house parties where people were not trespassing and were present with the agreement of the person organising the event. I cannot imagine that he wants to include a provision that would catch people who were not trespassing. The Bill is intended to catch people who are trespassing on other people's land.

Mr. Heath: I have been reading section 63 of the Criminal Justice and Public Order Act. It applies only where serious distress is being caused to the inhabitants of a locality, so there is still a heavy qualification.

Ms Blears: Yes, but Lords amendment No. 39 will meet the requirements that we want to achieve to address the trends, which ACPO identified, that are undermining the existing legislation. We want to deal with events that are organised indoors and that still have all the elements of the unacceptable raves that were being organised outdoors. The Government's proposal will do that, and the hon. Gentleman's proposals would go wider than would be appropriate for the legislation. I hope, therefore, that I have assured the hon. Gentleman that Lords amendment No. 39 will achieve what he wants and that he will not press amendment (a) to a Division.

I turn now to the amendments on travellers. Lords amendments Nos. 40 and 41 provide swifter eviction powers to deal with trespassers on land when an alternative site is available. Again, those amendments were tabled as a result of the Government listening to concerns that were expressed in the Lords. Lords amendment No. 40 will ensure that, before the police issue a direction for trespassers to leave land, a suitable pitch will be available on a local authority site.

Hon. Members, including my right hon. Friend the Member for Southampton, Itchen (Mr. Denham), asked what sites might be suitable. A transit site could certainly be suitable. If such issues are the subject of litigation, the courts will ultimately decide what falls within the ambit of a suitable site. We would expect and hope that a fairly pragmatic view would be taken in respect of the practicalities. We will certainly offer guidance on the meaning of the phrase "suitable site". The guidance will not be legally binding, but we will try to give as many indications as we can about what we think falls within that definition.

Mr. Hawkins: As I mentioned in an intervention on the right hon. Member for Southampton, Itchen (Mr. Denham), I have a big constituency interest in this issue, as the Minister knows. Does she recognise that there is great concern among local authority chief executives, including those in my area, that the Government's proposals may allow a loophole that will make it more difficult to obtain the orders that we were discussing in Committee? Indeed, Labour Back Benchers raised the issue in Committee.

Does the Minister also recognise that it would be very helpful if the Under-Secretary of State, Office of the Deputy Prime Minister, the hon. Member for Pontefract and Castleford (Yvette Cooper)—who is sitting on the Front Bench with the Minister—agreed, further to what she has already written to me, to talk to her predecessor about what Front Benchers discussed after one of the later Committee sittings, because we need joined-up Government on this issue?

Ms Blears: I assure the hon. Gentleman that the Under-Secretary will explore those matters. I

[Ms Blears]

understand that she has been in correspondence with the hon. Gentleman and that she is certainly happy to consider those issues.

Determining whether a site is suitable is a matter of getting the balance right. Travellers have an interest in gaining access to proper facilities, but hon. Members have clearly expressed views about the rights of the community not to be subject to some of the damage, distress, costs and waste that result from illegal encampments. It is crucial that we get that balance right. I wonder whether there is a fundamental philosophical question about whether a site can be an alternative if it is not suitable; the courts, rather than me, will probably have to decide that. In considering whether a site is suitable, certain factors will have to be taken into account that make it a realistic alternative to which people can be directed. That is a serious matter for us to explore, but getting the right balance between the various interests is very important.

The new powers in the Bill to deal with trespassers on land aim to provide an additional police power in areas where local authorities have provided authorised sites and there is space on those sites. It important to say that it is an offence for those who are given a direction to leave an unauthorised site to return to that local authority area as a trespasser. That is the incentive in the system for local authorities to make the necessary provision. They can then avail themselves of that power, in addition to the current public order powers, which will allow them swifter eviction and make it an offence for people to return to the area in future.

It is worth pointing out that, where no space is left on local authority sites, the police still have the power to direct trespassers to leave land under the Criminal Justice and Public Order Act 1994—so the police are not left without any power if there is a high degree of antisocial behaviour and problems are caused to the local community.

Amendment (a) to Lords amendment No. 41, tabled by the hon. Member for South-East Cambridgeshire, would widen the consultation requirements on the police before exercising those new powers. Under amendment (a), rather than simply having to consult the local authorities in whose area the land is situated, the police would also have to consult all adjoining local authorities.

Mr. Paice: Districts.

Ms Blears: The hon. Gentleman has accepted that amendment (a) to Lords amendment No. 41 may well not be drafted perfectly—it is a very late amendment—in relation to who needs to be consulted. I have already confirmed—I am happy to do so again for the record—that the existing provisions require consultation with local authorities in the area, so the county and the district authority would be involved in a two-tier area. We believe that that amendment would unhelpfully break the direct link between the provision of sites for travellers in a local authority and the availability of the new powers.

Those new powers are a key part of the Bill, but they will be available only where local authorities have proper provision. If we were to accept amendment (a) to Lords amendment No. 41, we would allow a local authority to rely entirely on a neighbouring authority's site provision to deal with unauthorised encampments in its area. That would remove the incentive for local authorities to provide suitable sites for travellers.

The hon. Member for South-East Cambridgeshire asks about cases where local authorities might have extensive provision that is full and suggests that his amendment is necessary to direct people into a neighbouring area. Equally, I am sure that he would accept that amendment (a) to Lords amendment No. 41 would allow authorities that had made no provision to direct people into a neighbouring area. It is crucial to strike the right balance between the interests of travellers in gaining access to facilities and those of the community to be protected from some of the undoubted problems that flow from unauthorised encampments. We have to keep that link. If that link were broken, it would undermine the way in which those powers could be exercised.

Mr. Paice: The Minister seems to be saying that the rights of whoever owns the land on which travellers are camping without authorisation, which she seemed to be espousing, should be secondary to the obligation of the local authority to provide traveller sites of some form. With respect, I do not think that many people in this country would agree that it is down to the local authority's decisions whether travellers should be able to park illegally on private or perhaps public property on which they are not meant to be parked. That is the gist of what she suggests.

Ms Blears: Most people in this country would not welcome the position whereby those in a neighbouring local authority who had not made provision for travellers were able to offload their problems on to the residents of a neighbouring local authority that had complied with a responsibility to provide at least minimum services for people in such circumstances. As the hon. Gentleman knows extremely well, making legislation in this place is always a matter of balancing the rights and competing interests of many different groups. Most people would want the Bill to maintain the incentive that encourages local authorities to make appropriate provision. They would view askance the prospect of a local authority, perhaps not one like his, that did not have any provision whatsoever being allowed to direct travellers in their area to a neighbouring local authority, which would have to pick up the bill for providing those facilities.

Mr. Hawkins: The Minister has not dealt with constituencies such as mine, which are close to a county boundary. A substantial part of my constituency border runs along both the Surrey-Hampshire county boundary and the Surrey-Berkshire county boundary. Surely it cannot be right that, once the Bill becomes law in its current form, only the authorities in Surrey would be consulted, and facilities that might be only a mile or two away but that were just over the county boundary in Berkshire or Hampshire would not be considered. That cannot be common sense.

Ms Blears: I think the Bill strikes the right balance, whereby the district council and the county council of the area concerned would be consulted. That is an appropriate balance.

The hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) made a good point about local authorities co-operating, which we are always keen to ensure. She referred, however, to councils being made to work together. We are not in a position to make local authorities work together in those circumstances—again, I am sure that she would share my view about democratic accountability and ensuring that local authorities can take decisions locally. In response to the hon. Lady and the hon. Member for South-East Cambridgeshire, I am prepared to consider, with the Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), whether the guidance to be issued in relation to travellers' sites can encourage more co-operation and joint working to resolve some of these matters. Clearly, that would enable the police to take advantage of the compulsory sanction available in the Bill, but if we can express in the guidance our will for local authorities to co-operate where appropriate, we shall certainly do that. In response to my right hon. Friend the Member for Southampton, Itchen (Mr. Denham), I should say that we will keep the matter under review; there may be further proposals that we can introduce.

We are keen to ensure that we get the balance right in this important area of law. I am delighted that these matters are now within the ambit of the Bill. They will provide welcome extra powers for the police and the community. We still feel, however, that maintaining the link between the provision of sites and the ability to have this expedited power is essential. There is a dearth of provision in this area in local authorities up and down the country, and if we are to manage things so as to avoid the chaotic situation that existed in the past, more provision is important.

7.15 pm

My right hon. Friend the Member for Southampton, Itchen, in some welcome, supportive remarks on the Bill, mentioned the issue of guidance to the police and how they can use the antisocial behaviour powers in relation to travellers. I am more than happy to consider that. I want to place on record my view, which is firmly held, that the standard of behaviour that we expect in this country is the same for people wherever they come from, whatever their background, and whatever lifestyle they have adopted. They have a responsibility to live their lives in a decent manner that does not impinge on the rights of the vast majority of people in this country to go about their lawful business. It is essential that everybody, from the range of sections of the community, adheres to the standards of decent behaviour in this country. On that point, the travelling community is just as subject to the provisions in relation to fly tipping and waste disposal as anyone else. I am only too well aware of the enormous costs that have sometimes been faced by local authorities in clearing up the remnants left by unauthorised encampments. Plainly, everybody in this country should be subject to the same legislative requirements in terms of living with other people in the community. I commend amendments to the House.

Mr. Paice: First, may I address the Minister's response to my amendment (a) to Lords amendment No. 39 on the issue of raves? I bow to the legal advice that she has received, which is far wider than that available to the Opposition. If she believes that the problems in relation to the open air are covered better by her way than by mine, so be it. I will not pursue that.

I want to respond, however, to the hon. Lady's comments about travellers and my amendment. I welcome the comments of the right hon. Member for Southampton, Itchen (Mr. Denham) and the work that he did in pursuing the problems and issues related to travellers to ensure that they are addressed in the Bill. I would be interested on another occasion to hear why the provision was introduced at such a late stage that we have not had a chance to debate it properly in the House, but I welcome its inclusion nevertheless. I wholly agree with the Minister that there is a need to take action, for which I was pressing in Committee.

I find myself at odds with the Minister, however, in relation to her argument against my amendment (a) to Lords amendment No. 41. It is slightly disingenuous of her to imply that my amendment also relates to counties, as it refers specifically to a district or unitary authority: the adjoining district or unitary authority to the site. Of course I understand her point and that of the right hon. Member for Southampton, Itchen that not every authority is as good as, in my case, Cambridgeshire—and its districts—in providing both permanent and transitory sites. Of course some authorities do not make such good provision. I would argue strongly, however, that other avenues are available to the Government, including the district auditor, to make sure that local authorities fulfil their obligations.

I feel passionately that the people who will suffer if the Government resist my amendment are the landowners—perhaps small or public landowners—on whose land such people descend and park without authorisation. Even if there is no site in a district, but there happens to be one a mile or two over the district boundary in a different county, the Minister says that that cannot be taken into account. It is that landowner who will suffer. I am more than happy to see alternative measures to encourage local authorities to provide satisfactory campsites.

In relation to the Minister's last remarks, picking up the point about antisocial behaviour orders, of course she is right—everyone in this country has a right to go about their daily life and live their lives without interruption, intervention, harassment and intimidation from other groups of people behaving antisocially. However, I have to tell her that nowhere is that more apparent than in some—I stress the word "some"—cases in which travellers are involved. In constituencies such as mine and many counties such as Cambridgeshire, there are areas in which some—again, I stress the word "some"—travellers make life a misery. All that we tried to do in Committee was to change the Bill to reduce that misery a little.

The Government have gone some way towards doing what we wanted, but if they resist amendment (a) to Lords amendment No. 41, they will continue to provide a loophole in the law. I fear that the loophole will mean that the powers will be rarely used. That is worrying and it negates the import of what the Minister believes she is trying to do. For that reason, I shall press amendment (a) to Lords amendment No. 41 to a Division. I realise

[Mr. Paice]

that we must first dispose of the other business and, to expedite that, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Lords amendment agreed to.

Lords amendment No. 40 agreed to.

Clause 61

POWER TO REMOVE TRESPASSERS: ALTERNATIVE SITE AVAILABLE

Lords amendment: No. 41.

Amendment proposed to the Lords amendment: (a) in line 10, at end insert—

'3C Where the local authority in 3B is a District or Unitary Authority the officer must also consult every adjoining District or Unitary Authority.'.—*[Mr. Paice.]*

Question put, That the amendment be made:—

The House divided: Ayes 156, Noes 311.

Division No. 365] **[7:21 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Collins, Tim
Conway, Derek
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hancock, Mike
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Laws, David *(Yeovil)*
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
Mawhinney, rh Sir Brian
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Pickles, Eric
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Mr. Mark Francois and
Mr. Geoffrey Clifton-Brown

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, rh Kevin
Bayley, Hugh
Beard, Nigel
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Crausby, David

Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Fraser Kemp and Vernon Coaker

Question accordingly negatived.

Lords amendment No. 41 agreed to.

New Clause

Lords amendment: No. 42, after clause 65, to insert the following new clause—*High hedges.*

Yvette Cooper: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 43 to 61, 63 and 66 to 71.

Yvette Cooper: The amendments give local authorities the power to deal with complaints about high garden hedges that cannot be settled by negotiation and to take action if necessary. They import into the Bill the provisions so championed by my hon. Friend the

[Yvette Cooper]

Member for Ealing, North (Mr. Pound) in his private Member's Bill, the High Hedges (No. 2) Bill. The Government are extremely pleased to incorporate those measures in this Bill. I congratulate my hon. Friend on doing so much to pursue the cause and to raise the concerns of people who are troubled by high hedge disputes.

There have been seven private Members' Bills on the subject. Most received broad support, certainly from Labour Members. Opposition Members also wrote to the Government on behalf of their constituents. The hon. Member for Solihull (Mr. Taylor) introduced one of those Bills. Baroness Gardner of Parkes recently introduced two Bills on the subject and we have responded to the concerns that she raised in the House of Lords. The Government backed the Bill introduced by my hon. Friend the Member for Ealing, North and looked for other ways to pursue it when it was talked out by a small number of Conservative Back Benchers. We have also responded to Members of both Houses who asked whether the measures could be incorporated into this Bill, which we decided was the right thing to do.

Unreasonably high hedges can block out light from neighbours' houses and gardens. Hedgeline estimates that there are 10,000 cases across the country of neighbours who are in dispute over the height of a hedge. We are all aware of problems such as bungalows crowded out by towering leylandii. We know that that makes neighbours' lives a misery, especially if the hedge owner refuses to respond. It is unfair on those who are suffering from the problem to leave them with no mechanism for appeal or adjudication.

Mr. Greg Knight (East Yorkshire): On fairness, my reading of the new clauses is that they would also apply to a case in which a new property is built on a plot of land next to an existing high hedge. Why should the owner of a high hedge have to cut it back because of a property that is subsequently built next door? Would it not be more reasonable to exempt those cases that arise when the house comes after the hedge?

Yvette Cooper: We hope that neighbours will resolve such problems themselves. Local authorities can take a wide range of considerations into account when addressing such disputes. They have discretion to respond to the nature of the circumstances involved and to direct remedial action. They may, however, decide that although a hedge has an impact on a house, remedial action is not appropriate in the circumstances. We will consult further on the guidance and the implementation of the measures.

The problems involve disputes between neighbours that we hope they will resolve. If they do not, the fundamental principle is that it is right to have a dispute resolution mechanism and some way of sorting out the problem. In truth, to those who suffer the most extreme forms of the problem, it can be just as antisocial as graffiti or noisy neighbours. We should not accept the stereotype that antisocial behaviour is only about teenagers on low-income estates. People face a wide range of antisocial behaviour and it is right that we can address problems relating to high hedges in the Anti-social Behaviour Bill.

Mr. John Horam (Orpington): Following on from the intervention of my right hon. Friend the Member for East Yorkshire (Mr. Knight), I think it important that in this respect we keep the Bill as simple as possible. I strongly support and greatly appreciate the efforts made by the hon. Member for Ealing, North (Mr. Pound) to bring the issue to the attention of the House through his private Member's Bill, and I am delighted that the measure has all-party support. However, we need to keep things simple and rely as far as possible on common sense and neighbours sorting the problem out between themselves. If we make the provision too complicated, with too many exemptions, we will land ourselves in serious trouble.

Yvette Cooper: The hon. Gentleman is right. Furthermore, we should allow local authorities to take the most appropriate decision in the circumstances, because every case will be different. It would not be appropriate to try to prescribe in legislation the types of hedges that people should have, nor to set down blanket provisions. The approach taken should be one of dispute resolution—finding a way to solve the problem.

Mr. Jim Cunningham (Coventry, South): I agree with my hon. Friend. These are human situations in which emotions are involved, and there has to be some form of resolution. That should be achieved primarily through conciliation, but if that does not work, something has to be done.

Yvette Cooper: My hon. Friend is right, and I pay tribute to him as one who piloted two of the Bills on high hedges through this House. He has championed the cause strongly in the past few years. We in this House have had many hours of debate on these issues—

Mr. Pound: Twenty-one.

Yvette Cooper: As my hon. Friend reminds me, we have had 21 hours of debate during the passage of the many private Members' Bills on the issue. We know that hon. Members receive huge numbers of letters about high hedges from their constituents, and we at the Department have received many as well. The Government are keen to get the measures on to the statute book as rapidly as possible, and I am pleased that the Anti-social Behaviour Bill has provided a mechanism by which to achieve that.

Mr. Geoffrey Clifton-Brown (Cotswold): The Opposition called for a provision to deal with high hedges in the Planning and Compulsory Purchase Bill. Will the Minister say what the regulations, which I understand are not yet published, will contain? Will they be based on the current Building Research Establishment guidelines? Will she say something about costs? How much of an extra burden will be placed on local authorities?

Yvette Cooper: That is the purpose of the consultation. We aim to have regulations published and out for consultation as rapidly as possible. We will consult over the course of next year, with the aim of having the measures fully implemented toward the end of 2004 if possible. Fees and the guidance that is to be

issued are precisely the type of thing on which we shall consult. I do not think that they are appropriate matters to deal with in the Bill—we should consult on and deal properly with such details through regulation.

Mr. Paice: As the Minister rightly says, high hedges have taken a great deal of the House's time throughout the years that I have been a Member. The Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Sunderland, South (Mr. Mullin), who is present on the Treasury Bench, and I entered the House at the same time, I think, and we have witnessed most of the innumerable debates that the Minister described. The hon. Lady is right to say that the issue is one that has featured in every MP's postbag—except perhaps that of the hon. Member for Western Isles (Mr. MacDonald), because there are not many hedges in his constituency.

Shona McIsaac (Cleethorpes): Or in the City of London.

7.45 pm

Mr. Paice: The Minister's Parliamentary Private Secretary is being wholly improper in speaking in the Chamber, given that her Minister is in charge of this issue.

High hedges are of huge concern to many people, but although the fact that they can be a problem is indisputable, views vary on the best way to tackle it. Several attempts have been made to deal with the problem in private Members' Bills—not all of which were the same—but the most recent and, if the measure is passed tonight, the most significant attempt was that of the hon. Member for Ealing, North (Mr. Pound).

When scrutiny of the Anti-social Behaviour Bill started many months ago, few of us realised just what a Christmas tree it would become. In Standing Committee, my hon. Friends and I and the Liberal Democrats thought that we were pushing our luck in trying to introduce measures to deal with animal rights activists, travellers and raves, but all those things are now well and truly in the Bill, and I am delighted about that. The Government's decision that high hedges constitute an antisocial activity and therefore come within the compass of the Bill was a surprising, albeit worthwhile, piece of initiative on their part.

As my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) said, the Opposition have supported measures to deal with problems of high hedges, and we shall not oppose this provision tonight. The Government have taken an opportunity to address the problem—I was going to press my luck by saying "Once and for all", but rarely does any piece of legislation solve any problem once and for all. However, for a period, the Bill will address the problem of high hedges and the Government are right to have acted.

I do not want to sound churlish, but I should sound a note of caution. Picking up a private Member's Bill and adding its provisions to a major public Bill is not an idea that I want to be taken up often, because it is not necessarily the right way to legislate. Despite the number of hours spent discussing this issue, most people accept in their heart of hearts that scrutiny of private Members' Bills is not always as robust as scrutiny of public Bills, simply because of the number of right hon. and hon. Members present on the days when private Members' Bills are discussed.

None the less, the subject has had a great deal of time devoted to it, and the Government have taken the opportunity to do something about a problem that besets all our constituents—or at least constituents of us all—and have done so in a way that I hope will deal with the problem without being over-burdensome and over-intrusive.

Mr. Clifton-Brown: I am sorry to detain my hon. Friend, who is making a cogent case, but will he press the Government on one point? Hedgeline informs us that there are 10,000 outstanding cases which, if they all come to be conciliated immediately after the Bill is passed, will place a significant burden on local authorities. Local authorities up and down the land should have some form of commitment from Ministers that the Government will provide the extra resources required to resolve those cases.

Mr. Paice: My hon. Friend has been a Member of Parliament almost as long as I have and he knows as well as I do that Governments of all persuasions are remarkably good at giving local authorities extra jobs without giving them the resources to do them. I am conscious that even if the Government say that they will provide the extra resources, it only means that they will take the money from some other area in which they were supporting local authorities. None the less, my hon. Friend is right to point out that the measure carries a potential initial cost impact, because of the large number of outstanding cases. I have no doubt that that impact will be felt; then, as the legislation gradually settles in, use of it will decrease.

I hope that local authorities will use the powers cautiously and deal with real problems, but not enter into too much vexatious activity. I am not suggesting that they are likely to do the latter, but the power should be used sparingly, to address a problem when all else has failed. Having encountered several such cases in my constituency, I know that they can often be resolved by non-statutory means—obviously, statutory means have not been available until now. I hope that the legislative provision will be used relatively rarely, but I am glad that it will be there if all other means of resolving a case fail.

As I said, the Opposition do not oppose the Government on this matter. Indeed, we welcome the opportunity that the Government are taking to use the Bill to introduce these measures. We hope that they will fulfil the objective and reduce the postbag of most right hon. and hon. Members.

Mr. Pound: The hon. Member for South-East Cambridgeshire (Mr. Paice) referred to gloating in connection with another group of Lords amendments. With some difficulty, I will resist the opportunity to gloat until the hon. Member for Christchurch (Mr. Chope) assumes his place.

In a typically wise, generous and positive contribution, the hon. Member for South-East Cambridgeshire referred to the Christmas tree effect. In fact, Christmas has come early, not only for me but for

[Mr. Pound]

the 10,000 hedge victims, who can now face the autumn shades closing in and the prospect of winter stretching before them with the knowledge that, when spring comes, daylight will be allowed to break through to gardens that for too long have been shrouded in darkness at noon, in the perpetual twilight of the garden blighted by the loathsome leylandii. We have the prospect of bringing succour, relief and daylight to those people.

If I achieve nothing else in my short time in the House, which is entirely likely, the fact that I have been associated with this piece of legislation will not only be a source of immense pride for me but an opportunity that I will use to bore the pants off my neighbours, children and grandchildren in times to come.

The mood in the Chamber tonight is very different from the mood experienced earlier. These provisions were described—I rather think that the words are carved on my heart—by the hon. Member for Christchurch as representing a threat to this green and pleasant land far greater than the effects of the great storm of 1987, of Dutch elm disease and of the depredations of the Luftwaffe. The fact that we have moved beyond that to realise that before us is sensible legislation that will bring great relief to many people is a tribute to the House, and something for which I could not possibly take any credit personally.

Where credit is to be given, I remind the House of the sterling efforts of Baroness Gardner of Parkes and Baroness Hamwee, who have exhibited deft footwork in the other place. They struggled constantly to ensure that these sensible provisions are placed on the statute book, and they must be congratulated. While I am dishing out early Christmas presents—I hope that it is entirely appropriate to do so—I thank my hon. Friend the Minister in the most obsequious and generous terms for her contribution and her dedication. She has taken up the ball that was put down reluctantly by the Under-Secretary of State for Transport, my hon. Friend the Member for Harrow, East (Mr. McNulty). That is an immense tribute to her. She has taken it so close to success—I was about to say fruition but that may be an inappropriate metaphor in this context—and that is a great credit to her.

The Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Sunderland, South (Mr. Mullin) has been mentioned. I think that the House was aware that, if all else failed, he had a Bill on the stocks ready to be wheeled out. That prospect concentrated the mind of the House wonderfully. It has encouraged us in the glorious warmth and amity that we are experiencing this evening.

We should pay tribute also to my hon. Friend the Member for Coventry, South (Mr. Cunningham), who introduced a Bill similar to mine. I pillaged many of his ideas with no acknowledgement whatsoever, but I am glad to acknowledge him tonight. I do not say that because he is sitting behind me.

I must also refer to my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones). I particularly regret that the hon. Member for Solihull (Mr. Taylor) has other urgent business this evening. He and I are occasionally confused with each other. How two tonsorially challenged right wingers can possibly be confused in that way is beyond me. However, I consider that I am blessed by the comparison with the hon. Gentleman. He introduced an excellent Bill and allowed me to steal from it in the same way that I pillaged the Bill of my hon. Friend the Member for Coventry, South. The devotion and dedication of the hon. Member for Solihull to this legislation is much to his credit. I remember his speeches when his Bill came before the House on one of those benighted Friday mornings of tender memory. They persuaded many people of the efficacy and strength of the Bill. I hope that I have included most hon. Members in the Christmas card list.

I shall take up the point raised by the hon. Member who I think represents Cotswold. Is it all of the Cotswolds?

Mr. Clifton-Brown: Most of it.

Mr. Pound: I refer to the Member who represents most of the Cotswolds, the hon. Member for Cotswold (Mr. Clifton-Brown), who talked about the burden on local authorities. Burdens on local authorities are a subject close to my heart. During my 16 years on Ealing council, I was acutely aware that I frequently added to those burdens. However, in the absence of any legislation, there is a huge burden on local authorities. When people have a dispute with their neighbours about hedges, there is no way in which the local authority can help. At the same time, the average member of the public does not believe that the local authority can help. As a result, hours and hours of officer time are spent telling people, "We can't help you." In many instances officers cannot provide that piece of information. They then have to provide reasons and justifications. There may well be a backlog. The hon. Member for South-East Cambridgeshire was entirely right and typically generous and far-sighted in his assumption that that peak will pass and that we will drift down into the sunlit uplands of a world without leylandii disputes.

David Davis (Haltemprice and Howden): Down to the uplands?

Mr. Pound: I am sorry. Drift up to the downlands. We may either drift down to the uplands or up to the downlands as we choose.

I wish to underscore the point that was made with great clarity by my hon. Friend the Minister. She referred to the provisions as an essential adjunct to the Bill. If there be criticism of this modest piece of legislation tonight—if there is, I have yet to hear it—it may come from those who cavil at the way in which this section of the Bill has been brought to the Floor of the House. They may say that it is not directly applicable to antisocial behaviour. I remind the House, if it needs reminding, that two people are dead as a result of fighting and feuding over hedges. There has been one murder and one suicide. The issue is that serious.

In addition, 4,000 members of Hedgeline and 10,000 people who have reported their problems to Hedgeline are in dispute with their neighbours. I profoundly hope that, once the Bill has passed through the consultation period outside the House and starts to firm up in people's minds as imminent legislation, many sensible

people will say, "Let's not wait for the Bill. Let's get together, talk and sort it out." There will always be an irreducible minimum. Some people will always use high hedges as a weapon of war in a neighbour dispute. Some people will use these missile-shaped trees as missiles against their neighbour. I accept that that will happen, but it also happens in boundary disputes and disputes about parking access, for example. We are familiar with all the neighbourhood problems that we read about in our postbags.

Call me naive or call me innocent, but I hope that when people realise that Parliament takes this matter sufficiently seriously to add to the 21 long hours that we have already spent discussing it by bringing it to the House in the form in which it is being considered, they will realise also that the issue is one of great seriousness. I profoundly hope that we will end these appalling disputes over the bizarre invention of Dr. Leyland in 1882. I frequently travel outside my constituency, usually at the request of my constituents, but in doing so I have discovered that a large number of local authorities are already setting in train the mechanism to implement the Bill. There are even companies such as Haygate Engineering, one of our most entrepreneurial engineering companies, that already offer safety platforms to enable local authorities to undertake the work. Councils up and down the country are welcoming the chance, not because they wish to act like some local government gauleiter and dictate how things should or should not be done, but because they have an immense problem and have not been willed the tools to address it.

8 pm

This group of amendments will will the tools. We have shown in the House that we want to resolve the issue once and for all. I am delighted that, finally, after all this effort, we are almost on the last lap, and are approaching the prospect that legislation will be made. I do not propose, unless the House insists, to go through every semi-colon and comma of the Lords amendments, which probably constitute the most scrutinised piece of legislation in many a long year. However, for the sake of the House and people outside, who may include my children but not many others, may I stress that the Bill's key aim is not to slice down leylandii? The whirr of the chainsaws will not be heard on every suburban street corner or even most of the Cotswolds. If enacted, the Bill will apply only where there is a problem. People can still have leylandii arching up to the heavens, but if the trees constitute a problem to their neighbours, they will at last have legal recourse to solve the problem.

The amendments will not mean the end of leylandii, although some of us would be pleased to see the end of that growth. However, where there is a problem, there will be a possible solution. People can still have leylandii and, if they wish, a screen at the end of the garden, but finally there will be a way of dealing with the worst aspects of the problem, such as the soil turning acid from the trees and gardens being in permanent shade. Overall, in the absence of any comments to the contrary, I hope that we accept that the House has taken a problem, addressed concerns, and proposed a resolution.

In conclusion, I pay particular tribute to the officials who have produced at great personal cost, particularly given the time that they spent in my office, which is not the healthiest environment, a terse, exact, precise, effective and workable piece of legislation. The provision may appear to be a modest piece of legislation, and may not be one of the great moments in legislative history or one of the high points of the parliamentary record, but it will make an enormous difference for the better for a large number of people. Can we ask more than that, when we come to the House, we do not do harm but good for some people? Tonight, we have the opportunity to bring relief to many who have suffered for too long. [HON. MEMBERS: "Sit down."] I usually hear the cry of "sit down" from my own side, but tonight it has come from the Opposition. I strongly support this group of Lords amendments and again thank the officials, other hon. Members who have tackled this issue and, in particular, the Minister.

Mrs. Brooke: I pay tribute to the many Members who have been involved in bringing this piece of legislation to the point where, we hope, it will be passed. I congratulate in particular the hon. Member for Ealing, North (Mr. Pound). I was a bit surprised that, on Report, such a charming and eloquent Member had not gathered enough friends to ensure the smooth progress of his proposals. Indeed, I began to wonder where his friends were. However, the fact that those proposals are now attached to the Anti-Social Behaviour Bill means that he must have gained their support after all, or perhaps he has friends in higher places. It is difficult to match his eloquence, but the Bill has the potential to improve many people's quality of life greatly.

There may be lots of jokes about high hedges, but they are a serious problem for many of our constituents. We must, however, put the problem into perspective; we must not sound anti-hedge, as hedges are an extremely important part of our urban and suburban environment. On Report, it was suggested that the hon. Member for Ealing, North wanted to cut down every hedge in the country, which is obviously nonsense. We are talking about hedges that affect people's quality of life. Conflicts can arise, as some people want privacy, but achieving it may result in the loss of light for others and a detrimental effect on their environment. It is therefore right to have a statutory framework in which to address the conflict, which, I hope, can be resolved through mediation.

Mr. Heath: Does my hon. Friend agree that the measure is a helpful addition to our legislative armoury? However, the greatest benefit will come after the first rash of mediation or enforcement, when people will realise that that there is legislation on the statute book and will have sensible regard for the needs of their neighbours as well as themselves.

Mrs. Brooke: I certainly agree with my hon. Friend. If I have any concerns, they are about the enormous amount of work that will have to be undertaken in the first year or two. It will take a number of cases before clear precedents are set, because it is generally true of planning applications that it takes time to look back at other cases. Once we have reached that point, however, it should be much easier to deal with the problem, and people will be much more respectful of their neighbours' needs in the first place. However, it is important to stress that people have the right to privacy, so we must always look at both sides of the argument.

[Mrs. Brooke]

On Report, we discussed at great length an amendment that would have excluded schools, but that would have had the effect of preventing the worst case in my constituency, involving a private school with a rapidly growing high hedge, from being tackled. The owners contend that it protects neighbouring properties from balls and other intrusions from the school. In fact, it impacts on a large number of people, so it is important that some of the proposed amendments did not get very far.

I share hon. Members' concerns about the resources needed to implement the provisions, particularly in the first few years, and the burden on local authorities. There is a council in my constituency that does not have any rate support grant, so funding should be targeted so that the costs are picked up. However, the majority of people will be prepared to pay a few pence more so that the problem is addressed.

I think of the elderly people whom I have known who have had to live most of their lives in a downstairs room with an electric light on all day long. That is a tragedy when people are coming to the end of their lives and may not be able to go out much. I am delighted that we are dealing with the measure tonight. I give it my wholehearted support, as do my hon. Friends, who did their best to support the Bill introduced by the hon. Member for Ealing, North.

Lynne Jones (Birmingham, Selly Oak): I think I can claim to be the first in the House to suggest that antisocial behaviour legislation should be used to deal with the nuisance caused by giant hedges. That was during consideration of a previous Bill under a previous Home Secretary. The response that I received and the perplexed look that I was given signalled to me that, unfortunately, the time was not yet ripe for such legislation. Since then, as we have heard, private Members' Bills have been introduced by the hon. Member for Solihull (Mr. Taylor) and by my hon. Friend the Member for Ealing, North (Mr. Pound).

During that period, a massive amount of lobbying and the effective group Hedgeline, which was founded by my constituent, Michael Jones, have made their mark. A matter which, I am sorry to say, was considered rather a joke eventually came to be taken seriously by the majority of hon. Members, so I am delighted that the Minister, or Ministers, whoever they were, took the decision to incorporate my hon. Friend's Bill into the antisocial behaviour legislation. They were spurred on by the excellent work of Baroness Gardner, who tabled her own less effective amendment, which was subsequently subsumed into the Government's proposals. I congratulate all those responsible, who worked so hard to bring about the legislation.

I share the hopes expressed by other Members that the prospect of the Bill coming into force will focus the minds of neighbours who are in dispute about high hedges, and that they will come to some amicable arrangement for dealing with the problems. Finally, it is now possible for me to say to my hon. Friend the Minister that the meeting that I had requested, which my hon. Friend the Member for Ealing, North, the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Sunderland, South (Mr. Mullin) and Baroness Gardner had also requested, is no longer necessary, so we can withdraw the request.

Mr. Adrian Flook (Taunton): I am pleased that we will not go through every one of the amendments. At 16 pages, the measure is considerably more complicated than I remember it when I served on the Standing Committee and we rather rushed through the private Member's Bill tabled by the hon. Member for Ealing, North (Mr. Pound). I am pleased that after many years the Bill will be enacted and finally has Government support. With reference to the Minister's comments earlier, I note that since August 2000 the Government have said that a new law would be introduced as soon as there was space in the parliamentary timetable.

Mr. Pound: I am extremely reluctant to interrupt the hon. Gentleman in his flow, but the amendments before us are, in the words of parliamentary counsel, to all intents and purposes almost identical with the Bill that was introduced in my name, so I can assure the hon. Gentleman that nothing else has been smuggled in in the shadow of the cypress leylandii.

8.15 pm

Mr. Flook: I am grateful to the hon. Gentleman. I was referring to the fact that his name will be associated not with a private Member's Bill, but with a Bill on antisocial behaviour. With his predilection for smoking, he would know something about that.

The problem of high hedges is not as gripping an issue in the Taunton constituency as it is in the leafy suburbs of Ealing, but it is nevertheless an issue, judging by the number of letters that I have received. Mr. Bernard Routley of Priorswood has been troubled enough to get in touch with me several times in the two and a half years that I have been a Member of Parliament. No doubt he will be particularly pleased by amendment No. 46 allowing him to seek a remedial notice. I am sure that that will reduce the burden on Taunton Deane borough council, which has had to keep replying to members of the public such as Mr. Routley, who feel constrained by the lack of legislation on the matter.

Even in the rural parts of my constituency such as Bishopswood, which is nowhere near Priorswood, where the houses are sparsely situated along either side of a declining road and which is at the most southerly tip of Taunton Deane, people are worried about the problems caused by high hedges. A gentleman whose house I visited there will be pleased that hedges that are affecting him from non-domestic properties are not ruled out, as I understand it.

I support the amendments, but I have some reservations. After all the work put in by Baroness Gardner of Parkes in another place, by the hon. Member for Coventry, South (Mr. Cunningham), by my hon. Friend the Member for Solihull (Mr. Taylor) and of course by the hon. Member for Ealing, North, we still

await the objective tests from the Building Research Establishment, although I acknowledge that the Minister said she would bring them in as rapidly as possible. I hope that the hon. Member for Ealing, North will make sure that that guidance about the objective tests is forthcoming as soon as possible.

I am particularly concerned for my local council, Taunton Deane, that the fees that it may be able to charge should compensate for some of the costs that it will no doubt incur. We wait to see the Government guidance on that. I should be grateful if, in the time remaining, the Minister would explain how the planning inspectorate will deal with the great rush of appeals that will no doubt materialise once the legislation is passed, as I am sure it will be.

Yvette Cooper: I shall reply briefly to the points that have been raised. The hon. Members for Cotswold (Mr. Clifton-Brown), for Mid-Dorset and North Poole (Mrs. Brooke) and for Taunton (Mr. Flook) expressed concern about the financial position. They will be aware that that was one of the issues picked up in the debate about the money resolution. Fees can be levied, although consultation is still to take place about the level of those fees and whether they should be set at full cost recovery. If there is a shortfall, we will follow the established procedure for recompensing local authorities for new burdens. The hon. Member for Mid-Dorset and North Poole suggested that that was a concern because of the revenue support grant. In fact, since the reforms were introduced, all authorities receive a positive amount of revenue support grant.

My hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) is right. She and many others have raised the issue of high hedges over a considerable time. I am glad that we have managed to resolve it so publicly before the meeting that she asked for. I pay tribute to her constituent and to Hedgeline for the work that they have done on the matter.

Although the hon. Member for South-East Cambridgeshire (Mr. Paice) welcomed the measures in the amendments, he said that he was not entirely happy with the mechanism and the fact that a private Member's Bill had been incorporated into a Government Bill in this way. All of us would have preferred the Bill to have passed through the private Member's Bill procedure, and many of us backed it through that procedure. We would not have done so, had it not been quite such an excellent private Member's Bill introduced by my hon. Friend the Member for Ealing, North.

We should conclude the debate where we started—by congratulating my hon. Friend, not just on his private Member's Bill, but on his speech, which entertained us and reminded us why we need the amendments. He pointed out that the measures had been debated for a total of 21 hours and 15 minutes. I can now say that, at the end of a total of 22 hours and 20 minutes, I hope that the House will support the Lords amendments and allow us to get the measures finally on to the statute book.

Lords amendment agreed to.

Lords amendments Nos. 43 to 74 agreed to [Some with Special Entry].

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Income Tax

That an humble Address be presented to Her Majesty, praying that the Double Taxation Relief (Taxes on Income) (Chile) Order 2003 be made in the form of the draft laid before this House on 8th September.—*[Derek Twigg.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Income Tax

That an humble Address be presented to Her Majesty, praying that the Double Taxation Relief (Taxes on Income) (Australia) Order 2003 be made in the form of the draft laid before this House on 8th September.—*[Derek Twigg.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Investigatory Powers

That the draft Retention of Communications Data (Code of Practice) Order 2003, which was laid before this House on 29th October, be approved.—*[Derek Twigg.]*

The House divided: Ayes 312, Noes 154.

Division No. 366] **[8:22 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*

David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Charlotte Atkins and Paul Clark

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*

Djanogly, Jonathan
Doughty, Sue
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Greenway, John
Grieve, Dominic
Hague, rh William
Hancock, Mike
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Pickles, Eric
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Streeter, Gary
Stunell, Andrew
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Hugh Robertson and Mr. Mark Francois

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INVESTIGATORY POWERS

That the draft Retention of Communications Data (Extension of Initial Period) Order 2003, which was laid before this House on 11th September, be approved.—*[Derek Twigg.]*

The House divided: Ayes 307, Noes 156.

Division No. 367] **[8:36 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw

Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(CMwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes: Charlotte Atkins and Paul Clark

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Greenway, John
Grieve, Dominic
Hague, rh William
Hancock, Mike
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Pickles, Eric
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David

Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Streeter, Gary
Sutcliffe, Andrew
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Hugh Robertson and
Mr. Mark Francois

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

FEES AND CHARGES

That the draft Department for Transport (Driver Licensing and Vehicle Registration Fees) Order 2003, which was laid before this House on 3rd November, be approved.—*[Derek Twigg.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

That this House takes note of European Union Document No. 5268/03, draft Directive on the limitation of emissions of volatile organic compounds due to the use of organic solvents in decorative paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC; and supports the Government's objectives both of taking measures to reduce emissions of precursors of ground-level ozone across the European Union, recognising that high concentrations of ground level ozone represent a serious public health risk, and also of seeking to reduce as far as possible adverse effects on United Kingdom industry of new European Union legislation.—*[Derek Twigg.]*

Question agreed to.

COMMITTEES

PUBLIC ACCOUNTS

Ordered,

That Mr David Rendel be discharged from the Committee of Public Accounts and Mr Richard Allan be added.—*[Mr. Bob Ainsworth.]*

STANDARDS AND PRIVILEGES

Ordered,

That Mr Russell Brown be discharged from the Select Committee on Standards and Privileges and Mr Stephen Pound be added.—*[Mr. Bob Ainsworth.]*

HOME AFFAIRS

Ordered,

That Mr John Bercow be discharged from the Home Affairs Committee and Mr John Taylor be added.—*[Mr. Bob Ainsworth.]*

DEFENCE

Ordered,

That Mr Gerald Howarth be discharged from the Defence Committee and Mr Crispin Blunt be added.—*[Mr. Bob Ainsworth.]*

INTERNATIONAL DEVELOPMENT

Ordered,

That Alistair Burt be discharged from the International Development Committee and Mr Quentin Davies be added.—*[Mr. Bob Ainsworth.]*

Policing (Surrey)

Motion made, and Question proposed, That this House do now adjourn.—*[Derek Twigg.]*

8.49 pm

Chris Grayling (Epsom and Ewell): I am grateful for the opportunity to raise what is an extremely important issue for my constituents and for residents across Surrey. I am delighted to see many of my colleagues from Surrey here tonight. I am delighted also that we are able to start so early in the evening, which gives us the chance to debate the issues fully and properly. I am glad that the Minister is in her place and I look forward to her comments.

The reason for tonight's debate is the alarming press reports in the past few weeks that the Government plan to make yet another transfer of funding away from the home counties—away from Surrey and Surrey police—to other parts of the country. The fear has been expressed widely, particularly by the chief constable in the wake of those reports, that if Surrey suffers yet another bad funding settlement this year it will become increasingly difficult to provide to our local residents the policing service they expect. All too often, financial pressures mean that they are not getting it.

I am not expecting the Minister to stand up and say, "Yes, fine. You can have more money for Surrey." However, I hope that she takes away from the debate points that my colleagues and I, want to raise with her to ensure that when the funding settlement is announced it reflects the legitimate concerns of people in Surrey, and that she does not end up short-changing our police service.

Mr. Nick Hawkins (Surrey Heath): Does my hon. Friend agree that many Surrey MPs at least hope that the Minister takes account of the exceptional burdens on Surrey police in the last 12 months? I am thinking not only of the operation relating to the so-called Deepcut deaths in my constituency, but of Operation Ruby relating to the disappearance and tragic murder of Milly Dowler, Operation Orb relating to crimes in respect of the south-east serial rapist and the operation relating to anti-terrorist activity around Heathrow airport. Does my hon. Friend share my disappointment that when Surrey police, in the light of all those incredibly important inquiries, put in a claim to the Home Office for £1.6 million additional costs owing to those wholly exceptional burdens, only £0.3 million was approved?

Chris Grayling: I very much agree with my hon. Friend. Surrey has suffered disproportionately over the past couple of years from major investigations that incur enormous costs from the day-to-day budget, quite apart from the impact of officers being transferred from front-line duties in parts of the county to those central inquiries. That has placed a huge financial burden on the county and made it much more difficult for the chief constable and his colleagues to make a tight budget work effectively in terms of delivery of front-line services.

Sir Paul Beresford (Mole Valley): One of the difficulties, in local government as well as in police forces up and down the country, is that this Government tend to give a proportion of the money in grant—the major proportion—but then top up the specific, targeted grants that the local authorities and the police forces have to campaign for. That totally demolishes any predictability, and it is not until part way through the financial year that the police have any idea of their total budget.

Chris Grayling: I endorse that point. The problem with initiatives and funding that is linked to them is that security of funding is not provided. Core funding is often tighter than is suggested by the overall impression created by budgeting at the centre. The reality is that it takes an enormous amount of administrative time to try to secure such funds and they are, as my hon. Friend suggests, absolutely unpredictable—this in a county that already has the lowest per capita policing grant in the country by quite some margin.

When I was newly elected, I raised those issues in a written question to the Home Office and I was quite startled by the gap between Surrey and comparable parts of the country, even the next county up in the league table of per capita grants. There is no doubt that our police force is short-changed, given the real strategic issues that it faces—not only that, but our local taxpayers pay a disproportionate share of the burden. In most areas, some 25 per cent. of a force's budget comes from the police precept.

Mr. David Wilshire (Spelthorne): Will not the situation continue to worsen if the Government do not change the funding arrangements? Am I right in recalling that the precept was increased by 40 per cent. simply to avoid cuts to make up for money that the Government had taken away? Am I also right in recalling the chief constable's observation that if something was not done about the Government's new regime to penalise police services like the one in Surrey, the Surrey police could face the loss of 500 of their 2,000 officers because—thanks to this wretched Government—there would be no money to pay them?

Chris Grayling: My hon. Friend is absolutely right. Last year our council tax payers had to pay an extra 40 per cent. on the precept. The total proportion of police costs met by local taxpayers is approaching 50 per cent.—it is over 43 per cent.—and if we have another bad settlement this year, it may even exceed that level. It is nearly twice as much as is expected in other parts of the country. Moreover, the burden often falls on low-paid people who may have public service jobs in, for instance, teaching, on police officers themselves, and above all on pensioners who face retirement on fixed incomes but see their local taxation costs rise year by year, because Surrey is being short-changed on police grants from central Government.

The Government emphasise the fact that Surrey is a relatively low-crime area, but ignore the fact that it also suffers from widespread antisocial behaviour, especially among gangs on trains. A huge number of troublemakers go up and down railway lines in and out of London. Gangs often travel out of London to Tattenham Corner in my constituency, simply because it is a quieter, less policed area where it is easier to cause trouble. The Government's information also masks

crime overflows. Today the chief constable confirmed to me that violent crimes, robberies and burglaries are on the increase.

Mr. Wilshire: Surrey may be a low-crime area historically, but have not the Government just published figures showing a 30 per cent. increase in violent crime there?

Chris Grayling: Indeed. As policing in London is tightened up—often as a result of recruitment from neighbouring counties—it becomes easier for those who wish to cause trouble and commit offences to spill into more lightly policed areas.

The chief constable expects a 15 to 18 per cent. increase in violent crime this year. As for robbery, the force does not believe it will be able to meet its targets, given current trends, and projects an increase of between 6 and 15 per cent. Its target is 0 per cent., but given the spillover from London it is struggling to keep to 15 per cent.

Town centres pose a huge policing problem. It is somewhat ironic that this week, in what is undoubtedly a difficult security environment nationally, we can put 14,000 police on the streets of London, and that hundreds of police are on duty for a major football match, while in most town centres there are very few on duty on a Saturday night. I have seen that in my own area when out and about with police cars. On Saturday nights there are often only two response cars available to deal with trouble in town centres.

On Friday and Saturday nights—I am sure you have the same experience in your area, Madam Deputy Speaker—the trouble worsens, but the police are simply not there to deal with the crowds of troublemakers. The message from the Surrey constabulary is that they are struggling to deal with trouble in the county's top 10 disorder towns, because they do not have the necessary manpower on the ground. It cannot be right for the Government to believe they can take funds from a force that is struggling against the trends of increasing robbery, increasing violent crime and increasing trouble in town centres.

The reality is that those pressures are causing services to disappear or to be curtailed on the ground. At Epsom police station in my constituency—I have no doubt that those experiences are shared by colleagues in Surrey—the custody suite is no longer open except very occasionally; at the moment, it is not open at all, even on a Friday and Saturday night. As I have said, there are few police cars on the roads at peak times. There must be a question mark, if we have another tough funding round, over the future of many of the smaller police stations in the county—that is the reality.

As all that is happening, front-line officers are facing not just budget cuts but more bureaucracy. A few weeks ago, I had an extremely interesting conversation with one of the senior officers in the county. I asked why we seemed to be able to get so few officers on the road and why, in a force of 2,000 officers, the number out on duty on a Saturday night was so disappointingly small. The answer came back, "It is because we are dealing with the bureaucracy, with the target culture, with the expectations that are placed on us by monitoring at the centre."

Mr. Wilshire: My hon. Friend said that he spent time going out with Surrey police. I wonder whether he had the experience that I had not long ago going out in Staines, where just after 5 o'clock the officer I was with took someone to the station who was suspected of shoplifting in Sainsbury's. Three and a bit hours later, we finally got back on the street. That is the extent of the paperwork that the Government have imposed on Surrey police—for one officer, three hours for a small case of shoplifting.

Chris Grayling: I entirely endorse what my hon. Friend has said.

I looked at the national policing plan and I was shocked by what the Government seem to expect police forces on the ground to do in terms of preparation of materials and information for the centre. Let me quote the policing plan:

> "Local three-year strategy plans and annual policing plans must, while contributing to the delivery of national priorities, reflect local circumstances and be responsive to local needs. It is vitally important that police authorities . . . engage with and consult their local communities to identify how far national and local priorities should be reflected in forces' plans and what the appropriate targets should be.
>
> The Government and the public need to be able to judge whether forces are delivering the quality of service that everyone expects. This requires a robust and transparent performance management system for assessing the effectiveness of forces and individual Basic Command Units (BCUs) in tackling crime and the fear of crime. The planning framework at the end of this document sets out how local plans will be measured in terms of raising police performance".

and so on. What I want as a citizen and what I believe my constituents want is the police to go out to arrest people who have committed offences, to identify where offences are being committed and to get people in front of the courts. All too often, police officers on the front line are saying to us that they are not able to do that job in the way they would wish because so much time is spent on monitoring, on tracking and on the bureaucracy that the Government are imposing on the police service.

Interestingly, I talked to one officer last week who said not only that the police are being asked to meet targets but that often the targets are contradictory. The Government have imposed new objectives this year. They want more criminals caught and put in front of the courts and more crimes investigated properly, but some of the performance targets require police simply to get to a certain stage with an investigation and to fill out a certain number of forms. If a crime happens and there is very little likelihood of being able to apprehend the person, they are none the less being asked to go through certain bureaucratic processes in order to go up a notch on the ladder towards achieving their target. They say that, if they could spend their time in the way they prefer, they would focus on the crimes that they can solve and on the criminals who are having the most impact on society, and they would be able to have much more impact on crime trends and on reducing levels of offences.

That is the feedback from the front line. It is not from me as a politician but from police officers to whom I talk. The danger is—we see it across all the public services—that politically imposed targets driven from

[Chris Grayling]

Whitehall, setting out requirements as they are seen by Ministers and by civil servants, deliver to the front line something that in practical terms does not work.

My fear is that what is happening in my county, which is represented by all those of my hon. Friends who are present tonight, is that our police force is being asked to do more and more to meet the requirements, targets and bureaucracy of the Home Office. Central Government have set two or three objectives in the national policing plan this year. At the same time, our police force is being asked to do that for less and less money. Year by year, the budget increases have not reflected the increased pension costs and the increase in national insurance—additional costs imposed by central Government. The consequence is that, ultimately, local police forces such as Surrey police are being asked to do much more for less money, to a point where the only way they can square the circle is by turning to local taxpayers, who are already being asked to do far more than their counterparts in other areas of the country.

Mr. Ian Taylor (Esher and Walton): All hon. Members who represent Surrey share the problem. The Surrey police force is one of the most efficient in the country, and it is led by an excellent chief constable. It has already passed some fairly draconian plans to concentrate resources on the front line. The difficulty is that, with the projected decline in resources relative to other counties, it will have to undertake further cuts, which can only take place at the front line. That is precisely the message that I was hearing even today in Elmbridge from the chief constable and other policemen who were there.

Chris Grayling: I absolutely endorse what my hon. Friend says. That is the practical consequence of what is happening, but let me tell the Minister about an even more practical consequence—a true story from a few weeks ago. One of my constituents was assaulted on a recreation ground in the village where I live. He was very badly hurt. He was kicked in the head—kicked unconscious—and teeth were kicked out of his mouth. The nearest police car was half an hour away. It took half an hour to arrive at the scene of what was undoubtedly the most serious offence committed in my constituency for the past 12 months.

Such delays should not happen. Someone who is the victim of a serious crime should not wait half an hour for a police car to arrive. Yet if we look across the force on Friday or Saturday nights, there is a very thin blue line of officers protecting people from unruly behaviour, robbery and violent crime. All too often, the police simply do not have the number of officers to respond to lesser misdemeanours—things that may appear to those in call centres to be not as serious as others, but they may have a great effect on people. They often involve pensioners whose garden fences have been kicked down or who have been terrified by gangs of youths throwing stones at their windows. That is why we need more police on the streets, rather than fewer.

The Government keep telling us that more police officers than ever are out on the streets protecting us, yet the number of police cars out and about on patrol on Saturday nights in my constituency has fallen from five to two, in a good week, during the past three or four years. That is the reality. Where are the rest of the police officers? Well, they are meeting targets, complying with bureaucracy, dealing with initiatives and working in special units. We have not got enough people in the front line.

The final reason why this is important—I say this genuinely to the Minister—is that it is very easy to look at the areas outside London and say that they are lower-crime areas than the great metropolis. The situation in north Peckham cannot be compared with that in Epsom, Leatherhead or Reigate—I have no doubt at all about that—but, none the less, such forces cannot be bled dry to pay for policing elsewhere. Not only do they deal with the day-to-day concerns of individual residents, antisocial behaviour, robbery and violence, but they are being asked to deal with terrorism and other major incidents, as my hon. Friend the Member for Surrey Heath (Mr. Hawkins) said a moment ago. Ours is a police force that must provide support to Heathrow and Gatwick airports and which must provide policing in an area of the country that is full of potential terrorist targets and of individuals who could be the subject of major criminal activity. It is not the case that many of the security problems that we face in this country will be confined to London. If the forces immediately outside London are bled dry as a result of an attempt to switch finance from one part of the country to another, ultimately, the risks will be enormous.

Mr. Wilshire: My hon. Friend refers to forces such as Surrey's being bled dry. Does he agree that one of the ways in which Surrey's force is undermined is that once young police officers are recruited and trained, particularly if they are based in Staines in my constituency, they need only change jobs and go about two miles down the road, and they will get £6,000 more for working in the Metropolitan police? Alternatively, they can get much the same pay by going to Cornwall, where the cost of living is lower. Is that not bleeding dry forces such as Surrey, which pay the training costs and then see their officers being poached?

Chris Grayling: I absolutely endorse my hon. Friend's point. He, I and many other Conservative Members had meetings with the Minister's predecessor, the right hon. Member for Southampton, Itchen (Mr. Denham), who listened carefully to the arguments that we put forward. Although the steps that he took were small, and most of the initiatives that have been taken were at county level, he demonstrated an understanding of the problem that I hope that the current Minister will reflect. The purpose of tonight's debate is to appeal to her intelligent view of the challenges that forces such as Surrey face.

In a few weeks, the Minister will preside over funding announcements that could make a radical difference to the ability of individual forces to deliver a good or bad service. There are undoubtedly pressures on the Home Office in many parts of the country, but the hon. Lady must not be tempted to look at certain areas as low-crime areas and lesser priorities and therefore not resource them properly. A county such as Surrey has antisocial behaviour problems, adverse crime trends in robbery and violence, and as my hon. Friend the Member for Spelthorne (Mr. Wilshire) says, it has been and continues to be bled dry by other forces that have

the ability to pay more money. Ultimately, the Minister, as much as any of us, needs Surrey police to be able to deliver a quality service. If they cannot do so, everyone will suffer—not just the county but the Government, because their reputation will be affected.

Our message to the Minister is: please do not allow this funding review to lead to a stripping down still further of Surrey police's budget. Please do not force on the taxpayers of Surrey, many of whom are pensioners on fixed incomes, yet another major ratcheting-up of the tax that they pay. Please make sure that Surrey, as a force on the fringe of London, which will have an important role to play not just in local but in national policing issues, receives an equitable settlement. Do not let this force down because it is politically convenient to do so. The Minister and her colleagues have a duty to protect policing in all parts of the country. I know that she is a lady of integrity and diligence in her role. I look to her to ensure that the area that I represent does not suffer adversely in the review over which she is about to preside.

9.13 pm

Mr. Crispin Blunt (Reigate): First, may I congratulate my hon. Friend on securing this debate? I have been slightly concerned about the body language of the Minister and her Parliamentary Private Secretary during the course of the debate, which seemed to say, "That lot down south don't know they're born," and that the difficulties faced in our constituencies are as nothing compared with those in the constituencies that they represent. My concern is that that perception may feed into the decisions that the Minister takes.

I want to take a little trouble to try to explain the situation to the Minister, who I have not had the opportunity to congratulate on taking up her new responsibilities. Surrey Members have seen not only the right hon. Member for Southampton, Itchen (Mr. Denham), but his predecessor, who is now Secretary of State for Education and Skills, about Surrey policing.

The enormous change to the funding for Surrey police since 1997 is at the heart of many of the difficulties that the force faces. It has changed from a reasonably well-funded force to one that, according to any force-by-force comparison, is funded at the bottom end. The Minister's officials will probably be able to give her a proper briefing to that effect, as will Surrey's chief constable, who I am sure will beat a path to her door using not only the representations of Surrey Members but the Home Office chain of command, if I may put it that way.

There has been a substantial change to the position of Surrey police. The force has been caught by the pressures of the change to the formula and decreasing resources while the relative cost of living in Surrey has continued to rise relentlessly. That means that most of the policemen who live in Surrey do not police Surrey at all—they are Met police. The Minister will be all too aware of the peculiar situation in which policemen are not able to live near the area that they police, and that has consequent disadvantages for the effectiveness of policing and policemen's ability to be present in a community in both their private and public lives.

Mr. Ian Taylor: Does my hon. Friend realise that there is a specific problem in constituencies such as mine and, I think, Epsom and Ewell? Until a few years ago, part of my constituency was in the Metropolitan police area. I thought that the deal that I did with the then Home Secretary was not only that there would be transitional arrangements, which are now being phased out, but that there would be fair funding to recognise the fact that Surrey police's problems, given that it was adjacent to the Met, were likely to get worse because the Met was withdrawing behind the old Greater London area boundaries. The problem will hit us again because of changes to the Met that will cause a sudden loss of about 1,000 officers. The Met will look for replacements elsewhere, and Surrey is a prime target. It might help my hon. Friend to know that I am talking about the Edmund-Davies reforms.

Mr. Blunt: My hon. Friend makes a relevant point. I share his sense of responsibility, because both our constituencies were split in 1997 before the Greater London area reforms were implemented. The Met policed half my constituency and the other half was covered by Surrey police. He and I tried to ensure that the police boundaries reflected the county boundaries, which was self-evidently common sense for our constituencies. However, the policing of the whole of my constituency has been under constant challenge since that extremely sensible reform was introduced by the then Home Secretary, the right hon. Member for Blackburn (Mr. Straw).

Of course, an additional problem has arisen owing to the changeover and Surrey's requirement to recruit more officers to police the areas for which it took responsibility from the Met. The Surrey force set up an extremely fine training establishment, but the pressure of the cost of living in Surrey means that newly trained officers discover that, because of the national pay rates that the police enjoy, their quality of life will be substantially better if they move from Surrey to pursue their careers as policemen in other places such as north-west and north-east England. That has had the knock-on effect of increasing the cost of training and retaining officers in Surrey. Surrey has ended up with a young and inexperienced police force compared with other forces throughout the country because the chief constable has had to make a deliberate effort to retain numbers on the ground by reducing the force's payroll. He has done that by shedding experience to save the resources that would pay for it. That has begun to have a serious effect on the style of policing in Surrey. What worries me is that the complaints I now receive from people who are not as well served by the police as they should be are a direct result of the lack of experience of police officers and the challenges that go with trying to police Surrey in a new way with far fewer resources.

I applaud the chief constable for his efforts to reorganise the police in Surrey to meet his budget constraints, but the Minister needs to understand that the force is about to snap. His strategy will not be sustained if further significant pressure is put on his budget. The Minister should give the issue serious consideration. There is a problem with the quality of policing in Surrey. Its success story in crime prevention is at risk. It is more important to reinforce success than

[Mr. Blunt]

to create failure by thinking that because there is no overt problem, Surrey's excellent record on crime prevention will not get significantly worse.

We temporarily addressed the funding problem when the current Secretary of State for Education and Skills was the Minister with responsibility for policing. He looked imaginatively and openly at bids for specific pots of funding that might meet the crisis in-year. It is disappointing that only £0.3 million of the £1.6 million of bids for special operations has been paid to Surrey. I urge the Minister to consider using Surrey's special bids to relieve the pressures that it faces. That would allow her, at least temporarily and within the limited powers at her immediate disposal, to assist the force in Surrey, which is under threat. Although that would be no more than a Band-Aid for the next financial year, the mechanism would address the funding formula, which is doing enormous damage to long-term policing in Surrey, until an opportunity arose to rebase the formula, in particular on the 2001 census figures. That would also help to improve the overall performance in Surrey.

The Minister should not think that the problem is new for Members of Parliament who represent Surrey. The delegations to see her predecessors have been around this buoy for at least four years. This debate is [illegible]ore evidence of the problems facing Surrey po[illegible]he problems are real and I hope that the Minister will genuinely address them.

9.23 pm

Mr. David Wilshire (Spelthorne): I, too, congratulate my hon. Friend the Member for Epsom and Ewell (Chris Grayling) on securing the debate and thank the House for giving us the time to do justice to something that is a serious problem at least in my constituency and, I suspect, throughout the county.

From my observations, there is no doubt in my mind that policing in Spelthorne is in crisis. That is in no way the fault of Surrey police. They could not work harder, try harder or do more. The great problem is, that they are trying to police with one hand tied behind their back because of the lack of resources. I am sick and tired of hearing the Government say, "Ah, well, but, we gave everyone 3 per cent. extra last year." That was only because their formula was so awful that they had to doctor it. Had they applied the formula they introduced to Surrey, the grant would have been cut.

For one year, we had a 3 per cent. increase to fiddle the figures—something the Government are good at—and I have little doubt that if we exert enough pressure, they will fiddle the figures again and thus disguise the reality of the funding formula. The chief constable of Surrey has predicted that if that funding formula is phased in in full according to the Government's timetable, he will lose a sum equivalent to a quarter of his officers. We in Surrey face rising crime: Government figures show a 30 per cent. increase in violent crime and a 10 per cent. increase in overall crime in Surrey—despite the figures they spin about national rates. Despite that, if the Government do not relent, Surrey is faced with the prospect of losing 25 per cent. of our officers. Perhaps the Minister can tell us what to say to our constituents when crime rises even more because we have fewer police officers. What do we say, other than that the Government are making a deliberate attempt to take money from Surrey to give it to their cronies elsewhere in the country?

I understand that the Government are now thinking of increasing the grant by the rate of inflation. A fat lot of good that will do. It does not take account of factors such as pensions, or the cost of training more and more young officers only to watch them go elsewhere. It takes no account of the impact on a force of only 2,000 officers of tragedies such as the Milly Dowler case. Although the Dowler family are not constituents of mine, the investigation was carried out from Staines police station, and I saw for myself the resources that that tragic case required a small police force to give. The Government make no allowance for such events. They say, "Come cap in hand afterwards, and we'll see if we can help." When we discover that only a small sum is given, it is too late.

What is a police force to do when its grant is being cut—when it is being given only a rate-of-inflation increase and its costs are rising faster than that? I can tell the Minister what Surrey police authority is saying it will have to do if she does nothing. Last year, the precept increased by 40 per cent. simply so that the police authority could stand still in financial terms—the authority was forced to choose between cutting policing in Surrey or making up for the money that the Government were putting elsewhere. Now, on the back of the Government telling us that they will provide only a rate-of-inflation increase, an increase in the precept of a further 17 per cent. is being predicted—yet the Minister's colleagues elsewhere in the Government are saying that they intend to make sure that council tax does not increase by much. If the Minister sticks to a grant increase of 2.5 per cent. or thereabouts, and another Minister comes along and caps council tax increases, it will be the equivalent of Government policy forcing a cut in the police service of the county of Surrey. That is a disgrace.

I know what answer the Minister will give us: she will say that if we start to tinker with the formula, the whole thing will get out of hand. I therefore suggest that between now and making her announcement the Minister examines the problems that Surrey faces—they are not wholly unique, but they are certainly special. The cost of living issue has been gone over year after year and we have yet to see a solution. My hon. Friends have explained that parts of their constituencies used to be policed by the Met; the whole of mine was until the changes they described occurred. The impact on Surrey has already been mentioned: there is a huge need to recruit new people because the officers who were seconded to Surrey police during the transition period have now returned to the Met. The number of officers recruited is therefore large, and they are young.

Our recruitment record is excellent. Surrey police are doing a splendid job and recruiting is not an issue. The issue is that a lot of youngsters enter the police service and get themselves fully trained while living in and around Surrey; then, when they need to set up home on their own or move elsewhere in the county, they discover that the salary they are getting simply will not cover the cost of finding a house, getting married and bringing up a child or two.

What happens? Either they go to a much cheaper part of the country or they say, "All we need to do is walk up the road, cross the Metropolitan police authority boundary and we will be £6,000 better off." They can do that without leaving where they live in my constituency. The Minister needs to do something about that. She should say to police forces elsewhere that if they recruit from authorities such as Surrey, they should make some payment towards the contribution that Surrey has made to training, rather than using Surrey as a soft touch. I recall that the forces of Gloucestershire or Devon and Cornwall have never spent a penny on advertising for police officers for many years. They do not need to. They simply have to pop along the M4 or the M3 to have a chat with people in Surrey. They can then fill all their vacancies. The Minister could usefully stop that without upsetting her formula.

The Minister could examine carefully the London weighting arrangements. We have been round this course before. Those of us who are right up against the Metropolitan police authority boundary need to have something to give to police officers to encourage them to stay. The chief constable and the Surrey police authority have done a huge amount within the resources that are available to them, but they cannot negotiate their own pay and conditions; they are bound by national agreements. The Minister might care to examine that.

More than anything else the Minister must treat Surrey and other such places fairly. She must stop regarding my county and my constituency as a ready source of cash that can be squandered among her cronies in the midlands and the north. It is high time that that stopped. It is high time also that the Minister accepted that everybody pays their taxes and that they are all entitled to a fair share. Unfortunately, Surrey is not getting it, but despite that Surrey police are doing marvellously. They are trying harder and harder, but they end up standing still. That is not the fault of Surrey police. Every time the Minister publishes figures showing an increase in crime in Surrey, it is not the fault of the police; it is her fault. The Government should be ashamed of what they are doing to the people of Surrey.

9.32 pm

Mr. Ian Taylor (Esher and Walton): I, too, am grateful to my hon. Friend the Member for Epsom and Ewell (Chris Grayling) for initiating this debate. As long as the Minister does not get too excited or relieved, I shall start by saying something complimentary. The Home Office grant for the CCTV cameras that were launched today in Walton-on-Thames is greatly to be welcomed. It is an interesting benchmark project. The hon. Lady was due to unveil the plaque, but other business unavoidably detained her. Therefore, I carried out that duty for her. I was called Hazel Blears—that is in the sense of a quotation, Madam Deputy Speaker, before you call me to order—because that was the name on the plaque. Nevertheless, I am grateful to the Home Office for the money. I was delighted to see the reassuring effect that it has on the community.

The second compliment that I would pay is that we are grateful for the reassurance money that has come into Surrey and certainly into Elmbridge, which is the borough in which my constituency resides. That is of great importance and it is much welcomed by the police.

Given those two positive items, I hope that the Minister will listen carefully when I say that there are some big negatives. The chief constable genuinely believes that if he can prove that reassurance projects work—I know that there is a trial period—their funding will not be withdrawn if a new initiative comes along or if pressures elsewhere in the country demand that Surrey makes further cuts. If that were to happen, it would be catastrophic and would hugely damage the morale of police officers who are working extremely hard on the project. Like my colleagues, I am extremely impressed by the dedication of all the officers, right up to the chief constable.

The police have serious problems in achieving what they want to achieve on the front line. I have had several conversations with the key officers covering my constituency, who understand the pressures. Each part of the country differs; nevertheless, the borough of Elmbridge has not done well recently on crime. I do not blame Surrey police for that. There is not a great deal of violent crime, although recently there have been worrying instances of gun crime. The problem has not got out of hand but, like other parts of the country, we are increasingly suffering from drug-related crime, which leads to petty theft and sometimes more serious theft. If the police are stretched at the front line, it is difficult for them to respond to such crime.

Another problem arising from the county's adjacency to London is the fact that London is an avid exporter of criminals. Our road network, not least the M25, means that we are sometimes a target area for criminals from Liverpool or Bristol, who decide that Surrey is a soft touch. In addition, there are unreasonable strains on the police. My hon. Friend the Member for Spelthorne (Mr. Wilshire) mentioned the tragedy of Milly Dowler, whose family live in my constituency. She was abducted from Walton station in my constituency; we know not how or why. We do know that she is dead. At various stages in the inquiry, 100 officers were involved, based at the headquarters in Staines. A core of officers is still involved—the case cannot be allowed to rest unsolved, because it is possible that the perpetrator of the crime lives locally. If so, history tells us the perpetrator will strike again. I do not wish to worry my constituents or other people in Surrey, but we must be concerned about that possibility. We cannot abandon the case simply because we do not know why Milly disappeared in full daylight at 4 o'clock outside Walton station, only to be found in woodlands just over the county border.

That is a real burden, but other issues in Surrey are stretching resources. Surrey police are ready and willing to react, but there is the problem of whether retrospective compensation is available. The presence at Heathrow, for example, is not an inexpensive burden: it is an added strain on an already stretched budget. We must then consider the points made by my hon. Friends. In my own constituency, I have heard that there are apologies if two policemen or women are spotted walking around together—the explanation is that one of them is being trained. There is a constant loss of trained officers. It is a bit like London buses—you wait for one, then suddenly two come along together. In the case of the police officers, the trouble is, of the two, one is untrained.

That is a serious problem. I do not know the economics of trying to compensate Surrey for the loss of trained officers to other forces, but it is a big problem

[Mr. Ian Taylor]

that deserves serious consideration, not least because Surrey invests in training. Another problem in Surrey is living costs. It is not uncommon for recruits to Surrey police to live a long way away. They do a five-day shift, sleep on someone's floor, then go home to another part of the United Kingdom. That is good for Surrey while they are there, but it is not a sustainable basis for a police force. However, it is the result of the cost of living in Surrey. House prices in my constituency average £410,000, so the problem is not trivial. Our debate is about the police, but other public services are seriously affected by the difficulty of living locally.

I urge the Minister to bear in mind the fact that some of us willingly negotiated with the Home Secretary of the day the transfer of the bulk of what was then my constituency to the Surrey police area. I have no criticism of the willingness of Surrey police to police. They have a profound interest in community policing, which pleases me, but they are stretched. If Surrey is considered one of the best police forces in the country, the squeeze under the formulae will turn it into one of the less good. I ask the Minister to consider that. It cannot be a Government objective. They surely want to maintain a good force, not with a largesse of resources, but not through under-funding, which means that what the force does well today, it will not be able to do tomorrow.

My balanced approach is to thank the Minister for what the Home Office has done, which is welcomed. On a non-party political basis, we recognise that certain initiatives that the Government have taken are good. Please will the Minister make sure that those initiatives are not suddenly withdrawn, and please will she realise that, underlying my praise, there is deep concern that she is presiding over a decline, year by year, in the capacity of the Surrey force to deal with a front-line county problem.

9.41 pm

Sir Paul Beresford (Mole Valley): I shall add a few points to those that my hon. Friends have, I hope, managed to hammer home. I thank my hon. Friend the Member for Epsom and Ewell (Chris Grayling) for allowing us to take part in the debate.

The biggest problem facing the police force, not just in Surrey but throughout the country, also faces organisations such as local authorities and the national health service. It is the unpredictability of the funds that they receive. The Government seem unable to resist the temptation to top-slice the funding and maintain control of it even after it is allocated locally. The Office of the Deputy Prime Minister has a similar approach to local government. Control is maintained by introducing targets, allocating funds for specific purposes and top-slicing, so there is no predictability. Local authorities, the police force and the NHS all have to go through loops and hoops to gain funding, which they receive part of the way through the year. That leaves the police force unable to implement the service in such a way as to meet the targets and demands set by the Home Office.

Policemen and bureaucrats in the police force in Surrey and elsewhere spend an astronomical amount of time and money to meet demands for best value, Audit Commission targets and the requirements of the various inspectorates that descend on every police force. I have not done my homework, but I should do so in preparation for the next occasion we meet the Minister. Can she give us some information about the amount of money spent by various police authorities and the proportion of their time spent providing documentation in response to demands from the Home Office and the Audit Commission, and the demands of best value and all the other targets imposed on the police force? If the top-sliced money were returned and the pressure to meet targets removed, the money could go directly into policing.

I shall touch on the disadvantage of being close to London, which has already been mentioned and applies to all the surrounding local authorities. The unique feature of Surrey is that the two major London airports are located nearby. The international aspects of crime have been felt by London for many years. As London policing improves, international crime is starting to hit places like Surrey dramatically.

The other disadvantage is that Surrey's attractiveness to those seeking housing has led to high prices. As my hon. Friend the Member for Esher and Walton (Mr. Taylor) said, the average cost of a house in his constituency is £400,000, and it is not much less in mine. The efforts to establish housing associations to secure low-cost home ownership will achieve a temporary, short-term advantage, but the net effect will be to fuel the fire, as the cost of housing in the area is likely to rise as an indirect result of low-cost home ownership. We need to persuade the Government to consider the problems more broadly and take a regional—if I dare use that phrase, as there is no such thing as a south-east region—and economic approach across the nation, rather than simply taking a national approach.

Other difficulties in Surrey include traffic problems. There is a list of major roads, including the A25, A24 and A29, as well as the M25 and A3, which are motorways, that have to be policed because they go through villages that have narrow pavements, tiny bending roads and ancient houses, with a constant threat of enormous accidents. As far as I can see, the crime prevention officers dealing with traffic in my patch number only one man, yet there are areas throughout my constituency along the A25, A24 and A29 that are used literally as race tracks. It is well known that motor cyclists have race tracks running through our area.

The police have to concentrate all their traffic work force on specific areas at specific times to try to deal with that problem, which deprives other areas, including some villages. I have just received a huge petition from Ockley, a little village situated on the A29 that has three fabulous old pubs. In the village, that road is called Staines lane. It is a dead straight Roman road and the speed limit is 40 mph. In much of the area, only one side of the road has a pavement, and it is approximately 1.5 ft wide. Cars and motor bikes travel along it at well over 100 mph at all hours of the day and night. The petition is huge. Indeed, to my dismay, at the bottom of the covering letter, the signatory said that only part of the petition from that tiny village had been sent. The police cannot handle the problem.

Another problem has been highlighted by the National Farmers Union, which has lobbied me and local police in Surrey about crime on agricultural land

involving not merely theft of small hand tools, but robberies in which vehicles such as combine harvesters and so on have been removed. The flow of wheeled vehicles from Surrey's agricultural areas to areas as far away as Ireland is becoming notorious. The police have diverted extra efforts, funds and personnel into special campaigns in an attempt to stem the problem, and they have had some success. While they are doing that, the gangs to which my hon. Friend the Member for Epsom and Ewell referred get back on the trains, come out of London and move through Epsom, Leatherhead, Great Bookham, Effingham and Guildford. The havoc that they create at each of the stops, given half an opportunity, is the sort of thing that I used to expect when I lived in central London, but the policing there was very much greater.

There is a lot that can be done, even with the little budget that I am sure the police will get, but I ask the Minister above all to consider ways of reducing the strain on the Surrey police force and every other police force in terms of demands to produce papers and meet targets that may not be relevant, as well as to reduce the demands of best value and cut bureaucracy. She and her colleagues have said that they will do that. We hear a lot about it, but see no results. If we do not get such action, policing in Surrey, which is good but slipping, will slump.

9.49 pm

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): I am delighted to have the opportunity to reply to hon. Members who raised a whole series of issues about policing in Surrey. I am pleased that we have had a lengthy time in which to discuss the subject, particularly following three hours of debate on the Floor of the House on the Anti-social Behaviour Bill. I am sure that our discussions will be productive.

I congratulate the hon. Member for Epsom and Ewell (Chris Grayling) on securing an additional debate to the one that he obtained in February last year. I would not go so far as to say that he has a record on the subject, but he is clearly making good points on behalf of his constituents. Other hon. Members said that they have been round the houses on these issues and have been to see various Ministers.

I congratulate the hon. Members for Reigate (Mr. Blunt), for Esher and Walton (Mr. Taylor) and for Mole Valley (Sir Paul Beresford) on the constructive way in which they made their comments. I certainly undertake to think carefully about the issues that they raised, and I shall do my best to respond to them now.

I very much thank the hon. Member for Esher and Walton for standing in for me this morning at the launch of the CCTV campaign, and I apologise for not being there. I was devastated to realise that I could not attend, and I have undertaken to carry out a further visit to the force in Surrey as soon as I possibly can. Having had the great pleasure of meeting the chief constable, Denis O'Connor, on several occasions since I took up this post, I am personally very impressed by his creativity, imagination and deep commitment to the people in the community that his force serves. I look forward enormously to returning, and hope that the hon. Gentleman will be able to be present as well.

I want to deal primarily with police funding, police numbers, recruitment and retention. First, I shall say a few words about funding, because that is clearly a matter of key concern. I will shortly announce details of the 2004–05 provisional police funding settlement; hon. Members will appreciate that until I have done so, I am not in a position to provide specific details. I can say, however, that Government expenditure on policing has increased by 30 per cent. over the past three years—a significant extra investment, as I am sure hon. Members will acknowledge.

Chris Grayling *rose—*

Sir Paul Beresford *rose—*

Ms Blears: I want to make a bit more progress. I sat and listened to the hon. Gentlemen for an hour and a half, and enjoyed it enormously, but I want to get through a little more of the funding background and then I will certainly give way.

Funding is rightly allocated by formula. I assure hon. Members that that is not a capricious system—indeed, I understand that it was originally introduced by the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), so it has a pedigree that they would recognise. It allocates available funding on the basis of projected need for policing services, taking into account population, social factors and policing activity. The whole basis of the formula is to try to allocate the resources that we have—even with our significant increases, it is still a finite pot—to the areas of greatest need. The formula also underpins the revenue support grant—RSG—that is provided to every police authority by the Office of the Deputy Prime Minister and the Welsh Assembly Government. The RSG is an equalising grant that takes into account the resources that are available to each local authority.

I do not accept, therefore, that Surrey is unfairly funded. However, all Governments have seen the importance of damping the impact of change. As hon. Members said, Surrey received a 3 per cent. increase last year. We have used the damping effects of the formula, as well as floors and ceilings. Surrey has been considerably better funded over the past nine years—not just during the term of this Government—than it would have been had there been an unrestrained application of the formula as it was originally set out. The damping effect has alleviated the pressure on Surrey's funding by some 10 per cent.

There were additional specific grants as well as the 3 per cent. general policing grant that Surrey received in the past year. The 3 per cent. general policing grant took Surrey police to £85.4 million and they received an extra £10.8 million on top of that. That includes £3.9 million from the crime fighting fund for additional officers, £3.4 million for the Airwave communications project and just under £1 million for DNA funding to ensure that Surrey police can take greater advantage of matches on the DNA database.

The hon. Member for Mole Valley mentioned top-slicing for specific grants. Almost all the top-slicing is for matters that the police say that they want to pursue. I remind Conservative Members that the previous Government set aside funding for 5,000 extra officers,

[Ms Blears]

yet not one single extra officer was employed despite the inclusion of the funding in the general formula. The money was spent not on extra police officers but on other items. One of the remarkable successes of the Government's introduction of the crime fighting fund is that the money has gone towards the intended goal: getting extra officers throughout the country, including Surrey. Together with the extra community support officers, of whom there will be 63 in Surrey, we are beginning to experience at least higher visibility policing, for which local people in Surrey and elsewhere have long cried out. I therefore believe that some of the top-slicing is justified for the crime fighting fund, the rural policing fund, which people have demanded to take account of sparsity in rural areas, and the Airwave investment, which is a massive investment in bringing forces' communications technology up to date and making it fit for the 21st century.

Sir Paul Beresford: The problem with the Minister's argument is that she tries to apply national criteria to local issues and people. We have a local police authority and a local police force. It would be much better to put the money back into the pool, use a proper funding formula to distribute it and let local people determine how they want to use it to meet local demands and the fluctuations and variations in crime in their areas.

Ms Blears: Earlier, I said that the previous Government put in money for extra police officers but did not manage to get a single one. Surely the hon. Gentleman accepts that that is a top priority. However, I shall deal with local versus national standards, which is an important part of our debate in the public sector as well as specifically in the police force. I hope he acknowledges that the funding formula is not sufficiently sophisticated or sensitive in all cases to target some of the resources at the important issues. That applies to the rural policing grant. That is why we have kept it as a separate pot of money for which people do not have to bid. It is allocated to the forces that operate in rural areas and they have universally welcomed that.

Sir Paul Beresford: Will the Minister give way?

Ms Blears: I want to consider police numbers. Under the crime fighting fund, we have provided not only more than 9,000 additional officers nationally but an additional 140 posts in Surrey. Comparisons with 1997 are difficult in Surrey because boundaries have changed, as the hon. Member for Esher and Walton said.

As well as the extra 140 posts, it is important to note that police staff strength in the force has increased significantly. In the current police area, the number has increased by 248 in the past two years. All hon. Members accept that it is vital to maximise the skills of police staff if we are to release more police officers for front-line duties. We therefore want as much of a skill mix—if I may use that expression—as possible in the police force so that members of police staff increasingly carry out some of the duties that previously only uniformed and full warranted officers undertook. We can thus release warranted officers to do some of the front-line duties that only they can carry out.

Surrey police force is a leader in developing work force modernisation. Necessity is occasionally the mother of invention and I am delighted that Surrey police have grasped the agenda and are leading the way on projects, which, I hope, will inform the skill mix of the police force nationally. Indeed, we are currently negotiating with them about the way in which we can invest some of the £8 million for work force modernisation in developing some of the ideas of which they are at the forefront.

Mr. Wilshire: We all accept that the numbers of both police officers and support staff have gone up in the current Surrey police force area, but when the Minister quotes such figures, will she tell us how much of that rise in numbers relates to an overall increase caused by the substantial increase in the size of the police force area, and how much to real extra money?

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

Mr. Wilshire: What proportion of the figures that the Minister is citing is the result of the big increase in the size of the Surrey police force area, and what proportion is really extra manpower, after allowance has been made for the fact that the area is bigger? She seems to be taking credit to which she is not entitled to.

Ms Blears: Far be it from me to seek to present figures that are anything less than absolutely accurate. It is true that Surrey has 140 extra posts and an extra 248 police staff. Part of the money for those is provided through the crime fighting fund—a specific grant designed to increase the number of police officers—as happens in the rest of the country. I have already explained that funding is allocated on the basis of a formula that takes into account the policing needs of an area as well as its population, social deprivation factors and so on. There is a fairly complex balance involved in meeting an area's need for policing services, and I am delighted that Surrey, like every other area in the country, now has record police numbers.

Mr. Wilshire: Will the hon. Lady give way?

Ms Blears: No; now I want to move on to retention—an issue that has been raised by several hon. Members. Retention is a problem not only for the police but for public bodies throughout the south-east. I recently had a meeting with the chairs of police authorities and chief constables from several forces in the south-east, to discuss some of the proposals that were made last year to deal with retention, and decide whether we could do anything further to assist. I am very conscious of the difficulties that those problems cause for the force, and of the fact that in recent years there have been significant transfers into the Metropolitan police when it has been recruiting.

Surrey police have responded well to that agenda, not only on the financial elements of the strategy for retention, but on skills mix, management and corporate culture. They have done a lot of work on analysing why people want to resign and work elsewhere, and they

have tried to change the way in which the organisation functions, so as to give people a sense that they are part of a force in which they have a future and career options, and are engaged in worthwhile work. I have been impressed by Surrey's grasp of that corporate agenda, which seeks to make the best of the people working for it. Surrey police are quickly positioning themselves as a model in that respect, and we hope to learn from the good practice that the chief constable has introduced.

Mr. Blunt: The compliments and bouquets that the Minister is handing out to the chief constable and the Surrey force are welcome. She said that necessity is the mother of invention. In a previous incarnation, she was responsible for the provision of health services in the south-east, so how many of the relentless pressures on public services does she think have a common core—the cost of living in the south-east?

Ms Blears: Everybody would acknowledge that the cost of living, particularly the cost of housing, is one of the biggest pressures on public service workers in the south-east. The hon. Member for Esher and Walton said that the average price of a house in his constituency was £400,000; the average price in my constituency is probably nearer £50,000 or £60,000. That is the measure of the difference that can exist between the north and south of this country. We have been trying to come up with ideas, such as housing for key workers, and shared and joint equity schemes, in which people purchase the first 20 per cent. of their property and then seek to add to that proportion as their income increases. The problem of how to live in the south-east and sustain a family life besets not only the public sector but the lower-paid people in the private sector.

For the Surrey force, the first thing that we have tried to do is change the criteria for the crime fighting fund, so that there are no rewards for recruiting through transfer. That means that forces in places such as Devon and Cornwall, which people might find attractive to work in, no longer get an incentive through the crime fighting fund to recruit through transfer. They now have to recruit by growing their own officers. That is now beginning to have an effect, and the rate of transfers is slowing down.

We put £3.6 million into Surrey last year for joint equity housing schemes, and we have raised the threshold for forces in the south-east to make special priority payments—including an increase from the standard 30 per cent. to 40 per cent. in Surrey. Officers now get a £2,000 a year allowance because they live in that area. Just two weeks ago, the Deputy Prime Minister launched the communities plan, which contains a significant element for key worker housing. Surrey police have provided evidence of need and a willingness to engage in putting in a contribution themselves. I am delighted about that, and we are going to explore with the Deputy Prime Minister whether there is room for taking significant steps under the communities plan.

Mr. Ian Taylor: Will the Minister extend the assurance that she has just mentioned in terms of the crime fighting fund to the Metropolitan police's need to replace officers in the near future? In Surrey, we think that we are going to be raided, and if there were a bar on the Metropolitan police's taking what to them is the easy route of taking ready trained police officers from counties such as Surrey, it would be a great reassurance to the people there. It would not necessarily give the police officers staying in Surrey any increase in income, but let us try to separate those two issues. I am trying to prevent a raid from taking place in the near future on what are already scarce officer resources in the county.

Ms Blears: I understand the hon. Gentleman's concerns, but it would be wrong, and probably unlawful, for me to say to officers that they cannot choose of their own free will where they want to be employed and to exercise their skills. I am conscious, however, of the fact that forces such as Surrey—it is not unique in this regard—invest in training, which entails certain costs, only to see people creamed off and going to another force. That is an issue, and if we can address it without unduly restricting the freedom of officers to work where they want to, I will certainly undertake to look into that.

Sir Paul Beresford: I agree with the Minister on that matter. In contrast to my hon. Friend the Member for Esher and Walton (Mr. Taylor), I do not think that there should be any restrictions of that kind. We have suggested before, however, that there could be a dowry to cover some of the costs involved in such cases. Such a dowry or penalty could act as a disincentive to the Metropolitan police from taking young, newly trained policemen and women from Surrey. It would partly compensate Surrey for the cost, but it would also provide a disincentive to the Metropolitan police in terms of raiding Surrey's policemen and women.

Ms Blears: I am aware that that issue has also been raised in the Thames Valley force. It is referred to there as a transfer fee rather than a dowry, but I am sure that it is a similar idea. As I have said, this issue is in my mind, but at the moment I am not convinced that we have an effective mechanism for achieving what we want without impinging on the freedom of individuals. I will keep the matter under review, and I recently met the chairs of the police authorities and the chief constables to discuss recruitment and retention in the south-east. I have undertaken to meet them again in a few months' time to review whether we have made any progress under the communities plan, and what is being achieved on joint equity and key worker housing. I will continue to review that. It is also fair to say that the special priority payments are only now coming into effect. It will be interesting to see what impact they have in places such as Surrey, where we have lifted the cap from 30 per cent. to 40 per cent. I will also keep that matter under review.

I would like to say a few words about community support officers. I am pleased to say that in Surrey we funded 52 such officers last year. I also understand that there will be a further 11, making 63 altogether. That is a significant body of resource to help to tackle the antisocial behaviour that hon. Members have mentioned—I am aware that antisocial behaviour happens not only in inner-city communities. It happens, unfortunately, right across this country, and in some of our rural areas it is even more of a problem, especially when it is linked with excessive alcohol consumption

[Ms Blears]

and the intimidation and harassment that are sometimes associated with that. I am very aware of those issues and community support officers in particular can help on the antisocial behaviour agenda.

That is the case for a number of reasons. One is that such officers are in place all the time, as they do not get abstracted for other things such as major operations. That means that they are able to build relationships with local people, especially the young. Quite often, young people will have a different relationship with a community support officer from that with a fully warranted police officer. That is proving extremely successful.

I understand that Surrey has created a new post of youth community support officer. Again, that is very innovative. There are 11 of those officers—one for each basic command unit area in Surrey—each with a specific brief to work with young people. Preventing the crime and disorder in the first place is better for the young people and the communities involved. I shall be very interested indeed to look at the force's evaluation of those youth community support officers, because this idea is very exciting indeed.

Despite the initial misgivings about community support officers that I am sure hon. Members voiced when the Police Reform Act 2002 was considered, I would hope that they acknowledge that those officers are doing an extremely useful job right across the country.

Chris Grayling: Surely the Minister agrees that, as officers in my constituency have described to me, there are people who commit public order offences on a Friday or a Saturday night who are not arrested, simply because making those arrests would take the officers off the streets for several hours. As there are only a couple of cars in the neighbourhood, such offenders are effectively let off. Surely that situation, regardless of the presence of community support officers and regardless of those other initiatives, means that there is an enormous flaw at the heart of policing.

Ms Blears: I want to say two things to the hon. Gentleman about that. One involves policing the night-time economy—pubs and clubs—and one involves utilising police civilian staff, but they have a common thread, which is similar to the point that I made to the hon. Member for Reigate: when policing services are under pressure, people often come up with creative solutions that represent genuine progress. I shall give two examples.

Manchester has a project named Manchester city centre safe. There was a similar problem in Manchester, as there were only 20 police officers to patrol the city centre on Friday and Saturday nights, which was completely insufficient to deal with the problems that arose. A partnership group involving the local authority, the pubs and clubs, the bars and the bus company has been created. They are all wired up to the same police net and they are guaranteed a response from the police officers within a couple of minutes.

That means that the door supervisors, the bar managers and what are called bus loaders from the bus company—all the sober, responsible adults—are out on the street, all in uniform and all highly visible. Instead of there being 20 police officers to police the city centre on Fridays and Saturdays, we have a skills-mix work force of 100 people who are able to ensure that the city centre is a safe and good place for thousands of people to visit. They can have a good time and get home safely. That is about working smarter, and it has been achieved without an extra penny of police expenditure because they have drawn in all the people who are, as it were, community protection workers. That covers a much wider base than simply the narrow police family.

The second issue is officers being off the streets because they are dealing with paperwork. That is a genuine complaint from many police officers, although I am told that we have got rid of 5,000 forms so far. Under the Police Reform Act, we introduced four new categories of worker: detection, investigating, custody and escort officers. Again, those people would not necessarily have to be fully warranted police officers, but they could do some custody work in terms of processing as well as escort work in terms of taking prisoners to and from different places.

In one pilot scheme, civilian officers under the supervision of a sergeant are doing the escort duties in a rural area where it normally takes for ever to get people to and from detention. About 1,100 police days have been saved in the work that they have been doing over the past 12 months. That is a real success story for people in the service such as those in Surrey, who are prepared to think differently about policing. Trying to think in that way represents the future of our reform programme.

As has been pointed out, I used to be a health Minister, and as the hon. Member for Epsom and Ewell will know, the skill mix in the health service has been accepted for a long time. Nurses now do things that only doctors used to do, and GPs do things that only consultants used to do. The agenda is the same in the police service.

Let me say something about Surrey's crime figures. I acknowledge that people are entitled to a minimum level of policing wherever they live, and Members have made a case for national standards rather than locality policing, but it should be noted that recorded crime in Surrey is about half the average in the rest of the country. There are nine burglaries per 1,000 of the population compared with an average of 17 in the rest of the country, and eight cases of violence against the person compared with an average of 16 in the rest of the country—which means that Surrey's figure is well below those in high-crime areas. There are fewer vehicle crimes in Surrey, and there is one robbery per 1,000 of the population compared with a national average of two—admittedly a small figure in itself.

I am not suggesting that Surrey is safe and therefore does not need policing—it clearly does need policing, as does the rest of the country—but we should see the figures in perspective. They are about half the national average. The top 40 crime and disorder reduction partnerships show much larger figures. People living in those communities can also legitimately expect to live in as much safety as possible. That is why we are trying to

achieve convergence between forces' performance, so that the worst performers attain the standards of the best.

Mr. Wilshire: Depriving Surrey of money will cause the crime figures to rise. Presumably the aim of convergence is to raise Surrey's crime figures to the national average. The Minister seems to be saying that because the figures are low, Surrey must not need the money. Crime is rising, and perhaps when it has risen enough the Government will relent.

Ms Blears: I was trying to make a reasonable, sensible point, unlike the hon. Gentleman.

There has been an application for special grant, and only £0.3 million has been paid. There is a general agreement with the Association of Chief Police Officers and the Association of Police Authorities that in the event of a special event or a big investigation, the police force involved normally pays 1 per cent. of its budget, although a small force would pay less. In Surrey's case the amount would be £1.49 million, but I understand that it has made another application, and we are considering its request. I will undertake to consider it personally in the light of the work that the force can do.

The hon. Member for Mole Valley asked about the future reform programme, and wanted to know whether we could find space in the national policing plan and national standards for more local determination of what the emphasis should be. As he probably knows, a couple of weeks ago we issued a major consultation document entitled "Policing: Building Safer Communities Together". We are open to consultation for the next three months on how we can make the police more connected to local communities in terms of both accountability and deciding what their work should be, while retaining a national framework and national standards to ensure that people throughout the country are entitled to decent policing levels. The last thing we want is postcode policing; after all, we have managed to end postcode health services.

We are also interested in exploring the earned-autonomy agenda as we did in the case of the NHS, and the possibility of a lighter touch in the inspection and auditing of forces that are performing well. However, I have been quite surprised since I took on this post by the dearth of data in the police service. For years and years, the police service has not had any national framework or national structure. It is crucial that a performance management system is properly embedded in our police service, so that we can drive up performance throughout the country. I genuinely think that, unless we have the data and some targets, we will not see reductions similar to those that we have seen since 1997 in the rate of vehicle crime and in burglary. Robberies have gone down by 17 per cent. in the past couple of years—there have been 17,000 fewer victims of robbery because we have helped forces to drive that agenda forward.

There is always room for debate about where the targets should be set, who should determine them and how we can get more local input, but I am convinced that having a proper performance management framework, as the American police do, which means that forces know what they are doing and where they can target their resources, is crucial to driving up standards. Simply having a free-for-all, where people are allowed to do exactly as they like, does not result in driving up standards in public services.

For my part, I am convinced that there is a role for Government. How big that role should be I am prepared to debate. I personally want to see a bigger role for local communities in setting priorities. I think it was the deputy commissioner of the Metropolitan police who said to me the other day that probably the biggest issue for people in Tooting was prostitution on Tooting common. He went on to say that he could find little head room in the national policing plan to deal with such an issue, but that if he failed to do so local people would not feel they were being properly policed and supported. I shall bear that genuine point in mind when we look at getting the balance right between devising a national framework and national standards and encouraging as much local devolution as we possibly can, not just at force level but beyond that to basic command unit level and beyond that to neighbourhood level. We want people to feel that they have a real stake in what happens in their community, in their street, in their neighbourhood and in their local park and that they feel that the police are meeting the priorities that they set.

I am delighted to have had the opportunity to participate in the debate. Hon. Members have raised some important issues. I hope that they are satisfied that we are looking carefully at the funding decisions before the provisional settlement is made, and that we will try to make our decisions on as fair and transparent a basis as possible. It is vital, particularly in relation to funding, that everyone can see how those decisions are reached, and that they are made on rational grounds to try to reflect policing needs in communities, while also taking into account the fact that everyone is entitled to decent policing. People pay their taxes. They are entitled to public services and we shall ensure that they get them.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes past Ten o'clock.

House of Commons

Tuesday 18 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

TRANSAS GROUP BILL

Order for consideration of Lords amendments read.

Lords amendments agreed to.

LONDON LOCAL AUTHORITIES BILL *[Lords]*

Order for consideration, as amended, read.

To be considered on Tuesday 2 December.

Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

Disabled Access

1. **Linda Perham** (Ilford, North): What recent discussions his Department has had with (a) other Government Departments, (b) transport network operators, (c) transport authorities and (d) passenger groups on measures to ensure that public transport networks are accessible for disabled people. [138853]

The Minister of State, Department for Transport (Dr. Kim Howells): The Department has frequent discussions with industry, passenger representatives and other stakeholders about improving access to transport for disabled people. In addition, the Under-Secretary of State for Transport, my hon. Friend the Member for Harrow, East (Mr. McNulty), is giving evidence tomorrow to the Transport Committee inquiry on disabled people's access to transport.

Linda Perham: The Minister may be aware that the recent "Mind the Gap" report by the disability charity Leonard Cheshire demonstrates the difficulties that disabled people face in gaining access to work and public services as a result of inaccessible transport. When will the Government announce their response to last year's consultation on the removal of the current exemptions for transport providers from the Disability Discrimination Act 1995? Can he assure the House that the Department is moving quickly to ensure that transport does not continue to be a major barrier to the social inclusion of disabled people?

Dr. Howells: I thank my hon. Friend for raising that and know that she has done a great deal of work with the Leonard Cheshire Foundation on the issue. The recent consultation on applying part 3 of the DDA to transport services was intended to help us formulate the necessary changes in legislation to implement the Disability Rights Task Force recommendation, which we have accepted. Those changes will form part of the draft disability Bill that my right hon. Friend the Secretary of State for Work and Pensions will publish before the end of the year for pre-legislative scrutiny. We will not publish a separate response to the consultation.

Mr. Greg Knight (East Yorkshire): Does the Minister accept that the Opposition will support genuine and workable proposals to make public transport more accessible to the disabled? Does he share my anger, however, that earlier this year two disabled pensioners travelling together had to cancel a holiday in my constituency because the train company concerned would take only one wheelchair at a time on each train? Is not that a disgrace? Will he join me in congratulating another train company, First Great Western, on implementing its disabled persons protection policy, which covers problems facing the disabled while travelling and will improve facilities at every one of that company's 14 railway stations?

Dr. Howells: First, I welcome the right hon. Gentleman to his new position on the Front Bench. It is good to see him there. We need jazz drummers in every position that we can get them.

I share the right hon. Gentleman's anger and concern at the behaviour of the train company in question. He makes a good point in raising that. I also share his pleasure in seeing First Great Western take that very important initiative. Between 9 million and 11 million people are registered with some form of disability in this country. In addition to the duty to ensure that they have access to transport, companies should wake up to the fact that there is a huge commercial market to serve.

Mr. Roger Berry (Kingswood): My hon. Friend referred to recommendations by the Disability Rights Task Force that transport should be included in the Disability Discrimination Act. I welcome his assurance that that will be done. Another recommendation was that there should be end dates for all rail vehicles to be accessible to the disabled. What are those end dates?

Dr. Howells: My hon. Friend is well known for his work for many years on behalf of disabled groups, and he raises an important issue. He knows that the Government have already introduced regulations under the DDA to ensure that new buses and trains are accessible to disabled people. Last month, we announced our proposals for implementing the taxi provisions. Significant progress has already been made. For example, in the past two and a half years, 1,400 fully accessible new vehicles have been introduced on the railways, and there will be more than 1,000 more in the next 18 months. More than one third of buses are

already accessible, and the proportion is much higher in many major towns and cities. However, I take his point: we must ensure that access is as complete as is possible and practicable.

Mr. Andrew Turner (Isle of Wight): Does the Minister think it appropriate that a vehicle should be described as wheelchair-accessible when a constituent of mine, who is a sixth former at Cowes high school and 5 ft 10 in, has to bow his head to sit in it in his wheelchair? Peugeot Eurotaxis have only 54 in of headroom, Volkswagen Transporters have 53.5 in, Mercedes Vitos have 52 in and the standard Ford Transit has only 52 in. Does not he believe that anyone in a wheelchair should be able to sit upright in a wheelchair-accessible vehicle?

Dr. Howells: If the hon. Gentleman will do me a favour and send me those details, I shall try to take up the matter with the manufacturers.

Bus Services

2. **Mr. John Grogan** (Selby): What plans he has to increase the regulation of bus services. [138854]

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): The current statutory framework for bus services is set out in the Transport Act 2000. As with all other legislation, the Government are keeping the position under review.

Mr. Grogan: Since our good friend Ken, Mayor of London, is trusted to set fares, timetables and routes in the capital city, where bus use is increasing, why cannot councillors from the great northern cities of Manchester, Leeds, Newcastle and York be trusted to do the same? Surely the interests of bus passengers must come above those of bus companies, which make a rate of return of 14 per cent. outside London but 6 per cent. in London.

Mr. McNulty: My hon. Friend knows that transport in London has been treated differently from that in the rest of the country since the 1930s. Our key role is to drive up standards and encourage more people to use buses. The key to that under any regulatory framework is a better partnership between operators and local authorities. In many areas, we have creative operators who do a good job with their local authorities under inspired political leadership. Sadly, that is not the case in many areas. We are considering that, and we work with areas constantly.

John Thurso (Caithness, Sutherland and Easter Ross): Given that bus ridership outside London has fallen by 4 per cent. since 1999, does the Under-Secretary agree with the director general of Nexus, who said:

"Letting the market decide what the bus network should look like frankly hasn't worked."?

Although no one would wish to return to pre-1985 regulation, is not it time to introduce a controlled market to allow for properly integrated transport to deliver the ridership figures that we all want and that the Government promised?

Mr. McNulty: As ever with the Liberal Democrats, the premise is flawed and wrong. Bus patronage has not decreased but increased. Constantly to talk down such a key mode of transport, which opens access to parts of our towns and cities that other forms cannot, is to do a disservice to transport. Bus patronage has increased in Cambridge by 8 per cent., in York by 7 per cent., in Bolton by 4 per cent. and in Leeds and Nottingham by 3 per cent. The picture is not the one of doom and gloom that the dreary Liberal Democrats paint time and again.

Mr. Colin Challen (Morley and Rothwell): The village of Thorpe in my constituency may not be as large as London, but the bus service is much worse, especially No. 130, which regularly fails to get its passengers on board because it does not turn up. I often write to my excellent passenger transport authority about the problem, but it always replies that the bus service is a commercial service and there is little that it can do. When will we tell bus companies that they provide a public service, not simply a private profit-making service for themselves?

Mr. McNulty: My hon. Friend makes a fair point. I confess that I know nothing about the 130 that runs through his constituency, but I recently had a meeting with representatives of all the PTAs and they accepted that there were difficulties. Matters therefore remain under review, and there is much further to go in the existing regulatory framework. Simply reverting to the pre-1985 position is not the answer in the collective opinion of operators and local authorities.

Roads Expenditure (Sussex)

3. **Tim Loughton** (East Worthing and Shoreham): How much has been spent in capital terms on (a) motorways and (b) trunk roads in Sussex since 1997; and how much this represents as a percentage of overall expenditure on motorways and trunk roads in England. [138855]

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): On the basis of information available since April 1999, capital expenditure on motorways and trunk roads in Sussex amounts to £1.5million and £34.7million respectively. In total this represents some 2 per cent. of the Highways Agency's overall capital expenditure on motorways and trunk roads in the same period, and by pure coincidence—these things are not done on a pro rata basis—Sussex has 2.1 per cent. of the country's motorways and trunk roads.

Tim Loughton: In other words, not a lot. People can drive all the way from Newcastle to Sussex on motorways or dual carriageways until they hit my constituency, where they will find single-lane gridlock

on the A27. We have about five miles of motorway in the whole of Sussex. In 1997, the hon. Gentleman's Government dropped every trunk road improvement scheme in Sussex, and now he has dropped any plans to provide bypasses around Worthing, Lancing and Arundel. Yet his Government want to subject West Sussex to another 46,000 homes, which will only add to the gridlock. When is Sussex going to get its fair share of road investment?

Mr. McNulty: I am tempted to say, when it gets a rather better quality of parliamentary representation. The hon. Gentleman will know that I have had successive meetings about the A27 with West Sussex, the South East England Regional Assembly, the South East England Development Agency, and with the hon. Member for Arundel and South Downs (Mr. Flight). I have still to have a meeting with the hon. Member for Eastbourne (Mr. Waterson). I have had six or seven meetings about the A27, at which Conservative party members overall, whether local councillors or MPs, have been very serious about working with us and the Highways Agency to resolve the situation, rather than sitting on the sidelines throwing rocks as the hon. Gentleman is doing. Perhaps he should be a bit more positive in his approach.

Gregory Barker (Bexhill and Battle): The Minister might know that my constituency is particularly poorly served in this regard, having practically no dual carriageways at all. However, there is one small stretch in Bexhill, the King Offa way, which is notoriously unsafe—in fact, it is extremely dangerous. Six months ago, there was yet another fatal crash, the second in as many months, after which the Highways Agency recommended a string of improvements, including a crash barrier, better speed signs, barriers on the central reservation and a speed camera. Six months on, however, nothing has been done, and the Highways Agency tells us that it is very unlikely that anything will be done in 2004 because of the cash crisis in Kent and Sussex. Given that there has been yet another accident, what does the Minister intend to do?

Mr. McNulty: The hon. Gentleman makes a serious point. We have asked East Sussex to develop proposals for the Bexhill to Hastings link road, through the local transport plan process. We fully accept, however, that there are real difficulties along the entire south coast. All that we have said thus far is that the solutions that came up in the south coast multi-modal study were not appropriate. We are looking very seriously at each of the problems along the A27 with the Highways Agency, and we have a time frame within which to do that. We are seeking to resolve those problems, and I will be happy to meet the hon. Gentleman to discuss the Bexhill issue specifically.

Air Transport (Energy Efficiency)

4. **Mr. Jim Cunningham** (Coventry, South): What estimate he has made of the energy efficiency of (a) high-speed train travel and (b) short-haul flights for journeys (i) within the United Kingdom and (ii) between the United Kingdom and France. [138856]

The Secretary of State for Transport (Mr. Alistair Darling): I am aware there have been a number of studies, but with no firm conclusions.

Mr. Jim Cunningham: I thank my right hon. Friend for that answer. Does he agree that if there were synchronisation between rail and air travel in the advance booking systems, more people would use the rail services?

Mr. Darling: I agree that it is important to provide people with better choice in transport, and I can tell my hon. Friend that, once the first phase of the west coast modernisation is complete next year, journey times between Birmingham and London, for example, will come down to just over one hour and 20 minutes, and between Manchester and London to just over two hours. Those journey times will provide a favourable choice compared with travelling by air. In relation to domestic journeys and those made using the new channel tunnel rail link, I believe that rail can offer a very good choice, providing a faster journey. The key is to ensure that it is reliable as well.

Mr. John Wilkinson (Ruislip-Northwood): Will the Secretary of State come to one firm conclusion now—namely that RAF Northolt should be eliminated from the review on airport facilities in the south-east of England for short-haul operations? The airfield is far too small, it is in a highly built-up area, and I am sure that his ministerial colleague, the hon. Member for Harrow, East (Mr. McNulty) would concur that there would be fury from local residents if short-haul scheduled services were permitted there.

Mr. Darling: I have made it clear on a number of occasions that we will deal with all airports in the aviation White Paper, which we will publish next month. The hon. Gentleman will just have to wait and see what our conclusions are.

Mr. Lindsay Hoyle (Chorley): Obviously we welcome my right hon. Friend's comments on using the tunnel. I think that it is a benefit, but it ought to be a benefit for all in the UK. Will he try to ensure that there are direct links from the north-west to give us the same service and benefits that people get in the south-west and the south-east?

Mr. Darling: My hon. Friend makes a good point. The first stage of the channel tunnel rail link was opened in September, and I am pleased to tell the House that today the Under-Secretary, my hon. Friend the Member for Harrow, East (Mr. McNulty), was able to present a bouquet of flowers to the millionth passenger to use that service since then. [HON. MEMBERS: Ooh!] I understand that the reaction of the passenger was just the same as

that of hon. Members, and that the upgrade to first class was probably more greatly appreciated than the opportunity to meet my hon. Friend.

The point is that the channel tunnel rail link means that journey times between London and Paris and Brussels are reduced, and that the journey between London and Paris will come down to two and a half hours when the project is completed in 2007. When the route runs through to St. Pancras, it will allow for far better connections to the rest of the country. As I was saying a moment ago, that will provide a better choice for passengers wishing to go to the continent. It does not, of course, get round the point that it is likely that the demand for air travel—not just to Europe, but to other parts of the country—will continue to grow as well. That is one of the things that we have to consider as we reach our conclusions in relation to aviation.

Strategic Rail Authority

5. **Mr. Patrick McLoughlin** (West Derbyshire): If he will make a statement on the Strategic Rail Authority's strategic plan 2003. [138858]

The Secretary of State for Transport (Mr. Alistair Darling): The Strategic Rail Authority published its 2003 strategic plan in January of this year. It sets out the way in which the authority will work towards the Government's goals on the railway.

Mr. McLoughlin: I have given the Secretary of State notice of this question: why in 2002 did the SRA's plan talk about East Midlands Parkway station opening in 2003? His predecessor wrote to me shortly after that, saying:

"I understand from the SRA that the May 2003 opening date given in the Strategic Plan was an inadvertent error. May 2003 is the deadline in the franchise by which Midland Mainline can be required to have obtained all the necessary consents, permissions and rights over land to construct the station. Construction might then take about a year."

That takes us to May 2004. So far, it does not look like any work is happening on that station. Can the Secretary of State give us the latest information?

Mr. Darling: The hon. Gentleman has a perfectly good point. I am grateful to him for having told me earlier this morning of the problems in relation to this station and drawing my attention to the reply that he received from my predecessor. He should not have been given the wrong information, and it should not have been published in the SRA's then plan.

In the past hour or so, I have had the opportunity to have a very preliminary look as to what has happened here. It would appear that the operators of the railway have been in discussions with Powergen, which for a number of reasons has expressed concern about building the station there. However, agreement has been reached to buy the land in question, and I am told that the operators are about to obtain the powers that they need under the Transport and Works Act 1992 to start building the station. The situation there is not very satisfactory, however, and if the hon. Gentleman will allow me, I would like to make further inquiries. Then I will write to him again.

Mr. George Stevenson (Stoke-on-Trent, South): Given the vital importance of the upgrade of the west coast main line, particularly in areas of north Staffordshire in my constituency, will the Secretary of State support the SRA's view, expressed in its strategic plan, that that vital arterial rail link should be completed in total by 2006, and resist the blandishments of the regulator, who has suggested that the second phase could be deferred as a cost-cutting exercise?

Mr. Darling: There are two points there. First, it is planned that the west coast main line will be completed by 2007, not 2006. That has always been the case. Secondly, the regulator is quite right to draw attention to the fact that this is a project in which costs need to be controlled. I remind the House that when Railtrack was responsible for the network, it promised to build that line for a price of £2.5 billion. By the time it stopped trading, the cost had gone up to £13 billion. Now, with proper control and discipline, we think that the cost will be between £8 billion and £9 billion. I am afraid that that is a price that we are having to pay, because the line did not get the investment that it needed for some 20 or 30 years—ever since the late 1960s.

I agree with my hon. Friend that the project is well worth doing. It is one of the busiest passenger railway routes in Europe, it is critical to the railways in this country and I would like to see it completed by 2007. However, the regulator is right that we must ensure at every stage that we drive costs down to their absolute minimum.

Mr. Damian Green (Ashford): In June, the Secretary of State said:

"The investment which is going into the railway is slowly but surely bearing results."

If he still believes that, will he tell us what proportion of trains are now running late, according to the Strategic Rail Authority?

Mr. Darling: First, let me welcome the hon. Gentleman to his new post. We had expected to see the hon. Member for Maidenhead (Mrs. May), who we were told was in charge of both transport and the environment. I can only conclude that she must be dealing with the environment this morning, and therefore cannot be with us. It is nice to see the hon. Gentleman, though. [HON. MEMBERS: "What about Scotland?"] I have no difficulty in being present for Transport questions. I am always here: that is the big difference.

Yes, the investment is "slowly but surely" making a difference. I have mentioned the west coast main line; let me now mention again that we are replacing nearly a third of rolling stock on the network over a five-year period.

The hon. Gentleman is right in saying that, in terms of performance and reliability, things are not proceeding as quickly as they should. Although 80 per cent. of trains overall arrive on time, in far too many cases improvements are not being made fast enough.

There is a substantial variation between the best-performing trains, which are achieving 90 per cent. reliability or thereabouts, and some of the poorer performers, which are still in the mid-60s. The hon. Gentleman is right about that; the point on which we disagree is that whatever problems there may be on the railways, the answer cannot possibly be slashing investment, which is what the Conservatives favour.

Mr. Green: I thank the Secretary of State for his kind remarks and his welcome. As he is so interested in the whereabouts of my hon. Friend the Member for Maidenhead, let me tell him that she is at the CBI conference in Birmingham listening to the many complaints from British businesses about the Government's failure to provide a proper transport policy to help them to conduct their business profitably.

The Secretary of State has just admitted that one in five trains run late. That is double the figure inherited by his Government. His response has been typical of this Government: he has abandoned the passenger growth targets, imposed above-inflation fare increases, and cut the number of services.

The Deputy Prime Minister once promised to increase choice and cut congestion. Is it not true that, instead, the Government have cut choice and increased congestion?

Mr. Darling: Not really, no. What is clear is that Britain's railways, and our roads for that matter, have suffered from decades of under-investment. Successive Governments, not just Conservative but Labour as well, have not spent as much as they should over a long period.

Part of our current problem with the railways is that the investment was not made at the right time. Members will recall that before privatisation British Rail expected to replace some 500 miles of track each year; after privatisation the rate fell to 200 miles a year. This year we are replacing more than 700 miles of track. The obvious consequences of failure to invest are problems with the track and with reliability. What the hon. Gentleman says might be more credible had he not opposed every penny of public expenditure on transport, and on other matters.

If the hon. Member for Maidenhead is indeed listening to CBI members, one thing they will be saying is that they want more investment to produce results more quickly. They are not calling for less investment. I just wonder what she is telling them she would do.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The Secretary of State will realise that value for money depends on a sensible set of priorities. Will he point out to the Strategic Rail Authority that ignoring the interests of freight and some of the smaller, more deprived parts of the UK is not a sensible way of keeping the whole system working? If we cut bits off, the core will suffer.

Mr. Darling: I understand that point. However, I do not think that it is right to say that the SRA is ignoring freight—far from it. More goods are being taken by rail than two or three years ago. What the SRA and indeed the rail regulator both recognise is that parts of the network are not used by high-speed trains and do not carry heavy freight. Just as motorways are constructed differently and are maintained to a different standard from A roads and B roads, it makes sense to ensure that our investment in the railways reflects the actual use of the rails. As I have told the House before, we spend about £73 million every week on the railways, matched by a similar sum from the private sector. It is a substantial sum. We need to ensure that it is spent properly and that we maintain the network according to the use of the trains on it.

Pete Wishart (North Tayside): What comfort can the Secretary of State give his constituents that there will be no delay in plans to upgrade Waverley station in his constituency? He will know that Waverley is central to the Scottish rail network, so can he give a guarantee that the work will go ahead as a priority and that there will be no downgrade of the original plan?

Mr. Darling: I am grateful to the hon. Gentleman for asking a question about my constituency. As I was on a train going through his constituency yesterday, I thought that he might ask about that. Waverley station is an important part of the network. The SRA, the Scottish Executive and Edinburgh city council are all discussing what the right level of improvements is and how they should be funded.

One of the problems at Waverley is that, when Railtrack was responsible for it, it seemed more interested in building a shopping mall on top of the station than in improving the station itself. It is another example of the difficulties that were caused under Railtrack's stewardship of the railways. I hope that we can make the improvements that Waverley needs. It is an important station for the obvious reason that it connects so many services.

Network Rail

6. **Alan Simpson** (Nottingham, South): If he will make a statement on the decision by Network Rail to close its final salary pension scheme. [138859]

11. **Mr. David Drew** (Stroud): If he will make a statement on the decision by Network Rail to close its final salary pension scheme. [138864]

The Minister of State, Department for Transport (Dr. Kim Howells): Network Rail is a private company and its decision about its final salary pension arrangements is a matter for Network Rail itself and the independent corporate trustee of the railways pension scheme.

It is our understanding that there is no intention to breach the arrangements put in place to protect staff pensions on privatisation of the industry. The relevant final salary arrangement will still be open to protected rail industry staff who transfer voluntarily to Network Rail.

Alan Simpson: The Minister will know that Network Rail is a publicly funded company and that that decision will make a large number of its members dependent on means-tested pensions. Will he confirm that the argument advanced by Network Rail for doing that is

that its pension bill has doubled to £42 million a year, but that has been as a consequence of the decision in 1994 to cut the contribution rate to the scheme by half.

Will the Minister intervene to ensure, first, that the decision can be reviewed at the earliest possible opportunity and, secondly, that any moneys that the company takes out of workers' pension schemes is not used to pay off companies whose maintenance contracts are being terminated as a result of poor standards of work?

Dr. Howells: I am afraid that my hon. Friend has been misinformed about the details of the pension scheme. I do not know where he has got his information from, but it does not square with the reality of the pension scheme. Network Rail has announced that new recruits to Network Rail will not enjoy the shared costs final salary section of the railways pension scheme and that the protection is there for all those members who are part of that section of the scheme.

Mr. David Drew (Stroud): Surely my hon. Friend will agree that it looks, certainly from the information that we have received, as though new employees will be somewhat put in jeopardy compared with employees in the previous good scheme. What is somewhat galling is that, at the same time as those employees could be faced with worsening conditions, Network Rail will continue to pay what look like very good bonuses to directors. Does not he agree that that is a somewhat hypocritical, if not contradictory, message to give to the industry?

Dr. Howells: I am certainly not in favour of contradictory messages going out, but the question is about the new defined contribution arrangements for the pension scheme, which are as good as any in the private sector. My hon. Friend should realise that some train operating companies have already managed to introduce alternative defined contribution arrangements for new recruits in the industry without any serious dissension. I hope that he accepts that the rights of the many thousands of pensioners in the existing scheme will be protected.

Mr. Henry Bellingham (North-West Norfolk): I have received a number of representations on this, and I shall consider carefully what the Minister said. However, is he aware that 70 leading companies have closed their final salary schemes, affecting roughly 70,000 people? The total cost is about £100 million, but that compares with the £5 billion that the Chancellor has taken from pension funds through the change to tax credit. Does the Minister think that the Chancellor was right to do so?

Dr. Howells: I am sure that the hon. Gentleman knows that the Chancellor reduced corporation tax at the same time, and some of the people whom he seeks to represent are glad about that. He knows as well as I do that there have been difficulties with markets and the earnings of pension funds, so companies sometimes have to take such measures. He also knows as well as I do that we have to ensure that pensioners' rights are properly guarded.

Mr. Christopher Chope (Christchurch): Does the Minister realise that reducing corporation tax does not help Network Rail, a supposedly not-for-profit company? It has a £200 million pension deficit, so why does he not admit that the truth is that Network Rail's prospective employees will join thousand of others up and down the country who are victims of the Government's vicious pension tax?

Dr. Howells: That was a nice piece of rhetoric, but it will not work. The Government will ensure that the gangster tactics that reigned under successive Tory Governments will not be repeated.

Mr. Dennis Skinner (Bolsover): Will my hon. Friend look into the fact that if 70 big business companies refuse to pay proper pensions it is incumbent on those who complain about it to say that they are against big business acting in that way? Moreover, they should tell members of the shadow Cabinet to stop moonlighting and taking £5 million from big business, because they are robbing the pensioners.

Mr. Speaker: Order. I think that the Minister can leave that point.

Airports White Paper

7. **Mr. Peter Lilley** (Hitchin and Harpenden): When he plans to publish his White Paper on airports in the south-east of England. [138860]

The Secretary of State for Transport (Mr. Alistair Darling): We expect to publish the air transport White Paper covering the whole of the UK next month.

Mr. Lilley: I am grateful to the Minister for his reply. When he publishes the White Paper, will he ignore the blustering threats of legal action by the operators of Luton airport and accept that there is massive local opposition—I have got another 1,000 signatures to add to the many that he has already received—to over-expansion of the airport to the size of Gatwick? There are no direct rail links to the airport, and the overflying stacked above it means that it will be less safe. The airport is closed more frequently than any other airport serving London because of weather conditions, and on the right hon. Gentleman's own calculations, development is the least cost-effective option of all those that he is considering.

Mr. Darling: I am aware of the right hon. Gentleman's strong feelings about development at Luton because he has made them clear on previous occasions. My answer to him, as it will be to everyone else who catches your eye, Mr. Speaker, is that people just have to wait a short while longer before finding out our conclusions.

Mr. Kelvin Hopkins (Luton, North): While there is always some opposition to airport development, my right hon. Friend must know that there is strong support for the development of Luton locally. There is unanimous support among Government Members for the development and even, I think, strong support

among Opposition Members. Is it not the case that Luton could be expanded quickly, simply and cheaply and contribute substantially to airport needs?

Mr. Darling: My hon. Friend is right that, in relation to just about every airport in the country, there are strong feelings both for and against. I am acutely aware of the fact that when I publish the White Paper there will be a lynching party from one direction or another.

Mr. Mark Prisk (Hertford and Stortford): Regardless of what is in the White Paper, it is crucial that our scrutiny of the Government's plans is both informed and thorough. Will the Secretary of State therefore confirm that he will publish the evidence that he receives before the White Paper, and that he will give us a proper, full debate in this House in January?

Mr. Darling: The question of whether the matter will be debated is in the hands of the usual channels, but for my part I would welcome a debate. As I have said, whatever we decide, our conclusions are bound to be controversial, and there are bound to be strong feelings on both sides of the argument. Indeed, I know of the hon. Gentleman's feelings about the issue of airports in his constituency, because he has spoken to me about it.

When we publish the White Paper, we shall of course then publish the representations that have been received, but perhaps it would help the hon. Gentleman and the House if I point out that the White Paper will set out a framework against which the industry and people can plan for the future. It is not as if its publication will be the end of the story, with no more debate. If further expansion takes place, there are planning procedures to go through and there will be all manner of debate and discussion, so there will be plenty of opportunity in this House and elsewhere to discuss the proposals. But it is important that we publish the White Paper, because it will be the first time since the mid-1980s that a Government have set out what their strategy ought to be, taking into account the fact that more and more people are flying for business and leisure reasons. Any Government have a duty to set out a framework against which people can plan.

David Taylor (North-West Leicestershire): Can the Secretary of State reassure the House that he will not seek to decant the excess growth that cannot be absorbed by London airports to other regional airports without there being environmental frameworks in place of a similar standard to those in the south-east, in order to protect the communities surrounding those airports?

Mr. Darling: On the first point, the demand and pressure on airports is not just a phenomenon in the south-east of England—it is happening right across the country. As I have said many times, this year about half the population will fly at least once, and of course a substantial number fly more often than that. As I have also mentioned before, in 1998 about 5 million people flew on low-cost airlines, but this year the figure will be in excess of 45 million. That is happening throughout the country. However, my hon. Friend makes the important point that environmental measures must be put in place to ensure that the environment is preserved. As we have said on many occasions, aviation, like every other industry, has to meet the consequences of the damage that it causes, so his point about environmental protection is very important.

Mr. Jonathan Sayeed (Mid-Bedfordshire): The High Court ruled that the Government's air transport White Paper was flawed, and I trust that the Secretary of State will agree that the consequence has been even more delay. That has meant uncertainty for those who live around Heathrow, Gatwick, Stansted and other airports in the south-east, and a continuing planning blight. Has he ever apologised for getting the White Paper so wrong that the High Court had to throw it out and the Government had to start again?

Mr. Darling: The White Paper has not been published yet, so if there has been a ruling against it I should be very surprised. What I think the hon. Gentleman is trying to get at is the consultation process, during which, as he rightly says, the Government took the view that Gatwick should be excluded because of the legal agreement between the then British Airports Authority and the county council. Before he starts demanding apologies, I should point out that many of his colleagues representing constituencies around Gatwick welcomed that decision when it was taken.

The hon. Gentleman will recall that on 28 November last year, I told the House that, in the light of the High Court ruling, rather than prolonging the agony, we should consult on the basis that Gatwick had to be considered, and we are now doing that. As I pointed out 12 months ago, that would inevitably mean a delay in reaching our conclusions, which I had originally hoped to publish in the summer. I made it clear then that they would not be published until the end of this year, and I am determined that they should be published by then—that is, next month—so that the problems of blight and uncertainty that he complains of can be addressed.

Bus Services

8. **Paddy Tipping** (Sherwood): What representations he has received on the cancellation of bus services caused by the lack of availability of trained bus drivers. [138861]

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): We are aware from the Department's monitoring surveys and other sources that unavailability of drivers is a significant cause of bus service cancellations. The bus industry is taking a number of initiatives to tackle that problem, and we will continue to assist where possible. My hon. Friend will know that the difficulties are caused as much by retention as by recruitment.

Paddy Tipping: May I draw the Minister's attention to the case of Nottingham City Transport, which has rightly been told by the traffic commissioner that the lack of drivers is not an excuse for the unavailability of services? In response, it has reduced and withdrawn

services, causing great inconvenience. Is not the solution very simple: that Nottingham City Transport needs to recruit, pay and train its drivers properly?

Mr. McNulty: I am not aware of all the details regarding Nottingham City Transport, but I shall happily take the matter up with it and look at its solutions to the problem—as I shall, in the wider context, take matters further with the Bus Partnership Forum, which I chair. The Department will continue to work with TransFed, the industrial training body, and with GoSkills, the sector skills council's co-ordinating body that comes into operation next year. To underline my hon. Friend's remarks, the crucial fact is that buses get to communities—often deprived communities—and serve them far better than any other mode of transport can.

Miss Anne McIntosh (Vale of York): The problem is symptomatic of a wider issue that was identified in a recent report by the Select Committee on Transport—namely, that the Office of Fair Trading is failing correctly to apply the Competition Act 1998 to bus companies and passenger transport executives. Will the Minister address that?

Mr. McNulty: When we recently met representatives of the Office of Fair Trading to discuss its taxi report, we raised some issues about buses. If the hon. Lady feels that the OFT is not carrying out its duties in full, she should write to me and we will happily look into it.

Ormskirk Bypass

9. **Mr. Colin Pickthall** (West Lancashire): If he will make a statement on the provision of a bypass for Ormskirk. [138862]

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): I fully understand the importance that local people attach to the bypass for Ormskirk, but it is for Lancashire county council to determine the priorities for local road building and to make bids accordingly.

Mr. Pickthall: Is my hon. Friend aware that Ormskirk is one of the worst, if not the worst, bottlenecks in the north-west, because it is built around the crossroads of the A59 and the A570? That applies particularly to traffic heading from the M58 to Southport, which is very heavy in the summer, and sometimes queues up for more than 2 miles outside the town, leading to terrible conditions. The campaign for the bypass has been going on since before the first world war. It featured in the Department's programme until 1998, when it was picked out, and it is now joint second in the Lancashire plan. During my time in Parliament, six Ministers have been to see the problem—I would be delighted if my hon. Friend were to be the seventh. Even more importantly, will he talk to the council and the Highways Agency to get the project moving?

Mr. Jamieson: I congratulate my hon. Friend on his robust campaigning on this issue. I am very aware of the congestion in Ormskirk, and I would happily be the seventh Minister to visit that road. As he knows, it is due for de-trunking, and should therefore become the responsibility of Lancashire county council. I have asked the Government Office for the North-West to reignite the discussions between the Highways Agency and Lancashire county council with a view to getting the council to take the road over. It will then be able to apply for local transport plan funding for the bypass. Although I cannot give my hon. Friend a guarantee that that will be possible, the very substantial increase that the council has received over the past three years should give him grounds for optimism.

Dr. John Pugh (Southport): A bypass would bring economic benefits to my constituency, as well as to Ormskirk, and the fact that there is no opposition to it makes it all the stranger that it has not gone ahead. Is the Minister aware that recent, highly controversial changes in hospital configuration mean that ambulances going to accident and emergency departments in Ormskirk and Southport will have to criss-cross the busy town centre of Ormskirk? Will he look into that and speed up traffic in Lancashire?

Mr. Jamieson: I can tell the hon. Gentleman that we have already looked into that. I am aware that the reconfiguration of health services in the area has caused potential problems for ambulances on the road. I have asked the Government Office for the North-West to liaise with the health authorities in Southport and Ormskirk and with Lancashire county council about taking short-term traffic management measures to alleviate possible delays to ambulance services travelling along the road.

West Coast Main Line

10. **Michael Fabricant** (Lichfield): How many delayed train arrivals there were on the west coast main line in each year since 1999–2000; and if he will make a statement. [138863]

The Minister of State, Department for Transport (Dr. Kim Howells): The Strategic Rail Authority publishes performance information in its six-monthly "On Track" publication, copies of which are placed in the Library of the House. Information is provided for the services of each operator in aggregate, but not—I am afraid to say—by specific routes.

Michael Fabricant: The Minister will know, because the Secretary of State said so a few moments ago, that things are not happening as quickly as they should in terms of punctuality and timing. Can he imagine the frustration of people in Lichfield, who stand at Lichfield Trent Valley railway station and watch trains whizzing by and not stopping? There are only four trains a day to London, although there will soon be five. Lichfield Trent Valley also has no facilities for the disabled. Will the Minister meet the Lichfield commuters club, which I formed and which will meet regularly at the House of Commons, for a drink—or two or three—to discuss the problems that people encounter?

Dr. Howells: I would be delighted to meet the Lichfield commuters club and to have a drink bought for me by the hon. Gentleman.

CABINET OFFICE

The Minister for the Cabinet Office was asked—

Civil Service

18. **Kevin Brennan** (Cardiff, West): What steps are being taken to increase the proportion of disabled people in the senior civil service. [138831]

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): My Department undertakes a range of activities to encourage people with disabilities to apply to the civil service and to increase the proportion of disabled people in the senior civil service. For example, the civil service bursary scheme encourages disabled staff with potential to reach the senior civil service. The aim of such activities is to increase the proportion of disabled staff in the senior civil service to 3.2 per cent. from the current level of 1.7 per cent.

Kevin Brennan: I thank the Minister for that answer. I am sure that he is aware of the groundbreaking and innovative work of the Public Administration Committee on developing a draft civil service Bill. Does he think that we should include in that Bill provision to ensure that the civil service provides equality for disabled people, or is the civil service doing well enough under current arrangements? For example, how well are we doing in comparison with the FTSE 100 companies?

Mr. Alexander: My hon. Friend raises an important point. We are awaiting the outcome of work by the Public Administration Committee on the draft civil service Bill and we look forward to it with interest. The Government's commitment to publish a draft Bill thereafter endures. On the substantive point about the level of commitment in the civil service, I was greatly heartened by the words of Sir Andrew Turnbull on his appointment as Cabinet Secretary, when he personally committed himself to the diversity agenda in the civil service. As for comparisons with the private sector, some 12.9 per cent. of the economically active population are disabled, but data from the civil service diversity survey suggest that some 15 per cent. of civil servants have a disability or long-standing illness.

Mr. James Gray (North Wiltshire): I welcome the Government's determination to increase the number of people who are disabled who work in the senior civil service. However, I am less convinced by the Government's press release of 16 October, which said that they would achieve that by

"coordinating interdepartmental action to get better information on disabled staff at senior levels in order to understand better the barriers to progression."

In that context, we are told by the press release that only 0.5 per cent. of the 190 senior civil servants in his Department are disabled. That is more than none, but less than one. How many senior civil servants in his Department are disabled?

Mr. Alexander: I will happily write to the hon. Gentleman with the specific number. I have looked at the facts that he elucidated and I would make the following observation. The total number of staff of the Cabinet Office is just below 2,000, and the number of senior civil servants is a significantly smaller proportion. Therefore, the number of staff directly affected is very small. None the less, he raises an important point. The Cabinet Office should lead by example, and that is why I welcome the initiatives that it has taken at a corporate level—in terms of the guidance that was issued, which the hon. Gentleman seemed to dismiss—and in the work that every Department should be doing on the diversity agenda.

19. **Mr. Wayne David** (Caerphilly): What progress the civil service has made since 1997 in the employment of ethnic minorities. [138845]

Mr. Alexander: This Government are strongly committed to diversity in the civil service and to ensuring that it is fully representative of the community that it serves.The latest data, for April 2003, show that ethnic minorities make up 8 per cent. of the civil service, an increase from 4.8 per cent. in April 1997.

Mr. David: I thank my hon. Friend for that reply, but what efforts are being made to encourage ethnic minorities to enter the civil service, especially through the fast stream, which has long been the preserve of people from the white middle class?

Mr. Alexander: My hon. Friend makes an important point, but I have some positive news in relation to the fast stream. The Government promoted the fast stream summer development programme for ethnic minorities, which now provides a training placement of six to eight weeks for 60 undergraduates. There are also grounds for optimism about the further scope for work in the fast stream in years to come. We have initiated work to that effect.

Mr. Eric Forth (Bromley and Chislehurst): Can the Minister give an absolute guarantee that appointments and promotion will always be made solely on merit? Will he guarantee to the taxpayer that the best possible quality of public service will be provided?

Mr. Alexander: I am happy to give the undertaking that civil servants are appointed according to merit. However, an important factor that must be borne in mind is that we need to realise the potential of all sectors of the community. I see no contradiction between a diversity agenda that recognises that and also secures and upholds the traditional principle of merit in the senior civil service.

Tony Wright (Cannock Chase): Has not the time come now, through a single equality Act, to lay a duty on all public bodies to promote equality? The Public Administration Committee recommended that recently.

Mr. Alexander: My hon. Friend is the Chairman of the Public Administration Committee, and I take his point very seriously. I know that much work is being done on the matter of a single equalities commission, which will be given clear consideration by the Government.

Regulatory Costs

20. **Hugh Bayley** (City of York): What assessment the Better Regulation Task Force has made of the number of regulations imposing costs on business which were made in *(a)* 1992-1997 and *(b)* 1997-2002. [138846]

Mr. Alexander: The Better Regulation Task Force, which was established by this Government in 1997, carries out detailed studies of specific regulatory issues on which it makes recommendations to Government, rather than general surveys of regulations. The task force has published 29 substantive reports and made more than 350 recommendations, almost all of which have been accepted by the Government.

Hugh Bayley: Does my hon. Friend recognise the burden of regulation placed on tourism and hospitality businesses, especially the small ones? Tourism is important to the city of York, which is one of the country's most important tourism centres. It is just as important to many other towns and cities in the beautiful and historic county of Yorkshire. What is the Minister doing to speed the reform of regulation in his Department and in the House?

Mr. Alexander: I know that my hon. Friend's tireless work on behalf of the tourism and hospitality sectors in his constituency is recognised on all sides of the House, and I pay tribute to it. Specific measures taken by the Government include the licensing reforms and deregulation orders that covered the golden jubilee and new year's eve, and permanent changes have been made to the licensing regime around the latter date. Those changes are expected to save business about £1.9 billion in the first 10 years. Also, in its hotels and restaurants report of June 2000, the Better Regulation Task Force called for a major overhaul of the planning system. The Government have introduced a Bill to reform that system.

Mr. Richard Allan (Sheffield, Hallam): In the 2002 annual report, the chair of the Better Regulation Task Force says:

"If we are half way through the better regulation journey, Europe is just at the beginning."

Will the Minister say what progress he has been able to make in the context of European regulatory impact assessments in the past year? Does he plan to make those assessments available to the House, so that we can take a view while directives are still at the discussion stage, rather than when they have been finalised, when it is too late?

Mr. Alexander: I shall certainly consider the hon. Gentleman's final point. I can also inform the House that only last week I met my equivalent Minister in the Spanish Government to discuss exactly that matter. I made clear to him the Government's pride in the fact that the European Commission has begun to take forward the British agenda on better regulation. I also impressed on him the urgency of that agenda, as a way of ensuring Spanish support while we try to gain wider acceptance for it across Europe.

Mr. Peter Pike (Burnley): My hon. Friend the Minister will know that the Regulatory Reform Committee published a report a few weeks ago, and I am sure that he has been studying it. The Committee expressed some concern that the Government were not delivering quite what they had forecast. How will the Government speed matters up? Now that the Opposition have had a reshuffle, does he hope that they will be able to appoint hon. Members to take part in the Committee's work?

Mr. Alexander: I certainly value the work of the Committee. I have appeared before it and had the opportunity to read the report in question. I can give my hon. Friend some comfort as the reform of patents legislation and fire safety proposals are due to be laid before the House along with other measures in the next few months. The target set for the Government in the regulatory reform action plan is stretching, but I continue to believe that it is achievable.

Mr. Oliver Heald (North-East Hertfordshire): The Minister will know that we are losing 2,000 manufacturing jobs from this country every month. He will also know that the Confederation of British Industry survey of business leaders showed that 60 per cent. of them are likely to move jobs abroad in the next two years. Is not the reason for that the 15 new sets of regulations penned by this Government every day of the week? Is that not why 95 per cent. of business leaders report that they are spending more time on complying with Government regulations than ever before? Will he give them a Christmas present by telling British companies now that there will be no new regulations for the rest of this year?

Mr. Alexander: I welcome the hon. Gentleman to his new position on the Front Bench shadowing the Cabinet Office. He has offered the House a characteristically thought-out policy proposal in his first appearance at the Dispatch Box on this agenda. If we are going to discuss the work of the CBI in this area, a better starting point might be the words used by Digby Jones yesterday on the "Today" programme on Radio 4. He said:

"We've low inflation, low interest rates, low unemployment and some sustainable growth. In fact, we're the most successful economy in Europe".

I could hardly have put it better myself.

Points of Order

12.31 pm

Sir Patrick Cormack (South Staffordshire): On a point of order, Mr. Speaker. As you are the spokesman for the House of Commons, would you be kind enough to inform the President of the United States, whom you will certainly see during his visit, that there is great disappointment in all parts of the House that he is not to address both Houses of Parliament? Even at this late stage, would you be prepared to issue an invitation to the President to do so?

Mr. Dennis Skinner (Bolsover): He's not speaking for everybody.

Mr. Speaker: Order. I will be at a state dinner tomorrow night but it would be inappropriate for me to say anything other than, "I am very pleased to meet you, Mr. President." I think that I can anticipate what the hon. Member for Bolsover (Mr. Skinner) would like to say. The hon. Member for South Staffordshire (Sir Patrick Cormack) is not speaking for the whole House in this matter. *[Interruption.]* Perhaps, but it is not something that I want to take up tomorrow night.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Further to that point of order, Mr. Speaker. I apologise, as I did not have time to give you notice of this point. Under the guise of security changes for the presidential visit, various doors that would normally give Members of Parliament access to their office buildings are being closed. I do not wish to discuss this matter in public, but I hope that decisions will not be taken that will affect Members of Parliament on the basis of present and immediate security considerations.

Mr. Speaker: I think that the hon. Lady is annoyed about the entrance to Norman Shaw south.

Mrs. Dunwoody: North.

Mr. Speaker: I beg your pardon. I am usually a man of the north. I take my guidance from the Serjeant at Arms, whose concern is security at all times—not only for Members but for those who visit the building and, of course, our staff. I must bear all those things in mind when such decisions are taken.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Speaker. Have you been informed how many Ministers are being flown back from faraway places at huge expense in a Government panic to try to save their skin in key votes tomorrow? I have heard, although I can scarce believe it, that the Minister for Sport and Tourism is being flown back from Australia to try to prop up the Government in a very controversial vote. Have you heard about that, Mr. Speaker, and if so, will you be asking how much taxpayers' money is being spent to do that?

Mr. Speaker: I have enough to worry about without worrying about the business of the Whips. That matter is for them to worry about.

Norman Baker (Lewes): On a point of order, Mr. Speaker. I seek your help on a matter relating to written parliamentary questions. You will know that the new system allows Members to prioritise five questions a day. I have to tell you that a large number this week have come back with holding replies. You will also be aware that if those questions are not answered by Thursday, they fall and do not have to be answered at all. Will you please give Departments guidance that priority questions and other questions that have been tabled for answer should indeed be answered before we prorogue?

Mr. Speaker: I am responsible only for the questions, not the answers.

Mr. Oliver Heald (North-East Hertfordshire): On a point of order, Mr. Speaker. You will be aware that I asked the Leader of the House at business questions last Thursday if there were any plans for the President of the United States to speak to both Houses of Parliament. On that occasion, the right hon. Gentleman had no news on the matter. Given that the House expects such an event, have you had any notification from the Leader of the House that he intends to make a statement today or tomorrow to explain the position? If not, why not?

Mr. Speaker: The Leader of the House has not been in touch with me on that matter.

Miss Anne McIntosh (Vale of York): On a point of order, Mr. Speaker. Further to the point raised by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), will you give us an undertaking that we will have access to our offices in Norman Shaw north at all points during this week?

Mr. Speaker: It is my understanding that Members' offices will be available to them. Access is the concern, not the offices or entry to them.

BILL PRESENTED

Fisheries Jurisdiction

Mr. Alex Salmond, supported by Mr. Roy Beggs, Mr. Alistair Carmichael, Mr. Eddie McGrady, Mr. Austin Mitchell, Ann Winterton, Mr. Elfyn Llwyd, Angus Robertson and Mr. Michael Weir, presented a Bill to make provision for withdrawal from the Common Fisheries Policy of the European Union; to amend the Fishery Limits Act 1976; to make provision about the exercise of functions under that Act by Northern Ireland Ministers, Scottish Ministers, the National Assembly for Wales and the Secretary of State; to provide that that Act shall have effect regardless of the provisions of the European Communities Act 1972; to define English, Northern Irish, Scottish and Welsh waters; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 183].

Grammar Schools (Ballots and Consultation)

12.36 pm

David Taylor (North-West Leicestershire): I beg to move,

That leave be given to bring in a Bill to amend the School Standards and Framework Act 1998 in order to remove the powers to hold grammar school ballots and to require the Secretary of State for Education and Skills before the end of the next Parliament to consult all maintained primary and secondary schools in each local education authority in England on the future arrangements for secondary school admissions within that authority; and for connected purposes.

The grammar school system

"was a response to the needs of a vanished society which required a small educated class and a large number of manual workers. It is no longer the appropriate model for a world where most jobs require educated men and women."

Those are not my words, although I agree with every one, but those of our present Prime Minister a short time before the momentous victory in May 1997, which was famously founded on the policy tripod of education, education, education. In that brave new dawn, many hoped for an early end to selection, but here we are in the second half of a second Labour Government with a second large majority, with more children facing the 11-plus or selective entry tests for secondary education than did in 1997. In England, 36 of the 150 local education authorities still have selective systems, 15 of them wholly so. After 1997, the movers and shakers who shape our party's policies lost their nerve and abandoned our historical commitment to end selection by ability, which had been so memorably and visibly articulated through the lips of the present Home Secretary.

The idea of local ballots on the future of the remaining 164 grammar schools was introduced with a set of rules structured so that it is utterly impossible to win that ballot for change. Kafka would have swooned at the byzantine complexity of it all. It is that deeply flawed approach to consultation that my Bill seeks to set aside. That approach is shot through with anomalies, drawbacks and stumbling blocks, and it has led to only one ballot being held—in Ripon in 2000.

The practical difficulties and absurdities in the present arrangements inevitably prevent any parent, anywhere, ever again, from being given the chance to decide on the admission policies of their local grammar schools. The law must be changed. The view of every affected parent in the locality is key to the whole process, but must it be parents alone who can contribute to the debate and have a veto on change? Many educational writers argue that parental involvement in schools is too short term and too naturally entwined with the interests of their own children for them to see—in that classic Downing street phrase—the big picture. There is a strong argument that the whole community should vote, but my Bill does not tread that path. While parents are probably better placed than voters at large to know the effects of selection on children, the importance of the ultimate decision being theirs is more that it would be politically problematic for a future Government to override that decision locally or nationally, so I would expand the electorate only by including staff at local schools, whose opinions at present are either stifled or marginalised.

Mere tinkering with the regulations is wholly inadequate to extracting us from the quagmire that impedes progress. The many parents and schools seeking change are bogged down by apparent Government indifference to the outcome of local decisions. My party's commitment to lifelong learning and comprehensive education must mean the end of the division that segregation always brings for education and for society as a whole. Parental choice is actually denied where selection by examination persists, so the Government have to decide that they really want to see change. The educational and social imperatives that lead inevitably to that conclusion have to be spelled out by the Government in clear terms.

The vacuous vacillation that characterises the present arrangements is unsustainable. The status quo must go. The Government cannot just stand aside during a review, without giving any information, resources or commitments on future funding support for a reformed system, if that is indeed what parents and schools want to endorse.

My Bill's other provision would offer the Secretary of State an early opportunity to bring about historic and long-overdue reform in our nation's schools, for the enactment of the Bill would launch a large-scale, systematic and balanced debate on secondary school admission policies in each English local education authority. There would be no hiding place for the myths, distortions and half-truths that are routinely used to permit the continuance of those dodos in the educational aviary.

Some hon. Members and vested interests outside the House will fight to retain or extend secondary school selection by ability, or by its close relative, aptitude. They will doubtless cite past evidence from an imaginary golden era, when selection into grammar schools was said to offer the only escape from poverty for academic young people who would otherwise have had poorer educational opportunities, notwithstanding the fact that then, as now, grammar schools were predominantly socially selective as well—overwhelmingly peopled by children from better-off homes.

The dinosaur defenders would then fall back on the fallacious argument that standards in comprehensive education are sacrificed in an egalitarian levelling-down process. They say that the collective overall performance of schools is better in selective areas, but a proper value-added analysis and comparison of selective and non-selective LEAs shows clearly that community educational performance is actually depressed, not enhanced, in selective areas, so bang goes another stock myth.

Those who try to rationalise the irrational and promote the unpalatable will now be forced to dig deep into their reasons rag-bag. An old mantra from new Labour seeps into their thinking: people want choice and diversity, they will assert triumphantly. Sadly, in a selective system, only children able to pass the test on a wet Tuesday in February, and their parents, have more choice of school. Only when all schools in an area are comprehensive do families have access to a real and more meaningful choice.

So finally, in desperation, the republican guard around the final citadels of privilege will deploy their Exocet excuse. They will say, "What's wrong with

selection? It happens in real life." But selection takes no account of the fact that children develop at different rates. It sets at naught the facts that there cannot be selection for the few without rejection for the many and that selection separates children socially at an early age, dividing families and friends. Is that not social exclusion for those who may see themselves as failures?

There is renewed pressure to end secondary selection—for example, the recent launch of a parliamentary campaign to modernise secondary school procedures, called "Comprehensive Future", the aims, values and philosophy of which are contained in early-day motion 1859. I hope and believe that my Bill is entirely consistent with those ideals. Last weekend, in the Caroline Benn memorial lecture, Professor Sally Tomlinson excoriated the present mania for diversity, which frustrates the comprehensive ideal.

Let me offer some final perspectives, all three from men educated in boys' grammar schools. First, Shakespeare was over-critical of selection when, in "Henry VI, Part 2", he wrote:

"Thou hast most traitorously corrupted the youth of the realm in erecting a grammar school".

Secondly, Alastair Campbell was unjust in his facile phrase, "the bog-standard comprehensive". Finally, my modest measure triangulates a third way between my two fellow midlanders. There is solid evidence identifying the links between high levels of segregation in secondary schools and increasing levels of social exclusion, and the relationship between the difficult circumstances of many inner-city schools and the selective admissions strategies of neighbouring areas and adjacent boroughs. Ofsted regularly reports on the narrow social base of grammar schools in terms of free school meals, ethnic minorities and students with special needs.

The case for change is completely compelling. There is a mood for change out there; the means for change lie in here; the time for change is right now. I commend the Bill to the House.

Chris Grayling (Epsom and Ewell): Let me start by welcoming two things that I heard during the contribution of the hon. Member for North-West Leicestershire (David Taylor). First, the concept of scrapping provisions to hold ballots about the future of grammar schools is an excellent one. The sooner the House enacts such a measure, the better, because those provisions are proving hugely disruptive to schools. Last week, I spoke to the head of a grammar school who said, "The fact that we have this hanging over our heads year after year is enormously disruptive." It takes the leadership of a school away from what it should be doing—educating the pupils. I therefore think that it is a superb idea, and if the Bill were merely about removing that provision, I have no doubt that it would receive overwhelming support from the Opposition.

The second welcome thing about the hon. Gentleman's speech is that it shows clearly that old Labour is alive and well on the Labour Benches. This is an old Labour measure writ large. It is all about the old days of the Labour party and the desire to end the things that worked for this country. It is the living proof of why what was done in 18 years of Conservative Government was right, and why this country would be a worse place were the Government to fall back into the hands of Labour Members like the hon. Gentleman. This is yet another Labour attempt to undermine and destroy grammar schools, which are doing a first-rate job educating pupils in many parts of the country. I am surrounded by representatives of those areas, such as Buckinghamshire, Trafford, Bromley and Salisbury. Sadly, I am not surrounded by those who represent the excellent grammar schools in Kingston and Sutton, as they sit on the Liberal Democrat Benches, but I hope that in the near future those areas too will be represented by people who will sit on the Conservative Benches.

The reality is that grammar schools today provide an opportunity for all, and they have always done so. They do not as our education system does all too frequently today. Select by estate agent. Today, one's choice of school is determined by where one lives, and where one lives is all too often determined by the wealth of one's family and one's parents. If one happens to have been born on the wrong side of town, therefore, there is, in those areas where there is a grammar school, a chance to move into the best school in the area, selected by ability and intelligence, not by one's ability to pay or by the wealth of one's family. There are many places in this country where the great grammar schools provided that route to academic success for people from all walks of life. It is no accident that back in the 1960s a higher proportion of those who went to university came from working-class backgrounds than do today. That is no coincidence, because grammar schools provide a quality education and quality educational support for people from all walks of life.

I freely admit that the difficulty with grammar schools was related to transfer at age 11. Undoubtedly, there were those who suffered in an arbitrary system. The Labour alternative to deal with potential injustices in the system, however, is to dumb down the best schools. Rather than finding an alternative ladder for those who have the opportunity to achieve, Labour wants to take away that ladder from the best and most able in our society. That is madness.

Grammar schools provide an excellent academic environment, which affects not only those who attend them: they pull up the whole education system. It is no coincidence that even non-selective schools in the London boroughs of Kingston and Sutton do better than the comprehensive schools in their neighbouring boroughs. *[Interruption.]* The hon. Member for North-West Leicestershire might say that that is not true, but I speak as a former opposition education spokesman in the London borough of Merton, which directly abuts Sutton and Kingston. What I said is absolutely true, because grammar schools contribute to an overall sense of excellence in their local education systems. They provide opportunities and encouragement, and they pull up standards. The idea that their removal would enhance educational success and performance is complete nonsense.

Most importantly, parents want grammar schools—the few that survive are hugely over-subscribed. Nonsuch high school for girls, which is on the fringe of my constituency, had its test for children who wished to attend it last week. It was heaving with applicants, showing that hundreds of parents want their children to attend grammar schools. Who are we to deprive them of that choice?

[Chris Grayling]

It is worth telling Labour Members that such schools are especially popular with pupils from ethnic minority backgrounds. The hon. Member for North-West Leicestershire will remember the comments made by Trevor Phillips from the Commission for Racial Equality when the education debate was focused on entry to university for pupils from independent schools. He rightly pointed out that many families, especially Asian families, work extremely hard to send their children to independent schools because they want the best education for them. The same is true of grammar schools. Those who were involved in the test at Nonsuch school noted with a wry smile that one room was almost entirely filled with young girls with the surname Patel. Asian families are desperate, enthusiastic and determined to help their children into grammar schools so that they get the best education. Are we seriously to say to those families and families from other ethnic minority groups that their children should no longer have that opportunity? It would be wrong to do that.

Parents want grammar schools, and grammar schools deliver results of excellent quality. They pull up educational standards in their areas, and local education authorities that contain grammar schools are among the top-performing authorities in the country. Taking the opportunity to pursue academic excellence away from the children of people from all walks of life would be a total travesty and utterly inappropriate. It would once again do what the Labour party has delighted in doing over the years: destroying excellence in search of equality. That is the wrong way to go about things and this latest attack must not be allowed to succeed.

Sadly, I fear that we will return to the issue year after year as more old Labour Members try to send the wrong message to our grammar schools and those who teach in and lead them. They do not congratulate them on the excellent work that they do for their pupils or the opportunity that they provide for people from all walks of life, but say, "Actually, we think you're a bit too good, and we want to get rid of you." That is not the right way to make progress. We should champion excellence rather than dumbing it down. We must oppose the Bill.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 132, Noes 105.

Division No. 368] **[12:53 pm**

AYES

Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Brennan, Kevin
Buck, Ms Karen
Burgon, Colin
Calton, Mrs Patsy
Campbell, Ronnie *(Blyth V)*
Challen, Colin
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Flynn, Paul *(Newport W)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gerrard, Neil
Gidley, Sandra
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Hepburn, Stephen
Hopkins, Kelvin
Humble, Mrs Joan
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Lazarowicz, Mark
Lepper, David
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
MacDonald, Calum
MacDougall, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Mudie, George
Organ, Diana
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Rapson, Syd *(Portsmouth N)*
Reid, Alan *(Argyll & Bute)*
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Tipping, Paddy
Trickett, Jon
Truswell, Paul
Tynan, Bill *(Hamilton S)*
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wills, Michael
Wood, Mike *(Batley)*
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*

Tellers for the Ayes:
David Taylor and
Mr. Lindsay Hoyle

NOES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Barker, Gregory
Bellingham, Henry
Bercow, John
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brazier, Julian
Butterfill, John
Cameron, David
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Curry, rh David
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl

Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jackson, Robert *(Wantage)*
Key, Robert *(Salisbury)*
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Opik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paterson, Owen
Pickles, Eric
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Sheerman, Barry
Shephard, rh Mrs Gillian
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, rh Sir John
Streeter, Gary
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Trend, Michael
Tyrie, Andrew
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*

Tellers for the Noes:
Mr. Eric Forth and
Mr. Andrew Turner

Question accordingly agreed to.

Bill ordered to be brought in by David Taylor, Mr. David Chaytor, Mr. Colin Challen, Tony Lloyd, Mr. Gordon Prentice, Mrs. Janet Dean, John Austin, John Cryer, Mr. Kelvin Hopkins, Mr. Roger Berry, Valerie Davey and Dr. Doug Naysmith.

GRAMMAR SCHOOLS (BALLOTS AND CONSULTATION)

David Taylor accordingly presented a Bill to amend the School Standards and Framework Act 1998 in order to remove the powers to hold grammar school ballots and to require the Secretary of State for Education and Skills before the end of the next Parliament to consult all maintained primary and secondary schools in each local education authority in England on the future arrangements for secondary school admissions within that authority; and for connected purpose: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 182].

SEXUAL OFFENCES BILL *[LORDS]* (PROGRAMME) (NO. 2)

Mr. Douglas Hogg (Sleaford and North Hykeham): On a point of order, Mr. Deputy Speaker. I have been trying to get the Speaker's selection list for the next Bill on the Order Paper. I had hoped to participate in the debate on the Sexual Offences Bill and that the selection list would be available before it began, because it is difficult to prepare for the Criminal Justice Bill without it.

Mr. Deputy Speaker (Sir Alan Haselhurst): I can tell the right hon. and learned Gentleman that one reason why the Speaker is not in the Chair and that I, as Chairman of Ways Means, am occupying his place is that he is currently engaged on that matter. I expect the selection list to be published imminently.

Mr. Hogg: Further to that point of order, Mr. Deputy Speaker. I am grateful for that, but surely the situation highlights the desirability of the Government not cramming and compressing business in such a way, because if they did not, the Speaker would not be in the difficulty in which he finds himself.

Mr. Deputy Speaker: I can only express sympathy to the right hon. and learned Gentleman, but it is not an uncommon occurrence in the annals of parliamentary history.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Mr. Deputy Speaker. Perhaps you and Mr. Speaker might consider a brief suspension of the sitting between consideration of one Bill and another. As my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) pointed out, it is unreasonable to expect hon. Members to participate in the proceedings on the next item without knowing what will be selected for the subsequent item. Would not a brief suspension be appropriate so that hon. Members could acquaint themselves with the selection and prepare for the following debate?

Mr. Deputy Speaker: I do not believe that a suspension would be helpful. I am sure that once the Speaker's selection is known, hon. Members can ascertain the extent of the business that faces the House later.

Mr. Hogg: Further to that point of order, Mr. Deputy Speaker. When the Speaker has made the selection and it is in the Vote Office, could you make a statement to that effect so that those of us who are participating in the debate on the first Bill can go and get it?

Mr. Deputy Speaker: I shall arrange for that to be done.

Motion made, and Question proposed, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following provisions shall apply to the Sexual Offences Bill [*Lords*] for the purpose of supplementing the Order of 15th July 2003.

Consideration of Lords Message

1. Proceedings on consideration of the Lords Message shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement at this day's sitting.

Subsequent stages

2. Any further Message from the Lords may be considered forthwith without any Question put.

3. Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Charlotte Atkins.]*

Question agreed to.

Orders of the Day

Sexual Offences Bill *[Lords]*

Lords message considered.

New Clause

Lords amendment: No. 1A.

1.11 pm

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this we may discuss amendments (a) and (b) in lieu of Lords amendment No. 1A and consequential amendment (c).

Paul Goggins: As I said on Report, both Houses and all parties should take the credit for progress on a difficult Bill and for the consensus that was reached. As I also pointed out on Report, the consensus includes agreement on pre-charge anonymity. However, we continue to disagree about the route that we should take to secure our objective.

The Government strongly maintain the view that we wish to follow the route of strengthened guidance and effective codes of conduct. As I said previously, we have held discussions with the Association of Chief Police Officers and the media to attain the objective. We also strongly believe that even if it were right to legislate on the issue, it would not be right to do that in the Bill.

Amendment (a) would provide anonymity to persons suspected of an offence under the Bill up to the point of charge. It specifies the details of a suspect that should not be published. It also provides for circumstances in which reporting restrictions could be lifted upon the application by a police officer of the rank of chief inspector or above.

Amendment (b) would provide anonymity for those being investigated for an offence under new schedule 8 so that their names could not be reported until and unless they had been charged or a decision had been made not to prefer charges.

Although we appear to be considering a narrow policy, there are many discrepancies between amendments (a) and (b). Amendment (b) is limited to cases about which a police investigation is under way up to the point of charge or when an investigation results in a decision to take no action. Amendment (a) but not amendment (b) would cover cases in which speculation was rife but no complaint was made or police investigation instigated.

The penalties in amendment (a), including imprisonment up to a maximum of two years, are inconsistent with penalties that have been set for other reporting restrictions, which the level 5 fine limit in amendment (b) reflects. Amendment (b) lists the sex offences to which the reporting restrictions should apply but amendment (a) limits its scope to offences in the Bill. That means that the reporting restrictions would cover neither other sexual offences in previous Acts nor offences relating to child pornography under the Protection of Children Act 1978. There is no obvious reason for that.

The effect of amendment (b) is that the proprietor of a newspaper would commit a criminal offence if a member of staff revealed a defendant's identity, even if the proprietor had no knowledge of that. The amendment provides a defence when a programme is broadcast live, but not in any other circumstances.

Both amendments provide that anonymity can be lifted by the court only on application by police of the rank of inspector or chief inspector, depending on the amendment. I believe that that would place an undue burden and difficulty on the police who investigate the crime. It could slow down progress in identifying and locating a dangerous offender. It would also mean that a victim could not apply for lifting the defendant's anonymity.

Given the nature and tone of the debate throughout the Bill's passage, it would be unfortunate for any amendment on anonymity to be placed in clause 2, which immediately follows a clause on rape. That would fail to show sensitivity to the victims of such a crime and give the issue undue prominence. That would be an unfortunate outcome.

We have listened carefully to representations from those who are worried about the genuine harm that can be caused by reporting defendants' details. We also recognise that much anxiety arises from the damaging publicity that is often generated pre charge. However, we firmly believe that informed and strengthened guidance to the police and the media is preferable to any change in legislation.

The police code of conduct provides that information that comes into police possession should be treated as confidential. It should not be used for personal benefit or divulged to other parties except in the proper course of police duty. The code also demands that police officers have a specific responsibility to act fairly and impartially in all their dealings with the public and their colleagues, regardless of whether they are on duty. They should not behave in a way that is likely to bring discredit to the police service. Unauthorised disclosure of information about a suspect by a police officer is likely to be considered a breach of the code. Disciplinary proceedings may commence. An officer could face dismissal or even prosecution, depending on the circumstances of the case. In 2002–03, approximately 61 such cases were substantiated.

An agreement has been reached with ACPO to amend its media and disciplinary guidelines to all forces to give greater prominence to the rules that govern the release of information about anyone suspected but not yet charged with an offence.

Mr. Humfrey Malins (Woking): Given the general acceptance of the principle of anonymity for a complainant in a rape case or similar, and that the Minister understands that many potential defendants

suffer great unfairness through publicity, will he give us hope that, if not today, at some stage in the future, important measures will be introduced to protect potential defendants who are never charged but often ruined?

Paul Goggins: I understand the hon. Gentleman's anxieties and I considered them deeply. I do not perceive a direct parallel between the interests of a complainant and those of a defendant. There is no direct read-across; the position is different, and much evidence suggests that we should consider the issues separately. However, I share his view, which he has often expressed, that anonymity should be preserved pre charge in the vast majority of cases. The question that we are debating is the route whereby we attain the objective. As I said, agreement has been reached with ACPO, which has strengthened its guidelines. The stronger guidance has already been effected, bringing the importance of the issue to the attention of police officers.

The Government have also held proactive discussions with the chairman of the Press Complaints Commission, and the press are consequently examining their code of conduct to ascertain how it can be strengthened to ensure that those suspected but not yet charged with offences are not named in the media.

The Government maintain a clear, consistent position on this issue. We agree, as I have just said, that in most cases there should be anonymity pre charge, and that the effective use of police and media codes is the best way to achieve that objective. I have been able to report to the House previously, and I can report again today, that progress has been and continues to be made down that route. Clearly, we are not yet in a position to judge the effectiveness of the route; we need more time to make such a judgment.

I do not believe that the case for legislation has been made. It is clear from amendments (a) and (b) that there is still disagreement on how such a provision would be achieved if it were to be put on the statute book. There are clear differences between the proposals, which will no doubt become more apparent as the discussion unfolds. We are also strongly of the view that if the case were ever made for legislation, it should not simply be in relation to sex offences, but should be more broadly defined. All this is underpinned by the commitment made by my right hon. Friend the Home Secretary on Third Reading that if our efforts to move down the voluntary route do not work, further action will be needed.

After all our deliberations in Committee and on the Floor of both Houses, we have arrived at the point at which a balanced judgment must be made about this issue in relation to the considerable benefits that will be achieved by the Bill as a whole. I hope that, as a result of our debates today, we shall be able to preserve the consensus that has emerged on the Bill. I urge Opposition Members not to press their amendments to a vote, but to support the Government's genuine efforts to build progress down the voluntary route. In the end, this can deliver the objectives that we all seek, and I urge the House that we should commit ourselves to self-regulation rather than legislation.

Mr. Deputy Speaker: Order. Before I call the hon. Member for Beaconsfield (Mr. Grieve), may I inform the House that Mr. Speaker's selection on the Criminal Justice Bill is now available in the Vote Office?

Mr. Dominic Grieve (Beaconsfield): May I, as usual, thank the Minister for the way in which he has presented the Government's position on this matter? I am mindful that many of the points that he has made have a great deal of force. If we could achieve a voluntary regime that restrained some of the worst excesses of the media feeding frenzies that occur when individuals are being subject to investigation and before charge, I would be heartily glad of it. I confess, however, that I have an inbuilt pessimism that that could happen under a voluntary code. I also take the view, which is shared by hon. Members on both sides of the House, that this is a serious matter that undermines the processes of justice. That said, I am aware that the amendment passed in another place, which is couched in quite vague terms and lacks detail in certain areas, is there to prompt the Government. It was with that in mind that we came up with amendment (b), to which I wish to speak briefly. I am also conscious that the Liberal Democrats have tabled an amendment that strives to achieve similar things, but in a slightly different way.

I acknowledge that the press have a very important role to play in respect of the detection of crime and the exposure of wrongdoing. One matter that has concerned me greatly is that, if we were to have a statutory framework, it should be made clear that it would not provide a continuing prohibition on the press from reporting, with their usual fearlessness, examples of wrongdoing. For example, in an investigation in which a person was arrested but no charges were brought, if the press had material that would enable them to expose that person and face up to the laws of libel 12 months down the road, it would be quite wrong for us to introduce a fetter to prevent that from happening. Some of the early attempts to deal with this matter would have done precisely that.

Bearing that in mind, my amendment is very tightly drawn. It seeks to deal with the specific period between the time at which an allegation is first made to the police and they decide to investigate it, and the point at which they either charge the person or announce that no criminal charges are to be brought. The provision would have to include a guidelines code that perhaps went a bit wider than that. It deals with the specific period during which, as we know from past examples, a media feeding frenzy can be at its very worst. It would not be impossible, in those circumstances, for the system to operate under a statutory code during that time.

I accept the Government's argument that to have a disproportionate penalty in regard to these measures and those in the Youth Justice and Criminal Evidence Act 1999 relating to revealing the name of a 15-year-old defendant would be quite wrong. It would also be right to reduce the penalty because this should be a form of disciplinary measure against the media, rather than one that leads to people being locked up. For that reason, I differ with the Minister on whether the defence should

[Mr. Dominic Grieve]

be available to a proprietor or editor that they did not know what material was going into a broadcast that was not going out live. I believe that it is the absolute responsibility of proprietors and editors to run their operations in a way that ensures that that does not happen. Of course, I accept that other considerations apply to live broadcasts. Indeed, in a recent case, it was precisely the utterance of a private individual during a live broadcast that started a media feeding frenzy, although at the end of the day no one was charged with an offence. I understand that, in those circumstances, it would be wrong for an editor or proprietor to be held responsible. However, if they know that an investigation is taking place, they still have a duty to take reasonably practical steps to ensure that such material is not used in a live broadcast.

If a broadcast is not live, however, and the usual vetting procedures have taken place, excuses are not acceptable, particularly when the penalty is a mere fine. In the case of most of the proprietors that we are thinking of here, that would not be a particularly onerous burden. In that sense, this is akin to health and safety at work legislation, which places responsibilities on people not to act negligently. If they do, I believe that a rap over the knuckles is perfectly proper.

I am mindful that I might not be able to press this amendment to a vote, because another amendment might be pressed by the Liberal Democrats. I regret that, because for reasons that I have already explained to Liberal Democrat Members, I think that my amendment is better than theirs. I also think that it comes closer to meeting the justified anxieties of the Government in regard to the far more draconian sentencing regime.

The Minister said that our amendment contained no provision for others to appeal to get an order lifted. I have considered that, and I fully accept that there might be a way of introducing such a mechanism if the Government wanted it. The difficulty would be that, in the short period that I hope the investigation would take—normally a few months—it would put a heavy burden on the magistrates courts if they became cluttered with numerous requests from the media to lift a ban on reporting the identity of the person concerned, especially as the police are undoubtedly best placed to decide whether such a ban should be lifted if the interests of justice so require. I would hope that such a mechanism would not be necessary. If, however, the Government felt that that was essential, and came up with proposals that included such a provision, I would certainly not stand in their way. I had difficulty shaping my proposal to fit the rather tight drafting that I was trying to achieve.

1.30 pm

I do not want to prevent others from participating, so I shall conclude shortly. If the Liberal Democrats press their amendment to the vote, and I believe that they might be better placed to do so than we are, we will support them, not because we wish in any way to obstruct the passage of the Bill—we do not; it commands widespread support—but because there is a message here that needs to be repeated. There is widespread public disquiet on the issue and we want to ensure that that disquiet is fully registered. If that leads to a voluntary code, so be it. If it does not, I make this request of the Minister.

Next year, there is to be a victims and witnesses Bill. There will be an opportunity there to add a defendants' provision, which could be extended far further than sex offences, if that proved necessary. That, of course, would meet the objection that the hon. and learned Member for Redcar (Vera Baird) has frequently raised and which I understand: concentrating on sex offences sends out the wrong message. If we were to go down the road of a statutory prohibition on reporting in that brief period, I would be totally happy to see it extended to all those who are being investigated for crimes, not simply sexual offences.

The Government have an opportunity here, and I hope that the Minister might consider that and respond positively, particularly if it becomes apparent that the voluntary framework is not working.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): I rise to speak in favour of amendment (a), which in part agrees with the Government's disagreement with the House of Lords, but its intention is to achieve a measure better than that passed in the other place.

Clearly anonymity is a much debated issue, and there still seems to be a strong feeling in the other place that it should be extended to the point of conviction. However, I believe that the Minister has confirmed today that there is a consensus emerging that anonymity should be extended to the accused up to the point of charge. I do not want to go into the arguments—we have heard those before—but the outstanding issues are whether anonymity up to the point of charge covers all offences or just sexual offences, and whether that anonymity should be achieved by a voluntary agreement or by legislation.

I believe that there should be anonymity up to the point of charge for all offences—I think I have made that clear throughout—and I agree with the hon. Member for Beaconsfield (Mr. Grieve) that it would be good, in the event of the Government not agreeing to our amendment, to have an assurance to revisit what is an important issue among the general public.

There is a case for addressing the issue in relation to sexual crimes. As many noble Lords argued, there is a particular social stigma attached to such crimes. We have had high-profile cases such as that of Matthew Kelly, but teachers, youth workers and many who work with young people feature at local level—their future employment prospects and their standing in the community are affected, even if there is never a charge. That is quite different from a case of theft. We have this opportunity to pass an amendment that will strengthen voluntary negotiations with the media regarding all crimes other than the sexual crimes that we have defined in the proposal.

I appreciate the Government's ongoing talks with the police and I am pleased to hear that an agreement has been reached. It is clear that any police officer releasing

information to the media without legitimate authority to do so should be dealt with under police procedures. I am also pleased that the Government are in negotiations with the Press Complaints Commission. Like the hon. Member for Beaconsfield, I do not want to restrict freedom of the press unduly—there is always a balance to be struck—but my hon. Friends and I do not have the confidence that there will not remain a temptation to print and publish certain stories that will make for good sales.

I want to underline a point that was made by my noble Friend Lord Thomas in the other place: if the Government want to try a voluntary arrangement, perhaps they could defer bringing the provision into operation while they make that attempt. In other words, they would have something in their back pocket. Amendments (a) and (b) have evolved from a proposal that was first tabled in Committee by my hon. Friends and me. At that stage, Conservative Members were taking a different approach, but we are pleased that there has been a process of evolution, with both opposition parties incorporating additional ideas as the consequence of discussion, which surely is a good way forward.

Our amendment includes the waiving of the right to anonymity as well as the power to make an application to lift reporting restrictions. I contend that amendment (a) is slightly superior to amendment (b), although there is a criticism that having to go to court to lift reporting restrictions could hold up the process. However, owing to the requirement to apply to a single justice, it should be possible to deal with that quickly.

Further, we have clearer definitions. We have been clear about the fact that there must be an intention to reveal the identity of someone against whom allegations are being made. We have made the sentences in line and consistent with other relevant legislation. The measure is approaching what could be good legislation. There are not great differences between amendments (a) and (b), because the principle that we wish to achieve is exactly the same, but I give notice that we would like to press amendment (a) to a vote.

Vera Baird (Redcar): No Tory in the House of Lords nor any Liberal Democrat there, nor even either of those parties' representatives here today in the Commons, has any interest at all in the welfare of women rape complainants—not a one. They press on with this proposal, knowing perfectly clearly that if they advance this argument in respect of sexual offences it will have a deleterious impact on women complainants.

I hear worries about rape defendants, almost all of whom are male, having to be protected against allegations of wrongdoing against them being made public, in the way that allegations of wrongdoing, whoever they are made against, are made public across the board because the principle is that justice should be heard in public.

Mr. Grieve: On that basis, presumably the hon. and learned Lady would not wish to have a voluntary code either, because that is an indication of some fetter that she considers inappropriate.

Vera Baird: Probably the hon. Gentleman leapt to his feet as I was about to say the phrase that deals with what he is saying. The principle of justice is that justice is heard in public, and that must be maintained. If, however, there is to be some across-the-board provision, that will not have the sting that this provision—which is aimed at sexual offences, and therefore predominantly at women—inevitably will have.

This provision says that such defendants—basically males, of course—are a special group who must not be exposed to the strain that such allegations expose them to because there is a likelier chance than in any other case that they will be acquitted. Does nobody care for a second about the number of women who are raped and sexually abused? They live lives of perpetual silent anguish, unable to come to court because, with a conviction rate of 5.7 per cent., they are quite unable to be satisfied that they are likely to get support from the police, the Crown Prosecution Service, the judiciary or anywhere else. That has been going on for years and years.

As everyone knows, until 1992, there was no law that rape within a relationship was an offence. Of course, that carried forward to other relationships outside marriage, so women simply did not bring such allegations forward. It has taken many years for women to digest the truth that they do not have to put up with whatever is doled out to them just because they are in a relationship. Having started to take that appreciation forward, there is none the less repeated failure in the criminal justice system to achieve just convictions.

Over the past couple of years, the Government have done their best to change things to help the women involved. That began in 1999, when they altered the rules on the admissibility of previous sexual history. The greatest deterrent to women who might otherwise have come forward was the fear that their sexual history would be tossed in their faces willy-nilly in an attempt to discredit them, but the Government have stopped that. The Bill has changed the definition of rape in a helpful way, applying sensible tests to the across-the-board statement "It does not matter what she was doing; I believed that she was consenting". The Government are making progress: they are trying to help women who have lived in silent anguish for a long time.

Sandra Gidley (Romsey): I may have intervened too early. While the explanation of the rape laws has been interesting, I fail to understand how anonymity will affect the conviction rate. Women who are frightened to come forward may be more willing to do so if they feel that they will be better protected if the identity of the accused is kept secret until he is charged. We have reversed the former situation, but I have yet to be persuaded that in this day and age, when the benefits of coming forward are emphasised so strongly, anonymity will have a detrimental effect.

Vera Baird: I have not a clue what the hon. Lady means about securing extra protection for complainants by giving defendants anonymity, but she invites me to explain why granting them anonymity only in sexual offence cases would be deleterious to complainants, so I will do so.

[Vera Baird]

There are still problems in securing convictions, and in encouraging women to come forward. Years of campaigning by women was finally ratified, as it were, by a joint report by inspectorates of the police and the Crown Prosecution Service in March 2002, which stated that cases of this kind were not pursued with sufficient vigour because of a belief among all institutions that bring them to court that they were likely to result in acquittals.

Mr. Grieve: The hon. and learned Lady's remarks would make sense if we were dealing with anonymity throughout the trial process. In that context, I have always thought that her comments have real merit. Here, however, we are dealing with the very short period between the point at which the police are seized of the matter and start investigating the person concerned and the point at which they decide either to charge or not to charge. Given that our amendment might also apply to women accused of having sexual relations with under-age boys, for instance, I am at a loss to see how it could target women in particular. I am also at a loss to see how it would prevent or hinder women victims from coming forward.

Vera Baird: I am sorry the hon. Gentleman is at a loss. The number of women against whom there are allegations of sexual misconduct of the kind that he posits can probably be counted on the fingers of one hand in any given year, and, as he must know, almost all defendants are male. The impact of any measure levelled against defendants in such cases will fall on women defendants: that is 100 per cent. certain. It is therefore not sensible to suggest that there is any parity of concern.

The inspectorates of the constabulary told the police that they were not investigating cases properly because they thought they would fail. The inspectorates of the CPS told the CPS that it was not trying hard enough to make the police investigate, and that it was not pursuing prosecutions vigorously enough because it too expected them to fail. There is even a substantial argument for the case that the judiciary does not put its back into trying to secure proper trials because it shares that expectation. It is all due to the old baggage that we must still carry with us.

The Government have taken steps to improve the position. The police now have a clear policy and clear guidance to ensure that they investigate rapes properly, because the Home Office told them to obtain that guidance. As a direct result of the work of the Attorney-General and the Solicitor-General, who is present, there will be specialist rape prosecutors whose guidance will require them to ensure that the police investigate properly. At long last, the judiciary will have to undertake serious sexual offence training courses to help them to understand the importance of dealing sensitively with rape cases, and of not being cavalier. All those moves convey the message that we take rape complaints seriously from day one until the final outcome. Women are being sent a good message—the message that they will be supported by the powers that be if they come forward, and that they will be given a fair hearing.

1.45 pm

How will that message survive, though, if another message is sent by us today? What if the impression is gained that Parliament considers sexual offences so unlikely to lead to convictions that it is earmarking them for special treatment, granting anonymity only to this sector of defendants? This other message will tell people "We have gone through the motions of telling the police and the CPS to try a bit harder. We have asked the judiciary to put behind them prejudices that they have expressed all too often. But we truly, truly do not mean it, because even we think that sexual offences are highly unlikely to produce convictions."

Of course there is concern about people who are accused before being charged, and about the publicity that follows. As almost everyone has conceded, however, that applies equally to offences across the board. The dangers of earmarking sexual offences are very clear. Women who have suffered perpetual anguish, unable to obtain justice, will be sent a message that the criminal justice system is happy in the belief that it is more important for a few defendants in a specific category not to be put through what would probably be a transient anguish. "Stay in perpetual anguish—we will not support you" is not a message that I want the House to send, and I dare say that the Government will not let it be sent.

Mr. Douglas Hogg (Sleaford and North Hykeham): I broadly sympathise with the general approach adopted in amendments (a) and (b), but I want to make four points.

First, if we are to grant anonymity it is probably right for it to apply to all offences, not just sexual offences. I agree with the conclusion of the hon. and learned Member for Redcar (Vera Baird), although I am bound to say that I did not agree with her argument.

My second point is fairly narrow, but it is worth bearing in mind, because the amendments may give rise to legislation. In any definition of the prohibited characteristics of the alleged offender such as appears in subsection (3) of amendment (a), it would be wise to include the relationship of that person with the alleged victim. Although that probably falls within the scope of subsection (2), once we set about identifying particulars, we had best include the relationship with the alleged victim. For example, referring to a close relative of the alleged victim would identify the person involved. That does not fall within the scope of subsection (3), but it probably does fall within that of subsection (2). In any event, I think it worth including as a specific identifying criterion.

My third point is that it is absolutely right to provide a power to apply to the court to disapply the general prohibition. The police officer should be of a rank superior to the rank of chief inspector, which is not sufficiently high for such an important application. The Bill should prescribe the criteria that the officer has to satisfy. In the Bill, we are looking at the interests of justice, but that is a general phrase. However, in most cases, the application will be made to secure the arrest of someone who is seeking to evade arrest. It would be preferable for the criteria to be tightly defined in place of the general language in amendment (a).

My fourth point is a technical one, but it is worth making. In law, the publisher is often deemed to include the vendor. The retailer of newspapers can, for certain purposes, be described as the publisher in libel cases. Everyone who is responsible for making something public becomes the publisher. I would be surprised if anyone intends the vendor of a newspaper, as opposed to the editor or the proprietor, to be caught by the provision.

My hon. Friend the Member for Beaconsfield (Mr. Grieve) has identified that possibility in his amendment, but amendment (a) does not cover the situation accurately. It is important to make it plain that the retailer of newspapers, who is entirely innocent in the matter, is not held liable in law, otherwise, we will interfere with free speech. Only people who are genuinely liable should be caught by the penal provision. I acknowledge that my hon. Friend the Member for Beaconsfield has already covered that in his amendment.

Mr. David Heath (Somerton and Frome): Is there not a more general application of the point that the right hon. and learned Gentleman has just made about the definition of publisher? Do we not need a new construction of the law because the present construction is rather archaic and unhelpful in defining the difference between someone who publishes a piece of literature and someone who sells it?

Mr. Hogg: That may be right, but one would want to look at the definition with regard to particular statutes. We do not want to revisit the general construction or interpretation of statutes measure that was passed at the end of the 19th century to make a general provisions test of the meaning of publisher. We should deal with that on a case-by-case basis.

Paul Goggins: It was remiss of me not to offer my congratulations to the hon. Member for Beaconsfield (Mr. Grieve) on his recent appointment as shadow Attorney-General. I am sure the whole House will want to join me in congratulating him now.

As always in our debates on this issue, the nature of the discussion, while we disagree fundamentally about certain aspects, has been constructive, and our progress on the voluntary route has been genuinely welcomed by Opposition Members, for which I am grateful. The hon. Member for Beaconsfield generously acknowledged that the Government's argument has a great deal of force. Indeed, on a previous occasion, he acknowledged that the voluntary route might work. He was sceptical, as he was again today, but he did not rule it out. I urge him even at this stage to reconsider his decision on any forthcoming votes and say that he is persuaded to give the voluntary route a chance to work instead of supporting the amendment. He argued strongly that he has done his best to draw his amendment as tightly as possible, for which I pay tribute to him. Even so, the amendment gives rise to two difficulties. First, it does not rule out speculation before a police investigation has begun.

Mr. Grieve: I entirely accept that. In a free society, that is something that it is difficult—and in some circumstances wrong—to control. If, for instance, the police refused to take action following serious allegations about a high-profile figure, the free press might have a role to play in risking the libel laws and publishing their material. I would not dream of wanting to interfere with that.

Paul Goggins: The hon. Gentleman's point is well made, and he has given an example of such action. The expectation out there is that the amendment would catch such behaviour, but it clearly would not.

Secondly, I urge the hon. Gentleman to accept that the point at which it is decided not to make a charge is not always a precise moment in time, so judging when it had been reached would be tricky. In our discussions of the amendments we have said much about the media, but not about the police. I emphasise that our attempt to move down the self-regulation routes applies equally to the police and the media. I am determined to ensure that any hint or evidence that the police are passing information on to the media is dealt with most severely.

Mr. Heath: It is not at the moment, but it should be.

Paul Goggins: We are working with the Association of Chief Police Officers to toughen the guidelines and make sure that if money changes hands, and if it can be proved to be a criminal offence, the required action is taken. That is possible under the voluntary arrangements sought by the Government, which are not a soft option.

Mr. Chris Bryant (Rhondda): My hon. Friend will know that the Select Committee on Culture, Media and Sport has been exercised by the problem of the newspapers, particularly the tabloids, paying journalists—*[Interruption.]* I am sorry, I meant paying police officers for information—paying journalists is another matter. The way in which such behaviour is caught as an offence remains uncertain. There may be disciplinary action against individual police officers, but will my hon. Friend consider including a provision in the draft corruption Bill to deal with the problem more robustly?

Paul Goggins: I well remember a question that my hon. Friend asked and which was given a great deal of publicity at the time. He has given an example of something which, like many other matters raised in our brief debate, needs further consideration.

The hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) invited us to accept the offer made by her noble Friend Lord Thomas in another place and introduce an amendment that we would not implement. That may be intended to ensure that the message goes out that we mean business, but I hope that the media and the police clearly understand that we do mean business. The fact that we want to go down the route of self-regulation does not mean that we have gone soft. The message is extremely clear. It is important that the House does not give the impression that we pass legislation with no intention of implementing it, as that is the wrong way to legislate and cannot be justified at this point.

[Paul Goggins]

My hon. and learned Friend the Member for Redcar (Vera Baird) spoke with her usual eloquence and passion on these issues, and I can add little to what she said. She argued cogently for the need for openness, and reminded us of the wider context in which we are debating this narrow issue. She certainly made a powerful argument about the reasons why, even if we legislated, such provisions should not be included in the Bill.

Mr. Grieve: A moment ago, the Minister said that it should be understood that we mean business, but what if the self-regulation route does not work? Is he in a position to give the House an assurance that in those circumstances we would legislate at an early opportunity and, in addition, legislate to cover all offences, which I have always stated would be a better option? I have to use the vehicles available to the Opposition, and we are currently dealing with a big Bill on sex offences.

2 pm

Paul Goggins: Earlier in the debate, the hon. Gentleman speculated about future legislation that may be before the House and about attaching provisions in this area to that legislation. I am not going to join in that speculation, although he will have noticed, as I have in the short time I have been a Minister at the Home Office, that there is legislation from the Home Office in most Sessions of Parliament. He can rest assured that, whether on this issue or others, there will doubtless be future legislation from the Home Office.

I acknowledge, as the hon. Gentleman and others did, the widespread public concern on the matter. I make two points. First, I remind him of the comments of my right hon. Friend the Home Secretary on Third Reading. He made it abundantly clear to the media, the police and everyone else that, if the voluntary route down which we are going does not yield the kind of results that we all want, further action will be taken. My right hon. Friend could not have been clearer. I ask the hon. Gentleman to consider that.

Secondly—this is an important point, which has not been made so far—we have established an inter-ministerial group to ensure that the Sexual Offences Bill is implemented across Government. Clearly, that committee, of which I will be a member, will monitor progress in this area to see whether the results and improvements that we hope and expect to see from the voluntary route have been achieved.

I argue this case as I have argued it in Committee and on Report, and I make it absolutely clear that, if I am arguing it in the middle of tomorrow night, I will be arguing I hope just as powerfully and in precisely the same terms. I ask all hon. Members and Members of the other House to reflect on that comment and on my closing remarks.

Lords amendment No. 1A disagreed to.

Amendment proposed in lieu thereof: (a)—*[Mrs. Brooke.]*

Question put, That the amendment be made:—

The House divided: Ayes 173, Noes 338.

Division No. 369] **[2:02 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baker, Norman
Barker, Gregory
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Johnson, Boris *(Henley)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Opik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian

Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Bob Russell and
Mr. Alan Reid

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*

Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Fraser Kemp and
Ms Bridget Prentice

Question accordingly negatived.

It being more than one hour after the commencement of proceedings on Lords reasons and amendments, MR. DEPUTY SPEAKER *proceeded to put forthwith the remaining Questions required to be put at that hour, pursuant to Order [this day].*

Resolved, That this House does not insist on its amendment No. 261 to which the Lords have disagreed.

Government amendment (a) in lieu thereof agreed to.

Resolved, That this House agrees with the Lords in their proposals relating to Commons amendments Nos. 105, 274 and 291.

Committee appointed to draw up a Reason to be assigned to the Lords for disagreeing to the amendment proposed by the Lords in lieu of the words left out of the Bill by Commons amendment No. 1: Mrs. Annette Brooke, Paul Goggins, Mr. John Heppell, Mr. Humfrey Malins and Ms Dari Taylor; Paul Goggins to be the Chairman of the Committee; Three to be the quorum of the Committee.—*[Mr. Heppell.]*

To withdraw immediately.

Reasons for disagreeing to the Lords amendment reported, and agreed to; to be communicated to the Lords.

Criminal Justice Bill (Programme)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 29 October 2002],

That the following proceedings shall apply to the Criminal Justice Bill for the purpose of supplementing the Orders of 4th December 2002 and 2nd April 2003:

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion six hours after their commencement at this day's sitting.

2. Those proceedings shall be taken in the order shown in the first column of the following Table, and each part of those proceedings shall (so far as not previously concluded) be brought to a conclusion at the time shown in the second column.

TABLE

Lords Amendments	*Time for conclusion of proceedings*
Amendments Nos. 32 to 40 and 1	One hour and forty-five minutes after the commencement of proceedings on consideration of Lords Amendments.
Amendments Nos. 2, 4, 8, 3, 5, 6, 7, 9 to 31, 41 to 99 and 308 to 318	Two hours and forty-five minutes after the commencement of those proceedings.
Amendments Nos. 100 to 113	Three hours and fifteen minutes after the commencement of those proceedings.
Amendments Nos. 114 to 137	Four hours and thirty minutes after the commencement of those proceedings.
Amendments Nos. 138, 139, 167, 173, 235, 140 to 166, 168 to 172 and 174 to 202	Five hours and fifteen minutes after the commencement of those proceedings.
Amendment No. 203, Remaining Amendments	Six hours after the commencement of those proceedings.

Subsequent stages

3. Any further Message from the Lords may be considered forthwith without any further Question put.

4. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—[*Gillian Merron.*]

The House divided: Ayes 343, Noes 181.

Division No. 370] **[2:19 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin

Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Fraser Kemp and Ms Bridget Prentice

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baker, Norman
Barker, Gregory
Barrett, John
Beith, rh A. J
Bellingham, Henry
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Opik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prisk, Mark *(Hertford)*

Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Mark Field and Hugh Robertson

Question accordingly agreed to.

Criminal Justice Bill

Lords amendments considered.

Clause 41

APPLICATION BY DEFENDANT FOR TRIAL TO BE CONDUCTED WITHOUT JURY

Lords amendment: No. 32

2.31 pm

The Secretary of State for the Home Department (Mr. David Blunkett): I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to take the following: Lords amendment No. 33 and the Government motion to disagree thereto, Government amendments (a) to (f) to words restored; Lords amendment No. 34 and the Government motion to disagree thereto, amendment (c) to words restored, Government amendments (a) and (b) to words restored; Lords amendment No. 35 and the Government motion to disagree thereto; Lords amendment No. 36 and the Government motion to disagree thereto, Government amendment (a) to words restored, amendment (c) to words restored and Government amendment (b) to words restored; Lords amendment No. 37 and the Government motion to disagree thereto, Government amendment (a) to words restored; Lords amendment No. 38 and the Government motion to disagree thereto, Government amendment (a) to words restored; Lords amendment No. 39 and the Government motion to disagree thereto; Lords amendment No. 40 and the Government motion to disagree thereto, Government amendments (a) and (b) to words restored

Simon Hughes (Southwark, North and Bermondsey): On a point of order, Mr. Deputy Speaker. For the sake of clarification, may I confirm that you intend us to debate Lords amendment No. 32, not Government amendment No. 32? As the former entirely contradicts the Government's view, we should clarify the point. I hope that that is helpful.

Mr. Deputy Speaker: I believe that the House understands what we are doing.

Mr. Blunkett: Thank you for that clarification. I seek to reinstate part 7, with minor alterations that I shall mention later. On Second Reading, I said that we would respond to sensible debate and suggestions and that we would be prepared to listen to reasoned argument. It was therefore a surprise to discover that we faced neither sensible debate nor reasoned argument on part 7 of the Bill. The House of Lords chose simply to delete it, not to attempt to reflect on it, revise it or respond to my request.

I wish, therefore, to make one or two matters clear at the beginning of this debate. First, the time for posturing is over. Our amendments respond to the debates in Committee and in the House of Lords. They respond to the sensible observations that were made despite the Lords' pyrrhic victory in deleting part 7 completely. The amendments therefore respond to the will of Back

[Mr. Blunkett]

Benchers in this House and to the reflections of the more sensible people in the upper House. I should make it clear, therefore, that we will make no further amendments to part 7. When the Bill goes back to the Lords, their lordships should consider whether they would like to see the Bill fall on the issues considered in part 7. I say that because it is time to make it clear that we are talking about some of the most organised and desperate criminals that this country has to deal with. We are not talking about people who have committed a minor crime or who have been accused of shoplifting. We are talking about organised criminality on a grand scale.

We challenge the Opposition parties on whether they mean what they say. For example, in a Sunday paper this week, Lord Strathclyde anticipated the introduction of measures to tackle criminality in the Queen's Speech. It is blinding cheek—if I may use that term—for the Leader of the Opposition in the House of Lords to talk about the need for further legislation to tackle crime and criminals, when we are trying to tackle the most organised criminals in our community with this Bill.

Mr. Dominic Grieve (Beaconsfield): The Home Secretary mentions organised and desperate criminals. I hope that as he develops his arguments he will explain how clause 41, which he seeks to reinstate and which would give a defendant the option to elect for trial without jury, has any relevance to the comments he has just made.

Mr. Blunkett: I am happy to address clause 41. As the hon. Gentleman knows, I was addressing the issue of trial by jury, in relation to those who have intimidated or sought to abuse juries, and in serious fraud cases. We sought to offer a choice in clause 41. All those political parties and individual Members of Parliament who enjoin the Government to provide choice should be in favour of choice on this occasion, given that we have faith in judges and in juries. Indeed, various elements in the House have declared their undying commitment to both juries and judges. As we trust them both, providing choice is a sensible proposition.

Mr. Edward Garnier (Harborough): I am amused by the Home Secretary's remark that he has faith in judges. One of the most prominent characteristics of his time as Home Secretary has been his total lack of faith in the judiciary and his desire to make that clear. That aside, will he tell me—so that I may put this group of amendments into context—how many times a jury has been nobbled and a trial aborted as a result since the Government came to power in 1997?

Mr. Blunkett: I will happily obtain that detail for the hon. and learned Gentleman during the course of the afternoon. However, we are not weighing numbers. As a barrister would know, the scales of justice are not about how many trials—and there have been enough—but about truth and justice. It has been erroneously suggested that we are reintroducing the Criminal Justice (Mode of Trial) Bill, which fell in the previous Parliament. I read in *The Independent* this morning the voices of vested interests parading their support for the House of Lords in eliminating part 7 of the Bill. I do not know which side those members of the legal profession think that they are on, but this House is on the side of the innocent—those who are innocent of unwarranted charges, and the innocent in our communities, who see the perpetrators of crime go free because they dislocate, interfere with and disrupt the legal and judicial systems.

Simon Hughes: Does the Home Secretary realise that in relation to two of the three proposals he makes to restrict jury trial—that which would allow a defendant to choose to go before a judge alone and that which would allow complex or lengthy cases to be heard by a judge alone—the argument against is not only that we might end up with a two-tier justice system, but that trial by jury is not the cause of the public's current lack of confidence in the criminal justice system? Trial by jury is what gives many people confidence in the system, because 12 ordinary people decide guilt or innocence, not one extraordinary judge. Losing trial by jury risks losing the confidence of a great number of ordinary citizens in the present jury system.

Mr. Blunkett: We already have instances where, for all sorts of good reasons, a citizen is able to choose whether to appear before a magistrates court or before a jury. Allowing people a choice seems perfectly reasonable, as they are the ones being tried. It is in their interests that we are having this argument about what is the best method of ensuring that we convict the guilty and not the innocent.

Mr. Douglas Hogg (Sleaford and North Hykeham): Are we not in the business of trying to say where the presumption should lie? For the sort of reasons expressed by the hon. Member for Southwark, North and Bermondsey (Simon Hughes), should not the presumption be that a jury trial is the norm? Yet clause 41 makes it clear that, if a single defendant applies, the trial will be held by a judge, save in exceptional circumstances. In other words, the presumption is not in favour of jury trial.

Mr. Blunkett: It is a trifle strange, then, that appeals—when the most detailed points of law are addressed—should be heard by judges, not juries. Those judges are presumed to be wise and capable enough to hear appeals. This is not a matter of interfering with our judicial system, but of providing checks and balances.

Mr. Robert Marshall-Andrews (Medway): Will my right hon. Friend give way?

Mr. Garnier: Will the Home Secretary give way?

Mr. Blunkett: I will, but I am just checking whether someone behind me wants to get in. I always like to have my opponents in front of me, not behind me.

Mr. Garnier: We are all in front of the Home Secretary.

Mr. Deputy Speaker: Mr. Robert Marshall-Andrews.

Mr. Marshall-Andrews: Will not the amendments proposed by the Government mean that all serious and complex cases may be tried without a jury, and not just long and complex fraud cases?

Mr. Blunkett: No, the proposals before the House are specifically intended to deal with long and complex fraud cases.

Mr. Marshall-Andrews: Where is that made clear?

Mr. Blunkett: I refer my hon. and learned Friend to the text of the amendments under consideration. His

point follows on from the point made by the hon. Member for Southwark, North and Bermondsey (Simon Hughes). In the light of previous debates, the Government are altering the Bill to exclude cases—apart from those that involve serious fraud—that are long and complex. We have responded to the view that it is difficult to judge what sort of cases, apart from fraud cases, would warrant such designation and treatment.

Mr. Grieve: I am listening to the Home Secretary carefully. I hope that he will help the House in respect of that particular proposal. He will appreciate that I have not had much time to consider the matter, but my impression is that one consequence of the Government amendments would be that judicial discretion as to what constitutes a long and complex fraud case would be removed. It is envisaged that the prosecutor will serve a notice, but as far as I can see, that notice will not be open to challenge, and there will be no opportunity for a judge to exercise discretion in respect of it. It would be useful for the Home Secretary to deal with that important matter.

Mr. Blunkett: It is an important point, but the debate on this clause is confined to long and complex fraud cases, for the reasons that I have enunciated. As has been spelled out before, the matter is open to challenge. The Serious Fraud Office would investigate such cases, and the presumption put forward by the Crown Prosecution Service would be open to challenge. No one has indicated anything to the contrary, but the proposals are designed to ensure that we can get to the truth.

2.45 pm

Simon Hughes: This is very important territory, and I concede that the Home Secretary has moved to limit the proposal to fraud cases. However, there are two strong arguments against his case. First, there is a much higher conviction rate in most long and complex fraud cases than elsewhere in the jury trial system, and the SFO has testified to that. Secondly, almost everyone who has participated in such trials understands that there is normally only one fundamental and simple issue—is the person honest or dishonest? That question can be understood by a cross-section of the population in a jury of 12 as well as it can be understood by a judge who, by definition, is a jury of one.

Mr. Blunkett: We have been through all this on previous occasions. We are talking about the existing Highams cumulative test. The amendment restricting the proposals to serious fraud trials was designed to ensure that juries in those cases did not have to deal with a range of issues. We want to ensure that people found guilty on a simple test case cannot walk away, and that jury members in trials that last a long time do not end up being discharged because they cannot serve for that length of time.

On Second Reading, I gave the example of the Maxwell trial, in which 750 people were discharged before it was possible to elect a jury. People need to hold down jobs and have a life, and cannot be tied up for a year, or even longer in some cases. It is very difficult to get a jury of 12 good men and women of true origins and citizenship who reflect the community. We have been through all that before, and people either agree or disagree that we must get to grips with cases that otherwise are likely to end in acquittal. Such cases include the Levitt case and the Blue Arrow case when the courts themselves expressed concern about the threat to justice posed by the way that they were conducted.

Mr. Grieve: Only a week or a fortnight ago, the Government indicated to Opposition parties that they were minded to introduce the Law Commission's proposals on multiple offending on Third Reading in the Lords. That would enable specimen counts to continue to be brought, but it very often happens in fraud cases that multiple identical matters need to be taken into consideration. In such cases, the Law Commission proposals mean that it would be possible for a judge alone to determine those matters at a Newton hearing following conviction on the specimen counts. We made it clear that we supported the Law Commission's initiative, but the Government chose not to introduce those proposals on Third Reading. Should not those proposals be closely linked to any reconsideration of whether juries should try fraud cases? Is not the uncoupling that the Government have performed regrettable?

Mr. Blunkett: Let us be clear about this: we are in favour of those proposals. From what the hon. Gentleman has said, I take it that the Conservative party also agrees with them. However, there is no timetabling of debate in the Lords—and the recent Division in this House shows that the Opposition would vote against the establishment of any such system in the other place. Extending Report stage to a fifth day would have extended the debate and disrupted consideration of other clauses. We would then have had to take the Bill even closer to the wire when it comes to the Queen's Speech. We do not want any posturing this afternoon about whether the Opposition would have negotiated a timetable for acceptance on Third Reading of the Law Commission proposals. I repeat that the Government are in favour of them, and we will introduce them at the earliest opportunity, but we cannot have games in respect of this matter. There is no procedure in the House of Lords for any sort of timetable or closure mechanism, nor any provision for the operation of the Speaker and Deputy Speaker system that is normal in the House of Commons. Until we have such a system in the Lords, we cannot take anyone's word that that House will be in favour of anything that we propose.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I am not a lawyer, and I listen in some bemusement when those of my colleagues who are lawyers discuss the finer points of law. My involvement in this matter is very basic, therefore. I believe that any loss of trial by jury, regardless of what is said in the House, will lead almost inevitably to the removal of rights that have been enshrined in this country for many hundreds of years. I am sorry to say that it is not clear to me what my right hon. Friend is saying. Is it that we have to go ahead with this very basic change because the House of Lords does not proceed in a way that he finds acceptable? If so, that is extremely worrying.

Mr. Blunkett: I shall try to clarify matters for my hon. Friend. In response to the intervention from the hon. Member for Beaconsfield (Mr. Grieve), we are talking not about the amendments that I am moving this afternoon but about multiple cases where, at present, we have to take a specimen case when dealing with complex and serious fraud. The official Opposition pointed out that they were prepared to support the Law Commission's recommendations, which we support, that would allow those multiple provisions to be dealt with on the back of a specimen case. We are not dealing with that matter this afternoon and it is not material to the amendments under discussion, but it was material to the point that I was making to the hon. Member for Southwark, North and Bermondsey. I would hate there to be any misunderstandings about that.

Simon Hughes: Will the Home Secretary confirm that all the legislation that has come from his Department this parliamentary year has received a huge amount of co-operation from the House of Lords? The Government have accepted that owing to the lack of timetabling in the Lords, the upper House has been able to consider matters that the Commons has not been able to consider and has made great improvements, for example to the rape provisions in the Sexual Offences Bill. The Government have fixed the deadline—the backstop of the date of the Queen's Speech—and they are setting the limits to our debate. If the Lords do not agree tomorrow to what the Government propose on jury trial today, it will be the Government's insistence on such matters that will derail the Bill and not the insistence of the Opposition.

Mr. Blunkett: I do not accept that at all. I paid tribute on Third Reading of the Sexual Offences Bill to the work that had been done in both Houses, to which the House of Lords contributed. The same is true of the Extradition Bill, the Crime (International Co-operation) Bill and, to a lesser extent, the Anti-social Behaviour Bill; it is not true of the Criminal Justice Bill. We are debating the reinstatement of part 7. How can the hon. Gentleman suggest that the Lords did a superb job of scrutiny and revision when they simply knocked that part out altogether? It does not bear thinking about.

Furthermore, on the serious risk of jury tampering—I want to get to clause 43—trials that fail are a major worry throughout the country. People see those accused of the most serious crimes going free not because the system worked, but because it was tampered with so as to make a conviction impossible. One of our most senior judges wrote to my noble Friend Baroness Scotland, just before he was elevated to the Appeal Court, to describe his experiences. He was talking about an organised crime case that took more than three years. Each year, the jury was nobbled—it was discharged twice—although the case was finally concluded. He said that it was surely not a coincidence that the key players were acquitted after those three years and only the minor ones convicted.

If we do not change the law, we will end up with such situations over and over again. We will end up with what is happening in Merseyside with Operation Dolphin, where serious and organised criminality is taken to court again and again but the juries are tampered with—people are either threatened or bribed—and discharged. Would it really be sensible to say in such circumstances that the judge could not carry on with the trial, which is what the Opposition amendments suggest? Given that the original jury have been tampered with and the next jury would know that, it would be difficult to get another jury and they would be under constant threat too.

I was asked how many trials had been discontinued because the jury had been threatened or intimidated. In London alone, we are spending more than £9 million on constant 24-hour surveillance for a large number of trials. Of course, 24-hour surveillance, support and protection will continue, but we will ensure that the course of justice can take shape—clause 43 deals with this—in such cases. It will not be whispering in the ear of the judge, as was mentioned, because we have tightened the criteria for the evidence of serious risk—the real and present danger—which echoes the common-law test for police protection in those cases to ensure that we get it right.

Mr. Grieve: Those figures are important. The fact that £9 million has to be spent in that way is regrettable, but it is necessary and it is a drop in the ocean compared with the overall bureaucracy costs of the Home Office. However, the Home Secretary did not answer the question, which was how often juries had to be discharged because of nobbling, which is not the same as having to provide them with protection.

Mr. Blunkett: That will be in the hands of the judge, who has to agree to the discharge of a jury because of what we will describe from here on in as jury nobbling. He has to determine whether the jury should be reformed and the case passed on or whether he should continue with it, and it is right that he should do so. We should not allow those who want to disrupt, dislocate and destroy the course of justice to succeed. When the end of a trial approaches and they fear conviction, they intervene. Let me be clear about this; let us get into the real world—the world not of inciting people to commit judicial murder, but of injecting a little common sense into the debate. People do not disrupt and intimidate juries, threaten their lives and those of their families, telephone them or email them if they believe that the accused is about to be acquitted; they do so for one reason only—because they think that those in front of the judge and jury will be convicted. They do so to ensure that the jury cannot continue and will not convict. We are dealing not with innocents abroad—we appear to be doing so in here, but not out there—but with the real world of people who are determined to threaten other people, and in some cases to take their lives and liberty.

Mr. Hogg: May I take the Home Secretary back to clause 41, which enables a defendant to make an application to be tried by a judge and not a jury? Are we not simply giving a defendant the right to choose the tribunal that, in their opinion, is most favourable to their interests? That would simply make life easier for the sort of people that the Home Secretary is busily criticising.

Mr. Blunkett: I would hardly do that if I thought that a judge sitting alone was an advantage to the organised criminal, would I? I do not believe that it is. As I spelled out, I believe that in cases where a jury has been intimidated for the sole purpose of getting an acquittal or disrupting a trial so that the jury has to be discharged, a single judge should take the case forward. I have confidence that the judge would not be intimidated and that that system would lead to a fair trial, with the innocent being acquitted and the guilty convicted. I can hardly be expected to contradict that belief by contradicting myself on clause 41. In other words, I think that judges are in a position to make those judgments sensibly.

Vera Baird (Redcar): I can see the merit and strength of my right hon. Friend's arguments about clause 43. May I ask him about two points? First, in Committee, we were given the assurance that the provisions would be used only as a last resort and that, for instance, attempts would be made to move the trial to a different location, or juries would be offered taxis to and from court so that knowledge about the place in which they lived would not be readily available. We were assured that all those steps would be taken and that the provisions would be engaged only as a last resort.

Secondly, my right hon. Friend talked about not pouring nonsense into the judge's ear and said that he was trying to tighten up the measure to deal with that concern. I am grateful for that. However, the difficulty has been raised that the prosecution might want to say things to the judge, to persuade him to try the case alone, that could not be disclosed to the defendant. Has my right hon. Friend applied his mind to that problem?

3 pm

Mr. Blunkett: On the first point, yes, every measure should be taken to ensure that due protection is provided, including relocation where appropriate. In fact, we have gone further by setting out examples to show where we believe it would be necessary to invoke the new provisions, such as retrial, following tampering in previous proceedings involving the defendant, or where such disruption had taken place and where intimidation or attempted intimidation was shown to have occurred in the light of the strict requirements that I set out earlier. We have gone further by including such provisions in the Bill. I shall give way to my hon. and learned Friend again so that she can explain the latter part of her lengthy question.

Vera Baird: I thank my right hon. Friend for his assurance that trial by judge alone would be used only as a last resort.

My second point was that in order to persuade a judge that he should try a case on his own, it might be necessary for the prosecution to say to that judge, "We have intelligence of the following kind". It might not be in the public interest to disclose such material to the defendant, but how is the defendant to argue for his right to jury trial in that situation? When I raised a similar point on an earlier occasion, my right hon. Friend thought that there might be a possibility of appointing special counsel, such as those he is familiar with at the Special Immigration Appeals Commission, so that someone can represent the interests of the defendant in challenging that ex parte evidence without the obligation to report back to the defendant what he has heard. I hope that I have made the position clear.

Mr. Blunkett: I am familiar with my hon. and learned Friend's point about public interest immunity. She will be familiar with the case of Edwards and Lewis, where the judgment was unclear. We think that there is a need for clarity and, unusually, we have referred the matter to the Grand Chamber and we shall be prepared to look at and take the necessary steps to ensure that safeguards are set up. The point is serious, but there is not yet sufficient clarity for us to be able to deal with it this afternoon.

Clause 45 includes further provisions to deal with discharge due to tampering. I am at something of a loss in relation to the Opposition proposition and its relationship to clause 43. Our proposition is twofold: to make it clear that jury tampering must be the prime cause of discharge; and to insert provisions to make it clear that the judge must be absolutely satisfied that jury tampering has taken place before continuance without a jury.

We are mystified by the Opposition's proposal as it seems to confuse several issues in respect of the risk of tampering and where tampering has already taken place. They appear to be ratcheting up the conditions so that the threshold is higher. They appear unsure whether they want the excessive burden of 24-hour police protection to be a condition, and they do not appear to want the judge to carry on with a case when he or she has discharged the jury because tampering has occurred. I am at a loss to understand either how that relates to their amendments to clause 43 or how it would assist us to find a way forward. I presume that is why, in their wisdom, the Lords chose to throw the whole lot out rather than assisting us in finding a solution.

Mr. Grieve: I am sorry that the Home Secretary cannot understand two perfectly simple concepts in respect of clauses 43 and 45. Where it is suggested that there should be no jury because of a risk of nobbling, but in fact no such jury tampering has taken place, we believe that an extremely high test should be applied before such a measure is implemented—if indeed it is implemented at all. We take the view that the question whether juries require police protection is not material at that point; the question is whether tampering would still take place. Where tampering has already taken place we think that there should be a different test because we accept the principle that it is extremely important that justice can continue to be done. Nevertheless, we think that the Government's proposals on clause 45 are far too loose and should be tightened up, which is what we have tried to do.

Mr. Blunkett: I certainly concede that the Opposition want to tighten up the proposals—they want to tighten them so much that they would be difficult to operate. My point is that we have a common-law test—I referred to it earlier—and we also have the new presumptions that I am setting out in the Bill. In addition, the judges will have to apply a test in respect of the protections that are being offered, such as the requirement for 24-hour protection—is it possible to protect the 12 members of the jury on an ongoing basis, week by week, or has the

[Mr. Blunkett]

perceived and real threat of intimidation reached the point where it is impossible to secure a fair trial? In the cases that I have cited this afternoon, that was clearly not so.

I am sure that everyone in the Chamber wants to ensure that serious criminals do not go free when they are guilty simply because they have been able to exercise intimidation. If we believe that, the argument between us is about the point at which we can be secure in our minds that the tests have been passed and that it is better to have a judge sitting alone rather than a mistrial when criminals walk free. That is what we are talking about.

Our proposals do not threaten the basis of jury trial. The then Lord Chancellor, the Attorney-General and I discussed and agreed my suggestion that we should not proceed with the previous mode of trial Bills, and we are not doing so. As I said on Second Reading, the suggestion that we are doing that is an outrage—it distorts the situation beyond belief and misleads people of very good will into believing that we are doing something that we are not. We seek to protect justice, to get to the truth and to ensure that the amendments that we are putting back, and to which we are asking the House of Lords to agree, both reflect the debate over the Bill that has taken place over the past few months and secure the original intention—to ensure that we protect the public in those circumstances.

In the end, justice is about securing protection for the innocent in the community as well as for the accused, but it is also about getting to the truth and protecting ourselves. It is no good the Opposition presenting themselves as reinvigorated with the desire to demonstrate their commitment against criminals and their belief in the protection of the public if they come here this afternoon, go to the Lords tomorrow or come to the Commons tomorrow evening to suggest that our measures are not proportionate to ensure that we achieve that goal. They are proportionate. People will be asking a serious question: whose interests would we be following if we gave greater protection to organised criminals before the court than to the communities that we represent? That is why I am moving the amendments.

Mr. Grieve: I am sorry that the Home Secretary seems to have adopted a tone of irritation, rather than rationally discussing the matters that the House must consider. I am also sorry that, in doing so, he seems very keen to cast aspersions on the motives of others and to be quite unable properly to envisage why the other place took such exception to the proposals on jury trial. He does not help his case by being unable or, apparently, unwilling to distinguish between the extremely different issues that surround the Government's proposals to fetter jury trial.

The debates on Second Reading and in Committee in the other place were extremely interesting, but from reading the report of the Second Reading debate I was most forcefully struck by the words of Lord Clinton-Davis—a stalwart member of the Labour party:

"To remove juries in allegedly complex cases supposedly too complex for them is utterly wrong. I agree with those in another place that what the Government are prescribing could end with the abolition of jury trials altogether. That may not be their present intention—but it remains a real risk."—[*Official Report, House of Lords*, 16 June 2003; Vol. 649, c. 613.]

If the Home Secretary wants an explanation of why the Lords took such a hostile view, let me say that it was because of that very real and justified fear.

Mr. Hogg: Does my hon. Friend agree with the rather unpalatable truth that the views expressed in the other place are a more genuine expression of the will of the participants in the debate than the views expressed in this House, because the whipping system in this House has the effect of undermining the legitimacy of the views expressed in a vote?

Mr. Grieve: I am sure that my right hon. and learned Friend is right. Of course, there is a lot of experience, freedom and loyalty in the other place, and I am sure that Lord Clinton-Davis would not have lightly expressed a hostile opinion on the Home Secretary's proposals, given his affection for the party in which he has spent most of his career. Furthermore, I am sure that he would not have done so unless he was expressing deeply held beliefs.

I ask the Home Secretary, rather than making general comments on the totality of the proposals, to consider each Government proposal in turn. He made great play of the fact that we are dealing with serious, organised and desperate criminals, but he must accept that clause 41, which he seeks to reintroduce and which gives a defendant the option of being tried in front of a judge alone, undermines the principle of jury trial, which I thought the Government supported, and has no relevance whatever to tackling serious and desperate criminals.

The chances are that many of those who will choose that route are everyday, tuppeny-ha'penny criminals. Interestingly, the Government propose a distinction in clause 41: they appear to be worried that, in some cases, the general public might feel great anxiety about certain criminals having the option of being tried by judge alone, so they seek to fetter that discretion under subsection (6).

I hope that the Home Secretary will repeat this afternoon that the Government believe, as we believe, that the principle of trial by jury is one of the hallmarks of our participatory democracy and that, therefore, if there are good and sound reasons for change—as in Northern Ireland, where the Diplock courts became necessary because of the security situation—that is one thing, but that it is quite another arbitrarily to undermine that principle for no good reason. That, however, is what clause 41 would achieve. I have never understood its logic, unless the Government are looking ahead to a time when jury trial starts to wither on the vine.

I believe in jury trial, precisely because it is a process by which not the state but the public at large bring condemnation on individuals' conduct because they wish to be protected from those individuals. It is an absolutely central concept, and I am sorry that the Home Secretary seems to have completely lost that view of it.

David Winnick (Walsall, North): Is the hon. Gentleman aware that, to a large extent, he has expressed a view that I, as one of the few non-lawyers in the Chamber, share? Although the Home Secretary has

stated that the purpose is not to undermine trial by jury in general, potentially, if not inevitably, there is always a fear, which is in my mind, that once the proposal has been enacted it could be applied to other cases and in future only a minority of cases will be heard by a jury. Although I am not sure whether I shall vote against the Government, I would find it very difficult to vote for what the Home Secretary is recommending.

Mr. Grieve: I am grateful to the hon. Gentleman for that intervention, and I take seriously the views that he expresses. Once one undermines the concept and principle of jury trial, as envisaged in clause 41, siren voices will soon be heard in the Treasury and elsewhere saying how much cheaper it is to have trial by judge alone. In those circumstances, why go to the bother of all those poor people being empanelled and being put upon to serve on juries? Why have all those funny processes by which funny points have to be argued in the absence of the jury? Of course, juries are less convenient, but I believe that, in a country such as the one in which I wish to live, they are an inconvenience worth paying for over and again.

3.15 pm

Mr. Garnier: Was not one of the most telling remarks that the Home Secretary made during his somewhat un-put-together defence of this part of the Bill his reference to £9 million? When my hon. Friend and I have asked him about the number of juries that have been nobbled he has not been able to provide us with an answer, yet he has come up with the fact that a trial is costing £9 million to protect. Frankly, so what? [HON. MEMBERS: "It is an annual figure."] It may be an annual figure, but it is tiny.

Mr. Blunkett: It is not a tiny figure.

Mr. Garnier: It is a tiny figure when one considers the fact that the cost of criminal justice is measured, I would guess, at about £1 billion a year. If one additionally bears in mind the police budget and judges' salaries, £9 million is a tiny figure compared with the overall figure that the state is required to pay for the justice system. Is it not interesting that the Home Secretary seems more terrified of the Treasury and the paltry figure of £9 million than he is of failing to defend the interests of justice for the public overall?

Mr. Grieve: I agree with my hon. and learned Friend. The Home Secretary has given that figure and, yes, I very much wish that juries did not have to be protected, but that is a price that we have to pay in a difficult environment to ensure that justice is done in the way that we think is right. Adducing that argument is completely different from saying that it is impossible to protect juries, and it is the mixing of those two things that I find so worrying in the Home Secretary's approach, because there have been a series of propaganda utterances, rather than a rational discussion of the issues.

I do not want to take up too much of the House's time—I am aware that other hon. Members wish to speak—so I shall turn to the next issue in which the Government wish to fetter the right to trial by jury: certain complex or lengthy trials. I was somewhat charmed—I suppose that is how I should describe it—to hear that the Home Secretary felt that the original Government text had to be amended at this late stage, given the risk that the scope of those trials might go well beyond fraud to other types of case. I remember pointing out that risk very gently in Committee. I said that the only area in which I practise—health and safety at work—would fall squarely within those provisions, and the Minister told me that I was completely wrong. That does not exactly raise my confidence in the Government's competence.

The other point that the House must consider very carefully is that, even by the Government's standards of drafting, clause 42, whatever flaws it may have contained, previously provided a measure of judicial discretion. As I understand it, however, under the new proposal, by having trial on the back of a notice under section 51B of the Crime and Disorder Act 1998—which I had considerable difficulty finding until I realised that it is inserted by the Bill and exists only as a figment of the drafter's imagination—there will be no discretion. If I am wrong, I hope that the Home Secretary will correct me. The question of judicial discretion runs right through these proposals. The Home Secretary might recall that when this matter was debated on Second Reading, Lord Woolf, the Lord Chief Justice, forcefully expressed the most grave concern about the totality of these proposals:

> "I recognise that many strong and sincere opposing views will undoubtedly be advanced to your Lordships. In those circumstances, instead of becoming involved in the matters which will be well ventilated before your Lordships, I propose merely to stress that if these powers remain part of the Bill, it should be made clear that they can be exercised only when it is in the interests of justice for this to happen. That should ensure that there is the minimum risk of the exercise of those powers resulting in injustice."—[*Official Report, House of Lords*, 16 June 2003; Vol. 649, c. 573.]

If this measure fetters judicial discretion, it runs contrary to the tenor of that argument.

Mr. Blunkett: I want to make it absolutely clear that I agree entirely with the Lord Chief Justice's comments. As far as I am aware, the new clause's provisions on discretion reflect the tenor of the hon. Gentleman's amendment—that, taking clauses 43 and 45 together, the discretion would be removed because there would be no power for a judge to decide to continue to sit in prolonged trials; there would have to be a fresh trial and a jury reconvened.

Mr. Grieve: If the Home Secretary will allow me, I shall return to that point when I come to clauses 43 and 45, because I think that he is wrong on that issue, and I shall explain why.

The Opposition do not believe that the proposals on complex or lengthy trials are necessary. In the current year, the Serious Fraud Office, which deals with the most complex cases, has achieved a conviction rate of 92 per cent. Since it was set up, it has achieved a conviction rate of 84 per cent. That simply does not support the Home Secretary's view that juries are unable to deal with long and complex trials.

The Home Secretary knows of the Law Commission's recent proposals on multiple offending, which is closely

[Mr. Grieve]

linked to fraud. In many instances, a trial for fraud will involve specimen counts, with many other offences being taken into consideration. I fully accept that the mischief at the moment is that, short of having a lengthy trial, it is difficult to deal with those offences if a defendant who has been convicted does not accept them. That is why I was delighted when the Government suggested that they intended to incorporate the proposals on multiple offending in this Bill. I believe that such a proposal would be given a fair wind were it ever to come before this House. It is precisely because such procedures may exist that the House should be so cautious about, in the same breath, getting rid of juries for lengthy and complex trials. I do not believe that is necessary. The need will certainly be reduced, and, as I asked the Home Secretary, where is the evidence that juries cannot deal with such cases? If the evidence is that they can do so, what possible good reason exists to fetter their right to hear those cases in exactly the same way as they deal with any other criminal who is alleged to have committed an indictable offence?

Mr. Hogg: Does my hon. Friend also agree that a jury is much more likely to be able properly to consider a case if substantive offences are charged rather than the Crown coming forward with a charge of conspiracy?

Mr. Grieve: Speaking from personal experience, my right hon. and learned Friend is absolutely right on that point. Keeping matters simple is in the interests of justice and of achieving the conviction of the guilty, and my experience is that fraud trials tend to go wrong when the prosecutor overloads the indictment and fails to keep matters simple. Oddly enough, when matters become muddled for the jury, they also become muddled for the public, so the risk with trial by judge alone in long and complex fraud trials is that matters will appear so esoteric that, even if a conviction is recorded by the judge, the public will fail to understand the full extent of the criminality of the person concerned, which we should avoid.

Mr. Blunkett: Is the hon. Gentleman's proposition that it is more important that the public should understand what went on, even if a guilty man is found innocent, than it is to get a conviction, even if the public were not absolutely clear about the exact nature of a trial that lasted for 18 months or more? Does not that fly in the face of the Roskill report of 1986, with which he will be familiar as a lawyer?

Mr. Grieve: Justice must be done and be seen to be done. It is desirable that both those things should happen, and I believe that both those things can happen. In the light of the Serious Fraud Office's excellent work in simplifying fraud trials and bringing them to a conclusion, and of the Government's proposals on multiple offending, which could be of great benefit, I do not believe that the proposed measure is necessary. If necessity could be made out, I am sufficiently pragmatic to listen carefully to what the Home Secretary has to say. Where is the necessity for this measure?

I want to deal finally with the issue of jury tampering, on which there are two distinct clauses. One provides a mechanism by which a judge may try a case without a jury when he considers that there is a risk of jury tampering but none has occurred. The second deals with instances in which jury tampering has taken place, such that a jury must be discharged in the course of a trial. If I may say so to the Home Secretary, those are two very different concepts. There is, however, one thing on which he and I can entirely agree: it would be a disaster if a state of affairs were ever to exist in this country whereby trials could not take place at all because of jury tampering, and justice could not be done. That was what underpinned the decision to set up Diplock courts in Northern Ireland, and I fully understand the rationale, even if I regret that a state of affairs arose that made that necessary.

Clause 45 deals with jury tampering. I say to the Home Secretary, as I said in Committee—and, heaven knows, as I said to the Prime Minister one day in Prime Minister's Question Time—that I understand what the Government are trying to achieve. If, as the Home Secretary says, the evidence is such that this is a deteriorating situation that is gravely inhibiting the processes of justice, we are prepared to co-operate with the Government to try to arrive at a formula that would allow for trial without a jury in those exceptional circumstances. The Home Secretary told me earlier that the amendment that I tabled to tempt the Government into dialogue was flawed because it did not envisage the judge continuing with the trial on his own. If he cannot understand why it would be impossible for a judge to continue with a trial on his own after the discharge of a jury, he does not understand some of the basic and elementary features of the criminal justice system. That situation might cause the utmost unfairness. It could not rationally be done, so there would have to be a retrial in front of a judge, if that was the exceptional course that had to be adopted.

Mr. Hogg: May I reinforce my hon. Friend's point by putting an example to him? In the first trial, there could have been a whole class of evidence that is not used in the second trial. In such circumstances, the trial judge would inevitably have in mind material that was adduced in the first trial, but not in the second one.

Mr. Grieve: My right hon. and learned Friend is absolutely right. It would be impossible and undesirable for a judge to continue in such a situation. We would need a fresh trial with a fresh judge.

Mr. Blunkett: I hope that this will be my final intervention on the hon. Gentleman's speech. Does he therefore agree, in the same vein, that where a jury had been intimidated it would be difficult for witnesses who had already given evidence to be called in the second trial? That situation is not impossible, but it would be difficult, as the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) pointed out. One must compare witnesses who put their necks on the block with judges making judgments or the need for a jury to hear evidence presented in a new way.

3.30 pm

Mr. Grieve: I accept that there might be difficulties. I have been involved in retrials, where witnesses have been put to the inconvenience of returning.

Mr. Blunkett: Threat.

Mr. Grieve: The Home Secretary says "threat", and there are occasions when witnesses are threatened. Equally, however, it is not possible to hold a fair trial if the procedure shifts from trial by jury to trial by judge alone halfway through a case. It is as simple as that—it is not procedurally possible.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I agree with the hon. Gentleman. Would the provision not be in breach of article 6 of the European convention on human rights, because there could not be a fair trial in such circumstances?

Mr. Grieve: I agree with the hon. Gentleman. The provision would be in breach of article 6. It is a non-starter. Leaving aside everyone else's views about the Bill, all the lawyers who practise in the courts to whom I have spoken regard the measure as nonsense and completely unworkable.

Mr. Garnier: May I give my hon. Friend a further example to help him to destroy the Home Secretary's non-argument? No one in their right mind would think it right to allow a retrial to take place in front of the original jury who had heard prejudicial evidence against the defendant. Simply transferring the tribunal of fact from the jury to the original judge would not cure the position. I would have thought that Ministers might have got their heads around that much.

Mr. Grieve: I agree with my hon. and learned Friend, although part of the Government's idea is that the judge continues seamlessly, which is equally impossible.

I hope that the Home Secretary will consider our amendment to clause 45. Of course, it is drafted using tighter language than his provision because I want the courts to make examinations in minute detail if applications are made for a retrial without a jury, because juries can often consider cases after jury nobbling has occurred. I hope that the way in which we have drafted the amendment—it includes the word "sure" and relates to a great risk—would help to achieve that.

I turn to applications by the prosecution for a trial to be conducted without a jury if there is a danger of jury tampering. The Home Secretary expressed surprise that our amendments were differently worded, but that is because they address two completely different situations. *[Interruption.]* The amendments are not contradictory, and if the Home Secretary wishes to intervene, I shall give way. There is no contradiction because we say that before a jury is empanelled, there must be an overwhelming risk of jury tampering in order to show that a fair trial could not take place. A court should not consider how long a trial will last or issues of protecting juries at that time. It should decide on a simple question: if a jury were given protection in the usual way, would there be such an overwhelming risk that jury tampering would take place that it would justify an exception to the rule that there should be a trial by jury? I hope that the Home Secretary will think about that further.

Mr. Marshall-Andrews: Will the hon. Gentleman put his mind to one thing that relates to both his amendment and the Government text, because it appears to many Labour Members that they suffer from the same danger of causing an injustice? If one defendant, however minor, in a case with, say, five, six, seven, eight, nine or 10 defendants is, or may be, guilty of jury nobbling, all defendants would lose their right to jury trial. Furthermore, under the Government's proposed subsection (7) to clause 43, which gives examples, all defendants would lose their right to jury trial in any future trial, as would anyone they were tried with in that future trial. I welcome the hon. Gentleman's views on that because I agree with much of what he says.

Mr. Grieve: I have no difficulty agreeing with the hon. and learned Gentleman. That said, in a spirit of constructive dialogue with the Home Secretary, I am prepared to work my mind around to the possibility that one could end up with a case, although I find such examples far-fetched, in which it was apparent from preceding events that the ability of a jury to try the case without being tampered with, intimidated or prevented from returning a true verdict was such that it would be proper to adopt a Diplock court approach. The hon. and learned Gentleman is right that that would raise a concern about future trials. A fresh look should be taken at future cases and they should not be tainted by what happened before. That is undoubtedly one problem with the Government's proposals.

I do not want to take up more of the House's time. Others wish to speak. I simply say to the Home Secretary that I hope he understands how the Opposition see the problem. We want a constructive engagement on jury tampering, if that is possible. Beyond that, however, I had hoped that the Government would adopt a more flexible approach to the issues, which have caused great anxiety across parties, but I regret to say that they have not done so. Even at this late stage, I hope that the Home Secretary will revise his approach.

Mr. John Denham (Southampton, Itchen): I want to make an observation on the amendments and to put them in the context of debates in and outside the House on the development of the criminal justice system. It is striking how often we are told that we face an unstoppable rise in crime, with criminal gangsters dominating the country and our communities and acting with impunity. Yet whenever there is an attempt in legislation to focus on the shortcomings of a part of the criminal justice system, we almost always end up in a debate like this one, which suggests that not much is wrong with it and little needs to be fixed.

Buck-passing is common when it comes to the failings of the criminal justice system, by which I mean the failure to deliver a system in which the public have confidence that those who are guilty will be caught,

[Mr. John Denham]

convicted and dealt with appropriately, and those who are innocent will go free. The police often blame the Crown Prosecution Service and the courts; the courts often blame the police and the CPS; and the CPS often feels like the meat in the sandwich between the two.

Throughout the criminal justice system, there is an unwillingness to recognise that there are flaws in each part of the system that have to be dealt with proportionately and appropriately. The Government are not claiming that everything that is wrong in the criminal justice system lies within the courts, but that, as part of the overall reform of the system, appropriate adjustments need to be made to the way in which the courts operate.

Mr. Garnier: There is a problem with the line that the right hon. Gentleman is taking. Nobody suggests that the entire criminal justice system is perfect; plenty of it could do with reform. However, if parts A, B and C need reform, the answer is to amend them, not to reform parts G, H and J. Yet the Government are lumping together in the jury system all their prejudices and anxieties about the failure to produce enough convictions when there may be other matters that require consideration.

Mr. Denham: I am tempted to say, "I rest my case." The hon. and learned Gentleman has made precisely the sort of intervention about which I complain. People in all branches of the criminal justice system say, "It's not my bit that causes the problem." However, there are problems in all parts of the system. Police performance is not as good as it should be; the CPS does not always get it right; and parts of our court procedure are wrong. We need to tackle each part of the system. It is too easy for the police to say that the CPS and the courts are the problem, and that they are let down by them. We have all had that conversation with some part of the police service. It is also not right to claim that the courts are fine and that everything goes wrong in the process that leads up to court proceedings.

Mrs. Dunwoody: Does my right hon. Friend accept that those of us who are uneasy about the changes are motivated not by any worry about lawyers' views but by something more fundamental? If one changes in law a right that has existed for a long time for men and women in this country, one has to be certain that the change is not only justifiable but needed, and that it cannot be achieved in any other way. If I am worried about the amendments, I emphasise that it is precisely for those reasons.

Mr. Denham: I accept that hon. Members might be worried about the changes for those reasons. However, in the past, I have had some opportunity to examine the criminal justice system and I am sufficiently convinced that there are enough problems, especially intimidation of juries, to warrant changes in the limited cases that will, I hope, result from the Bill. Every hon. Member must make that judgment.

Mr. John Burnett (Torridge and West Devon) *rose—*

David Winnick *rose—*

Mr. Denham: I shall give way first to the hon. Member for Torridge and West Devon (Mr. Burnett) and then to my hon. Friend.

Mr. Burnett: The right hon. Gentleman enjoys considerable respect in the House. Will he be specific about his criticisms relating to the three matters that are under discussion—lengthy trials, defendants' rights to opt for jury trial and jury tampering?

Mr. Denham: I did not intend to speak about those three points at great length. Intimidating juries and jury nobbling or tampering causes me the greatest anxiety because of the impact on the public's confidence in the criminal justice system in communities where those who are involved in organised crime believe that they are invulnerable to the law and where that belief is shared by others who live there. We all know that such communities exist. My right hon. Friend the Home Secretary has set out concerns about jurors in complex fraud cases, and the case, which seems to me arguable, for allowing individuals to choose mode of trial. My greatest personal concern is the danger of intimidation.

Mr. Llwyd *rose—*

Mr. Denham: If the hon. Gentleman will forgive me, I promised to give way to my hon. Friend the Member for Walsall, North (David Winnick).

David Winnick: I ask, in the friendliest possible way, what my right hon. Friend would say if we were the Opposition and a Conservative Government were making such proposals. I listened carefully to Opposition speeches, and I fear that a future Conservative Government, however distant that prospect may be, could build on these proposals, and that we, as the Opposition, would be all the more determined to oppose them. That is an irony of the proposals.

Mr. Denham: I am pleased that my hon. Friend is a fellow member of the Select Committee on Home Affairs, partly because we share an interest in strengthening the House's ability to scrutinise legislation properly on the basis of the facts rather than having everything automatically polarised on party political lines. He may be right that some of us would in the past have reacted to the proposals purely on an oppositionalist, party political basis. I believe, however, that we should consider these matters on the strength of the arguments, and that the case should not be taken forward on the basis of the slippery slope argument, or of the argument that the other party might do something different. I shall take one more intervention, then I must finish; other hon. Members wish to speak.

3.45 pm

Mr. Llwyd: As an ex-Home Office Minister, the right hon. Gentleman will know that the Home Office collects statistics on everything. Why are there no reliable statistics on jury nobbling?

Mr. Denham: Despite the hon. Gentleman's contention, such statistics are obviously not collected by the Home Office. However, I was convinced of the extent of problems in specific areas of the country involving jury nobbling and—a separate issue—tampering with witnesses.

Mr. Geoffrey Robinson (Coventry, North-West): I would be very grateful if my right hon. Friend would give way.

Mr. Denham: I will take one last intervention.

Mr. Robinson: My right hon. Friend has rightly identified this as a crucial area, and one that is important to him. Surely, however, the system cannot be brought into disrepute because of a problem of intimidation. The problem that needs to be tackled is the intimidation. The system, which is so good, is threatened by that. Surely he must see that he is putting the cart before the horse, and that we should tackle the underlying cause of the problem. The threat to a jury cannot be accepted, and we have to deal with that.

Mr. Denham: I agree that every effort must be made to protect a jury from intimidation, but my hon. Friend puts forward another example of the argument that says, "If only we did something else, we would not have to tackle this problem." I believe that changes are needed throughout the criminal justice system. Now, having taken more interventions than I ever did when I was a Minister, I shall sit down.

Simon Hughes: This is a really important debate, and we are not going to have enough time for it today, so I shall try to describe briefly why the Liberal Democrats seek to uphold what the House of Lords did in relation to clauses 41, 42, 43 and 45, albeit for different reasons, but while following the same basic principle. I want to reinforce a point that has been raised on both sides of the House, including by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). I would say to the right hon. Member for Southampton, Itchen (Mr. Denham) that we are talking about an element of the criminal justice system that commands great respect and has been seen to do a very good job for 800 years. We are talking about a mini-democracy, a mini-Parliament. The fact that the public come into the criminal justice system as lay magistrates and jurors from all walks of life means that their decisions about guilt and innocence are taken far more representatively than they would ever be by a single judge. That is the fundamental principle.

As the hon. Member for Coventry, North-West (Mr. Robinson) intimated, a second principle is that, while we should of course look at the criminal justice process and at whether the courts do their job properly, there is no significant evidence that the element of the system that fails most—or even comes close to doing so—is trial by jury. In fact, the parts of the system involving catching and deterring criminals, bringing them to court and ensuring that the trial starts all have flaws, as does the prison system, which does not rehabilitate properly. The part that stands up to the greatest test in terms of its success is the jury trial system. There is no suggestion that lots of guilty people are always getting off—that is not a criticism that is being made. There is also no suggestion in any part of the country that women, men, old people, young people, black people, Asian people or white people think that the system does not work for them; they all have confidence in it, more than in any other part of the criminal justice system. That is the strongest reason for not changing it unless there is overwhelming evidence to suggest that, for a particular reason, we should do so.

Having made the general proposition, I appreciate that there are four different proposals before us that we have to consider separately. First, should we allow people the right to choose to do without juries? Secondly, should we do away with juries in long and complex fraud cases? Thirdly, should a person be deprived of the right to a jury trial halfway through a case in which there has been jury tampering, or, fourthly, in a prospective case, where there is a prospect of jury tampering? I am not naive about the fact that there are different cases, and we must examine each of them on its merits.

Mr. Grieve: We know, do we not—the hon. Gentleman might agree—the statistic that upwards of 90 per cent. of all recorded crime is never prosecuted in any court of law? If he is looking for a solution to the problems of crime and criminality, that is the first aspect to which we need to address our attention.

Simon Hughes: I agree absolutely. Most cases that go to the magistrates court result in a guilty plea, and a conviction is therefore secured.

May I deal with a second set of paradoxes about the Government's position that I find confusing? I do not blame the Home Secretary for the first of them. In the first term of the Labour Government, there were proposals, as he has referred to them, to restrict people's right to choose jury trial. They were put forward twice and defeated twice. Now we are being presented with the tempting proposition that we should allow people to choose to do away with jury trial. Although that is superficially appealing, may I put one argument as to why it would be a dangerous road to go down?

The argument was most effectively put by the hon. and learned Member for Redcar (Vera Baird)—I pay tribute to her—when she said, "Take a white defendant on a racial attack charge. Would he not find it a better prospect to appear before a white judge than a mixed jury? Take a male defendant on a sexual assault charge. Would he not perhaps choose to appear before a male judge rather than a mixed male and female jury?" Juries do not have reputations—they cannot, by definition—but judges do. If we go down this road, the choice of whether to elect for a judge will often be made by someone saying, "I'm going for the judge because they are thought to be soft and lenient." Those things cannot be predicted in a jury. Juries are much more uncertain.

[Simon Hughes]

They do not have a reputation, and they have none of the disadvantages of a single judge who comes to every case with a reputation.

Mr. Hogg: The hon. Gentleman has given examples of individuals who might wish to be tried before a judge rather than by a jury, but classes of case are also relevant here. For example, one can imagine that when railway crashes are dealt with under health and safety legislation, the defendants—directors of a large company—might prefer to be tried by a judge alone, not by a jury. Is that in the public interest?

Simon Hughes: That is one of the strongest arguments against giving serious fraud cases to the judge alone. It would look much more often as though the white-collar defendant was getting the white-collar judge—the single judge—whereas the blue-collar defendant, who represents the much more common non-fraud case defendant, would get the jury. These are really important matters.

I get confused about another thing. In the Bill, the Home Secretary is saying, "Trust the judges," but I have heard him say—or I and a lot of other people think that we have heard him say in other cases—that we should not give such great trust to judges. If there is a choice, although I trust them both, I believe that juries receive more trust from the public than judges do. Juries are not paid by the state. Even though they are independent, they are not seen to be part of the establishment. They are real people doing a voluntary service as part of their civic duty, and they do it very honourably.

Furthermore, the Government appear to be a bit confused because later in the Bill, in relation to previous bad character, they say, "Trust the jury. Put the evidence before them, and they can decide." We say in this context, "Put the evidence before the jury—they are well equipped to decide." I also wonder whether we are considering these proposals because juries are more unpredictable than judges and more out of the Government's control.

Mr. Blunkett: The hon. Gentleman is moving on to pastures new, but is he seriously suggesting that any Government, not just this Government, or any Executive, not just this Cabinet, control judges and their decision making in court?

Simon Hughes: Of course not, which is why I have never taken the view that the Home Secretary appears sometimes to have taken, which is that the judges should not be allowed to get on with their job and be properly independent. I have always taken the view that they should be allowed to do that. The great thing about juries is that they are far less predictable and manageable because they are far more independent. They are 12 people who have come together to form a collective view. That is bound to be more persuasive than any other method of deciding right and wrong, and guilt and innocence.

Mr. Marshall-Andrews: Would it be fair to add to that list of advantages of the jury system the incorruptibility of the system? Talk of nobbling, threatening or corrupting juries reveals one of the strengths of the system, not a weakness in it. It is almost impossible to subvert a jury of 12: in a lifetime of crime, I have never known it to happen. The placing of one judge in the firing line, who could be either bribed or nobbled, is surely much greater cause for concern.

Simon Hughes: I agree—although I suspect that the hon. and learned Gentleman meant "in a lifetime of dealing with crime".

If something works, we should not try to replace it unless there is an overwhelming argument for doing so. Secondly, the public are involved to an extent that we reduce at our peril. Thirdly, a jury contains people who do not arrive with a reputation and can therefore be entirely impartial. Fourthly, the jury system requires cases to be outlined in language that the public understand. There is no elite performance by lawyers for lawyers; this is publicly accessible justice, and we really ought to defend it.

Mr. Llwyd: May I respectfully add to the hon. Gentleman's list the fact that it is always preferable to have 12 judges of fact, rather than one?

Simon Hughes: That must be true, and any dogged and obstreperous individual can be dealt with now that majority verdicts are permitted, and frequently used.

In the other place, my noble Friend Lord Dholakia pointed out that minority communities in particular—black and Asian communities—have great confidence in the jury system. They believe, as all the research and other evidence shows, that they will be given a much fairer trial by a mixed-race jury than by a single, normally white, judge. The Commission for Racial Equality has advanced strong arguments in favour of the jury system, on the grounds that it is race-proof and much more equitable.

Many others argued points of principle in the House of Lords. Probably the strongest speech was made by a Government supporter, although she did not support the Government in this instance. On 15 July, Baroness Kennedy of The Shaws presented the central arguments in favour of jury trial.

Let me deal with the four propositions in turn. The first I have already dealt with: although, superficially, the amendment constitutes an appeal for people to be allowed the right to opt out of jury trial, it is likely to give the impression of creating a two-tier system, and a system in which people tend to use their own judge. A case in which a terrible sex offender, for instance, ought to be tried by his or her—normally his—peers might turn out to be the case that cannot be considered by a jury.

Secondly, there is the issue of serious fraud cases and very lengthy cases. I accept that the Home Secretary has made a concession in limiting his proposals to fraud cases, but my colleagues and I have not remained static. We have suggested an arrangement that would allow juries to be representative, but to be selected in a way that would make it practical to ensure that their members could remain on duty for a year, or for nine or six months. The Government rejected our suggestion.

Our view is simple. We do not think there should be a two-tier justice system, in which what happens depends on the nature of the charge and the offence being

considered by the court. The fact that a case is long and complex in terms of paperwork need not mean that the issue is difficult for a jury to deal with. As the hon. Member for Beaconsfield (Mr. Grieve) reminded us, all the evidence suggests that there are much higher conviction rates in such cases than in the other cases with which courts must deal.

Finally, there is the question of jury tampering. I understand the arguments, and the most appealing are those in favour of a system allowing the courts, if necessary, to take steps to deal with such tampering. The hon. and learned Member for Medway (Mr. Marshall-Andrews) said that we must not allow that part of the system to be put at risk. The hon. Member for Coventry, North-West referred to all the other measures that must be taken to show that we will not allow people to interfere with the criminal justice system, and that those who do so will experience the most extreme punishment.

My colleagues and I prefer to take the road embarked on by the hon. Member for Beaconsfield and his hon. Friends. We are willing to work with the Government to ensure that we do not have half a trial with a jury and half a trial without, as that is a ludicrous proposition. We are also, in serious cases of jury tampering, in which the defendant could not have a fair trial in any circumstances, willing to look at alternatives, but only if there is a high threshold. However, we are not considering that this afternoon. If we have time in the following days and weeks, we may reach an agreement. We are willing in the next 48 hours to work to come to an agreement, but we are not willing to compromise on the principle, against a guillotine and a deadline in the House that are not of our making.

4 pm

Mr. Hogg: I agree with much of what the hon. Gentleman has said, but on jury tampering, if there is a retrial or further trial after the discharge of the jury, does he agree that the second judge—a judge of fact in a judge-only trial—must be different from the judge in the first trial, because otherwise there is a danger that the judge in the second trial will have heard evidence not adduced in that trial.

Simon Hughes: I agree.

In a matter of hours, the President of the United States will make a state visit to this country. The constitutional settlement of the United States of America includes many good things. In the Declaration of Independence, one of the objections to the King concerned the fact that he was

"depriving us in many cases, of the benefits of Trial by Jury".

That concern resulted in the right to trial by jury being protected in article III.2 of the United States constitution. I am not aware of any circumstances in any of the jurisdictions in the United States in which defendants in serious cases can be denied the opportunity to trial by jury—*[Interruption.]* The Home Secretary has rightly mentioned Guantanamo Bay, and he knows that Members on both sides of the House believe strongly that it is a no-go area, which is entirely unacceptable. There is also the issue of military tribunals, but on the US mainland, the jurisdictions have upheld the right to jury trial.

The right to jury trial is precious, and it works well. Parliament will not give up without a fight the right for it to be used as the usual and regular course of action for most defendants. If we have to fight the Government, we will.

Vera Baird: Many speeches have been made during the passage of the Bill about the importance of jury trial as a principle. My right hon. Friend the Home Secretary has always said that he values jury trial in principle. It is hugely important in a democracy that the fresh air of public scrutiny is applied to decisions about the guilt or innocence of our fellow citizens.

My concern is primarily about clause 41, which may result in the end of jury trial as we know it. If my right hon. Friend does value that precious right, as he says, will he think further about that provision, which may undermine it? It could also be undermined by people who do not value it as he does or by sheer force of circumstance if clause 41 is brought into force. The new right for the defendant to opt for trial either by jury or by judge will inevitably be abused. For instance, in the north-east, it is well known that some judges are liberal and soft and that others are harsh. I have said so many times before, but if anybody asked me whether I would be tried by judge alone, I would say, "Which judge?" There will be forum shopping by defendants of the worst imaginable kind. Local witnesses waiting to go to court to give evidence will know that a defendant has opted at the last minute for judge X because he is soft, or has opted for a jury trial because judge Y, who is on the list of judges, is hard. That will rightly scandalise the public, victims and witnesses.

The Bill includes a provision specifying that there must be early exercise of the option, but it is unenforceable. Common sense dictates that if someone says that they want a jury trial, but the case comes to court and he decides that he is fine without a jury trial, nobody is going to compel him to go through the lengthier, more complicated and expensive process of empanelling a jury just because he asked for that at an earlier stage.

Mr. Blunkett: I am very sympathetic to my hon. and learned Friend. I understand from the previous contribution that she rightly made in the House, how strongly she feels. However, is it her proposition now that that is not possible when people are faced with a magistrates court or being able to opt for jury trial—that at that point that option is fixed and is the one that prevails, whether they want to go back to a magistrates court or not?

Vera Baird: It is very difficult to envisage a situation such as the one that I set out. The defendant may say, "All right, six months ago, I thought I needed a jury to try my case. I now realise that the judges here are all absolutely fine and fair and I do not need to put you through the extra expense, the extra complexity and a lengthier trial, so I do not want a jury trial." Is it seriously suggested that the judge should force him against his will to have a jury trial, when it will take a good deal longer and cost a good deal more? Of course not. The judge will say, "All right, if no one wants a jury trial here, no one need have one here."

[Vera Baird]

In practice, therefore, the right will be capable of being exercised at the end. Of course, if it is going to be exercised that way at the end, it is going to be exercised the other way at the end, if it is wanted, as well. There will be no possibility of excluding forum shopping. It is an appalling prospect and will bring the criminal justice system into disrepute. The jury system will be a tool to be used by clever criminals. Very soon, not only the Home Secretary but I and many others will say, "This has to stop. The system cannot be abused like that."

What will happen then? Will we go back to everyone having a compulsory jury trial? Of course not. By then, it will be clear that trial by judge alone can be quicker, slicker, more efficient and cheaper, so why wipe out the right to trial by judge alone? What will happen is that the right to decide whether a trial is by judge alone or by jury will be moved to the judge, and that will be a nail in the coffin of the right to jury trial. It will be at the judge's discretion.

Of course, the point I have just made—that non-jury trial is bound to be cheaper, quicker and more efficient than jury trial— will in itself be a nail in the coffin of jury trial. A robbery trial in court one at the Old Bailey will be carried out in two weeks by a judge, whereas, a robbery trial involving a very similar case in court two at the Old Bailey will be carried out over six weeks by a jury. Perhaps the man who had the two-week jury trial will be acquitted. The argument will be obvious. Why on earth should we allow defendants to have six weeks' worth of legal aid for these dreadful lawyers when they could perfectly fairly be tried in two weeks by a judge? Again, that argument will start to militate against jury trial.

Mr. Garnier: May I reinforce the hon. and learned Lady's point about judicial pressure in due course to encourage judge-alone criminal trials? In the civil field in which I work, defamation, there is still a right to jury trial, but the judge is given discretion to take it out of the hands of the jury and to try it himself, if he thinks—the wording almost reflects the wording in the Bill—that the case is going to be very complicated or take too long. However, increasingly, judges will begin proceedings by saying, "Do you not think that it would be better for all concerned if we just dispensed with the jury?" That is before we have even got into deciding whether it will be a complicated trial. The pressure will be on the parties to the trial to accede to the judicial request, because the judge will be under pressure from the management—that is to say, the Lord Chancellor's Department—to keep the through-put of trials going at a speedy rate. The Treasury pressure on the judge will be to keep the process going as quickly as possible. That is why the hon. and learned Lady is right to highlight that point.

Vera Baird: I am grateful for that intervention. If somebody is acquitted in a couple of weeks, instead of being convicted after spending six weeks in front of a jury, people will start to say, "What's good enough for defendant X—being tried and acquitted by a judge—must be good enough for defendant Y. Why should we allow them that option?" As has just been said, judges are under pressure in terms of turnover and disposal rates. They are almost certain to think that they can try cases just as well as a jury, so why should they not exercise their right to decide that they will do so?

And what about the little cases—those that are just a few pounds' worth—that find their way to the Crown court, in which the defendant wants to opt for trial by jury? They will—*[Interruption.]* Does my right hon. Friend the Home Secretary want to intervene, or just get in the way? *[Interruption.]* He is muttering into his beard—he does so, I am sure, with great charm—about district judges already trying without juries, but there is a principle in this country that serious cases go before juries. Although I am talking about the less serious cases that a judge will consider as not meriting jury trial, it is obvious that they constitute the bottom end of the serious stuff that the Crown court deals with. There will be pressure for smaller cases at the bottom end of the Crown court's tariff to be tried by judge alone, and for the option of trial by jury not to exist.

I foresee that, for those two reasons, we shall soon have the forum shopping and abuse that none of us wants, and the obvious cheapness, slickness and efficiency of trial by judge alone. The defendant's right to opt for trial by judge alone will go and will be passed into the hands of the judge, which will be the end of any kind of right to trial by jury. Here, I am expressing a very real fear. I do not intend that my comments should have a querulous sound; rather, they are expressing a serious concern. My right hon. Friend the Home Secretary says that he, too, is concerned about safeguarding the principle of jury trial, but if he wants to do so, he cannot allow it to become optional. Once it becomes optional, the reasons why the option is exercised will bring the principle into disrepute. That is the slippery slope on which we are starting today with clause 41.

Mr. David Kidney (Stafford): It is fanciful for my hon. and learned Friend to suggest that if some accused can choose a judge-only trial, all of them will. So that we can see whose opinion is right, I should point out that Lord Justice Auld's report commented on the widespread use in other common-law jurisdictions of what he called the "jury waiver" —in other words, the giving up of the right to trial by jury. Is it not true that the jury trial is still strong in all those jurisdictions?

Vera Baird: I do not seem to have made myself clear—at least to my hon. Friend. In no way did I say that if we give everybody the right to non-jury trial, all will opt for it. I said that the way in which that option is exercised will be subject to criticism, and people will say, "If they're going to exercise the right to jury trial in that way, we will take it away from them and let somebody sensible decide what mode of trial should follow." If my right hon. Friend the Home Secretary is concerned about jury trial, I ask him to consider that that process will inevitably follow from what happens today. I seriously invite him to consider that that is not what he wants. Please reconsider clause 41.

Mr. Hogg: I have just two minutes, so I shall be extraordinarily brief. I want to begin by telling the Home Secretary something that is not palatable to many Members of this House: that we should listen with respect to what is being said in the other place about part 7. The plain truth is that we in this House will be having

whipped votes on this issue, and that what we are hearing today is the Home Office's view. What we heard in the other place was a largely free and unconstrained debate, with views being expressed by people who have a great deal of knowledge on the subject—we should therefore listen with respect to what they say.

4.15 pm

Like the hon. and learned Member for Redcar (Vera Baird), I start from the presumption that jury trials are desirable: they have, as my hon. Friend the Member for Beaconsfield (Mr. Grieve) said, very wide public acceptability, and they tend to give a more just result—partly because jurors are better judges of fact than are judges, many of whom have spent too long in the criminal courts hearing too many lies.

On clause 41, I absolutely agree with the hon. and learned Member for Redcar that we are creating a presumption against jury trials. That will be the thin end of the wedge, and ultimately they will be discontinued on that basis alone. As the hon. Member for Southwark, North and Bermondsey (Simon Hughes) said, many individuals will try to get a judge-only trial because they think that it suits them. Moreover, certain classes of trial will come before judges only, and that will displease the public at large.

As regards long and complex trials—this relates to clause 42—the single issue is normally one of dishonesty—

It being one hour and forty-five minutes after the commencement of proceedings on Lords amendments, MADAM DEPUTY SPEAKER *proceeded to put forthwith the Question already proposed from the Chair, pursuant to Order [this day].*

The House divided: Ayes 327, Noes 221.

Division No. 371] **[4:16 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Banks, Tony
Barron, rh Kevin
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S. Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona

McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Nick Ainger and Charlotte Atkins

NOES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bennett, Andrew
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Connarty, Michael
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dawson, Hilton
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Dunwoody, Mrs Gwyneth
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gerrard, Neil
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McDonnell, John
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Mitchell, Austin *(Gt Grimsby)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen

Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Coventry NW)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winnick, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wood, Mike *(Batley)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Angela Watkinson and Mr. Alan Reid

Question accordingly agreed to.

Lords amendment disagreed to.

Clause 42

APPLICATIONS BY PROSECUTION FOR CERTAIN COMPLEX OR LENGTHY TRIALS TO BE CONDUCTED WITHOUT JURY

Lords amendment: No. 33

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—[*Mr. Heppell.*]

The House divided: Ayes 329, Noes 224.

Division No. 372] **[4:32 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.

Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Nick Ainger and Charlotte Atkins

NOES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bennett, Andrew
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Connarty, Michael
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Cousins, Jim
Curry, rh David
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dawson, Hilton
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Dunwoody, Mrs Gwyneth
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gerrard, Neil
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman

Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McDonnell, John
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Mitchell, Austin *(Gt Grimsby)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
O'Neill, Martin
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Coventry NW)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winnick, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wood, Mike *(Batley)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Angela Watkinson and Richard Younger-Ross

Question accordingly agreed to.

Lords amendment disagreed to.

Government amendments (a) to (f) to words restored agreed to.

Clause 43

Application by Prosecution for Trial to be Conducted without Jury where Danger of Jury Tampering

Lords amendment: No. 34.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Mr. Heppell.]*

The House divided: Ayes 334, Noes 221.

Division No. 373] **[4:45 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John

Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Nick Ainger and Charlotte Atkins

NOES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Connarty, Michael
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dawson, Hilton
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Dunwoody, Mrs Gwyneth
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward

Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McDonnell, John
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Coventry NW)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Angela Watkinson and Richard Younger-Ross

Question accordingly agreed to.

Lords amendment No. 34 disagreed to.

Government amendments (a) and (b) to words restored agreed to.

Lords amendment No. 35 disagreed to.

Lords amendment No. 36 disagreed to.

Government amendments (a) and (b) to words restored agreed to.

Lords amendment No. 37 disagreed to.

Government amendment (a) to words restored agreed to.

Lords amendment No. 38 disagreed to.

Government amendment (a) to words restored agreed to.

Lords amendment No. 39 disagreed to.

Lords amendment No. 40 disagreed to.

Government amendments (a) and (b) to words restored agreed to.

It being more than one and three quarter hours after the commencement of proceedings, MADAM DEPUTY SPEAKER *proceeded to put forthwith the Questions necessary for the disposal of business to be concluded at that hour, pursuant to Order [this day].*

Lords amendment No. 1 agreed to.

Clause 4

USE OF TELEPHONES FOR REVIEW OF POLICE DETENTION

Lords amendment: No. 2.

5 pm

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I beg to move, That this House disagrees with the Lords in the said amendment.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to take Lords amendment No. 4 and the Government motion to disagree thereto, and Lords amendment No. 8 and the Government motion to disagree thereto.

Caroline Flint: Deleting clause 4 places an unnecessary restriction on a practical and efficient way of overcoming some of the resource and logistical problems of arranging reviews while people are held in detention. The Police and Criminal Evidence Act 1984 allows a range of safeguards and protections for a person in custody, including access to legal and medical advice, health care, recognised meal and refreshment breaks and, when appropriate, access to a suitable adult.

A key factor in ensuring that the suspect's rights are protected lies in the further safeguard of the detention review process and the role of the review officer. Reviews of detention must be carried out frequently by an officer of at least the rank of inspector. The clause will maintain

[Caroline Flint]

the application of those important safeguards but will broaden the capacity so that telephone reviews can be conducted when they are considered the most practical and efficient approach.

The provision will provide the review officer with straightforward alternatives of reviewing in person or by telephone. The choices continue to exist. When reviewing, the officer must consider each case individually and determine the most appropriate way in which to conduct the review, taking full account of the needs of the person in custody. The review officer will provide the opportunity for telephone representations by the detained person, the detainee's solicitor if available at the time and, if relevant, an appropriate adult, if available.

We have made it clear in guidance that specific consideration must be given in the case of vulnerable suspects, including juveniles. We have developed that guidance with the valued support of key stakeholders, including the coalition of children's charities, which comprises the Children's Society, Barnardo's, ChildLine, National Children's Bureau, National Children's Home, the National Society for the Prevention of Cruelty to Children, the National Council of Voluntary Child Care Organisations and the National Association for the Care and Resettlement of Offenders. The clause follows the recommendation of the joint Home Office and Cabinet Office review of PACE that allowing the use of telephone reviews in a wider set of circumstances would better serve the needs of the police and ensure the rights of suspects. It will help the police overcome the resource and logistical problems of arranging reviews, especially at night, and will save a great deal of valuable inspectors' time, particularly in terms of travelling to conduct reviews in remote rural areas.

On Lords amendment No. 4, at present the law allows the police the discretion to retain fingerprints and non-intimate samples taken by them during the investigation of an offence from persons suspected of having committed a recordable offence. I am sure that my hon. Friends are aware that under PACE 1984, as amended, the police have the discretion to retain that information in respect of persons who have been charged with an offence, irrespective of whether that person is subsequently convicted of the offence. That important provision—I shall outline shortly just how important that power has proved to be—was introduced by an amendment to PACE in the Criminal Justice and Police Act 2001 in May of that year. Those amendments were subjected to close parliamentary scrutiny and Parliament concluded that the changes were compatible with human rights legislation.

Lords amendment No. 4 would not only require the police to destroy the fingerprints and samples taken from persons arrested for a recordable offence and not subsequently charged, but would put the law back to the position it was in before the changes made in 2001.

Simon Hughes: Will the Minister deal with an argument that the Government have never yet adequately answered? Why are people who are arrested and then released, without any charge or conviction, automatically put in a different category from people who are never arrested by the authorities? Why should somebody have their DNA or fingerprints kept by the state when they are just as innocent and free from convictions as anybody else?

Caroline Flint: If the hon. Gentleman will allow me, I will expand on that point during my contribution. The danger is that not accepting the present situation would have an impact on what we want to achieve, which, as he rightly says, is the ability to retain fingerprints and DNA data from those who are arrested. It would also put the law back to the position it was in before the changes made in 2001. There was extensive discussion about whether it is right to retain information when someone has been charged but not convicted.

I remind hon. Members that the changes were made as a result of two cases, one involving a murder and the other a rape, in which information held on the national DNA database linked the offenders to those offences. The Court of Appeal held that that information could not be used because, as the law then stood, it should have been destroyed when the offenders had been acquitted of the earlier offences for which the samples had originally been taken. The Court of Appeal therefore held that the evidence linking the offenders to the rape and the murder was inadmissible. Although the decision of the Court of Appeal was later overturned on appeal, Parliament decided, as the House of Lords had urged, to make the law clear and allow the police the discretion to retain all fingerprints and samples lawfully taken in the course of an investigation. As I said earlier, that change to the law has proved extremely important.

Simon Hughes: Will the Minister give way?

Caroline Flint: I would like to expand on this point. If the hon. Gentleman is going to repeat the same question, I would like a chance to answer it first.

The change to the law has proved extremely important, and will be important in relation to the retention of data following arrest. The custodian of the national DNA database tells us that there are approximately 103,000 DNA profiles on the database that would previously have been removed under PACE. Of those, approximately 4,600 profiles of individuals have been linked with crime scene stains involving 4,760 offences. Those offences include 26 murders, 15 attempted murders, 27 rapes, 13 sexual offences, 14 aggravated burglaries and six offences related to the supply of controlled drugs. All those offences were committed after the person had been acquitted of an earlier charge. We do not want to change the law in that respect, which is what the Lords amendment, as it stands, would do.

The Lords amendment would seriously inhibit the investigation, detection and prevention of crime. It might also delay the elimination of an individual from suspicion of having committed an offence, because DNA and fingerprints can equally be used to help the police to determine who did not commit the offence under investigation.

Lynne Jones (Birmingham, Selly Oak): Is not my hon. Friend arguing that DNA samples from every individual ought to be taken? Otherwise, she is saying

that people who have been arrested and had their fingerprints or DNA samples retained are more likely to be guilty of a crime than people who have not been arrested and had their samples taken. What evidence is there for that? Surely the Government ought to be legislating to compile a national database for everybody's DNA.

Caroline Flint: No, we are not moving to a national database. Fortunately, in the UK it is still a minority of people who commit offences and therefore a minority who are arrested.

We understand the concerns about the retention of samples and fingerprints taken from individuals who have been arrested and not charged, or charged and not convicted, but we believe that retaining that information is proportionate to the benefits of society and the prevention and detection of crime. Law-abiding citizens have no reason to be concerned about their fingerprints and samples being retained on the database. The law is already quite clear that their use is restricted to the prevention and detection of crime, the investigation of an offence or the conduct of a prosecution. In fact, arresting somebody is open to guidelines and procedures on the grounds for arrest.

To those who say that we are creating a third class of person, neither innocent nor convicted but merely "under suspicion", I say that that is not the case. Where taking and retaining fingerprints or DNA samples is the norm, there is no stigma attached to the individual concerned and we would say no discrimination. These proposals are about having the means by which we can retain data not only to consider somebody if they have taken part in an offence, but to rule them out of offences that have been carried out.

In relation to amendment No. 8, as originally drafted, clause 12 provided for the Secretary of State to alter by order made by statutory instrument the minimum age at which persons in police detention may be tested for specified class A drugs—crack, heroin and cocaine. The clause also provided for the order to be subject to the affirmative resolution procedure. Such delegation and scrutiny were considered appropriate by the Regulatory Reform Committee, as reported in its 21st report. Noble Lords in the other place expressed particular concern that the clause did not provide a requirement for public consultation. I hope to assure the House that there will be sufficient safeguards before any change is made to the minimum age and that clause 12(3)(c) should be reinstated.

Those provisions are to be introduced in limited areas on a pilot basis initially. We maintain that it is important that the Secretary of State should have the ability to change the minimum age, either up or down, should evidence emerge to suggest either that we would be justified in extending the clause to include persons under 14 or, for that matter, that testing those aged 14 and over should be increased.

Reinsertion of clause 12(3)(c) would enable us to take action, as appropriate, in the light of any such evidence from the pilot evaluation findings or from other relevant research evidence. We believe that that flexibility is available in the case of pre-sentence drug testing, to which noble Lords in another place did not object. I can assure my hon. Friends that, as we indicated in the memorandum submitted to the Regulatory Reform Committee, it is our intention that any decision to change the minimum age for drug testing will be made only after full consideration of all the available evidence and will take account of the views of relevant bodies. We also believe that it is sensible for the clause to be entirely consistent in this respect with that on pre-sentence drug testing.

In all the areas that I have outlined, the proposals are about more effective policing to deal with situations that the police have to face in their day-to-day responsibilities. In some areas, that involves cutting bureaucracy; in others, it involves ensuring that we have information available.

Mr. Graham Allen (Nottingham, North): Will my hon. Friend congratulate those in the police, not least in the Nottinghamshire force, on making the proposal in Committee that there should be testing at 14? Indeed, that will now be in the Bill. Will she also consider having an age limit that goes down to 10, which, although it sounds draconian, would stop some 10-year-olds who are class A drug users—crack cocaine users—and get to them before they develop a habit that could last the rest of their lives?

Caroline Flint: I thank my hon. Friend for that contribution. It is a reality that we have to face up to that there are young people who are using class A drugs. The evidence suggests that that is more prevalent among those aged 14 and above, which is why we want the testing, but having the opportunity to revise that figure up or down is important so that we can take action as soon as possible to get treatment to those young people and get them off the drugs. We disagree with the amendments.

5.15 pm

Mr. Humfrey Malins (Woking): I think the House will agree that when the Opposition parties have less than a minute to discuss such important issues the situation is shambolic, and a real reflection on the way of parliamentary life nowadays.

I have 20 seconds in which to discuss each group of amendments. We all agree that the issue of personal liberty is fundamental, and that an attempt should always be made to review detention, in person if possible. We understand that a balance must be struck between review of detention in person and the freeing of officers for operational duties, but I hope to goodness that reviews by telephone will be not the norm but a rarity, and that every effort will be made to ensure that the reviews are conducted by a very senior officer in person—or, second best, by means of a video link. I am glad that that is being introduced; it is working very well in the courts in which I operate. The need to protect younger and vulnerable defendants is very important.

It being two hours and forty-five minutes after the commencement of proceedings, MR. DEPUTY SPEAKER *proceeded to put forthwith the Questions necessary for the disposal of business to be concluded at that hour, pursuant to Order [this day].*

Lords amendment No.2 disagreed to.

Motion made and Question put, That the House disagrees with the Lords in amendment No. 4.

The House divided: Ayes 331, Noes 56.

Division No. 374] **[5:16 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*

Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Gillian Merron and
Charlotte Atkins

NOES

Allan, Richard
Baker, Norman
Barrett, John
Beith, rh A. J.
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Foster, Don *(Bath)*
Gidley, Sandra
Harvey, Nick
Heath, David
Hogg, rh Douglas
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury & Atcham)*
Moore, Michael
Oaten, Mark *(Winchester)*
Opik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Rendel, David
Sanders, Adrian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Younger-Ross, Richard

Tellers for the Noes:
Bob Russell and
Mr. Alan Reid

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment No. 8 disagreed to.

Lords amendments Nos. 3, 5 to 7, 9 to 31, 41 to 99 and 308 to 318 agreed to.

Clause 78

AUTHORISATION OF INVESTIGATIONS

Lords amendment: No. 100.

Paul Goggins: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to take Lords amendment No. 101 and Government motion to disagree thereto.

5.30 pm

Paul Goggins: One of the important safeguards that the Bill provides in respect of retrials for serious offences is that the personal consent of the Director of Public Prosecutions will be needed to authorise the taking of certain steps by the police to reinvestigate a person previously acquitted of a qualifying offence. The Bill as originally drafted provides that the DPP will not be able to give his consent to reopen an investigation unless he considers that there is, or would be, new evidence as a result of a reinvestigation, and that a reinvestigation would be in the public interest.

To that requirement the Lords wish to add a further requirement that the DPP should seek the leave of a Crown court judge before consenting to a reinvestigation. I consider this amendment unnecessary. The DPP is sufficiently senior and experienced to take a decision on whether to allow the police, in reopening an investigation into an acquitted person, to take the steps set out in subsection (3).

Mr. Hogg: But one question is, of course, whether it is in the public interest for the investigation to proceed. Surely the DPP is not an independent judge, in the same way as a judicial figure.

Paul Goggins: But perhaps the most important point about independence is that the DPP is sufficiently independent of the police, in terms of his ability to review their request for a reinvestigation. Independence is required, but independence from the police is most important.

The Government consider that the DPP's taking that decision provides the necessary safeguard to ensure that the acquitted person is not being harassed by the police—an issue that Members raised in previous debates. At the reinvestigation stage, it is quite proper for the decision to reinvestigate to be taken by the prosecuting authorities rather than by the courts. Involving a Crown court judge in proceedings at that stage would also make the process more cumbersome. Many layers of safeguards are already built into the exercising of the powers listed in subsection (3). I do not believe that requiring the DPP to secure the leave of a Crown court judge is necessary before a reinvestigation can proceed.

The safeguards on reinvestigation need also to be seen in context. Before an application for a retrial can actually be made, the DPP's consent is required again. He must be satisfied at that stage that there is new and compelling evidence, and that it is in the public interest for the application to be made. The Court of Appeal

[Paul Goggins]

then determines that application, and it is at that stage that a judicial decision is properly required. As such, I invite the House to disagree to the amendment.

Mr. Grieve: This brings us back to a discussion that we had in Committee a very long time ago, in which we told the Minister that in our view, having judicial scrutiny before allowing the process to take place would be an extra and worthwhile safeguard. Such scrutiny would have been an important safeguard in precisely ensuring, as has been suggested, that the public interest and above all fairness, which the judiciary has a special role in ensuring, be taken fully into account. Of course, this process could be unfair and very onerous. It is therefore interesting to note that when the Bill went to the other place, the Lords seemed also to have been exercised and anxious about this issue.

The Minister will be reassured to learn that, because this is a small matter, I do not intend to divide the House on it. If the Government wish to remove the amendment, on their heads be it, but I remain mystified as to why they did not accept it a long time ago. My view has always been that it would provide an important safeguard that would reassure the public and those who will be put through the process—including those who may, of course, eventually be acquitted—that it will be gone through only for good reasons, and that there will be judicial scrutiny throughout; otherwise, the danger is that, even allowing for the independence of the DPP, the perception will be that an individual is being put through an administrative process that is deeply damaging to his liberties, and which involves no proper oversight.

Mr. Hogg: I am not one to impugn the DPP or to criticise unnecessarily, but we must not overemphasise his independence—he is head of the prosecution service.

Mr. Grieve: My right hon. and learned Friend is right. That is why we tried to put the safeguard into the Bill at a very early stage. It was reading the Bill late at night—not some lobby group—that led me to believe that the amendment would be valuable. I remained puzzled throughout our proceedings that the Government would not accept a proposal that struck me as being so modest and so sensible. The ways of government are sometimes mysterious. I certainly do not wish to deny the Government their Bill on this one issue, so I shall, with some reluctance, keep quiet about it hereafter. I do not know whether their lordships will do likewise—that is a matter for them. I do, however, regret the Government's unnecessary removal of a safeguard that would have been of value.

Mr. David Heath (Somerton and Frome): I share the concerns expressed by the hon. Member for Beaconsfield (Mr. Grieve). I suspect that Liberal Democrat Members may be made of slightly sterner stuff on this issue. We believe that the safeguard is important, if small. I entirely agree with the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) that whatever personal merits we see in the Director of Public Prosecutions, and although he is a senior figure who is well capable of taking such decisions, we must recognise that he has one impediment that cannot be avoided—he is part of the prosecution system. As we are dealing with the rights of the individual not to be harassed or otherwise put to inconvenience unnecessarily by an over-mighty prosecution system, the intervention of the judiciary at that point is entirely appropriate.

In previous debates, the Government advanced the argument that judicial review at a later stage is capable of remedying any improper decision on the part of the DPP. That is even more cumbersome than the suggestion in the amendment, and has the considerable disbenefit of being too late to do the job properly. Given that this is an important departure from our previous practice, we want to ensure that the greatest possible safeguards are built into the system. It would be a very small step for the DPP to go to a judge to seek agreement by an ex parte application for an investigation or reinvestigation to proceed.

The noble Lady who speaks for Conservative Members in another place was absolutely right in her arguments, and I have heard nothing from the Minister this evening that persuades me otherwise. Until we hear a cogent argument to the contrary, we should support our noble Friends and others in another place who insisted on the amendment, and await the conclusion later this week.

Mr. Allen: My hon. Friend the Minister will note that Opposition Front Benchers gave no welcome in principle to this improvement to our law. If it is brought in, I hope that he will not be backward in coming forward in reminding them of that in a year or so, when serious cases such as those that we discussed in Committee—for example, involving child killers who later confess to cellmates—have been brought before the law for retrial.

Mr. Grieve: I find that comment rather ungracious, especially in view of the Opposition's participation in the progress of the Bill. We have accepted throughout that there are grounds for allowing retrial for certain grave offences. We have worked with the Government to achieve a satisfactory outcome, and that has largely been achieved. I am grateful to the Government for that and I hope that this measure makes some small improvement to the criminal justice system. However, given the shortness of time available, I thought that I would concentrate on the issue before the House.

Mr. Allen: I am grateful that my intervention has prompted the Opposition to put the record straight.

Mr. Hogg: In my opinion, the Lords got this matter about right. The hon. Member for Somerton and Frome (Mr. Heath) reminded the House that retrials are a major departure from established principle and practice. We have accepted that they are justified in a limited number of cases, but we must face the fact that the process of a retrial can be extremely oppressive for defendants. My hon. Friend the Member for Beaconsfield (Mr. Grieve) rightly pointed out that some of those offenders will be acquitted, but the process of retrial could involve much expense, trouble, concern and anxiety for people who were acquitted at the first trial. Therefore, we should be chary of embarking on a process that could give rise to those consequences.

I do not wish to be unduly critical of the post of Director of Public Prosecution. Indeed, I have no justification for being so, but that does not alter the fact that he is head of the Crown Prosecution Service. As such, the DPP has a vested interest in pressing forward with prosecutions, because that is his function. I am concerned that a director may give his or her consent to a retrial in circumstances that do not wholly warrant it, in part because of the internal pressures in the CPS to secure convictions. The Lords have put in a filter, whereby the application by the DPP has to be considered by an independent judicial figure. That is a filter, but it also drives the DPP to consider carefully the nature of the application that he is about to make and whether or not the evidence on which the application will rest is sufficient to satisfy the criteria. Not only is the provision a filter in itself, but it will also drive the DPP to make applications only in appropriate cases.

I hope that the Lords stick by this measure. If the matter is put to a Division, I shall vote to support the Lords. I know that my hon. Friend the Member for Beaconsfield will not press it to a Division, but others may, and they will have my support.

Paul Goggins: I am grateful to my hon. Friend the Member for Nottingham, North (Mr. Allen) for reminding the House of the wider context of our somewhat narrow discussion, which is that in future in those small number of cases that he mentioned justice will be delivered rather than denied, as it would have been in the past. I apologise to the hon. Member for Somerton and Frome (Mr. Heath) for my lack of cogency, but I see the issue as straightforward. The Bill includes safeguards in relation to this matter. Reinvestigation will require the personal approval of the DPP, who is a senior and experienced individual. He or she is independent from the police, and the Court of Appeal must give its approval if there is to be a retrial.

Mr. Allen: Any trial is an onerous experience for a defendant, but does my hon. Friend agree that we should not forget how onerous it can be for a victim's family when new and compelling evidence comes forward and they are not allowed to bring the offender to book, however likely it is that that person is guilty?

Paul Goggins: As my hon. Friend knows—he was on the Committee and is assiduous in following up such issues—the Bill is about redressing the imbalance in our system in favour of victims. That is a theme that the Home Office is pursuing on several fronts, not least through this Bill.

Mr. Heath: The hon. Member for Nottingham, North made a potent point, but it is irrelevant to the matter that we are considering, which is simply whether judicial approval should be given for the reopening of an investigation. That does not affect the conduct of the reinvestigation—whatever the hon. Gentleman may blather from a sedentary position.

Paul Goggins: The point made by my hon. Friend the Member for Nottingham, North is important, but I agree with the hon. Member for Somerton and Frome that this is a straightforward matter. I ask the House to disagree with the Lords in their amendment No. 100.

Question put, That this House disagrees with the Lords in the said amendment:—

The House divided: Ayes 357, Noes 58.

Division No. 375] **[5:45 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter

Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Margaret Moran and Gillian Merron

NOES

Allan, Richard
Baker, Norman
Barrett, John
Beith, rh A. J.
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Gidley, Sandra
Green, Matthew *(Ludlow)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Heath, David
Hogg, rh Douglas
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury & Atcham)*
Moore, Michael
Oaten, Mark *(Winchester)*
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Stunell, Andrew
Taylor, Matthew *(Truro)*

Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Younger-Ross, Richard

Tellers for the Noes:
Mr. Alan Reid and
Mr. Don Foster

Question accordingly agreed to.

Lords amendment disagreed to.

It being more than three and a quarter hours after the commencement of proceedings, MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of business to be concluded at that hour, pursuant to Order [this day].*

Lords amendment No. 101 disagreed to.

Lords amendments Nos. 102 to 113 agreed to.

New Clause

Lords amendment: No. 114.

Paul Goggins: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Lords amendment No. 115 and the Government motion to disagree thereto, Government amendment (a) to words restored; Lords amendment No. 116 and the Government motion to disagree thereto; Lords amendment No. 117 and the Government motion to disagree thereto; Lords amendment No. 118 and the Government motion to disagree thereto; Lords amendment No. 119 and the Government motion to disagree thereto; Lords amendment No. 120 and the Government motion to disagree thereto; Lords amendment No. 121 and the Government motion to disagree thereto; Lords amendment No. 122 and the Government motion to disagree thereto; Lords amendment No. 123 and the Government motion to disagree thereto; Lords amendment No. 124 and the Government motion to disagree thereto, Government amendment (a) to words restored; Lords amendment No. 125 and the Government motion to disagree thereto; Lords amendment No. 126 and the Government motion to disagree thereto, Government amendment (a) to words restored; Lords amendment No. 127 and the Government motion to disagree thereto; Lords amendment No. 128 and the Government motion to disagree thereto; Lords amendment No. 129 and the Government motion to disagree thereto, Government amendments (a) to (e) to words restored; Lords amendment No. 130 and the Government motion to disagree thereto, Government amendments (a) to (d) to words restored; Lords amendment No. 131and the Government motion to disagree thereto; Lords amendment No. 132 and the Government motion to disagree thereto, Government amendment (a) to words restored; Lords amendments Nos. 133 to 136.

Paul Goggins: We now come to the part of the Bill that deals with the admissibility of evidence, specifically evidence of bad character and hearsay evidence. These are highly important provisions.

Trials should be a search for the truth and the rules of evidence should help to ensure that that is the case. The present law in both of those areas has, however, been roundly criticised—from the royal commission on criminal justice in 1993 to the Law Commission's reports in 1997 and 2001 and Lord Justice Auld's review of the criminal courts. There is a wide consensus in favour of reform.

6 pm

Mr. Kidney: My hon. Friend mentions the Law Commission. The Lords amendment on bad character would import wholesale the Law Commission's draft legislation on bad character, which seeks to clarify and modernise the law. It is authoritative because it is based on the Law Commission's investigation, report and draft Bill. Why does my hon. Friend not just take what he has got and accept the Lords amendment?

Paul Goggins: I shall explain why we are not doing that. We give credit to the Law Commission for the work that it has done, but argue that we want to go further than it has recommended. I hope that during the next few minutes I shall be able to apprise my hon. Friend of why we want to go further than the Law Commission's initial recommendations.

This part of the Bill is intended to provide a new statutory framework for the admission of those two types of evidence. Amendments adopted in the other place would, however, reduce the efficacy of the reform that the Government propose. I shall deal first with the evidence of bad character. Amendments adopted by the other place would replace the Government's proposals with almost exactly the scheme drafted by the Law Commission, as my hon. Friend pointed out. We agree with much in that scheme. As my noble Friend the Minister of State made clear in the other place, the Government's proposals are based on the Law Commission's work and adopt many of its recommendations. However, we do not believe that those go far enough in rebalancing the system to ensure that the rules promote the admission of relevant evidence, subject, of course, to considerations of fairness. Without such rebalancing, courts and juries will continue to have withheld from them important evidence that could give them the full picture of a particular case.

In our view, a different approach is required—one of inclusion, which makes it clear that relevant evidence is admissible. It will of course be for the prosecution to demonstrate in the course of proceedings how the evidence relates to the particular case.

Mr. Grieve: Let us take just one example: previous convictions. It is accepted—I think that the Government would accept this—that if someone has a previous conviction, that in itself cannot show that they are guilty of anything, unless there is a link between the previous conviction and the crime for which they are currently being tried. That is the classic example that shows why such evidence should be excluded unless there is a reason to include it—not the other way around. That is what the Law Commission wanted to do, but for some reason the Government do not want to do that.

Paul Goggins: It is because we are persuaded of the need for an inclusive approach. We are making the

[Paul Goggins]

presumption that that kind of information is admissible as evidence. Of course, the defence has the opportunity to argue that such evidence is not relevant, and it could argue that it was more prejudicial than probative in a particular case, so there are safeguards in place—but the information referred to by the hon. Gentleman in his example may be relevant in a particular case.

We have always said that we will listen to constructive suggestions for change to ensure that our proposals are cast in the best possible form. We are aware that a number of concerns have been expressed over the way in which the Bill's scheme will work in practice and we are prepared to make improvements to reflect those. I am therefore moving several amendments to make three changes. The first concerns the definition of evidence of bad character. The definition that the Government originally proposed was that recommended by the Law Commission, but concern was expressed that that was too vague and would enable the admission of evidence that was too remote. We recognise that it is important to be as clear and precise as possible, so we have redrafted the definition to tighten the wording while maintaining a fairly wide ambit.

The second change is to ensure that the defendant has clear notice of the prosecution's intention to rely on evidence of his bad character. That reflects a concern that a more inclusionary approach would lead to the admission of evidence where it was not appropriate or safe for it to be heard. That is not our intention. We believe that the system needs to be rebalanced to ensure that relevant evidence is admitted unless good reason is shown for excluding it, but we recognise that there must be a clear opportunity for a defendant to apply to exclude the evidence and for that issue to be decided by the court. That will be facilitated by having a formal requirement of notice.

The third change relates to the admissibility of juvenile convictions in adult proceedings. At present, no mention may be made of those convictions. That is too restrictive an approach and our proposals will lift that absolute prohibition, making such evidence admissible subject to the general scheme of the Bill. Concern has been expressed that that goes too far, that a person's record at that age will not have the relevance of later offending, and that particular considerations apply in the context of juvenile offending. We have some sympathy with the idea that such admission should take place on a more restricted basis, so we propose that those convictions should be admissible only where the interests of justice specifically require it. We intend that test to exclude a sporadic record for minor offences while ensuring that continual or persistent offending or convictions for very serious offences are capable of admission.

Hon. Members will notice that there are a number of other amendments in the name of my right hon. Friend the Home Secretary.

Mr. Hogg: To what extent has the Minister addressed the following issue? He will understand that under existing law, a defendant will often refrain from attacking the character of a Crown witness for fear of his own character being disclosed. Under the Government's proposals, the presumption, broadly speaking, seems to be that the bad character of the defendant can be disclosed in any event. That being so, the restraint that operates at present on defendants not to attack the character of Crown witnesses will disappear.

Paul Goggins: I am becoming more familiar with some of those issues by the hour. I understand that the right hon. and learned Gentleman refers to "the shield". We believe that the shield should not be available with impunity to the defendant, and that he should not be allowed to make assertions without some accountability and responsibility for them.

Mr. Denham: On the question of bad character, does my hon. Friend agree that of all the provisions in the Bill that have caused concern—I share many of those concerns—this is where the risk of something going wrong is probably greatest, in terms of the import of particular evidence being misunderstood by the jury in the course of the trial? The case for moving in this direction is good, but how do the Government propose to examine how the law will work in operation to see whether any of the concerns that have been expressed are justified or whether it is working well?

Paul Goggins: It is good practice for the Government to examine the impact of their legislation in any sphere. Earlier today we discussed the Sexual Offences Bill, whose implementation we shall need to monitor carefully. The same will be true of this Bill. I accept what my right hon. Friend says about some of the dangers. We acknowledge that there would be dangers if the provisions were unrestrained, but I have already referred to the requirement for notice to be given and made the point that the defence has the opportunity, without the jury in the courtroom, to argue that a particular piece of evidence that the prosecution wants to bring forward is not relevant or is more prejudicial than probative. I think that we have put in place safeguards that will reassure my right hon. Friend, but I certainly note his concerns.

On hearsay evidence, the relevant amendment that we are discussing would remove clause 107. That clause is a key part of the new statutory scheme. It provides an overarching statement of the circumstances in which hearsay evidence is admissible, setting the context for the rest of that part of Bill. Those who opposed the clause in the other place did so for two very different reasons.

First, objections were raised in general to the scheme proposed in the Bill, to which clause 107 provides the gateway. We believe that those objections are misplaced. The Bill provides a clear scheme based on recognised and established categories of admissibility, but consolidates the current rules and restates them comprehensively and coherently. As the House will know, the Lord Chief Justice has suggested that something simpler is needed, akin to the civil rules of evidence. We have given that careful consideration, but do not believe that a complete relaxation of the hearsay rule, as in civil proceedings, would be appropriate for criminal cases where different concerns, such as the fairness of the proceedings, take precedence. In our view, it is important to provide a clear structure for the admission of hearsay evidence, and we consider that the best framework is based on clear and accepted

categories of admissibility, with residual discretion to operate in the interests of justice.

That brings me to the second concern that has been expressed—the extent to which the courts should have discretion to admit evidence that does not fall within one of the recognised categories. That is dealt with in clause 107(1)(d). The Government remain firmly of the view that that is an important aspect of the scheme. Certainly, it was considered necessary by the Law Commission, which recommended a provision along those lines. It might be helpful if I give an example of why that sort of discretion is needed.

Let us take a case where a man is accused of murdering his ex-wife. His defence is that he was 200 miles away at the time of her death. He has only one alibi—a neighbour's seven-year-old child saw him when he popped out to walk his dog. The child gives a statement to the police the next day confirming the man's presence at home. She remembers the incident so well because he stopped to let her pet the dog. But by the time of the trial, she cannot remember anything about it at all. The jury cannot be told about her statement because it would be hearsay. Juries in other countries, such as Canada, are trusted to hear that type of evidence, so why can they not be trusted to do so in this country?

That example is not far-fetched—the Court of Appeal dealt with a similar problem in the case of Thomas, when it upheld the judge's ruling that the statement was inadmissible hearsay, but it allowed the appeal as a conviction obtained in such circumstances could not be regarded as safe. That illustrates the need for some form of discretion to admit evidence outside of the categories provided in the Bill.

We have listened carefully to the concerns that have been expressed about whether the discretion in subsection (1)(d) is insufficiently focused. Government amendment (a) to Lords amendment No. 132 will tighten that provision to ensure that evidence can be admitted only where doing so is in the interests of justice. That will allow other out-of-court statements to be used where they are cogent and reliable.

There is a wide consensus in favour of reforming those two areas of the law. This is not about securing convictions at the expense of defendants' rights. Clear safeguards have been built into the scheme to ensure that the burden of proof continues to rest on the prosecution and that trials are conducted fairly. However, this is about ensuring that the rules are clear and facilitate the admission of evidence of previous offending or other misconduct where doing so is appropriate and safe. Our proposals have drawn substantially on the excellent work undertaken by the Law Commission. We consider it important that the original proposals in the Bill, amended as I have outlined, are restored.

Mr. Grieve: Perhaps I can start in a conciliatory tone by dealing with hearsay evidence first, because the Government have gone a considerable distance towards meeting the anxieties about hearsay evidence that have been expressed in the House and in another place. There is general agreement that revisiting the hearsay rules is desirable and that there are good reasons why certain forms of hearsay should be admissible in front of a jury, who should be trusted with such information, with the judge providing guidance and explanation about the fact that it is not first-hand evidence and on how to approach it with caution.

As the Minister has rightly explained, the anxiety was that the safeguards were insufficient, particularly in relation to multiple hearsay. Government amendment (a) to Lords amendment No. 132, which relates to clause 107(1)(d), is very small, but it is of considerable significance. It goes a long way to meeting those objections, particularly as the anxiety in respect of subsection (1)(d) was that it clearly implied in its original form, as the Minister will appreciate, that such evidence would be withheld only in the most exceptional circumstances. It is clear that the interests of justice require a judge to weigh that on each occasion without pressure being put on him by the words:

"despite the difficulties there may be in challenging the statement".

It is precisely the difficulties in challenging the statement that make hearsay such a dangerous tool if it is not handled with a great deal of care.

The Government have dealt with that issue, and although I obviously cannot be sure what will happen when the Bill returns, I am satisfied that they have handled this matter correctly. I am grateful to the Minister, even at the eleventh hour and 59 minutes—or perhaps even beyond the twelfth hour—for the fact that we have succeeded in getting that right. The Government have come up with a number of amendments in respect of bad character that appear to be worthy and certainly represent an improvement.

6.15 pm

Mr. Garnier: Perhaps this intervention comes about through slowness in my intellect. I have listened to what the Minister and my hon. Friend have said, but I am still not persuaded by their happy acceptance that Government amendment (a) to Lords amendment No. 132 will do what they think it is intended to do. I wonder whether my hon. Friend will be patient enough to explain to me in a little more detail why he thinks that that Government amendment will do what he hopes it will do.

Mr. Grieve: The Government intend that the amendment will provide far greater discretion to exclude such evidence where the judge considers that the interests of justice require that it should not be admitted, so the amendment will beef up judicial discretion. To that extent—I accept to that extent only—it represents a significant improvement, which may go some way to reassure those in the other place who were worried about the issue that the Government have taken their concerns on board.

There are other ways to approach that matter, and my hon. and learned Friend is right to suggest that substantial anxiety was expressed about hearsay evidence in Committee and in the other place. I am certainly not saying that the Government's proposal

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represents the panacea for all ills, but it is a significant improvement in the light of the previous criticisms. I do not think that I can go beyond that.

Mr. Garnier: I am most grateful to my hon. Friend for saying that, but I want to try to project myself forward. How would I sum up to a jury—

Mr. Allen: Oh no.

Mr. Garnier: I know that the hon. Gentleman is not terribly interested in the practical consequences of such Bills, but we—*[Interruption.]* I do not think that he can intervene on an intervention. We have to be sure that the laws that we pass in the House are not only attractive to us as legislators but can be put into practical effect in the law courts. I am sorry for the hon. Gentleman, but the courts are where the law is applied when people are on trial for their liberty. I am not suggesting that my hon. Friend is getting this wrong, but perhaps I am being very dim about it. I just want him to be able to convince me that when we push the provision through into law and he and I have to apply it as either advocates or judges, it will do what we think it will do. I am yet to be convinced that it will do so.

Mr. Grieve: My hon. and learned Friend makes a perfectly good point. One of the anxieties consistently expressed about the Bill was that it would make judges' lives more difficult in summing up cases to juries. Some of the issues that will be presented become more complex. Perhaps, in fairness to the Government, I should say that the mischief might not lie entirely with them, because the argument that more hearsay evidence should be admitted is a pressure that has come from a number of areas outside Government as well. Indeed, I think that the Minister alluded to the fact that the Lord Chief Justice has expressed views about the desirability of admitting more hearsay evidence—the Minister may confirm that or correct what I say—and a belief that more hearsay evidence should be available to juries, but balanced, of course, by judicial explanation.

I have no doubt, however, that my hon. and learned Friend is right to suggest that judicial explanation puts more difficulty and pressure on judges and, of course, there is a greater of possibility of getting it wrong. If they get it wrong, there will be appeals. If there are appeals, verdicts may be overturned because judges failed to direct juries properly on the weight to be attached to certain evidence. My hon. and learned Friend is in no sense wrong in asking whether I have got it right. I have to accept that a bit of a wing and a prayer is involved.

Nevertheless, the point made by the Minister about the denial of hearsay evidence sometimes being greatly to the prejudice of a defendant is absolutely correct. It seems to me that that is a correct analysis of the current state of the law. In relation to saying that hearsay should be left squarely as it is, it has in fact been eroded in a number of directions, as my hon. and learned Friend knows, and practising in the criminal courts one notices how it creeps in almost by agreement between the prosecution and the defence with increasing regularity, when it is felt that, in the interests of justice, that should happen.

In response to my hon. and learned Friend, if this had been my Bill—or the Opposition in government's Bill—we would not have started from here. Having started from here, however, and having had some serious discussions with the Minister—we have never had disputes, and we have had remarkably good relations—I accept that the current drafting goes some way towards meeting the objections that have been raised previously. That is the best way that I can leave the matter.

To turn to the nub of the issue, bad character—I want to allow others to speak on the matter—their lordships read the clauses drafted by the Government, which are of some complexity, and concluded that they were seriously flawed. To see that, one needs only to read the debate in the House of Lords, in which the Minister acknowledged that the participation and level of the discussion had been of a very high quality. They were so exercised that they took the original proposals of the Law Commission and—to remind the Minister of what happened—the then Home Secretary, who is now the Leader of the Opposition, being concerned about the issues surrounding bad character, referred the matter to the Law Commission, which spent about four years taking evidence, discussing the issue and trying to come up with a satisfactory outcome that could codify the rules on admissibility of previous convictions and bad character. Having done that, it could try to ensure that a marked reluctance by judges, which is widely accepted, to admit such evidence—because of the absence of guidelines and the fear that it would be overturned on appeal if they did—might be alleviated to an extent and that more of this evidence could come in when it was relevant and helpful to achieving justice. That is why the Law Commission came up with its report. Having done so, it even came up with a model Bill that could be presented to the House and turned into law.

Those in the other place were concerned because the Government had departed radically from the Law Commission proposals. Above all, as the Minister has admitted, that was because the Law Commission always envisaged that the basic rule would normally be that such evidence is excluded unless there is a good reason to include it. The Government's view, for reasons that I have never found satisfactory, is that it should be included unless its exclusion can be justified. That is a very important difference, which, as I tried to take up with the Minister earlier, is nonsense. One has only to consider that that category of evidence is irrelevant unless it has a connection to recognise that saying that it should normally be included turns the whole argument on its head.

Mr. Hogg: Under clause 93(3), the evidence will be admitted unless the defendant can show that

"the admission of the evidence would have such an adverse effect on the fairness".

Once statute provides for the admission of this evidence, however, it is difficult to see how it can ever be struck out under that subsection.

Mr. Grieve: My right hon. and learned Friend is right that it is put in a statutory form, although there is a caveat that enables a judge to exclude it in the interests of fairness. To return to my point, why should it be put down in statutory form that some forms of evidence should be admitted when the basic rule, and the obvious

common-sense approach, is that it will be largely irrelevant to the matter at issue? It is on that matter that the Government and those in another place have drifted apart. That is why the Bill was amended to include the Law Commission's proposals and nothing but the Law Commission's proposals. If the Minister wants my opinion as to which is the better approach, I will say now, and over and over again, that the Law Commission proposals are infinitely superior to what the Government have done. I also think that they will achieve the Government's desired objective, which is to ensure that, where relevant, evidence is included.

The Law Commission's report is excellent, and the Government's approach is worrying because it seems to me that they have pushed much further than the Law Commission ever envisaged in setting out a principle that a person's past character and previous convictions should automatically go before a court. The distortion to the system of justice that that threatens to introduce, and the risks of miscarriage that are attendant on it, are very serious.

Mr. Garnier: It is much more serious than we might initially think. I am delighted that the Government are no longer suggesting that they should hold on to clause 90(1)(b), which refers to behaviour that

"might be viewed with disapproval by a reasonable person",

which, for goodness' sake, could mean anything. They now think that they will improve matters with what is on page 3083 of the amendment paper:

"leave out from beginning to 'evidence' in line 2 . . . and insert: 'References in this Chapter to evidence of a person's 'bad character' are to evidence of, or of a disposition towards, misconduct on his part, other than'".

"Misconduct" could be well short of criminal conduct, yet the Government think that that is an improvement on what the other place has removed. I find that extremely worrying, and I wish that the Government would come clean and admit that they want to drive a coach and horses through this aspect of the criminal law and produce very strange results.

Mr. Grieve: The Minister will have to answer as to what the Government's intentions are. Certainly, however, the practical consequences of the Government's intentions are an unhappy state of affairs.

To move on, we have always indicated to the Government that we accepted the principle of the Law Commission's recommendations and we were therefore willing to engage in a dialogue with the Government to try to resolve this matter. We have been trying to do that at frequent intervals. We have been helped by some Labour Back Benchers who have highlighted some areas that remain of great concern. I shall touch on two of them. First, at clause 93(1)(d), the dreadful entry remains:

"In criminal proceedings evidence of the defendant's bad character is admissible if, but only if . . . it is evidence of the defendant's conviction for an offence of the same description, or of the same category, as the one with which he is charged".

That is a terrible clause. To say that bad character should be adduced from that in relation to the current trial has been a constant source of anxiety, unless it is important explanatory evidence, but in that instance it is kept totally separate from important explanatory evidence.

Mr. Hogg: It is worse than that, because there is no requirement that the previous offence should be in any way relevant or probative of the offence with which the defendant is charged at the relevant trial.

Mr. Grieve: Yes, indeed—perhaps I expressed myself badly. That is why I returned to the point about it not even having to be important explanatory evidence—important evidence of similar fact, which already happens, or something exceptional that provided a proper link between the previous convictions and the current matter. That is a serious issue.

Mr. Garnier: My hon. Friend is being very tolerant. Was it suggested in Committee or during other deliberations on the clause that no one should be convicted only on evidence of a previous conviction?

6.30 pm

Mr. Grieve: Yes, indeed; the Government told us that that would not happen, but it remains an area of anxiety.

I return to clause 96—"'Matter in issue between the defendant and the prosecution'". Subsection (1) says:

"For the purposes of section 93(1)(e)"—

that is the bit that I read to my hon. and learned Friend the Member for Harborough (Mr. Garnier)—

"the matters in issue between the defendant and the prosecution include . . . the question whether the defendant has a propensity to commit offences of the kind with which he is charged, except where his having such a propensity makes it no more likely that he is guilty of the offence".

That is a completely circular argument. How can a matter in issue between the defendant and the prosecution, when considering whether a person would burgle a house, be whether the person has a propensity to commit offences of that kind—unless, and this is where my colleagues are right, we are reaching a point at which the Government will tell us that people may be convicted in the future on the basis of propensity alone?

We have been trying to sort out these problems. I noted that when the matter came up in the other place on 4 November, Baroness Scotland of Asthal said:

"We recognise that concerns have been expressed both here and in another place about how the clause operates. We are therefore prepared to look further at the issue to see whether we might achieve our aims in another more acceptable way."—[*Official Report, House of Lords*, 4 November 2003; Vol. 654, c. 739.]

I was waiting for the Government amendments to come through last night and I expected a radical approach and a response to what the hon. and learned Member for Redcar (Vera Baird) had said about the dreadful clause 93(1)(d). There was silence on that. I accept that the Government have addressed a few issues, with what I accept are more than minor changes, but the real nub of the concerns of one hon. Member after another since the earliest stage of the Bill has not been touched on.

I urge the Government to accept the Law Commission's proposals and find out how they work. If they do not work as the Government intend, because there is a continuing problem that evidence that should

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be admitted is not admitted, they can say, "Look, we need to do some more here." We are all sensible people who have a pragmatic approach, so I am sure that they would get a sensible response. Failing that, will the Minister and the Government please take on board representations that have been made on these important matters, if they really intend to restore the clauses in such a way? The situation remains unsatisfactory, so I tell the Minister with some regret, because I had hoped that we could resolve the problem sensibly, that we shall vote against the Government's motion to disagree to Lords amendment No. 114.

Mr. Kidney: I shall speak briefly about bad character. Evidence of bad character has been admissible under Acts of Parliament for more than 100 years. As the hon. Member for Beaconsfield (Mr. Grieve) said, the Law Commission became involved because the application of previous statute law was unsatisfactory from case to case. There is certainly a good argument for reform. We are faced with a choice between the Government's reform and that of the Law Commission, which the hon. Gentleman strongly advocated, as I have done before and shall do today.

My hon. Friend the Minister announced three welcome alterations to the system. First, he announced greater caution when dealing with convictions of juveniles, which is very welcome. Secondly, he gave us the definition of bad character. The hon. Member for Beaconsfield said that the definition was unsatisfactory, but in fairness, the Law Commission had equally great difficulty finding an acceptable definition. I do not think that everyone would dance in the streets about its definition either, but people are prepared to support it. The third announcement was that the Government will require a prosecution intending to admit evidence of bad character to give notice so that a defendant may object and ask the judge to rule that such evidence should not be admitted. I have not seen the text of the amendment that will implement that, but I accept what he said.

Eight categories of evidence were admissible as evidence of bad character in the original clause 93, which the Government wish to restore to the Bill. However, the judge has the power to exclude the evidence on the defendant's objection for only three categories, so no such power applies to five categories. Two of those five categories would be admissible only with the defendant's agreement—if all parties agreed to the evidence being admissible, or if the defendant adduced the evidence. Therefore, there is no power for a defendant to stop evidence being admitted, no matter how unjust his or her legal representatives think that is, under three categories.

That brings us to the great divide on whether the basic rule should be either that evidence is admissible unless there is a reason to object to it, or that it is admissible only if the judge first gives leave for it. The Law Commission is mostly in the second camp, although, to correct the hon. Member for Beaconsfield slightly, it says that there are core issues for which evidence should be admissible without leave.

Mr. Hogg: I support what the hon. Gentleman is saying. Will he make the point, as did my hon. Friend the Member for Beaconsfield, that a draft Bill was attached to the Law Commission's report? The draft Bill was a form of pre-statutory consultation, and its provisions, which form the basis of the Lords amendment, received a wide welcome in the profession.

Mr. Kidney: I am happy to agree that there was wide consultation on the draft Bill and that many positive responses were made to it. That is one reason why I think that it would be acceptable legislation.

I prefer the Law Commission's formulation, because a judge should give leave for the admission of such evidence in circumstances outside the core situations to ensure that there is a fair trial and a link between bad character and the probative value of the case. The Bill provides for more pre-trial management of a case, such as the defence's requirement to provide more disclosure at an earlier stage, so a judge will intervene at early stages to ensure that evidence is in order. It is simple and convenient to sort out such issues before a trial to allow it to proceed smoothly, so the Law Commission's formulation is the more acceptable of the two.

Mr. Heath: The subject of the group of amendments is extremely important and has been one of the principal areas of contention during consideration of the Bill. However, that should not have happened, because if the Government had been more conciliatory and had approached the subject more constructively from the start, we could have secured agreement among all parties that there is a need for codification and reform of the present arrangements on bad character because they do not work well—that is common ground among us. We could have reached a satisfactory conclusion for all at an early stage. It is sad that the issue has been a major barrier between the Government and not only the Opposition in the House and the other place but other voices outside the House, because it was entirely unnecessary.

I do not want to repeat what the hon. Member for Beaconsfield (Mr. Grieve) has said about hearsay evidence. We all treat hearsay evidence and its admissibility with much caution because of the inherent dangers of a witness giving a report of what someone else said to them as evidence in a court of law. The problems with that are manifest. There is no way of determining satisfactorily in court that a person said what a witness reported had been said or whether what was reported to have been said was based on truth. Although hearsay evidence can be valuable in some cases, it must be treated with caution.

I agree with the hon. Member for Beaconsfield that the Government's proposals are better than those that we have considered before, but I still have worries, which were amply expressed by the hon. and learned Member for Harborough (Mr. Garnier). I remain to be convinced that the Government have proposed a watertight solution, but it is clear that movement has been made in the direction of the arguments that we put in Committee and on Report and that my noble Friend Lord Thomas of Gresford made in another place. I am content to leave things at that and to see how the measure works in practice. I am clear in my mind, however, that we must monitor it carefully and may have to return to it if the safeguards prove insufficient.

On the more serious issue of bad character evidence, Ministers need to do a better job of persuading us that their judgment is to be preferred to that of the Law Commission, which spent four years looking carefully at the issue, took a great deal of evidence and reasoned its conclusions in a way that satisfied most people who have a professional interest. Many of us think that its proposals were satisfactory for dealing with the current state of the law. For the Minister simply to assert that his approach is better is unlikely to win many friends in this House who are not already persuaded.

It is clear throughout the Law Commission's report that it took great care to consider the result of its proposals. It said:

"If we had taken the approach of recommending that previous convictions should, as a rule, be presented to the fact-finders, however marginally relevant they might be and regardless of how prejudicial they might be, or, conversely, of recommending that they should never be adduced save where it would be an affront to common sense to exclude them, then we might have been able to answer such a question"—

whether it would increase the number of convictions—

"with confidence."

It went on:

"In our view we would simply have been mistaken to take either of these approaches. Their apparent attractive simplicity ignores the complexity and variety of factual situations to which they would have to apply."

That is evidence of the balanced view that the Law Commission took in making its proposals.

Our argument is not complex. The basic premise in British law is of a presumption of innocence. A person on trial for a specific crime should be judged on the basis of the evidence that pertains to that crime, not to previous circumstances, which are irrelevant. That is why we were cautious at an early stage about the definition of bad character. It is clear that the earlier definition was unacceptable. We could all think of people whom many reasonable people might view with disapproval but who do not have a higher propensity to commit criminal offences. The new definition of misconduct is also lax, which worries me.

The big issue relates to the exclusionary approach, favoured by the Law Commission, or the inclusionary approach, favoured by the Government. We differ on how to achieve a result that we share as a common objective. That is a foolish position to be in at this late stage of a protracted and complicated Bill. If we share the same objective, the Law Commission has provided us with an objective way of achieving it. In that case, why on earth are Ministers holding out for their own interpretation of the best way forward? They can adduce no particular evidence of superiority for that approach, which poses clear dangers as identified by the Law Commission in its evidence.

The Law Commission states in paragraph 6.65 of its report:

"Not all evidence of bad character is relevant to the issue of guilt. The admission of irrelevant bad character evidence might not matter if it were not prejudicial; but often it is. It can lead to a person being convicted on inadequate evidence, or where the fact-finders are not in fact sure that the charge has been made out. Therefore, bad character evidence which is not relevant should in our view be excluded as a matter of course, not merely as a matter of discretion."

We agree with that approach, as do many people outside the House. The Minister has amendments from another place that are directly in line with the draft legislation. As I said, we are in the interesting position of having draft legislation prepared by the Law Commission. He wants to remove its recommendations and replace them with a much less satisfactory and less supported idea of the appropriate solution. It is not acceptable.

6.45 pm

Mr. Hogg: Does the hon. Gentleman agree that if we were to rely on the Law Commission's language contained in the passage that he just read out, it would enable a defendant who faces evidence of previous convictions to contend that his trial cannot be fair? That brings into play article 6 considerations of human rights legislation.

Mr. Heath: The right hon. and learned Gentleman is much more expert in such matters than I am. I accept his contention that the sentiment behind the language could form the basis of a submission under human rights legislation. I have no way of knowing whether the words of the Law Commission's report would be held to be relevant, but the sentiment expressed is pertinent to the debate. I suspect it will not be long before such a matter is challenged in the courts. We would all prefer to avoid that, which we can do if we have the bedrock of a group of proposals from the Law Commission on which we can depend. That is why the Liberal Democrats support the opinion of the other place and will continue to reject the Minister's view unless he provides better arguments for what he proposes.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Speaker. Given the Government's ridiculous and vicious timetabling of this part of our considerations, do you share my concern that we will almost certainly not reach proper consideration of Lords amendment No. 137, which I characterise as the Bishop of Chester provision, dealing as it does with controversial and sensitive matters? A large number of Christian folk are worried about the measure's implications. Can anything be done at this stage under your good offices, Mr. Speaker, to give us a chance at least to hear what the Minister has to say about the provision so that we can find out what is in the Government's mind and what they intend to do? The issue is sensitive and contemporary. I just hope that something can be done even at this late stage to allow us to deal with it properly.

Mr. Speaker: The right hon. Gentleman knows that I serve the House. It has decided on a programme motion and I am bound by its terms.

Vera Baird: In the unhappy tussle between the Law Commission's proposals and the current proposals in the Bill, there is excellent room for compromise. Is it really critical whether the presumption of bad character is all admissible or all inadmissible so long as it is all within the ambit of clause 93(3), which allows the judge to exercise a decision on whether evidence is admitted or not? In particular, now that the Minister has said that there will be notice of every application to admit previous bad character, everyone has ample

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opportunity to prepare a case to argue that even if the bad character falls under the categories set out in 93(1)(a) to (h), none the less it should be excluded or included according to subsection (3). It does not matter which way around it is. All it is necessary to do—the Government give nothing away by doing it—is to allow the judge to exercise a decision over paragraphs (c) and (g).

Mr. Hogg: There may be merit in that approach, but surely it is the business of Parliament to set out the criteria that will enable the judge to determine the question of fairness.

Vera Baird: I appreciate the point but I believe that the judge would simply make up his mind about any application under clause 93(3). There would be no burden of proof either way; the judge would decide either that the evidence should be admitted or that it was unfair and should be excluded. That has everything to commend it as a compromise course that gives nothing away. My hon. Friend the Under-Secretary and my right hon. Friend the Secretary of State are at pains to exhort us to trust the judges, not least to try issues of fact instead of juries. Why cannot they simply trust the judges in the case we are considering and allow them to make the decision about every application?

Mr. Garnier: The hon. and learned Lady knows that the relevant section of the Police and Criminal Evidence Act 1984—it may be section 74—gives the judge discretion to exclude evidence. Has she applied her mind to the way in which the Bill will sit with that power? We appear to have two conflicting measures that deal with inclusion or exclusion of evidence, and the Government may not have tackled the matter. Can she help me?

Vera Baird: I believe that the hon. and learned Gentleman is thinking of section 78 of PACE, which is couched in similar terms to clause 93(3). If its criteria add anything to the test in section 78, it would be on top of the test. Section 78 applies across the board to all sorts of evidence and cannot be excluded by another provision.

Let me deal briefly with paragraph (d) of clause 93(1), because it is the nub of the issue. It allows evidence of previous convictions to be admitted simply because they are there. What is the provision for? If the convictions are probative—if they prove or tend to prove something—they would be admitted under paragraph (f). If they are even slightly relevant to the case, they would be admitted under paragraph (e). What, therefore, is the purpose of paragraph (d)? It can only be to include them even though they are irrelevant and do not prove anything. That is unfair. I do not understand why the Government want to be in a position to do that.

How will the discretion be exercised? Opposition Members asked that question. Evidence that can currently be included under paragraph (d) is subject to the discretion. Clause 93(1) provides that evidence is admissible, and under paragraph (d) it is admissible simply because it exists. The court has to decide whether to exercise its discretion to exclude it if it is unfair, but it is always unfair to admit irrelevant and non-probative previous convictions. How will the judge exercise his discretion? He will have to say to himself, "Parliament says that it is admissible but it's obviously unfair so I must exclude what Parliament has said in statute must be included." That does not hold together. The paragraph is unnecessary. It is also bad, dangerous and pointless, and I urge Ministers to reconsider it.

Mr. Hogg: I agree with the analysis of the hon. and learned Member for Redcar (Vera Baird). Her points are correct. The clause already provides for admitting probative and relevant evidence. Paragraph (d) will have a simple effect: in cases where there are previous convictions, they will be admitted. Like her, I cannot understand how the trial judge can exclude something that Parliament has expressly authorised.

The effect will be twofold. First, many miscarriages of justice will occur because of the previous convictions. The second point is slightly different but the consequence is much the same: the police will arrest and charge many people simply because they know of similar previous offences. That will lead to considerable injustice. I suspect that the courts will eventually decide that the paragraph offends against article 6 of the European convention on human rights because it prevents an individual defendant from receiving a fair trial on the basis of the evidence for the single offence with which he is charged.

We have a choice between the Law Commission's proposals, which are incorporated substantially in the Lords amendments, and the Government's. The House should clearly prefer the Law Commission's proposals. They were the subject of considerable consultation and of a draft Bill, which was published and examined at great length. Many noble Lords, who know much about the subject, voted authoritatively for the proposals. I commend them to hon. Members. My hon. and learned Friend the Member for Harborough (Mr. Garnier) is anxious to speak and I shall therefore sit down to enable him to do so.

Mr. Garnier: I have a suspicion that anything I say may undo what my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and the hon. and learned Member for Redcar (Vera Baird) said. I could not agree more with their comments and I hope that the Government take them on board. Their points are self-evidently good and should have been accepted earlier.

There are two simple points about bad character evidence. It is said, first, that it suggests that the person is likely to have committed the crime with which he is currently charged, and secondly, that it tends to undermine his credit. I have never been convinced by either of the arguments, although I have ritualistically had to recite them when summing up evidence to juries. However, I am more dismayed by the Government's approach to bad character in the Bill. Nobody of sound mind could believe that the original drafting of clause 91, which dealt with behaviour that would be viewed with disapproval by a reasonable person, was sensible. Despite having the advantage of the advice of the other place and the Law Commission report, the Government devised an amendment that refers to "misconduct" on the part of the person who is alleged to have a bad character.

Misconduct means nothing in criminal legislation. Until the Government define it more seriously, the relevant part of the Bill, if not others, will be treated with great scepticism and, on my part, much contempt. I urge them to apply their mind to the matter with greater seriousness.

Paul Goggins: I am grateful for the welcome that the hon. Member for Beaconsfield (Mr. Grieve) gave to some of the movement that has happened through scrutiny in both Houses. During his remarks, there was an interesting discussion about the flexibility that interests of justice discretion provided. I was interested in his comments. Of course, safeguards are provided, but it is ultimately for the court to decide whether evidence is admissible. I believe that it is better to know about evidence that may be admissible and decide to exclude it than not to know about the existence of possibly relevant evidence.

We have debated at length the difference between the inclusive and exclusive approach to the matter. For most people outside the justice system, the difference between evidence that "is admissible if" and evidence that is "not admissible unless" is perhaps a rather fine point. However, it certainly does not mean that evidence is automatically included. Indeed, as I said to my right hon. Friend the Member for Southampton, Itchen (Mr. Denham) there are safeguards in place, and the defence can argue that certain evidence is irrelevant and could be more prejudicial than probative. It is for the court to decide.

7 pm

I do not agree with the view of the hon. Member for Beaconsfield that the inclusive approach tends to distort. It is important that we should send out a message from the House in our debates on the Bill that we want to encourage the admission of evidence that could be admitted even now, but sadly, all too often is not. There has been a great deal of debate on clause 93(1)(d), and that has continued here this evening. I return again to the safeguards that are in place, which I have mentioned on previous occasions. I would say to the hon. Member for Beaconsfield that there would be no conviction solely on the basis of bad character. It would be open for the defence to argue that evidence was more prejudicial than probative.

My hon. Friend the Member for Stafford (Mr. Kidney) asked which amendments I was referring to earlier. It was amendments (a) to (e) to Lords amendment No. 29—

It being four and a half hours after the commencement of proceedings, MR. SPEAKER *proceeded to put forthwith the Question already proposed from the Chair, pursuant to Order [this day].*

The House divided: Ayes 345, Noes 201.

Division No. 376] **[7:01 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
[illegible]ncis, Dr. Hywel
[illegible]apes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, [illegible]
Gods[illegible]oger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia

Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hutton, rh John
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Oliner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Pelham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Vernon Coaker and Margaret Moran

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Bread, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John

Grieve, Dominic
Gummer, rh John
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Opik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Angela Watkinson and Sir Robert Smith

Question accordingly agreed to.

MR. SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of business to be concluded at that hour, pursuant to Order [this day].*

Lords amendment No. 115 disagreed to.

Government amendment (a) to words restored agreed to.

Lords amendments Nos. 116 to 124 disagreed to.

Government amendment (a) to words restored by Lords amendment No. 124 agreed to.

Lords amendments Nos. 125 and 126 disagreed to.

Government amendment (a) to words restored by Lords amendment No. 126 agreed to.

Lords amendments Nos. 127 to 129 disagreed to.

Government amendments (a) to (e) to words restored by Lords amendment No. 129 agreed to.

Lords amendment No. 130 disagreed to.

Government amendments (a) to (d) to words restored by Lords amendment No. 130 agreed to.

Lords amendments Nos. 131 and 132 disagreed to.

Government amendment (a) to words restored agreed to.

Lords amendments Nos. 133 to 137 agreed to.

Clause 146

GENERAL LIMIT ON MAGISTRATES' COURT'S POWER TO IMPOSE IMPRISONMENT

Lords amendment: No. 138.

Paul Goggins: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Speaker: With this it will be convenient to take the following: Lords amendment No. 139 and the Government motion to disagree thereto; Lords amendment No. 167 and the Government motion to disagree thereto; Lords amendment No. 173 and the Government motion to disagree thereto; and Lords amendment No. 235 and the Government motion to disagree thereto.

Paul Goggins: When it left this House the Bill did not impose any restrictions on the timing of the increase in magistrates' sentencing powers, which allowed a flexible approach to implementation. The Lords have taken away that flexibility. Lords amendments Nos. 138 and 139 would prevent the increase of magistrates' sentencing powers from coming into effect before the custody-plus provisions, thus blocking the transfer of business from the Crown court to the magistrates courts.

Because custody-plus will replace current sentences of up to 12 months, it will enable magistrates to deal with a substantial number of cases in which they would currently refuse jurisdiction. It is generally agreed that that would be a positive move. Dealing with such cases in the magistrates court rather than the Crown court would constitute a more efficient use of resources, and would reduce delays, as well as benefiting victims and witnesses.

The Government are committed to implementing custody-plus as soon as possible, but before we do so we will have to be sure that the National Probation Service has the capacity to fulfil the supervisory function that forms an important part of this disposal so that the new sentence can have the anticipated effect on prisoners' rehabilitation and resettlement. That means that the

[Paul Goggins]

new sentences should not be implemented immediately. We do not, however, see why the greater sentencing powers should be curtailed, given the immediate benefits to the administration of justice.

Members of the other House argued that increasing magistrates' sentencing powers in advance of custody-plus would sharply increase the severity of custodial sentences passed in magistrates courts. Let me reassure the House that there is no conclusive evidence to support that theory. Any increase in powers would be accompanied by a thorough training programme to ensure that magistrates used their new powers appropriately. On the basis of that evidence, I urge the House to reject the amendment.

Let me now deal with Lords amendment No. 167. As originally drafted, the Bill provided for an indeterminate sentence to be passed if the offender was convicted of a trigger offence carrying a maximum penalty of 10 years or more, and if the court believed that

"there was a significant risk to members of the public of serious harm occasioned by the commission by him of further specified offences".

As we have said in both Houses, the purpose of the test is to establish whether an offender is dangerous. In making that judgment, the court must focus primarily on the degree of risk of harm that any future offending may pose. It was decided in the other place, however, that our definition of dangerousness set too low a threshold, and suggested that the court should believe there was a "substantial" rather than a significant risk. While the definitions may appear similar, I want to persuade the House that in the interests of public safety the original definition is preferable.

There are two difficulties with the alternative test proposed in the other place. First, it requires the court to find that there is a substantial risk of reoffending, and also that such further offending involves a significant risk of harm to the public. The original test is more flexible, in that the risk of reoffending must be present, but consideration of that risk is part of the overall "dangerousness" assessment that the court will carry out. The second difficulty is that the alternative test requires both a substantial risk of reoffending and a significant risk of harm. We think that that confusion could over-complicate the assessment by unhelpfully using terms that may be difficult for the court to distinguish, when in reality the assessment is a single exercise.

We fear that the combined effect of these changes will be that certain offenders who pose a significant risk of serious harm to the public may not come within the remit of the definition, because they are not found to pose a substantial risk of reoffending. As a result they will not be eligible for the new sentences for dangerous offenders, and will serve a determinate sentence, release from which is automatic, regardless of the risks that they pose to the public. I urge the House to reject the amendment.

I now turn to Lords amendment No. 173. As originally drafted, the Bill provided for the automatic release of non-dangerous offenders serving sentences of 12 months or more at the halfway point of their sentences. The Lords, however, decided that when the sentence was of four years or more, automatic release could not occur before the offender had served two thirds of his sentence in prison.

Under the current sentencing provisions, those serving short custodial sentences and those serving longer sentences of four years or more are subject to different release provisions. That is justifiable on grounds of public protection, ensuring that potentially dangerous offenders serving sentences of four years or more can only be released between the halfway and the two-thirds point, subject to thorough risk assessments.

Of course public protection remains a priority for the Government, and we would not wish to release any dangerous offender automatically when he had served only half a custodial sentence. For that reason offenders who are assessed as dangerous will not be eligible for the new custodial sentence of 12 months or more, but will be subject to one of the new sentences for dangerous offenders or to a discretionary life sentence.

The introduction of a single simple structure for all custodial sentences of 12 months or more for non-dangerous offenders, with automatic release at the halfway point, will have many benefits. It will make the sentencing framework more transparent and easier for the public to understand, providing more certainty in regard to release dates. It will enable the correctional services to plan the post-release packages much more effectively, and to establish a coherent package of interventions for the entire second half of the sentence. It will also give offenders a longer period under supervision in the community, during which they can address their rehabilitation needs and reduce their propensity to reoffend. I hope that, given those assurances, Members will be persuaded to reject the amendment.

The Lords have added a new clause to give chief officers of each probation area a duty to establish consultation arrangements with local magistrates court committees and local communities. The Government agree with the sentiment of the amendment and acknowledge the importance of encouraging joint working, but I hope to reassure the House that such a statutory duty is not necessary in the light of existing arrangements.

Current guidance promotes communication, understanding and mutual confidence between the courts and the probation service, and emphasises that joint working imposes a number of obligations on sentencers and probation staff to achieve those ends. The new local criminal justice boards bring together the criminal justice agencies to work towards meeting the public service agreement targets for narrowing the justice gap and increasing confidence in the criminal justice system. Furthermore, the national probation directorate has agreed with the Magistrates Association to establish a new national consultative group, which will help to give magistrates and other sentencers a clear, strong voice in the development of policy and practice.

The probation service has also developed closer links with local communities, and the new local probation boards have a more diverse membership and are more responsive to local needs than ever before. The involvement of the probation service in crime and disorder reduction partnerships allows it to tap into the concerns of the local community.

On the basis of that evidence showing the amount of work already under way to promote joint working, I encourage Members to reject Lords amendment No. 235.

Mr. Malins: I want to say something about the last two matters raised by the Minister, relating to probation officers' duty to establish a consultation process with courts.

The Minister, like me, will know from practical experience that probation officers generally have a close relationship with courts. They do in my county of Surrey, anyway. The main problem for the probation service in carrying out its work is funding, and many head probation officers would be ambivalent about whether the measure should be introduced, as it would not affect their daily lives. However, the issue of funding is important, and I shall return to it in a moment.

7.30 pm

Let me turn to release halfway or two thirds of the way through a sentence. Our system is rather complicated, and magistrates and judges have to use a particular formula when they sentence someone, saying that the defendant will be released after a certain period on licence, and if they reoffend during licence they will be recalled. However, as the Minister will know, that depends on the length of sentence. In our short debate, I should like to make a simple point. The Minister will agree that the critical issue is not whether someone is released halfway or two thirds of the way through their sentence but whether they are released only when they are fit to be released. Much more importantly, huge emphasis should be placed on the follow-up, which is absolutely essential. Far too many offenders are released from prison without that follow-up, which is critical to reoffending rates, not whether offenders come out after two years or two thirds of a four-year sentence.

Turning to Lords amendments Nos. 138 and 139, as we know, a new sentencing power for magistrates is introduced in clause 146, and custody-plus is introduced elsewhere in the Bill. The Minister will recall that, in Committee, custody-plus was generally thought to be a sensible development, but their Lordships have hit on the important issue of the order in which the sentencing power and custody-plus are introduced. The Minister will know that I serve as a part-time deputy district judge in stipendiary magistrates courts around London. The average defendant has 10 or 15 previous convictions, often low-level offences, perhaps including eight thefts in the past couple of years. How are they to be sentenced? I am sure that he will accept that clause 146, which provides the power to impose imprisonment for up to 12 months, will result in practice in much longer sentences being passed in magistrates courts. Very often, a district judge or magistrate sentencing somebody who they believe should get seven to 10 months in prison on a guilty plea or conviction will pass a sentence of four months. If, for example, there is a guilty plea, one has to give a discount, so a sentence of four or five months will be the maximum.

Under the clause, perhaps rightly—although this is not the point of our debate—a magistrate may say that the defendant has a rotten record and give them nine or 10 months, which I am sure will lead to a dramatic increase in the prison population. Most custodial sentences are passed in magistrates courts, day after day. At Camberwell Green, for example, sentences totalling 40 or 50 years can be passed in one morning in five different custody courts. Once the extra powers are used, there will be 30 per cent. on top of that total, so there will be a problem, to which the hon. Member for Southwark, North and Bermondsey (Simon Hughes) alluded in Committee.

If that proves to be the case, the Minister needs to deal with the worrying issue of prison numbers. Does he think that the provision, once implemented, will have an impact on prison numbers? I believe that it will, and our prisons are currently dangerously overcrowded. Later in the Bill, there is a clause on custody-plus. There is something to be said for custody-plus, which is a relatively short custodial sentence followed by an intense supervision period. Again, a lot of money is involved. Too often, intense supervision is missing, and people come out of prison without follow-up, which is essential if they are to have genuine discipline and find a home and job. Instead, they are simply left alone.

It is odd to introduce a provision under which magistrates can pass a sentence of up to 12 months before the national roll-out—I do not like the phrase, but the Minister knows what I mean—of custody-plus, which is a big change. I am happy to be corrected, but it is likely that defendants on their fifth, sixth or seventh charge of shoplifting will get a sentence of eight to 10 months. However, in a county where the custody-plus pilot is being rolled out, they would receive a much lower sentence. Their Lordships were right to want to introduce the custody-plus provision first. We should get it working across the country, then introduce the other provision. That view is shared by Opposition parties—we are worried about high prison numbers, and I think that the Government are right.

In conclusion, Lords amendment No. 167 would change the wording of clause 216. Their Lordships have again got it right. In Committee, we had a debate in February about the correct wording of the provision. Currently, clause 216(1)(b) states that the provision applies where

"the court is of the opinion that there is a significant risk to members of the public of serious harm occasioned by the commission by him of further specified offences."

The Minister told me that under the Government proposal a significant risk has to be present. However, if one reads their wording carefully, the provision plainly means that the court will think that any further specified offences committed by the offender will cause a significant risk to members of the public of course. The significant risk to the public of a certain course of action is not set out clearly in the Bill, as the present wording implies that if further offences are committed, there would be a significant risk of serious harm to the public as a result.

I hope that the Minister and hon. Members understand the fine distinction that I am making. The significant risk of further offending does not have to be present under the provision as drafted, and their Lordships have the wording right. In February, I outlined that argument in Committee, and it has been repeated by their Lordships, who have introduced a much tidier wording.

[Mr. Malins]

To conclude, we shall not force a Division. In some ways, their Lordships have it right. We are concerned about the timing of custody-plus and maximum sentences. The Minister is a good man, so I know that he will focus on my two main pleas. First, the probation service needs to be properly funded to carry out all its work and, secondly, the Government and the rest of us must concentrate on what happens to prisoners when they come out of prison rather than the length of the sentence that they serve.

Simon Hughes: We have six minutes left, which again shows how frustrating the guillotine is.

My hon. Friends and I will seek to divide the House on Lords amendments Nos. 138 and 167. If time permitted, we would seek to support Lords amendments Nos. 173 and 235 too, but we have to select, otherwise there would not be any debate on the next set of proposals.

On the first substantive point, the hon. Member for Woking (Mr. Malins) set out the view of the Lords. The Bill has some very good proposals, as the Minister knows, in terms of custody-plus and custody-minus. Put simply, the custody-plus proposal is meant to deal with the fact that, at the moment, if people get sent to prison for less than a year, the Prison Service is not able to do anything useful with them; that is the general view of prison governors and the Prison Service.

The measure says that the sentence will be in two parts: first, custody, and then rehabilitation and punishment in the community. That is a good proposal but, when my hon. Friend the Member for Winchester (Mr. Oaten) asked when the Minister expected to implement custody-plus, the Home Secretary said

"Final decisions . . . have not been made".—[*Official Report*, 10 November 2003; Vol. 413, c. 98W.]

The reality is, as he knows, I know and everyone knows, that the money is not available. Therefore, we are about to allow magistrates courts to have increased maximum sentencing powers, doubling their current sentencing powers. At the same time, we will not be able to implement the proposal on custody-plus.

Had custody-plus been in operation, the maximum 12-month sentence would have meant three months inside and nine months outside, and that would have been acceptable. Our belief that the magistrates will use those powers—Ministers say they do not believe it—is borne out by all sorts of facts. First, the figures show that magistrates are now twice as likely to send an offender to prison than they were 10 years ago: 13 per cent. of all cases now go to prison from a magistrates court compared with 6 per cent. in 1992, and twice as many people are imprisoned each year for short sentences as were imprisoned 10 years ago. Given that we have the highest prison population ever; given that prisons are hugely overcrowded; given that there are more than 70,000 people in prison; and given that we have more people in prison than any other comparable country in western Europe, we should not be giving that opportunity.

The second reason, based on the evidence, why the proposal is a bad idea is that there is no argument to show that, as the Minister asserted in the Lords, people are not sentenced more severely as compared with the Crown court. Professor Lee Bridges, whom the Minister respects and who is a widely respected authority, has made it clear that the majority of cases sent by the magistrates courts to the Crown court on the basis that the magistrates think that they do not have sufficient powers to sentence result in the sentence being one that it was within the magistrates' power to give. The magistrates courts often think that they do not have the power to give the appropriate sentence, and that suggests that they will give a higher sentence. Professor Lee Bridges makes the strongest case—I refer colleagues to it. He says that the increase in magistrates' sentencing powers will

"send entirely the wrong message from the Government to magistrates."

We fear, as the hon. Member for Woking does, that the proposal will increase the population in prison and increase the average sentence.

Another proposal is a significant proposal about life sentence prisoners. Basically, the Government have not followed the clear view of the Lord Chief Justice. The Lords sought to limit the circumstances in which people could be given much higher tariffs—the starting points. The Lord Chief Justice—I put it on the record—wrote in a memorandum that he put in the Libraries of both Houses on 16 June that he had given advice on the matter to the Home Secretary, which became a practice note in May 2002, in which he made it clear that the average sentence was of the order of between 12 and 16 years—12 years for the normal case, in practice, for someone who is given a life sentence, and 16 years for the most serious case. What these proposals will do, effectively, is significantly increase the time for which the people on the most serious charges are sent to prison. Again, as colleagues in the House of Lords made clear, this country puts far more of its sentenced prisoners in prison for life than any other comparable country. There were 5,352 prisoners serving life sentences in February 2003, a higher proportion than the whole of western Europe combined.

7.45 pm

We are walking into a new sentencing regime that is not justified on the basis of what all the judges have done and what the Home Secretary accepted only a year and a half ago. We should be particularly careful to ensure that we do not go down this road, and that young people—although the Government have made a small concession—do not have such a high minimum sentence.

The Liberal Democrats believe that it should not be for Parliament to set minimum sentences. That is why we set up the Sentencing Guidelines Council. We believe that advice should be given and respected. We are going down the wrong road if we set minimum sentences here.

It being five and a quarter hours after the commencement of proceedings, MR. DEPUTY SPEAKER *proceeded to put forthwith the Question already proposed from the Chair, pursuant to Order [this day].*

The House divided: Ayes 336, Noes 50.

Division No. 377] **[7:46 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Singh, Marsha

Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Jim Fitzpatrick and Derek Twigg

NOES

Allan, Richard
Baker, Norman
Barrett, John
Beith, rh A. J.
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Foster, Don *(Bath)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Harvey, Nick
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury & Atcham)*
Moore, Michael
Opik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil

Tellers for the Noes:
Richard Younger-Ross and Bob Russell

Question accordingly agreed to.

Lords amendment disagreed to.

MR. DEPUTY SPEAKER *then proceeded to put the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [this day].*

Lords amendment No. 139 disagreed to.

Clause 216

LIFE SENTENCE OR IMPRISONMENT FOR PUBLIC PROTECTION FOR SERIOUS OFFENCES

Lords amendment: No. 167.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Mr. Heppell.]*

The House divided: Ayes 332, Noes 51.

Division No. 378] **[8:01 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger

Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Raynsford, rh Nick
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Jim Fitzpatrick and Derek Twigg

NOES

Allan, Richard
Baker, Norman
Barrett, John
Beith, rh A. J.
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Foster, Don *(Bath)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Harvey, Nick
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury & Atcham)*
Moore, Michael
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil

Tellers for the Noes:
Richard Younger-Ross and Mr. Andrew Stunell

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendments Nos. 173 and 235 disagreed to.

Lords amendments Nos. 140 to 166, 168 to 172 and 174 to 202 agreed to.

Clause 254

DETERMINATION OF MINIMUM TERM IN RELATION TO MANDATORY LIFE SENTENCE

Lords amendment: No. 203

Paul Goggins: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to take the following: Government amendments (a) and (b) in lieu thereof; Lords amendment No. 431 and the Government motion to disagree thereto.

Paul Goggins: As we have said before, we believe that it is necessary to include juveniles in the murder sentencing framework laid down in schedule 19. We have considered the issue carefully, as we undertook to do in debate in the House earlier this year. Our conclusion is that the principles as they stand incorporate sufficient flexibility in respect of juveniles for appropriate tariffs to be reached in individual cases. As hon. Members will know, in the other place concern was expressed about the application of these provisions to juveniles, and juveniles were removed from the framework last week.

We do not accept that juveniles should be dealt with outside the sentencing framework. Their inclusion is desirable, both in providing the clear, simple and transparent sentencing structure necessary to maintain public confidence in the justice system and in ensuring consistency and fairness in setting minimum terms for murder.

8.15 pm

Mr. Hilton Dawson (Lancaster and Wyre): Does my hon. Friend accept that there is serious concern in this House as well about the minimum sentencing framework for juveniles convicted of grave crimes? There is only a very short time available for this debate, and further legislation on juvenile sentencing may be introduced in the next Session. Surely this would be a good opportunity to follow the other place and leave this issue until the next Session of Parliament.

Paul Goggins: I acknowledge that similar concerns have been expressed in this House, and my response to them is the same as to those expressed in another place. However, I shall conclude my remarks fairly quickly, and so give my hon. Friend and others an opportunity to contribute to this short debate.

We understand the concerns expressed about juvenile tariffs. To allay them, we propose to reintroduce juveniles into the sentencing system, but we will specifically set in the statute a lower starting point for juveniles, to recognise the special needs of that age group. The juvenile starting point will be 12 years, which reflects recent guidance from the Lord Chief Justice. We think that there is nothing in the proposal to detract from the court's ability to set appropriate tariffs in each case, given that there will remain flexibility to aggravate and mitigate upwards and downwards.

Mr. Grieve: The Minister describes 12 years as a starting point. Will he confirm that 12 years is not the minimum starting point but a median starting point that can be reduced as well as raised?

Paul Goggins: I am happy to confirm that to the House. Throughout the Bill, the starting points are just that—starting points, not minimum tariffs. They can be raised or lowered depending on the circumstances of a case. That is true for the 12-year starting point for juveniles. The actual tariff for a juvenile may be lower or higher than 12 years.

Mr. Dawson: Does not the Bill also introduce a new provision, whereby children under 16 could end up with a 12-year sentence? In the past, that has not been possible.

Paul Goggins: The Bill gives the court the power to deal appropriately with what may be a very serious offence, whether or not it is committed by a juvenile. It makes it very clear that there should be a starting point for juveniles, as there is for adult offenders, but at the lower level of 12 years.

Although hon. Members may wish to comment on that proposal, and even disagree with it, I hope that my brief remarks have made the Government's position clear—that we wish to reintroduce juveniles into the framework, with a starting point of 12 years.

Mr. Grieve: I am well aware, from our previous debates and especially from the debate on Report, in which the Home Secretary participated, that divergent views about the correct way to approach children under 18 who commit very serious offences are perhaps inevitable. Clearly, there is always public anxiety about the matter. As I said to the Home Secretary on Report, we may have to accept that a person at the upper limit of the age group who commits a very serious offence, with attendant cruelty and signs of a psychopathic tendency, will have to serve many years in prison. That person may have to serve as long as an adult for the offence, and may never be released. In such circumstances, I suppose that a 12-year starting point may have some relevance.

The Minister will recall that I spoke about children at the bottom of the age range, who have only just reached the age of criminal responsibility. However grave and serious their crimes may be, there is always the possibility that their personalities will change as they mature, aided by the active input of those looking after them. That will often mean that a 12-year sentence will be completely inappropriate.

I shall not criticise the Government for adopting this course of action. I am grateful that they have reconsidered the starting point. However, my slight concern about the provision is that I suspect that, in reality, the children who commit serious offences—for that is what they are, children—will serve nothing like as

much as 12 years. The public may then express concern about why they are so far below the starting point.

I recall the Lord Chancellor saying, when he was a Home Office Minister in the other place, that he thought that no sensible judge would have difficulty discounting the starting point sufficiently to arrive at a fair outcome. However, that seemed to me to be a slight sleight of hand, as if we would be asking the judiciary to bend the rules to adapt to particular circumstances.

It is a personal view, but I remain somewhat troubled. Although I think that the Government are right to revisit the starting point, I worry that we may be creating a system that the judiciary will observe more in the breach, instead of following it. If that is so, this exercise will have been rather pointless. Worse still, people—who get very anxious about such matters—will criticise the provision and believe that the starting point is not being observed.

I hope that I am wrong about that. I do not wish to leave the matter on a bad note, as I accept that the Home Secretary has taken on board many of the anxieties that were expressed.

Mr. Dawson: I am afraid that I cannot accept this provision, and hope that the House will follow the sensible lead given by the other place. We are talking about children who have committed very grave crimes, but they are children in extraordinary circumstances. Invariably, children in that sort of predicament will have been victims themselves, often of the most gross and appalling abuse. They often have major issues to resolve in their lives, and face huge problems.

The House will recall the case of Mary Bell. When given the appropriate level of support she was able to change her life, and some of her very serious problems were addressed. We should acknowledge that children and young people are very resilient and can make huge changes. Often, when these children are given the intensive support that they invariably need, they can change fairly quickly.

It is wrong to present a tariff of 12 years as normal. It is inappropriate to take that decision away from judges, who will need every ounce of their wisdom, discretion, learning and sensitivity to these cases to decide on the appropriate sentence. There may well be cases where a judge decides that a much shorter sentence than 12 years is required. There may well be cases where the reform of and change in the young person under an intensive regime—no doubt, within a secure setting—will lead all those charged with their care to believe that they should be released from custody and helped back into the community much more quickly than any tariff set down in the wake of what was no doubt a heinous and appalling crime.

The Government are wrong on this matter. The other place is right, and I hope that my hon. Friend the Minister will reflect on that.

Simon Hughes: This is a difficult and sad subject on which to end our debates on the Bill. It is extremely difficult for all those concerned. I share the view of the hon. Member for Lancaster and Wyre (Mr. Dawson) that the House of Lords was right in its decision. I also share the concerns expressed by those on the Conservative Front Bench in previous debates.

Clause 254 in chapter 7 provides for a determination of minimum term in relation to a mandatory life sentence. Lords amendment No. 203 states that that should

"not apply if the offender was under 18 when he committed the offence."

The Lords decided that on the basis of extremely good advice and practice.

I shall reinforce what the hon. Member for Lancaster and Wyre said by again quoting—I have quoted this in a previous debate—what the Lord Chief Justice said in the memorandum that he submitted on mandatory life sentences for murder on 16 June in connection with the House of Lords debate on the Bill. In paragraph 33 of that memorandum he says:

"I have, however, to assist the Home Secretary by making recommendations as to the minimum periods juveniles, who were in a transitional position, have to serve ... The progress made in many of the approximately 140 cases I have examined is often very significant. The offenders were usually from a deprived background and when they received the attention that was provided in custody their attitudes to their offending and their behaviour were frequently transformed."

Later in the same memorandum, he says:

"For Parliament to set the guidelines and interfere with sentencing in this unprecedented manner at this time is particularly inappropriate since it is also setting up a new expert independent body which in turn has to act on the expert advice of the Sentencing Advisory Panel.

Sentencing, particularly in relation to murder, should be removed from the political arena. The present proposal will have the effect of increasing political involvement."

The Lord Chief Justice went on to describe what he had advised on juveniles in his practice direction of last year. He said:

"In relation to juveniles, that is young offenders, while it was appropriate to start with the normal starting point for an adult of 12 years, there was to be a reduction for the age of a child with the result that 'for a child of 10, a judge should be considering a starting point in the region of 5 years'."

He ended by looking at the proposals on young people and said in paragraph 62:

"I would now refer to the position of children. What is the justification for putting up their normal starting point by an equivalent of 6 years?"

I accept that the Government have tabled an amendment that would make that three years, because they have brought down the starting point from their original proposal of 15 years to 12, but the principle still applies

"I particularly emphasise this because if the Government's approach is right, juveniles will not again be considered until their minimum period has been served. Can it ever be right not to allow the Parole Board to consider his case at least when he becomes 18 and ceases to be a juvenile and so eligible for the adult prison system?"

For me, that has always been the issue. If one commits an offence, however terrible, as a juvenile, the moment one becomes an adult in the eyes of the law one's future and past should be reviewed. What one did as a 10-, 11 or 12-year-old should not be regarded as an indication of how one is likely to behave as an 18-year-old. That is

[Simon Hughes]

why there should be no minimum. There should be no inflexibility. The court should be able to make a decision based on the individual young person before it, which should be reviewed when he or she becomes 18.

The rest of paragraph 62 of the Lord Chief Justice's memorandum states:

"If you have had to read the files of the successive reports relating to juvenile murderers in the numbers that I have, you could not be but appalled by such a suggestion. Many of those involved, if not all, come from a disadvantaged background. Those who have responsibility for their upbringing after they are sentenced usually do a most remarkable job of bringing up those youngsters and they can be transformed in consequence. It is not either just to them or the public to ignore the scale of the change that can take place. Nobody suggests that in their case they should be detained for life. If they are not to be detained for life, it is important in their interests and the public's interest that they are released before what has been achieved for them while in custody as a juvenile is destroyed by their exposure to the adult prison system."

We all know of the public revulsion at murders committed by juveniles, and I completely understand that. However, they are juveniles and they must be given the benefit of a new start. On the Liberal Democrat Benches, we are clear that the principle should be left to the judge, advised by the sentencing council, in individual cases, and not determined by Parliament. We here cannot do that job fairly either for young people or for society, and we should not try.

8.30 pm

Paul Goggins: I do not think that there is any contradiction between the belief, which I am sure we all share, that when a child becomes an adult they can reform and rebuild their life after committing a heinous crime, and the belief that there should be a starting point that judges will consider—

It being six hours after the commencement of proceedings, MR. DEPUTY SPEAKER *put forthwith the Question already proposed from the Chair, pursuant to Order [this day].*

The House divided: Ayes 322, Noes 54.

Division No. 379] **[8:31 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Beggs, Roy *(E Antrim)*
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dismore, Andrew
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDougall, John

McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Derek Twigg and
Jim Fitzpatrick

NOES

Allan, Richard
Barrett, John
Beith, rh A. J.
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Dawson, Hilton
Doughty, Sue
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury & Atcham)*
Moore, Michael
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Rendel, David
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Younger-Ross, Richard

Tellers for the Noes:
Mr. Alan Reid and
Bob Russell

Question accordingly agreed to.

Lords amendment disagreed to.

Government amendments (a) and (b) in lieu of Lords amendment No. 203 agreed to.

Lords amendment No. 431 disagreed to.

Remaining Lords amendments agreed to.

Committee appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments Nos. 32, 35, 39, 2, 4, 8, 100, 101, 114, 116 to 123, 125, 127, 128, 131, 138, 139, 167, 173, 235 and 431: Paul Goggins, Mr. Dominic Grieve, Mr. John Heppell, Simon Hughes and Ms Dari Taylor; Paul Goggins to be the Chairman of the Committee; Three to be the quorum of the Committee.—*[Mr. Heppell.]*

To withdraw immediately.

Reasons for disagreeing to certain Lords amendments reported, and agreed to; to be communicated to the Lords.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

Quality and Safety of Human Tissues and Cells

That this House takes note of European Union Document No. 10122/03, amended draft Directive on setting standards of quality and safety for the donation, procurement, testing, processing, storage and distribution of human tissues and cells; notes the additional set-up costs and annual running costs arising in the United Kingdom are now expected to be greater than originally anticipated, and in particular may require investment by fertility clinics to upgrade their facilities and practices, but recognises that these costs will be offset by significant benefits to patients, and

therefore supports the Government's position that the proposed Directive, as presently drafted, is broadly acceptable.—*[Mr. Ainger.]*

Question agreed to.

PETITIONS

Oxclose Community Nursery School

8.47 pm

Joyce Quin (Gateshead, East and Washington, West): I present to the House a petition on behalf of the staff, parents and friends of Oxclose community nursery school in support of their efforts to keep the school open. The petition is signed by some 2,000 people from the communities of Washington in my constituency that would be most affected by the proposed closure. The petitioners believe that the school has produced excellent results with its experienced staff and that it is an asset that gives real benefits to the surrounding area and community.

The conclusion of the petition states:

We, the Petitioners therefore request that the House of Commons support our Declaration, and urge the Government to take steps to ensure that Oxclose Community Nursery School remains open.

And the Petitioners remain, etc.

To lie upon the Table.

Planning Application (Cotswold)

8.48 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I am grateful to you, Mr. Deputy Speaker, for allowing me to present a petition signed by 1,500 of my Cotswold constituents urging the Deputy Prime Minister to use his powers to call for a planning application to be considered by an independent planning inspector. The application is principally concerned with the dumping of a large quantity of construction waste from outside the area into the heart of the Cotswold area of outstanding natural beauty, thus increasing heavy goods traffic on narrow and unsuitable roads. The petitioners believe that the application is environmentally unsustainable.

The petition is signed by my constituent Mrs. Charlotte Heber Percy of Eyford house, Upper Slaughter, Nr. Cheltenham, Gloucestershire.

The petition states:

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament Assembled

The Humble Petition of the Residents of the Cotswolds showeth

That Planning Application ref: CD/0165/1/S by Huntsmans Quarries Ltd. for Aggregates Recycling: Plant Area Rationalisation: Agricultural Restoration: Infilling, was passed on the 11th November 2003 by the Gloucestershire County Council on the casting vote of the Chairman.

Wherefore your petitioners pray that your Honourable House should urge the Deputy Prime Minister to use his statutory powers to call in this application and appoint an independent inspector to consider this application.

And your petitioners as in duty bound will ever pray etc.

To lie upon the Table.

NHS (Wales)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

8.50 pm

Gareth Thomas (Clwyd, West): I am grateful for the opportunity to raise a crucial subject: the national health service and, in particular, the NHS in Wales. I am also grateful to be accompanied by a male voice choir from various Labour constituencies in Wales.

I strongly believe that it is appropriate for a Welsh Member to raise the subject, even though the Executive powers for running the NHS have been devolved to the National Assembly, because the power to raise the taxes that pay for the NHS across the UK resides here, the legislative framework within which the NHS operates is laid down here, and a number of measures dealing with NHS reform were debated and enacted here. So while the arrangements persist, Welsh Members of Parliament will be inextricably linked to the process of investment and reform within the NHS in Wales. If there were doubts about our right to raise the subject, we know from contact with our constituents that it remains the single most important domestic issue, so Welsh MPs are perfectly entitled to express a view on it.

The state of the NHS in Wales can be encapsulated in the old Welsh phrase, often found in school reports, of "nid da lle gellir gwell", loosely and charitably translated as "could do better". Although there have been significant improvements in the performance of the NHS in Wales thanks to the Government's record investment in public services, waiting lists are still unacceptably high and there is a danger that if the Assembly does not pursue reform as vigorously as it is pursued in England, the NHS in Wales will fall even further behind.

What is the current position? On 31 March 2003, no fewer than 74,600 people in Wales were waiting for in-patient treatment—14 per cent. more than were waiting on 31 March 1999. It is interesting to observe that over the same period, the resident-based in-patient waiting lists in England fell by 9 per cent.

Of those Welsh residents waiting for in-patient treatment on that date, 16 per cent. had been waiting for more than 12 months, compared with 0 per cent. in England, and 5,200 Welsh residents—7 per cent. of the total—had been waiting for more than 18 months for treatment. That is a bad position. In addition, several trusts are operating with deficits. My hon. Friend the Under-Secretary will accept that there are unacceptable variations in performance between NHS trusts in Wales.

Of course, waiting lists and times are not the only measure of performance, but I believe that they are a crucial indicator of the extent to which extra investment is being used effectively. They are more than that, because behind the statistics are many personal histories of pain, discomfort, worry and uncertainty. I am sure that many hon. Members have shared the frustration

and sometimes the despair of constituents who have been left on the waiting list for far too long. That is far from Aneurin Bevan's vision.

Mr. Wayne David (Caerphilly): Does my hon. Friend accept that in Gwent, some people on orthopaedic waiting lists have to wait four and a half years for the operation that they need?

Gareth Thomas: That is not a case of "could do better". It is a bad position that requires serious improvement, and I sympathise with my hon. Friend's constituents. It is worth emphasising that the deterioration in waiting times occurred in a period of unprecedented increased investment in the NHS in Wales. My hon. Friend the Member for Cardiff, Central (Mr. Jones) has eloquently made that point.

Mark Tami (Alyn and Deeside): Does my hon. Friend agree that there is a danger that Opposition Members—not one is here—believe that the NHS can be reformed without putting in any extra investment, and that the Assembly believes that it is a case of money without reform? Reform is essential if we are to improve the NHS in Wales.

Gareth Thomas: I could not agree more with my hon. Friend. Of course, reform must accompany investment. We should not take lectures from Conservative Members even if any were present. I assume that my hon. Friend referred to the official Opposition. If they had their way, the tax cuts that they envisage would create mayhem in the NHS in Wales. In fairness to the Assembly Government, they recognise that the extra investment must be accompanied by reform. The Wanless report was commissioned because of such recognition.

The conclusions of Derek Wanless were blunt and to the point, and he made several recommendations. He said:

"The position in Wales is worse than in the UK as a whole . . . Wales does not get as much out of its spending as it should."

It is alarming that his overall conclusion is that the current position is unsustainable. Hon. Members will be familiar with some of his major recommendations. They include: the need to reshape services, deal with inappropriate referrals, integrate health and social care and emphasise prevention. That is all well and good and we congratulate the Assembly on its work on that.

However, the Wanless report also recommended the need to stop funding deficits and to reward success and good performance with greater freedom and autonomy. If one speaks to those who have experience of managing a complicated organisation such as the health service, which has so many vested and competitive interests, they say that the political message from the top has to be clear and consistent. One expert commentator to whom I spoke said that the NHS needed to be "pushed". He did not mean that that should be done in an aggressive way that would undermine the important public service ethos, that underlies the health service. He meant that there needed to be consistent signals from the top. I strongly believe that we need to give a stronger steer to NHS management on the need to reduce waiting times. We need to insist on detailed scrutiny of where all this extra money is going, and to learn—yes, learn—from what is being done in England, particularly through the Modernisation Agency.

Lembit Öpik (Montgomeryshire): Is the hon. Gentleman saying that he agrees with the Opposition parties in the Assembly, which today voted down Labour's proposals for a so-called action plan on the ground that they did not think that it was anything of the sort, with regard to the Wanless report? Would he acknowledge that, for all his criticisms, many of which I agree with, it is Labour Administrations in Cardiff and in London who are presiding over the circumstances in which many of our constituents—including mine, near the border—can get no serious medical attention from the hospitals across the border because the bills cannot be paid?

Gareth Thomas: There are real difficulties in border areas. The hon. Gentleman has made a fair point. We must accept, however, that the Assembly is making some progress. It has inherited a difficult situation.

Mr. Jon Owen Jones (Cardiff, Central): My hon. Friend should not allow that intervention by the hon. Member for Montgomeryshire (Lembit Öpik) to pass without remarking that during the major period of difficulty in implementing change, the Labour party in the Welsh Assembly was in partnership with the Liberal Democrats—

Mr. Deputy Speaker (Sir Michael Lord): Order. This Adjournment debate is obviously quite delicate in the way that it deals with a balance between this House and other establishments. I do not think that we should get too involved in the internal politics of the Welsh Assembly.

Gareth Thomas: The burden of my debate is that the pace of change and reform must accelerate if we are going to turn round the NHS in Wales. I am particularly concerned about the need to ensure that there is more capital investment in the NHS. There is an urgent need to invest in buildings, equipment, new technology and new services, and I should also like to see the Assembly take on the idea of diagnostic and treatment centres and large-scale methods of dealing with cataract operations, knee joint operations, and so on.

There has been cumulative underinvestment, and let us make no bones about the fact that the Conservatives were responsible for that. In commissioning its national estates strategic framework, the National Assembly for Wales demonstrated that it recognised that there was a huge challenge involved in addressing what are called backlog maintenance costs. These are the costs necessary to bring the NHS trusts' estates up to a reasonable standard. A recent report by the Auditor General for Wales showed that 32 per cent. of the NHS trusts' estates surveyed were unfit for their purpose. A conservative estimate of the cost of meeting those backlog maintenance costs is no less than £431 million. That does not include the investment in new services such as diagnostic and treatment centres that I believe should take place, to allow us to catch up with the pace of technological reform in the NHS.

[Gareth Thomas]

The Assembly appears to recognise that there is a role for the private finance initiative, and we are told that there is no ideological objection to its take-up. It is worrying, however, that while PFI projects are being taken up at a very fast rate over the border in England, and many new facilities and hospitals are being built in places close to my constituency such as Liverpool and Manchester, the take-up in Wales is disappointingly low. It is difficult to avoid the conclusion that there is an ideological objection to it.

Albert Owen (Ynys Môn): My hon. Friend mentioned hospitals in Manchester and Liverpool. The NHS trust in my area of north-west Wales is meeting its targets, and one of the reasons for that is that many patients go to those hospitals in England. Does he agree that the NHS needs to maintain such cross-border co-operation and partnership so that waiting lists in Wales can be substantially reduced?

Gareth Thomas: I could not agree more with my hon. Friend. Of course, that traffic of people and patients across the border is a feature of the NHS in Wales.

I am afraid that there is a lukewarm approach to the PFI, but I believe that it is essential to take it up.

Adam Price (East Carmarthen and Dinefwr): If I may say so, the hon. Gentleman has given us an expert diagnosis of the problem, particularly in relation to the lack of capital investment. What I am not so convinced about is the prognosis. For example, would it not be more cost-efficient for the UK Government to allow the Welsh Assembly Government to borrow on the bond market rather than use the PFI, which is a rather expensive way to generate capital investment?

Gareth Thomas: I do not accept that point, but there is a real need to ensure that we work in partnership with the private sector to release extra funds over and above the generous allocations made available by this Government through their prudent handling of the economy. That is my point. If we are to create a modern health service, we need more take-up.

If we are to safeguard the future of the NHS, it must become not only a comprehensive service, free at the point of need, but a truly modern service that is genuinely responsive to patients' needs. The Prime Minister is quite right to emphasise the fact that reform must accompany investment. As a strong supporter of devolution who campaigned strongly for a Welsh Assembly, and one who is proud of that achievement, which the Labour Government managed to implement, I say that it is essential that the Assembly demonstrates to the people of Wales that it can discharge this responsibility to the people of Wales and create a national health service fit for the 21st century.

9.7 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): I congratulate my hon. Friend the Member for Clwyd, West (Gareth Thomas) on securing this useful debate, which gives us the opportunity to discuss the considerable investment in the NHS in Wales.

Labour Members are committed to securing improvements in the NHS in Wales—a commitment that we share with the Labour-led National Assembly. Like my hon. Friend, I believe that the twin engines that will drive forward the essential improvement in the NHS are investment and reform—investment supporting a reform agenda tailored to Welsh health needs.

The Government and the Assembly, working in partnership, are providing record investment. Planning and delivering reforms is an essential part of that. Investment in the health service in Wales has never been greater. The Assembly's recently published draft budget for next year will see an 8.9 per cent. increase in health and social care spending and a total health budget of £4.28 billion. The trend of decades of underinvestment has been reversed. Perhaps that is why the Opposition decided not to show up this evening.

Investment means building for the future so that the NHS in Wales—one of our proudest achievements of the 20th century—goes from strength to strength in the 21st. We are laying foundations for the NHS in Wales that will deliver a world-class health service. Some of what we are doing is, literally, building, and the people of Wales see the results around them—for example, the Royal Glamorgan hospital in Llantrisant, St. David's hospital in Cardiff, Chepstow community hospital and the new Neath and Port Talbot hospital.

Since 1999, the Labour-led National Assembly has built those four hospitals as part of delivering the pledge of 10 new hospitals within the next 10 years. That is in addition to the all-Wales capital programme projects.

Mr. Jon Owen Jones: Will my hon. Friend comment on the fact that three of the four hospitals that he has referred to were built under the PFI and commissioned before the Welsh Assembly came into being?

Mr. Touhig: That is an example of the partnership between Government and the Assembly to which I referred. I will comment on the PFI in due course.

The all-Wales capital programme includes refurbishing many community hospitals in Powys, major health and safety work at Prince Charles and Glan Clwyd hospitals and the re-provision of mental health services in Pembrokeshire and Carmarthenshire.

Some of my hon. Friend's comments have naturally focused on PFI projects. Nye Bevan used to say that policies needed to be reviewed because they became blunted with use. The PFI is one new tool that we can use. It was not available to the founders of the NHS, but it is available to us. It can be used for capital investment in the health service. I support the PFI, and commend its use whenever that is considered appropriate.

Of course, our greatest asset in the NHS is not any one building or facility, but the staff who work in it. The Assembly has been investing heavily in the men and women of the NHS in Wales. The number of front-line staff has risen as a result of increased investment, and of the successes of the recruitment and retention strategies applied by the Assembly. There are 30 per cent. more

whole-time equivalent hospital consultants working in Wales than there were in 1997. There are nearly 16 per cent. more qualified nurses than in 1997, a 5 per cent. increase on last year, and there are 6 per cent. more GPs than there were a decade ago. But the recruitment of extra health professionals is not enough on its own. Our colleagues in the Assembly have policies for retaining the expertise that we already have in Wales.

The last Government—not represented here tonight—cut the number of doctors and nurses being trained. Over the last three years the number of medical students has increased from 966 to more than 1,100, and it will increase to 1,385 by 2004. The Assembly plans to have 700 more consultants and GPs, 6,000 more nurses and 2,000 more other health professionals by 2010.

All that effort is aimed at improving the way in which we treat people who are already ill, but we have another fundamental task: to tackle the long-term health problems that affect our communities. As well as investing in the fabric and staff of the NHS, the Assembly has invested, and continues to invest, in that effort. It is vital for most help to be targeted where it is most needed. The draft budget to which I referred has targeted funds on tackling health inequalities in Wales.

For me, the most important person in the NHS is the patient. Investment and reform in the NHS should have one simple objective—to meet the needs of the patient. The patient must come first. That is why we are not satisfied with our present record of investment. We must reform the health service in Wales so that it does an even better job in meeting the needs of Welsh patients.

Structural reform of the NHS in Wales has focused on the creation of strengthened health services, and seeks local solutions to local needs. Standards are set at an all-Wales level, but are delivered locally. Both the Government and the Assembly believe in empowering local communities to decide how best to tackle local health problems. Local health boards and local authorities now have structures to allow closer working between the NHS and social services that can deliver better care for patients. That partnership approach is integral to delivering better care for patients. Our shared aim is a seamless provision of services, delivered through groupings of heath and social care providers.

The patient is rightly at the centre of the NHS. In 2001–02, 200,000 more patients were seen in Wales than in 1996–97. The health service in Wales treated 643,000 in-patients, and dealt with 2.8 million out-patient appointments last year alone. That is an impressive record, but we have another important commitment—to tackle the issue of waiting times, mentioned by my hon. Friend and others.

Waiting times remain a challenge, but the Assembly is tackling such challenges. Heart disease is one of Wales's biggest health problems, and one of its biggest killers. That is why the Assembly targeted cardiac surgery. When the cardiac initiative began in July 2001, 100 patients were waiting for longer than 12 months for surgery; now no one is waiting that long. I know from my own constituency how important orthopaedic surgery can be to people's quality of life in Wales. We inherited a huge problem with waiting times, and I am pleased that the Assembly has targeted orthopaedic surgery for additional investment. When the orthopaedic initiative began in July 2001, more than 2,000 people were waiting more than 18 months for treatment; now there are 45, which is a considerable improvement. By the end of the year, no one will be waiting more than 18 months. Twelve months ago, 10,000 more people were waiting more than six months for their first out-patient appointment than are waiting today—again, a considerable improvement.

Mark Tami: Does my hon. Friend accept that there is a problem, particularly in border areas, where people know that the drop in waiting times for English patients is greater than it is for Welsh patients. It is not acceptable in the long term for Welsh patients to be told that they have to wait for 18 months, while some English patients may be asked to wait for six months for the same operation.

Mr. Touhig: I entirely accept my hon. Friend's point. We all have experience of our constituents telling us about that problem. It is important to acknowledge the considerable advances that the Assembly has made in various initiatives. I hope that people will look at what is happening in England and say, "If they can do it, so can we." I am convinced that by working in partnership with the Assembly, we are on the right track and will move towards improving waiting times.

Mr. David: Does my hon. Friend accept that the time between a patient seeing their GP and seeing a consultant can be as long as three years, never mind 18 months?

Mr. Touhig: I entirely accept that. In our part of south-east Wales, it is quite common for people to have to wait 180 weeks for their first appointment with an orthopaedic consultant. My colleague Jane Hutt, the Minister for Health and Social Services in the Assembly is tackling that problem: she announced today a further waiting times initiative to build on what has already been achieved. From 1 April 2004, every patient in Wales will be guaranteed a second offer of treatment to ensure that they wait no longer than 18 months. In some cases, that will include the option to receive treatment at a different location. We should welcome that, because it is line with the reforms and improvements that we want.

No one is denying that challenges face the NHS in Wales. The Wanless review of health and social care in Wales, which was undertaken at the request of the Assembly, showed the scale of the challenge referred to by my hon. Friend the Member for Clwyd, West. We are rightly proud of the successes of the NHS in Wales and the things that it delivers, but we recognise the need for tough action in areas where more has to be done to deliver the services that patients expect. I am pleased that my colleagues in the Assembly made it clear today that they are prepared to act against trusts that are not delivering their targets. My hon. Friend mentioned the Wanless recommendation that the Assembly should stop underwriting deficits. I agree with that recommendation. Indeed, my colleague Jane Hutt said today:

"Deficits will only be covered by repayable loans."

[Mr. Touhig]

She went on to say:

"I expect all health organisations to sign up to deliverable finance plans and restore financial balance within the timetable laid down . . . .the warning I have given about financial discipline means that the money provided will be reclaimed."

If that is not a message to underperforming trusts, I do not know what is. It is important that we all back Jane Hutt in that initiative, and make it clear to underperforming trusts that we are not prepared to accept failures in future.

The NHS in Wales is one of the finest achievements of a civilised society, and was delivered by a Labour Government. In a nation where many people suffer from the illnesses that are the legacy of heavy industry and social disadvantage, the health service is literally a lifeline for our people and our communities. I fully endorse the point made by my hon. Friend the Member for Clwyd, West at the beginning of our debate that it is important that hon. Members can articulate their constituents' concerns. We are the Parliament of the United Kingdom, and the Government are delighted to work in partnership with our colleagues in the Assembly in overcoming difficulties.

After a tale of underinvestment and neglect for many years, the story of the Welsh health service has reached a new chapter. The drivers of improvement, investment and reform are being put to work by the Government and the Assembly, working in partnership for the people of Wales. We are matching our commitment to reform with our commitment to invest, and the results are already beginning to show, although I accept that we are impatient for more reforms and investment. Investment and reform in the NHS are fundamental Government pledges, and we are working in partnership with the Assembly, the NHS and the people of Wales to deliver the health service that Wales deserves now and in the future.

Question put and agreed to.

Adjourned accordingly at twenty minutes past Nine o'clock.

House of Commons

Wednesday 19 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

MESSAGE FROM THE QUEEN

DOUBLE TAXATION RELIEF

THE VICE-CHAMBERLAIN OF THE HOUSEHOLD reported Her Majesty's Answer to the Address, as follows:

I have received your addresses praying that the Double Taxation Relief (Taxes on Income) (Chile) Order 2003, and the Double Taxation Relief (Taxes on Income) (Australia) Order 2003 be made in the form of the drafts laid before your House on 8 September 2003.

I will comply with your request.

Oral Answers to Questions

DEPUTY PRIME MINISTER

The Secretary of State was asked—

Green Spaces

1. **Dr. Nick Palmer** (Broxtowe): What action his Department is taking to increase access to green spaces in urban areas. [139307]

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): Parks and green spaces make a big difference to local communities. For too many years, they were left to decline. That is why the Government are investing £200 million over the next three years to regenerate local parks and green spaces in towns and cities across the country.

Dr. Palmer: I am grateful for my hon. Friend's reply, but although overall spending is no doubt helpful, is there a concrete way in which local groups can apply for support? Often, local groups know what is most needed.

Yvette Cooper: My hon. Friend is right—often, community groups, including bodies such as Friends of the Parks, are vital to the regeneration of local parks and green spaces. They can apply for the living spaces fund, which will provide £30 million to support about 1,500 projects over the next three years, because we think it right that community groups as well as local authorities should benefit from more support to improve green spaces.

Alistair Burt (North-East Bedfordshire): Does the Minister agree that her Department is being even more successful in the policy of increasing access to urban areas in green spaces by demolishing large parts of the north in order to concrete over more of the south-east?

Yvette Cooper: As the hon. Gentleman knows, that is complete nonsense. I am sorry that his party is so little concerned about parks and green spaces. I checked the record of the shadow junior Ministers' interest in parks: they have referred to parks 56 times; unfortunately, 33 of those references were to car parks.

Local Government Reorganisation

2. **Mr. David Chaytor** (Bury, North): If he will make a statement on the boundary committee's timetable for publishing local government reorganisation proposals, consequent on the establishment of regional government. [139308]

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): The boundary committee will publish draft recommendations for consultation on 1 December and is required to make its final recommendations no later than 25 May 2004.

Mr. Chaytor: I thank the Minister for that reply. Does he agree that where there is no consensus on the future shape of local government—as is the case in east Lancashire, for example—it is crucial that the boundary committee place before the electorate all the serious and practical options for the future shape of district councils? Furthermore, will he assure the House that the consultation will be genuine and that the committee will listen carefully to all representations made?

Mr. Raynsford: I assure my hon. Friend that the matter is one for the boundary committee and that we have made it clear in our guidance to the committee that we expect it to review the options for achieving the best form of unitary local government and to produce options on which decisions can be made by the people in the referendum.

Mr. Bernard Jenkin (North Essex): First, let me say what a pleasure it is to find myself once again doing battle opposite the Minister. I seem to remember that we last tangled on the Transport Bill. Since that legislation passed, the railways have deteriorated and National Air Traffic Services has proved to be a disaster. Does he think that regional assemblies will be as successful as the railways and NATS were under his leadership?

Will the Minister explain how much regional assemblies will cost? We are having boundary reviews to establish regional government, yet the cost in London is three times what was expected, and that cost is being

passed straight back to the council tax payer through record increases in council tax. That does not augur well for the popularity of the right hon. Gentleman's policy.

Mr. Raynsford: I welcome the hon. Gentleman to his new position, and look forward to debating these issues. I am sure that he will have a fertile discussion with the right hon. Member for Skipton and Ripon (Mr. Curry), who is now the shadow Secretary of State and who in a speech in York on 29 September 2001 said:

"There is much more of a case"--

for regional government—

"than we allowed in the 1980s . . . The only way of restoring representative government in relation to a wide range of functions carried out by the central government is at the regional level."

I am delighted to know that the hon. Gentleman is part of a team and answering to a shadow Secretary of State who clearly supports the concept of regional government.

The hon. Gentleman knows that we have spelt out in the White Paper our estimates on costs. The people will decide in the referendum whether our proposals will, as we believe, deliver good value for money and restore democracy to the regions.

Mr. Eric Martlew (Carlisle): It is all very well to talk about regional government and changing unitary authorities. The law provides that county boundaries can be crossed. Will my right hon. Friend explain how that will appear on the ballot paper? There is great confusion in my area, including Cumberland and Morecambe bay. We do not understand how people will be able to vote on the issue.

Mr. Raynsford: The boundary committee will make proposals on precisely that matter in two weeks' time. It will be entirely appropriate for people to have information about the proposed changes, their impact and the options available before they decide. When I was in Cumbria a while back talking to representatives of local government, it was clear to me that there were two or three clearly held views on what would be the best options. It was recognised that there were appropriate boundaries reflecting natural communities that could make good new boundaries for unitary authorities in those areas. I am sure that these matters will be decided properly by the people when they come to vote in the referendum on these matters.

Mr. Edward Davey (Kingston and Surbiton): Will the Minister confirm that it is thanks to a Liberal Democrat amendment that local people will have both the choice and a vote on local government reorganisation? Will he reaffirm his previous commitment that the Government will publish a draft powers Bill before any referendums on regional assemblies? Will he confirm that the Government are considering devolving more power to future regional assemblies than was contained in the White Paper "Your Region, Your Choice"?

Mr. Raynsford: I am pleased that we saw eye to eye with the hon. Gentleman's party over the benefit both of giving the option of regional government and of giving a choice to local communities on unitary local government. The proposals for the powers of elected regional assemblies are spelt out in the White Paper. We have already demonstrated through the fire White Paper that we are prepared to change such arrangements in appropriate circumstances. We believe that it is right to go forward on the basis that we will be giving people more option to shape their future in the regions where they choose to do that.

Neighbourhood Wardens

3. **Ms Candy Atherton** (Falmouth and Camborne): If he will make a statement on the work of neighbourhood wardens. [139309]

The Deputy Prime Minister (Mr. John Prescott): Neighbourhood wardens can play a vital role in the revitalisation of some of our most challenging neighbourhoods. Neighbourhood renewal funding is supporting some 500 warden schemes across the country, and other forms of funding have provided up to 3,000 wardens. That is why I announced on 14 August the extension of funding to all street warden schemes for one extra year. Wardens have been welcomed by the communities in which they work. They are successful and they have proven to be effective in reducing crime and improving community safety and the local environment.

Ms Atherton: I thank my right hon. Friend. He is a good friend of Cornwall and a regular visitor. When he next comes to Cornwall, will he visit and congratulate the Redruth street wardens, who have recently received national acclaim, and perhaps bring some more money to this incredibly popular scheme?

The Deputy Prime Minister: I am grateful for my hon. Friend's remarks. I certainly enjoy visiting Cornwall on my regional visits from time to time. I am pleased that, in her constituency, the North Kerrier warden scheme received an award for its work that was presented by my hon. Friend. Last night, I attended the British Urban Regeneration Association—BURA—awards, at which the Falmouth Beacon regeneration partnership was given the sustainability award. The House will be interested to know that a community getting together was able to reduce house burglaries by 40 per cent., reduce accidents involving children by 50 per cent., reduce asthma and chest complaints, improve education results and achieve a £180,000 fuel saving from energy efficiency. It shows that when members of a community get together, they can make a real difference.

Angela Watkinson (Upminster): The London borough of Havering has a highly successful neighbourhood wardens scheme, which is coming to the end of its third year. I believe that I just heard the Deputy Prime Minister say that an additional year's funding has been allowed. When the Government funding comes to an end, hard-pressed councils such as Havering have the choice of putting up the council tax or withdrawing the service. What would the Deputy Prime Minister advise them to do?

The Deputy Prime Minister: The hon. Lady posed a fair question. On 14 August we decided to extend the programme by one year. The programme arose from the social exclusion unit's recommendation and was to be temporary, for one year. It has been so successful that we have extended it, but the intention is to feed it into mainstream departmental expenditure. So far, 60 per cent. of councils have achieved that, and we are negotiating with the rest. It is a successful scheme and we shall do all we can to make sure that the funding is continued.

Rob Marris (Wolverhampton, South-West): Will my right hon. Friend join me in congratulating Jess Pickard and his neighbourhood warden team in my constituency on contributing to a very creditable drop in crime and antisocial behaviour and in hoping that that valuable work will continue?

The Deputy Prime Minister: Yes. I can guarantee that the work will continue. My hon. Friend has shown that wardens in his area have made a real difference. Without giving all the figures again, I can report that in one area burglary was reduced by 90 per cent. That is a result of the ordinary community getting together and doing something itself. The programme has turned out to be extremely successful, and my hon. Friend can be assured that I shall do everything to see that it is maintained.

Areas of Outstanding Natural Beauty (Sussex)

4. **Tim Loughton** (East Worthing and Shoreham): What his policy is on building on and around areas of outstanding natural beauty in Sussex. [139310]

The Minister for Housing and Planning (Keith Hill): Planning policies and development control decisions affecting areas of outstanding natural beauty should favour conservation of the natural beauty of the landscape. In all cases, the environmental effects of new proposals will be a major consideration, although it will also be appropriate to have regard to the economic and social well-being of the areas and their communities, including the provision of adequate housing to meet identified local needs.

Tim Loughton: As the Minister knows, building land for houses in the coastal strip of Sussex is in short supply, wedged as we are between the sea and the downs. Many speculative development proposals are going through on appeal for building on the ribbon of land right up to the downs, adjacent to AONB land. Is he aware that the position will be made worse if the national park designation of the south downs goes through, and the AONB status of areas that fall just outside the national park boundary is revoked? What will he do to make sure that those vulnerable green areas are not concreted over in short order?

Keith Hill: I am aware of the hon. Gentleman's concerns about the matter, but I hope to be able to reassure him. The national park will become the planning authority, should the proposal go through, and it will acquire jurisdiction over planning applications from the local planning authorities whose areas include areas of outstanding natural beauty. Of course, local planning authorities are already constrained in their planning policies by the rigorous standards applied to planning applications in areas of outstanding natural beauty. To that extent, the position should not be changed by the national park proposal.

Mr. Nicholas Soames (Mid-Sussex): The right hon. Gentleman knows well the difficulties that exist in West Sussex, with the number of new houses that have been imposed on the county by the Deputy Prime Minister. Will the Minister reconsider the extraordinary number of new houses that West Sussex is being asked to accept, and will he have regard to the fact that these developments are wholly unsustainable by his own definition of sustainability? What will he do to reduce the number?

Keith Hill: The Government are in regular discussion and negotiation with local authorities on these matters, but the hon. Gentleman must bear it in mind that London and the wider south-east constitute the motor of the economy. The housing growth that the Government anticipate responds very much to indigenous growth in housing demand, as well as inward migration factors.

Domestic Violence

5. **Kali Mountford** (Colne Valley): If he will make a statement on the role of local government in tackling domestic violence. [139311]

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): The Government are wholly committed to tackling domestic violence. Such violence is first and foremost a crime, and stopping it and bringing perpetrators to justice are the overriding priority. Local government has a critical role in tackling domestic violence through the delivery of housing and social services, community safety and crime reduction partnerships.

Kali Mountford: I am grateful to my hon. Friend for that answer, in which he pointed out the role of local government in partnership with other organisations. Will he do all that he can to encourage local authorities to invest more in security in the home so that families and children can stay safe in the communities and schools that they are used to, rather than having to be moved on, away from the violent perpetrator of a dreadful crime?

Phil Hope: I place on record our appreciation and recognition of my hon. Friend's tremendous work in championing the interests of victims of domestic violence. She is right that domestic violence can be a significant cause of homelessness, and we need better co-ordination between local agencies so that women can safely stay in their own homes if they undergo such experiences. This year, the Government published our strategy on domestic violence, which emphasises the importance of preventing such violence, supporting victims and bringing offenders to justice. I am pleased to

say that a new telephone helpline, which the Prime Minister announced last year, is on track to become fully operational next month.

Dr. Jenny Tonge (Richmond Park): The Minister may have seen a disturbing report on television late last night about children being forced by the courts to visit perpetrators of domestic violence after divorce has taken place. Will he assure the House that the Government will look into this problem and advise the family courts accordingly?

Phil Hope: The hon. Lady raises a difficult and sensitive issue in family relationships. We have a problem in that domestic violence affects not only women, the main victims, but children in those households. The Green Paper recently published by my right hon. Friend spells out a range of measures to provide greater protection for children to secure their safety inside and outside the home and to ensure that local agencies work together much more closely through new agencies such as children's trusts to make sure that children receive the support and help that they need if they ever experience such tragic events.

Ms Debra Shipley (Stourbridge): May I invite my hon. Friend to the annual general meeting on domestic violence this afternoon? I impress on him the fact that several hundred people will be there. Will he explain more fully the support services provided for children in particular? I suggest to him that they are lacking for children in domestic violence situations either in the home or in hostels, where very little support is provided. The Green Paper also lacks a voice on that issue.

Phil Hope: My hon. Friend is well known in the House for championing the cause of children and giving them support. She is right to point out the physical, emotional and psychological impact on children of growing up and living in a family where there is domestic violence. I shall try to get to this afternoon's conference, diary permitting. What we need to do through the Green Paper is identify specific action that the Government and local agencies can take through the new children's trusts to ensure that children's needs are paramount and are put first when we make decisions on resources and needs.

Housing

6. **Bob Spink** (Castle Point): If he will make a statement on using pathfinders in providing housing.
[139312]

The Deputy Prime Minister (Mr. John Prescott): Nine market renewal pathfinders have been set up in the north and the midlands to tackle the problem of low demand and abandonment. The pathfinders will rebuild thriving housing markets in those areas, and we have allocated £500 million over the next three years to fund this ambitious programme.

Bob Spink: I welcome the right hon. Gentleman's intentions in respect of pathfinders. The initiative should help to reduce the pressure to build more and more houses in the south-east, which he is forcing on constituents in already overdeveloped areas. But throwing more money at the problem will not solve it; we have got to get tough and tackle antisocial behaviour in those areas, to increase and strengthen private buyer confidence.

The Deputy Prime Minister: The hon. Gentleman is right: through the pathfinders, we are doing a great deal in the north to deal with areas that are in massive decline. But I believe that people in the south have a right to live there if they so wish, and that there are sufficient resources, such as land, to provide for that. We have already established a programme to deal with antisocial behaviour. Is he saying that the £96 million that we have just awarded to south-east Essex and to his own constituency is unacceptable? *[Interruption.]*

Mr. Speaker: Order. Before I call the next hon. Member, I should point out that it is far too noisy in the Chamber. It is unfair.

Mr. Gordon Prentice (Pendle): Is my right hon. Friend aware that one tenth of all properties in east Lancashire are empty or abandoned, that there are properties in my area that cannot be given away, and that last year, 2,500 properties were sold for less than £20,000, which is more than in any other pathfinder? What we in east Lancashire want is not endless strategies but the resources that we need to do something about a housing problem that has been festering for decades.

The Deputy Prime Minister: I certainly do not disagree with my hon. Friend's analysis, but the £500 million that we are giving to pathfinder areas is a unique sum that should be welcomed. It doubtless will not meet all the problems in all such areas, but we are attempting to find new solutions to these different and difficult problems. We are on the way, and several pathfinders have already been developed. They are being turned from strategies into reality, and my hon. Friend should perhaps welcome that.

Mr. David Curry (Skipton and Ripon): May I say to the right hon. Gentleman how flattered I am that such an early reference was made to my speeches? I should hate him to waste civil service or political adviser time; if he would simply like to get in touch with me, I will make sure that he gets them free, gratis and for nothing.

The pathfinders are good projects run by good people, but it is necessary to ensure that there is effective private sector investment. This is not just a housing programme; it is housing-led. In east Lancashire, employers have walked away. What joined-up government are we going to get to make sure that we bring back employment and economic opportunities, so that housing projects are part of a broad strategy of regeneration and do not simply hang on their own?

The Deputy Prime Minister: I welcome the right hon. Gentleman to his new job as shadow Secretary of State for his new cabinet. Apparently, there are seven shadow Secretaries of State within his own group, which seems to be another shadow phantom cabinet, in addition to the one designed by the Leader of the Opposition. I

welcome his saying that we should not waste the civil service's time, but perhaps he should have a word with the hon. Member for Brentwood and Ongar (Mr. Pickles), who has asked 31 questions on subjects such as the money I have spent on drinking water, expenditure on horticulture and gardens, and what I am doing about pest control. I do my best to control the Opposition, but perhaps he should reduce the number of such questions.

To be serious, the right hon. Gentleman makes a fair point, and we are addressing that issue. The programmes are not just housing programmes; they recognise that there must be a partnership with the private sector. Increasing the value of the houses in that area is an important change that we need to make, working with the public and private sectors. Creating a sustainable community means dealing with jobs as well. We are putting those two elements together, and having some success.

Mr. Curry: When the hapless and unhappy Minister for Sport and Tourism introduced the Bill on regional development agencies, he said that the Government would be judged by whether there was a closing of the regional economic imbalance. Does the Deputy Prime Minister believe that the communities plan in the south-east, however necessary, will contribute to closing the economic balance between the south-east and the northern regions, or to widening it?

The Deputy Prime Minister: Regional development agencies are important in developing prosperity in all regions; that is why, unlike the previous Administration, we did not limit them to certain regions. We said that all regions need RDAs to develop their indigenous assets and increase prosperity. Since we increased the number of RDAs, there has been a considerable increase in prosperity in northern areas. I recognise that there is a growing differential, but all areas are far better off. Unless he is prepared to change his proposal to abolish RDAs, things will get worse.

Mr. Peter Pike (Burnley): My right hon. Friend will know from his visits to Burnley that the problem of empty houses in Burnley in east Lancashire is, in percentage terms, worse than in any of the other district councils. He will know that Elevate is putting together its bid under the housing renewal pathfinder project. He will also know that, to regenerate those areas and to make them attractive areas in which to live, that bid addresses not only the need to demolish houses but the key problems to which he has referred. Will he assure me that he will give a positive answer to that, so that work on the ground can commence at the earliest possible date?

The Deputy Prime Minister: I am grateful for my hon. Friend's comments. We certainly are doing that. I have visited his area where houses were being sold for about £1,000 each. It is the collapse of the private market that has created great difficulties for us. We are trying to regenerate the area, the houses and the communities. In some cases, we will have to demolish but in others we can rebuild. Different experiments and changes are under way.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [139322] **Mr. Philip Hammond** (Runnymede and Weybridge): If he will list his official engagements for Wednesday 19 November.

The Prime Minister (Mr. Tony Blair): Before I list my engagements for the day, I am sure that the whole House would want to join me in expressing our deep condolences to the Turkish Government and to the families of those who were killed in the terrorist atrocities in Istanbul last Saturday, and also to the families of the 17 US soldiers who lost their lives in the tragedy involving two Black Hawk helicopters in Iraq at the weekend.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Mr. Hammond: I thank the Prime Minister for his answer and I hope that worrying about what is going on here in his absence will not spoil his enjoyment of the banquet tonight.

Will the Prime Minister tell the House what the point is of deploying 14,000 police officers on the streets and creating an air exclusion zone over London if he cannot even guarantee the security of the President in his own bedroom?

The Prime Minister: First, the hon. Gentleman is wrong on the numbers of police being deployed, but it is important that we pay tribute to the work that the Metropolitan police do for us day in, day out. In respect of the incident at the palace, I know that the Home Secretary will make a statement on that later. I think that it is important that we establish the facts first.

Mr. Gwyn Prosser (Dover): Does my right hon. Friend agree that the Labour Government's new tonnage tax reforms have been of huge benefit to British shipping in general and to the P&O shipping group in particular? How does he reconcile that big boost for British shipping with the relatively small number of seafarers' jobs created and with yesterday's devastating news that Jeffrey Sterling wants to sack 600 people from cross-channel ferries in his P&O fleet at Dover? Does my right hon. Friend share my sickening feeling of déjà vu?

The Prime Minister: It is important, as my hon. Friend rightly acknowledges, that we are seeing a continual revival in UK merchant shipping after a very long period of decline. That is immensely welcome. Obviously, I regret very much the announcement of redundancies at P&O ferries, which I understand is connected with a decline in demand on the Dover to Calais route. I can assure my hon. Friend that we are in discussion with the company and we will do anything we can through the rapid response service to make sure that anyone who is made redundant is found alternative

employment. I can say from the experience in my own constituency that where that service has been deployed it has been immensely successful.

Mr. Michael Howard (Folkestone and Hythe): Once again, I sadly join the Prime Minister in expressing my condolences on behalf of my party to the victims of both the atrocities to which he referred.

On the Conservative Benches, we join the Prime Minister in warmly welcoming President Bush to this country. Indeed, it is good to see that the President is so popular on the Government side that Labour MPs have flown back from all over the world, from as far away as Australia, so that they can be in London today to welcome the President in person.

May I congratulate the Prime Minister on the closeness of his relationship with the President? Does he share my view that a strong and close relationship between the United Kingdom and the United States is in the interest of both our countries and of the world as a whole?

The Prime Minister: I assume that we have just seen the right hon. and learned Gentleman in his statesmanlike mode. I am sure that everyone who has the best interests of this country at heart recognises that the strength of the alliance between Britain and the United States of America is important for world peace and security, and for the future of both our countries.

Mr. Howard: I very much welcome the Prime Minister's response. However, how can he support as his party's candidate for London Mayor someone who said this week that the President was

"the greatest threat to life on this planet that we've most probably ever seen"?

The Prime Minister: I did say that we had just seen the right hon. and learned Gentleman in his statesman-like mode—[HON. MEMBERS: "Answer."] He cannot resist—*[Interruption.]* He cannot get to his feet and say that it is a good thing that the President is here and that the alliance is good for our country without trying to make mischief out of it. However, there will be people—in my party and elsewhere—who oppose what the President of the United States has done. I happen not to be one of them. Instead of making mischief, perhaps this should be the time when both the Leader of the Opposition and I stand firm in support of the alliance between this country and America.

Mrs. Anne Campbell (Cambridge): When my right hon. Friend meets President Bush later this week, will he ask him to put all possible pressure on the Israeli Government to stop building the security wall, and to reunite the Palestinian people with their ancestral lands?

The Prime Minister: First, I can tell my hon. Friend that we hope very much that the President will again give his strong support to the middle east peace process, and to the need to develop a process that will allow us, ultimately, to have an Israeli state that is confident of its security and an independent, viable Palestinian state. That is what we will work towards. Obviously, any measure being taken at the moment that inhibits those developments is not good for the long-term future of that process. In the end, however, the process in the middle east will not succeed until there is the clearest possible security plan that allows us to make sure that the terrorism also stops, so that we can create the confidence in which Israelis and Palestinians can live side by side.

I thank my hon. Friend the Member for Cambridge (Mrs. Campbell) for her question. I think that she is right to stress the importance of the matter, but I do not believe that there will be proper progress in the middle east until we resolve the security situation. We have to do that because, in the end, it is in the interests of the Palestinians as well as of the Israelis.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Will the Prime Minister give the House some sense of which issue he is more hopeful of making progress on during his discussions with President Bush this week? Will it be the continuing detention without trial of British citizens at Camp Delta, or the illegal imposition of tariffs against our steel industry by the Americans?

The Prime Minister: Our position on both matters is very clear, and we will discuss them again. I have set out our position regarding those detained at Guantanamo Bay to the right hon. Gentleman on many occasions. In respect of steel, there is a disagreement between Britain and Europe on the one hand, and America on the other. We want that to be resolved, and hope that the Americans will abide by the World Trade Organisation ruling. It is important that they do.

Of course there may be difficult issues between Britain and America, but I would have hoped that, when the right hon. Gentleman got to his feet, he would also say how pleased he was that the alliance between our two countries was so strong. Ultimately, that is in the interests of both countries. Yes, there is a trade issue between us over steel tariffs, but let us be clear: the trade between our countries is worth something like $2,000 million. That goes on the whole time, and is of enormous benefit to both nations.

Mr. Kennedy: A good constructive alliance between the UK and the US is, of course, in everyone's interest, but I want to press the Prime Minister on the most testing aspect of the alliance at the moment—the revised American position in respect of Iraq. Will he assure the House that, when he discusses that with the President over the next couple of days, the British priority will remain the establishment of democratic and durable institutions in Iraq? Will he also ensure that that matter is not being driven by the domestic electoral timetable in Washington?

The Prime Minister: I do find that a remarkable question to ask me. We have been working very closely with the United States of America to ensure that two things happen: first, that we get a programme for proper, democratic accountability and elections in Iraq, which will enable the Iraqis to be governing their country by the middle of next year, in due course with a proper constitution and elections. I hope that the right

hon. Gentleman recognises that none of that would be possible if Saddam Hussein had not been deposed from the Government of Iraq. Secondly, we will carry on working with the Americans in the fight against international terrorism.

Let us be clear about what is happening out in Iraq. The people bombing the United Nations and the Red Cross and killing ordinary Iraqis, the people who, when we proposed an independent judiciary for Iraq, assassinated two of the people who were nominated as judges, and those who are killing people in Turkey, Saudi Arabia and other parts of the world in these appalling acts of terrorism are not the British or the Americans but appalling terrorists linked to some of these appalling regimes. It really is about time that we started to realise who our allies are, who our enemies are, and to stick with the one and fight the other.

David Cairns (Greenock and Inverclyde): Despite the fact that unemployment in my constituency is now around 6 per cent. compared with 25 per cent. in the mid-1980s, does my right hon. Friend agree that more needs to be done to tackle the problems of hidden unemployment, particularly those affecting people who have been left languishing on incapacity benefit for many years? To that end, will he ensure that the pathways to work pilot programmes that are being run in Inverclyde are properly resourced and structured so that everyone is helped to find a job and never again do we hear the excuse that unemployment is a price worth paying?

The Prime Minister: I can assure my hon. Friend that we will resource the pilot projects satisfactorily. Indeed, as he rightly points out, many people have been helped off benefit and into work, in particular by the new deal. It is an absolute outrage that the Conservative party is committed to abolishing the new deal, which has helped hundreds of thousands of people off the dole and into work. Overall, about 1.5 million extra jobs have been created in the British economy since 1997 and that compares with the figure when a certain person was Employment Secretary for the Conservatives, with 3 million unemployed, and 1 million extra under him alone.

Q2. [139323] **Mr. Stephen O'Brien** (Eddisbury): From the figures on the Government's website of total permanent staff on a full-time equivalent basis in the Department of Trade and Industry, including its agencies, the Government inherited staff numbers of 8,398 in 1997. A staggering 1,422 staff have been added in the six and a half years under the Prime Minister's watch. As the right hon. Gentleman and his Chancellor now declare 500 of those jobs redundant, as reported in *The Times* on Monday, does the Prime Minister agree with the arithmetic that that still leaves 922 jobs over the number inherited? Is it any wonder that business is fed up with the waste and inefficiency of government under this Prime Minister?

The Prime Minister: Business welcomes the economic stability that has been achieved under this Government. It welcomes the low inflation, low interest rates, low unemployment and high levels of employment. It welcomes the fact that we have been through the recent downturn better than any other country in the G8. I think that business remembers, too, that when a certain Opposition party was in power, it had 15 per cent. interest rates, 3 million unemployed and double-digit inflation. *[Interruption.]* Perhaps when the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) gets to his feet, he will apologise for that record, since he was the author of it.

Mrs. Alice Mahon (Halifax): Since the invasion of Iraq, how many weapons of mass destruction have been found?

The Prime Minister: As my hon. Friend knows, the Iraqi survey group is in Iraq. It has already produced an interim report, which details at least 10 to 12 breaches of United Nations resolutions. I simply point out, in respect of the UN resolution that was passed last November, that it was a matter of common cause with all countries that Saddam Hussein posed a threat to the world. I believe that he does. I also believe that the intelligence that we have received on this matter is right. The Iraqi survey group should be allowed to continue and complete its work.

Mr. Michael Howard (Folkestone and Hythe): Does the Prime Minister think that it says something about his Administration that even after the Minister for Children's humiliating climbdown this week, he still thinks that she is the best person for the job?

The Prime Minister: I think she is. If we look at the Minister's record on child care places, if we look at the extra investment that is going into nursery education for three and four-year-olds and if we look at the plaudits given her by many people working in the field, I believe that, yes, she is the person who is best for the job, and she has answered properly the claims that have been made against her.

Mr. Howard: Let us just be clear about what happened. The Minister used the full authority of her Government position to write to the chairman of the BBC to try to suppress an investigation into her conduct. In doing so, she falsely described a victim of child abuse as an "extremely disturbed person". Is it right that someone who tried to bully her way out of trouble should still be Minister for Children?

The Prime Minister: I do not agree with what the right hon. and learned Gentleman said and I am sorry that he has joined in what I regard as a wholly unfair campaign against the Minister concerned. She has apologised to the particular individual. She was entitled to raise issues given that she was the subject of such criticism and, as I said, I believe that it is important to look at her record not merely as the present Minister for Children but previously as children's Minister, when by common consent she did an excellent job protecting and advancing the interests of children. I would have

thought it better, rather than simply discussing the individual Minister, that we discuss the policies of the two parties.

Mr. Howard: No.

The Prime Minister: Oh yes. I understand entirely why the right hon. and learned Gentleman does not want to do so; the Minister for Children has made the case for extra investment in child care that is yielding better child care throughout our country, and of course when he was shadow Chancellor he voted against every part of that extra investment.

Mr. Howard: Is the Prime Minister suggesting that this is not a matter on which he should be held to account? He may care about vulnerable Ministers—we care about vulnerable children. *[Interruption.]* Is not it the case that the Government always bully people who get in their way? The 94-year-old Rose Addis, lying on her hospital bed, was described as a racist. *[Interruption.]* Martin Sixsmith was described as money grubbing and unfit to be a civil servant.

Chris Ruane (Vale of Clwyd): Derek Lewis?

Mr. Speaker: Order. Mr. Ruane must not shout—it is quite a habit that he is getting into.

Mr. Howard: It is not surprising that Labour Members do not want to hear, Mr. Speaker.

Dr. David Kelly was denigrated by the Prime Minister's office as a Walter Mitty character, and now a victim of child abuse is smeared by the Minister for Children. Is the Prime Minister proud of that pattern of behaviour? Has he lost all sense of shame?

The Prime Minister: Now we see the right hon. and learned Gentleman in his true colours. If he wants to talk about vulnerable children, let us have a look at the record of the two Governments on vulnerable children. Let us remember that when he was a Cabinet Minister in the previous Government the number of children in poverty trebled—*[Interruption.]* Yes, they were vulnerable children when the Conservatives were in power. When one in five households in this country had no one working, was not that bad for children? When investment in education was cut under the last Government, what did that do for vulnerable children? When the right hon. and learned Gentleman voted against increases in child benefit, what did that do for vulnerable children?

We know where—

Hon. Members: Hypocrite.

Mr. Speaker: Order. An unfortunate remark was made. The word "hypocrite" was used. Will it be withdrawn?

Mr. Keith Simpson (Mid-Norfolk): Mr. Speaker, I withdraw.

Hon. Members: Disgraceful.

Mr. Speaker: Order. I call for calmness on both sides of the Chamber.

The Prime Minister: If we want to—*[Interruption.]*

Mr. Speaker: Order. That includes the Chief Whip—*[Interruption.]* Especially the Chief Whip.

The Prime Minister: Especially as she has other work to do.

If we want to talk about vulnerable children, let us talk about the numbers of children languishing in poverty when the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) was a Cabinet Minister under the last Government and about the children—500,000 to 600,000 of them—helped out of poverty under this Government. When we look at the real record, not the synthetic anger, we see where the shame lies.

Mr. Bob Blizzard (Waveney): Ever since oil and gas were first discovered in the North sea in the early 1960s, we have exercised national control over the exploitation of these assets through licensing arrangements and so on. Does my right hon. Friend share my concern that the inclusion of energy clauses in the draft treaty on the European Union constitution could lead to the ceding of competence over these matters to the European Union? Will he draw an end to uncertainty on this matter by making it a red line issue in the forthcoming negotiations?

The Prime Minister: We have made it absolutely clear that there cannot be any question of the European Commission getting those powers, and I can assure my hon. Friend that that will be one of the issues that we raise in the course of the negotiation we are about to enter into—and I have no doubt that, as with other things, we will be successful.

Q3. [139324] **Mr. Simon Burns** (West Chelmsford): Last month in this Chamber, the Prime Minister talked about reasonable council tax increases. For next year, what is a reasonable increase?

The Prime Minister: It is not for the Government to set the amount of council tax increase; it is for local councils. But as I said last month and have repeated on many occasions, it is reasonable for the Government to fund local authorities properly. We have given real-terms increases to local authorities over the last few years—a record that stands in contrast to the cuts under the previous Government. Therefore, obviously it is a matter for local authorities to set their council tax, but the Government have done their bit by funding local authorities properly.

Q4. [139325] **Mr. Piara S. Khabra** (Ealing, Southall): I am sure that the Prime Minister is fully aware of the significance of the Crossrail project, its importance to

Londoners and the benefits it will bring to business and in helping to reduce overcrowding on public transport in London. I know that the Secretary of State for Transport is supporting the project, and it is popular with the people and has cross-party support. Can the Prime Minister confirm that the money will be available for this project and that work will start as soon as possible, unless it is already too late?

The Prime Minister: As I said in the House a short time ago, what we do believe is that Crossrail is an important project for London and could have real benefits for Londoners. As my hon. Friend knows, a review panel of experts is examining the proposal by Cross London Rail Links to establish how it could be funded, and we expect the panel to report in the new year.

Mr. Michael Jack (Fylde): If the Prime Minister wants to help British manufacturing jobs, may I refer him to a report from the Ministry of Defence which concluded that it would be feasible for Britain to assemble and maintain its fleet of 150 joint strike fighters? To that end, may I ask him to raise with President Bush the release of the necessary technologies to the United Kingdom to make a bid for that work feasible, and thus safeguard tens of thousands of aerospace jobs, particularly in the north-west?

The Prime Minister: The right hon. Gentleman is right to say that this issue obviously has implications for British manufacturing and skills. We are raising the issue with the American Government. Indeed, the Foreign Secretary raised it with his counterpart last week, and I have no doubt that I will raise it with President Bush over the coming days. It is important, particularly in view of our relationship with the United States, that we are able to secure not just as much of the technology but as many of the jobs as possible.

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): When, at the end of this week, President Bush visits the north-east, will my right hon. Friend tell him the importance of steel-making for the north-east economy? Will he ask the President to respect the World Trade Organisation rules, so that he can take some form of action, in order to demonstrate his commitment to being our strong ally, at least to scrap the illegal steel tariffs that he has introduced?

The Prime Minister: As I said earlier, I can assure my hon. Friend that I will raise this issue with President Bush. I said, in answer to an earlier question, that there was $2,000 million-worth of trade between the two countries; it is actually $2,000 billion-worth. Of course from time to time such trade issues come up in the relationship between Europe and America—I remember they did under the previous President of the United States as well—but let us not forget that in commercial and trading terms it is still an enormously important relationship for our two countries.

I just point out that, according to the latest figures, about 1 million people in Britain are employed by American firms. So it is a very good two-way deal, but we want it to become a perfect one. Obviously, it is in our interests, and we will argue very strongly for the WTO ruling to be obeyed.

Q6. [139328] **Mr. Nigel Waterson** (Eastbourne): May I tell the Prime Minister that, after a bogus consultation exercise, the Post Office has now announced that it is closing five post offices in my constituency, including the main one at Upperton road? Is that what his Government mean by "network reinvention"?

The Prime Minister: No, it is not, but there obviously have been post office closures—there were under the previous Government as well—and the question is what we can do to minimise the likelihood of that happening, because they are happening, I am afraid, for reasons to do with the state of the commercial market. The reasons are not to do with Government policy; they are to do with the need of the Post Office to adapt in the different world in which we live today, but I would point out to the hon. Gentleman that we are putting somewhere in the region of £300 million-worth of support into the post office network. It is difficult for us to do more. We are doing what we can. I am sorry if there are post offices in his constituency at risk, but it would not be honest for the Labour party—or, indeed, any party—to pretend that we can avoid all post office closures, because we cannot.

Q7. [139329] **Mr. Chris Bryant** (Rhondda): One of my constituents is a close family relative of two young children who were abducted and murdered more than 10 years ago. No one has yet been convicted of either of those murders, and the family is understandably keen to see changes to the double jeopardy rule, precisely as envisaged in the Criminal Justice Bill that is now to be considered in another place. Will the Prime Minister stand firm to ensure that that Bill comes through in precisely the way that my constituent would like? Will he also stand firm against any Lords pressure on problems to do with serious fraud?

The Prime Minister: First, in relation to double jeopardy, yes, we will, and I hope that we have now got agreement on that. The point about serious fraud, though, is absolutely vital because, at the moment, the Conservative party is refusing to agree that we should remove jury trials in serious fraud cases—something that was recommended by Roskill about 25 years ago and, most recently, by Sir Robin Auld. That is absolutely essential to deal with serious fraud trials that can go on for months and concern organised criminals. Every single section of law enforcement in this country is in favour of doing that, and we will not get the proper measures necessary to convict serious criminals if we do not support that proposal. I say to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) that if his party is to be credible on law and order, it should do what the police, the Serious Fraud Office and Customs and Excise want and get that legislation through.

Mr. William Cash (Stone): The Prime Minister raised the question of statesmanship. In relation to his own ministerial code and public trust, would he be good

enough to give the House a straight answer to a straight question? Who is right—himself or Kevin Tebbit, or General de Chastelain or himself?

The Prime Minister: Well—*[Interruption]*—that is not exactly a straight question. In respect of the first, the hon. Gentleman should await the outcome of the Hutton inquiry. In respect of General de Chastelain, I stand by what I have already said.

Q8. [139330] **Ms Oona King** (Bethnal Green and Bow): Does the Prime Minister agree that unemployment, glass ceilings and the pay gap keep women out of the job market; unfortunately, out of Parliament; and, it seems, off the Opposition Front Bench? Does he agree that, in a democracy, it is really important that we have women not just in the Government, where a third of Ministers are women, but in the Opposition, where, unfortunately—*[Interruption]*—lovely though they are, 92 per cent. are men?

Mr. Speaker: Order. The Prime Minister has nothing to do with the Opposition; he has got enough to worry about.

The Prime Minister: Were you saying, Mr. Speaker, that I do not have to answer for the Opposition? Thank goodness. The point that my hon. Friend makes about the numbers of women in the work force is obviously important. Employment of women has gone up by almost 1 million since this Government came to power, but more importantly, through a series of measures on the work-life balance relating to maternity pay, maternity leave and extra help on child care, we are beginning to try to narrow some of the gaps between the job opportunities for men and the job opportunities for women. We shall certainly take that agenda further.

Q9. [139331] **Pete Wishart** (North Tayside): Following all the shuttle diplomacy, the conflict itself and the appalling aftermath of the war, have the Prime Minister and the President of the United States come to any agreement as to why this war happened in the first place? Surely it has not got anything whatever to do with weapons of mass destruction.

The Prime Minister: We went into conflict because we believed—in my view, rightly—that Saddam Hussein was a threat to his region and to the wider world, and we are proud of the fact that people in Iraq today, for the first time in decades, have got the chance of stability, prosperity and democracy. What everyone should realise is that if people like the hon. Gentleman had had their way, Saddam Hussein, his sons and his henchmen would still be terrorising people in Iraq. I find it quite extraordinary that he thinks that that would be a preferable state of affairs.

Buckingham Palace

12.31 pm

David Davis (Haltemprice and Howden) (*Urgent Question*): To ask the Secretary of State for the Home Department if he will make a statement on the serious breach of security at Buckingham Palace.

The Secretary of State for the Home Department (Mr. David Blunkett): The House is rightly concerned about the reports in the *Daily Mirror* today, which involve the security of the royal household, the Queen and the President of the United States. I am, of course, addressing those concerns, but let me begin by setting this matter in context.

The day-to-day critical work of security has been and continues to be carried out with skill and professionalism. The security of the royal family involves a wide range of measures. Physical security and the personal protection provided by the police form a critical part of that process. Clearly, however, the checks on those who work closely alongside the royal family are key, too.

As you would expect, Mr. Speaker, there is a comprehensive system of checking for those who, in the course of their work, have close contact with the Queen, members of the royal family and those visiting them. That process involves both security and criminal checks in addition to the sort of employment checks expected from any employer. Clearly, in these circumstances, that is even more vital. In the case of Ryan Parry, the key security and criminal record checks were carried out robustly and correctly, but the employment checks proved insufficient in this case. The palace has already announced that it is reviewing that aspect of the vetting procedure. The House should also know that as part of the preparations for the visit of President Bush, further robust security and criminal record checks have been carried out on all those staff, both permanent and contractual, working at the palace and beyond.

Nevertheless, I am concerned that the system as a whole needs to be reviewed urgently. The Prime Minister, with the support of the royal household, is therefore asking the Security Commission, which is an independent body responsible for overseeing breaches of security, to conduct a thorough review. I am still in the process of agreeing the precise terms of reference and timetable for its work, but I would want an interim report by the end of the year. I would expect that to cover all aspects of the process of checking those who form part of the royal household.

All of us would wish to ensure that gaps exposed in the protection that we offer are closed as quickly as possible. One of the strengths of our democracy is that such breaches are open to scrutiny, we can learn quickly from them, and nothing is swept under the carpet.

David Davis: I thank the Home Secretary for his answer. I am sure that the whole House will share his concern at another serious breach of security at a royal residence less than six months after the last incident at Windsor castle. On that occasion, the Metropolitan police owned up to a series of one-off blunders. This new incident—in which, at a time of heightened national security, a journalist has been allowed free and unfettered access to virtually all areas of Buckingham palace—is in many ways far more serious.

All the available evidence suggests that this is less a series of blunders than a potentially fatal weakness at the heart of security covering the Head of State. I welcome, in particular, the Home Secretary's announcement of a review by the Security Commission. However, he must explain why the system has failed and, in doing so, must answer a simple question: who does he hold responsible for this serious lapse that has revealed a woeful gap in security at a time of heightened terrorist threat?

After Chilcot's recommendations, security at the palace became the responsibility of the palace, the Metropolitan police and the Home Office, but who is in overall charge? Who is responsible for co-ordination to ensure that nothing slips through the cracks? Has this been reviewed since the security failures at Windsor? In particular, who is responsible for vetting people who work in the royal household? Is it the palace, the Metropolitan police or the Home Office? If, as I suspect, the answer is all three, who is in overall charge of that process, and has there been a review of those procedures since the Windsor fiasco? If not, why not? Moreover, what steps are now being taken urgently to review the status of all staff recruited to the royal household, particularly in the past 12 months?

There has been a huge amount of publicity surrounding President Bush's visit and in the past—most notably, the bombing of the Conservative party conference at Brighton—terrorists have inserted devices far in advance of the actual event. Can the Home Secretary tell us whether there are special arrangements—we do not want to know the details—to prevent similar attacks on visiting Heads of State? Although much attention has been given to security levels over the next two days while President Bush is here, is the Home Secretary satisfied that sufficient attention has been given to the advance arrangements for his visit? As I said, I welcome the Home Secretary's announcement about the Security Commission's inquiry, but can he assure me that the questions that I have asked will be addressed by that commission and that its proposals will be rapidly put into place?

The seriousness of this security lapse cannot be overestimated. Following the incident at Windsor castle, the Home Secretary told the House that

"we will work with the police and the royal household to ensure that lessons can be learned from this event that can only improve the security of the royal family for the future".—[*Official Report*, 24 June 2003; Vol. 407, c. 868.]

Given the undertaking that he gave to the House, does he accept personal responsibility for the events of the past few days and will he act, and act soon, to bring to an end this catalogue of incompetence?

Mr. Blunkett: First, as I said at the Dispatch Box in June, I accept responsibility for ensuring that lapses are correctly dealt with and that reviews are implemented. I will do that with the Security Commission's recommendations that arise out of its review of this incident.

[Mr. Blunkett]

We need to try to put the matter into perspective. In this case, we are talking about the failure to undertake the sort of employment checks that I and, I think, the right hon. Gentleman would have expected to happen. We will ensure—the palace has already indicated this—that that will be corrected in future.

It is important to be clear that we have learned the lessons of Windsor. The physical security breaches that occurred there and the intrusion from outside have been dealt with. The Metropolitan police took entire responsibility for that event, and the co-ordination of the different forces and elements involved has been secured. Over the past three months, we have not only learned the lessons but put them into place.

There is clearly an issue when someone seeks to engage in employment. It is not that they are a threat, because the security and criminal records checks had been secured and recognised that this individual, Mr. Parry, was who he said he was, but they had not revealed his previous job. That is a breach and I have said that I believe that it needs to be closed. The palace is responsible—one only has to read the *Daily Mirror* this morning to see who is responsible for handling personnel matters—and it has indicated that not only is it correcting the reviews that are undertaken, but it is prepared to work with the commission. I mentioned that when responding at the Dispatch Box just now.

I am responsible overall for the security and criminal records checks and the palace has acknowledged that there needs to be a review of the personnel checks. We need to work with the commissioner and SO13 to ensure that such checks are in place in the future.

I shall answer the absolutely fundamental question asked by the right hon. Gentleman: am I satisfied that the preparations made for the President's visit and his stay at Buckingham palace were satisfactory and undertaken in the way in which we would expect? Yes, I am. Am I satisfied that proper checks are now being made regarding employment? Yes, I am. Is it clear that we are able to provide the sort of security for the President's state visit to our country that we would want for ourselves when making such a visit? Yes, it is. I am also clear about asking all those who are demonstrating their right in a democracy to express an alternative view to that of the President of the United States to assist us by ensuring that those who wish to engage in violence or disruption are seen off effectively by collaboration among those who are organising peaceful demonstrations and the police. The police wish to protect the security of not only the President of the United States, but the people of London.

Mr. Mark Oaten (Winchester): I hope that the Home Secretary acknowledges that such a breach undermines the huge effort of the 14,000 police officers who have been called in to provide security, given that one individual can get such a level of access. Given that press reports suggest that Mr. Parry was able to carry equipment in and out of Buckingham palace, will the Home Secretary confirm whether the palace has in place scanning equipment through which members of staff must pass when they go to work? Will he assure me that the weaknesses that have been exposed in Buckingham palace in the employment of catering or administrative staff could not exist in Downing street or the Palace of Westminster? Finally, does he acknowledge that such breaches do not pose a direct threat only to the royal family because intelligence that may be gathered from such a breach could be more damaging? Who is to say that some groups have not already obtained sensitive information from such a breach that could be used in the future?

Mr. Blunkett: On the hon. Gentleman's third question, I make it clear that if people who had not been correctly security checked or who had a criminal record were allowed through the vetting procedure, there would be the kind of risk that he outlined. However, that was not true in this case. There was no doubt about Mr. Parry's identity, where he said he had been or what he said he had done. He acknowledges in this morning's *Daily Mirror* that all the statements that he made, except that relating to his immediate employment with the newspaper, were correct. That gives the lie to the suggestion that we allowed a terrorist into the palace, and we must be aware of that when we put the matter into perspective.

None of that undermines the key point that people who are vetted and have security clearance must also go through stringent and sensible procedures as precautions against what they might carry into the palace or the Palace of Westminster. I entirely accept that it is right and proper that screening should take place to ensure that people do not abuse their positions. Yes, previous breaches in the House of Commons, including those investigated by the Security Commission, have been dealt with, and procedures were tightened up when necessary. When they were tightened up, Members of the House understandably often became irritated and annoyed with those who increased security and the surveillance of people, including Members of Parliament. I ask people to bear with us when that happens because we do it for precisely the reasons that the hon. Gentleman raised.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that in an imperfect world, events such as these will happen from time to time in all institutions? Does he also agree that vetting at the palace over the years has not been very good anyway? In the years when the Tory Government were in power, a fellow finished up in the Queen's bedroom. There is a question of the Fawcett fellow, George Smith and Burrell. They did not do a very good job of vetting Princess Diana either, did they?

Mr. Blunkett: I thought my hon. Friend's opening point was valid. All hon. Members, from whichever side of the House, will want to ensure that past and present events are treated with appropriate weight and seriousness, that we learn the lessons and that we go forward in a spirit that helps us to sort out security instead of scoring political points.

Mr. James Arbuthnot (North-East Hampshire): What action did the Home Secretary personally take in advance of the President's visit to ensure his safety and that of the Queen? Why did he fail?

Mr. Blunkett: Other people will make a judgment on that. I do not accept that I failed. As Home Secretary with responsibility for the security service and the police, including SO13, I undertook, as hon. Members would expect, to meet those groups a number of times to go through the measures they were taking, to reassess those over the past 48 hours, to ensure that I was satisfied that the measures they were taking to protect both the President and the people of London were adequate and satisfactory, and to ensure that any lessons from the past had been necessarily learned. I did not surveille the personnel procedures at the palace. I do not think that even the most vehement opponent of mine in the House would have expected me to do so.

David Winnick (Walsall, North): Although security is important, is it not also important that people can go about their lawful business? While passing Buckingham palace on my way to the House today, I saw people doing precisely that. Is that not a guarantee of our democracy? We should be very proud that despite all the security precautions, which are obviously necessary, people can go about their everyday business.

Mr. Blunkett: My hon. Friend makes a profound point in terms of both the ability of the household—I made this point in relation to the incident at Windsor—to conduct itself as a family and the ability of people to demonstrate by taking advantage of the freedoms that we built up over the last century. When my right hon. Friends the Prime Minister and the Foreign Secretary and I met the President this morning, there was no doubt whatsoever that the Metropolitan police had rightly allowed those demonstrating to get close enough for the President to hear their messages. If we had not done so, people would have rightly criticised us for being too draconian, as they did with the visit of the President of China. Finding a sensible middle road has to be the way forward if our democracy and freedoms are to be upheld.

Sir Patrick Cormack (South Staffordshire): As the Home Secretary has ultimate responsibility for these matters, is he entirely satisfied that everyone working in Buckingham palace and all those who will serve tonight at the state banquet have been properly checked and their previous employment records vouched for? Is he completely satisfied that there is no remaining risk?

Mr. Blunkett: Yes I am.

Mr. John Denham (Southampton, Itchen): I welcome my right hon. Friend's announcement of the review. When such incidents occur, as they do from time to time, they nearly always happen not because the system itself is badly designed, but because an individual within the system has failed to carry out his or her proper responsibilities. Will he assure us that the review will look not just at the design of the security systems, but at the methods that will constantly be in place to check how they are carried out in practice?

Mr. Blunkett: Yes, I can, but I have to respond to the point that my right hon. Friend's question raises. There will always be the potential for human error. That is a simple fact. I want to ensure that the processes of robust checking and managing, and second checking if necessary, do not end up with us taking action against low-level members of staff instead of ensuring that the systems themselves are robust enough to protect us against such eventualities.

Mr. Andrew Mackay (Bracknell): As the Home Secretary is clearly responsible for the security of both the palace and the Metropolitan police, why did he not come to the House to make a statement? Why was it only through your good offices, Mr. Speaker, that you allowed an urgent question from my right hon. Friend the Member for Haltemprice and Howden (David Davis)? Should not the Home Secretary have lived up to his responsibilities?

Mr. Blunkett: I do not know what point the right hon. Gentleman is trying to make. When I returned from the palace this morning, I found that more than one Member had tabled an urgent question. I was happy to accept the one from the shadow Home Secretary. Is there any point—

Mr. Alan Duncan (Rutland and Melton): Why did you not volunteer?

Mr. Blunkett: Well, I could have rung the right hon. Gentleman and said, "Would you withdraw your application to the Speaker, and I'll make a statement of my own," but how silly can you get?

Sir Teddy Taylor (Rochford and Southend, East): As it has been reported in the press that Mr. Parry got his job on the basis of a bogus letter of recommendation, will the Home Secretary say whose task it is to check letters of recommendation? Is it for the police or for the palace authorities to do so? Given that Mr. Parry clearly misled his employers, is any action against him being contemplated?

Mr. Blunkett: I have not addressed the latter issue with the Crown Prosecution Service. On the first question, the task is clearly one for those who undertake the personnel policy and review work.

There is a wider issue on which we can learn a valuable lesson. When people use e-mail and fax, it is much more difficult to ascertain the true nature of the individuals with whom one is dealing and the veracity of the statements made, not least the addresses given. The lesson to be learned by all of us is that one should check. It would have been necessary to check with Companies House to determine whether the individual had been working for a company that existed, or whether the company that had responded by fax or e-mail to the request for information only appeared to exist.

Sir Brian Mawhinney (North-West Cambridgeshire): Does the Home Secretary accept that although he was right to point out that on this occasion a terrorist did not get into Buckingham palace, he was wrong to invite us to assume that that could not have happened? Much terrorist activity is committed by people with no criminal record. The right hon. Gentleman needs to reflect further on his answer. He told us that he was willing to take responsibility for the changes that are to

[Sir Brian Mawhinney]

take place, but he was careful not to tell us who in the Home Office should take responsibility for the present shambles.

Mr. Blunkett: First, the right hon. Gentleman is wrong to say that I said that that could never happen. Had the security and criminal record checks not been conducted properly, we would clearly have been open to the potential for the individual—in this case, Ryan Parry—to have links with terrorists or to present the danger of committing terrorist attacks. I would accept that in those circumstances, but not in the present case.

Secondly, I have not accepted that an individual in the Home Office failed in their duties. I have indicated that both the security and the criminal record checks were undertaken correctly, but there are major lessons to be learned and we are learning them. That is why the Security Commission is being engaged in the question of employment checks, even though the only check that should have been carried out but was not was related to the individual's previous job and the veracity of the reference given to Mr. Parry. I think that we shall learn the lessons from that.

Mr. Mark Field (Cities of London and Westminster): I endorse the observations made by my right hon. Friend the Member for Haltemprice and Howden (David Davis), but say to the Home Secretary that there have been concerns not only for the past few hours, but for many days—indeed, many Londoners have been extremely worried by the prospect of armed presidential bodyguards being on the streets of London. We need to know where the buck stops. I hope that the right hon. Gentleman will give urgent attention to ensuring that we have absolutely clear lines of authority during any future state visit, so that we can fully understand what is going on.

Mr. Blunkett: I reassure the hon. Gentleman and the House that those lines are absolutely clear. They rest with the head of SO13 and the Metropolitan Police Commissioner.

To correct a mis-statement by the hon. Member for Winchester (Mr. Oaten), there are not 14,000 police deployed; there are 14,000 shifts. There is a big difference between the two in terms of deployment. Contrary to statements made in the press, authorisation has not been given to hundreds of armed officers from the United States; at any one time, about a dozen are authorised to work with the President. We have relied on the good experience and skill of SO13 and our police to do the job. Lines of responsibility and who is responsible have been and will remain absolutely clear. On that basis, I am secure in the knowledge that every step has been taken to protect the people of London and the President of the United States and his entourage.

Mr. Eric Forth (Bromley and Chislehurst): Just for a moment, I thought that we had got the answer on where the buck stopped, but I am left in doubt yet again. Will the Home Secretary tell us whether he is ultimately responsible in this respect, or will he continue to say that someone else is? We really deserve an answer.

I welcome the right hon. Gentleman's reference to the Security Commission, but will he consider widening its terms of reference to the Houses of Parliament? I am not sure that we can be satisfied that our own vetting arrangements are any better than those at Buckingham palace. As my right hon. Friend the Member for North-West Cambridgeshire (Sir Brian Mawhinney) said, the main threat is probably not from people with a criminal record, but from people without a criminal record. We must be satisfied that anyone who comes to work on these premises and gets a pass is vetted positively, so that we can be sure that we are beyond danger.

Mr. Blunkett: On the latter point, I acknowledged to the Liberal Democrat spokesman that there was a real issue relating to the Palace of Westminster, and I do not intend to repeat myself.

On the first point, I answered accurately a question on the co-ordination of operational activity and security. It ill-behoves Opposition Members, who constantly chide me for interfering with operational responsibilities, to say that I should interfere in that respect. I have said who has responsibility for co-ordination of security and policing, but the political buck stops with me. I made that clear earlier in my statement, and I am absolutely clear that, constitutionally, that is the case. I cannot be operationally responsible when I am not, but I can be politically responsible when I am, and that is what I have enunciated this afternoon.

Simon Hughes (Southwark, North and Bermondsey): Given that the Home Secretary has, rightly, accepted that the ultimate responsibility is his, but that there are royal residences and offices in all parts of the United Kingdom, may I take it that one issue that he will take up with the authorities in all those places is that all those who work for the paid members of the royal family, who do a job on behalf of the state, are checked as they go into the building and, if necessary, checked as they come out? Mr. Parry says that he went in and out without anyone checking that he was not carrying something that could have posed a threat. Such checks strike me as a simple measure that should have been in place and certainly should be taken from now on.

Mr. Blunkett: I responded to the hon. Member for Winchester (Mr. Oaten) in a similar vein. I agree that there is an issue—that security procedures and vetting in relation to criminal records, no matter how good those procedures are, automatically secure us, and that we do not have to have additional procedures in place, is clearly a flawed presumption. That issue needs to be examined as part of the Security Commission report.

Mr. Roy Beggs (East Antrim): I welcome the statement and the commitment that lessons will be learned. Will the Home Secretary assure us that if the inquiry establishes that there was negligence on the part of a responsible officer, the price will be paid? Will he also assure us that the House will not have to wait for the Security Commission's report as long as we in Northern Ireland have been waiting for a report on the serious breaches of security that occurred at Stormont and Castlereagh?

Mr. Blunkett: I note the hon. Gentleman's final point. On his first point, I have already established—it is important to understand this—that the procedures and systems and those operating them will form part of the commission's review with the support of the royal household. Wherever a flaw is found, it will be for those employing the individuals concerned to make the decisions. Because the royal household is involved as part of the procedure, I shall say no more in that respect this afternoon. Under our constitution, the matter is delicate, and despite the requests made on some occasions for the Home Secretary to raise his power and on others to diminish it, I do not intend to get involved in a wrangle about managerial responsibilities. That will have to be defined later.

Mr. Edward Garnier (Harborough): Does the Home Secretary agree that it is clearly in the national interest that security lapses should be discovered and remedied? Does he share my concern that there appear to be a growing number of stunts on airport, aircraft and VIP security, which appear to be motivated as much by generating publicity and increased circulation than by the desire to improve security? If it transpires that the reporter in question misled, in any way, those to whom he was giving information, in order to gain access to the palace, will the Home Secretary invite the police to make investigations to ascertain whether a crime was committed?

Mr. Blunkett: I think that that would form part of the review. I think also that the Crown Prosecution Service, as it does on these occasions, will have to take a view. At this moment, I am more interested in ensuring that we get this right than I am in looking behind the motives of the *Daily Mirror*.

Mr. Edward Leigh (Gainsborough): The Home Secretary has mentioned his desire to protect the right of people to protest peacefully, and mention has been made of the Palace of Westminster. Will he confirm that it was not security considerations surrounding the Palace of Westminster that prevented an invitation from being sent to President Bush inviting him to address both Houses of Parliament? Alternatively, was it fear of peaceful demonstrations by some of his colleagues?

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. That question is outside the scope of the statement.

Angela Watkinson (Upminster): Will the Home Secretary explain the inconsistency between the haphazard checks made on a bogus employee in the royal palace and the draconian checks that are made on voluntary organisations such as school governing bodies? For example, I and my school governor colleagues were required to bring our passports to school to demonstrate—

Mr. Deputy Speaker: Order. That, too, is outside the scope of the statement.

Mr. John Randall (Uxbridge): Following on from the good points made by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), will the Home Secretary say whether the procedures that we have in this Palace are better or worse than those at Buckingham palace?

Mr. Blunkett: I have made it clear that both in terms of security checks and criminal records checks, the palace and the security service SO13 have undertaken their work perfectly reasonably. The issue for those employed in the Palace of Westminster rests not only with the House authorities but with us as employers. I ask the hon. Gentleman and others who have made similar points to check their own personal activity as well as pointing the finger at other people's.

Mr. Peter Luff (Mid-Worcestershire): Does the Home Secretary not understand that the simple fact is that someone who should not have gained access to such a private place as Buckingham palace did gain access? Does he not understand the sense of grievance and anger that we feel when double standards appear to apply? Voluntary organisations, such as Hereford and Worcester Dyslexia Association, have to jump through hoops backwards to get people whom they know and trust into employment, yet the Home Secretary cannot safeguard the security of the Queen and the President of the United States of America.

Mr. Blunkett: This silly, worked-up, artificial point shows a failure to grasp that Ryan Parry was put through the same Criminal Records Bureau procedure. I have repeated that, I think, 14 times this afternoon, but when people wish to be deaf, they are deaf.

Mr. Hugo Swire (East Devon): This is the second time in the past six months that the Home Secretary has had to come to the House to explain away a serious breach involving royal palaces. Nothing that he has said today would lead us to suppose that he will offer his resignation, as the late Lord Whitelaw did after a similar break-in at Buckingham palace in the early 1980s, but I hope that he will take this opportunity to offer a public apology to Her Majesty for embarrassing her, with her visitor from the United States.

That having been said, if the Home Secretary is to investigate the background to Mr. Ryan Parry and the evidence that he produced, will he extend that investigation to the editor of the *Daily Mirror* and make that part and parcel of any investigation into this new break-in?

Mr. Blunkett: I made it clear in July that I did not think that Willie Whitelaw should have offered his resignation. I did not think that he was responsible for somebody getting into the Queen's bedroom. That is a silly point to make this afternoon. If I were responsible for a failure, I would carry the can for it. I have already said that to a number of Conservative Members, who are desperate to make a party political point out of this matter. If I am not responsible, I will not. If Her Majesty felt that I, or my colleagues, had let her down in any way, I am sure that she would have said so to me this morning when I was given the grace and pleasure of meeting her.

Mr. Adrian Flook (Taunton): I have been listening carefully to the Home Secretary's answers. I would appreciate it if he could confirm that there will also be a review of security procedures for the granting of a pass for this Palace.

Mr. Blunkett: I have dealt with this point four times now, and I am happy to continue to do so. Although hon. Members often get aggrieved and irritated at the time that it takes for security clearance and the difficulties they themselves sometimes have in getting through without having to present their passes, I am convinced, as is the hon. Gentleman, that we need to keep up our levels of security.

Local Government Finance Settlement 2004–05

1.6 pm

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): With permission, Mr. Deputy Speaker, I should like to make a statement about local authority revenue finance for England in 2004–05.

The provisional settlement that I am announcing today will be the seventh successive one giving an above-inflation increase in funding for local government. It will build on the significant real-terms growth that we have been able to provide since taking office; grants to local government have increased by 29 per cent. in real terms since 1997. That contrasts with a 7 per cent. cut in the last four years of the last Government.

Next year's settlement will see total support from Government grant and business rates of £54.1 billion, which is a cash increase on this year's settlement of £3.3 billion, or 6.5 per cent. The total includes £26.6 billion of revenue support grant, £15 billion in business rates, £4.2 billion in police grant, and £8.3 billion in special and specific grants. Of those totals, £45.8 billion will be distributed by formula to local authorities—an increase of £2.1 billion, or 4.7 per cent.—and I am announcing the detailed allocations today.

In order to provide certainty and stability, and as already announced, we are making no changes to the formula spending share formulae this year. We have made the necessary adaptations to allow combined fire authorities to receive formula grant in their own right.

Floors and ceilings have become an accepted part of the settlement in recent years, and as already announced, we will continue to use this mechanism to set minimum and maximum limits on the percentage increases in grant received by authorities in each year, on a like-for-like basis. This is to ensure that all authorities receive an increase in grant and to avoid sharp short-term fluctuations, which can make forward planning difficult.

For 2004–05, the floor and ceiling for authorities with education and social services responsibilities will be a 3.5 per cent. floor and a 5.8 per cent. ceiling. In some cases, however, authorities will receive more than 5.8 per cent. because we are also guaranteeing that they receive sufficient grant to pass on their schools formula spending share increase in full. For fire authorities, the floor will be 3.5 per cent. and the ceiling, 5 per cent. For both police authorities and shire district councils, we have decided in the interests of stability to set a floor that is close to the average grant increase. These floors are 3.25 per cent. for police authorities and 2.2 per cent. for shire districts. This year, therefore, the floors and ceilings effectively give all authorities in those groups a similar grant increase. As in previous years, we will add to floor or ceiling grant increases any revenue support for new capital allocations issued by the Government.

We have also strengthened the arrangements for schools funding. Our proposals build on those in the statement made by my right hon. Friend the Secretary of State for Education and Skills to the House on 29 October. Schools formula spending share will rise by between 5 per cent. and 6.8 per cent. per pupil in every

authority. That means that all authorities will receive an increase in schools FSS that is substantially above inflation, and I reiterate our promise that every authority will receive a matching increase in its formula grant.

The Government's clear expectation is that all authorities should pass the increase on to their schools budgets, other than in wholly exceptional circumstances. We have considered the point put to us by local government that, while it shares our ambitions for schools, it might be difficult to fund them fully because of spending pressures elsewhere. My right hon. Friend the Secretary of State for Education and Skills has already announced £120 million worth of transitional support in 2004–05 to assist with schools spending pressures.

I can announce that the Government are adding a further £300 million to help fund pressures other than those in respect of schools—for example, to help support social or environmental services. That is included in the overall totals that I have quoted, and it means that local authorities will be able to meet our expectations for funding schools, while also improving other services.

We continue to consider carefully whether Government policies impose new spending burdens on local government, and to make provision to fund them if they do. For example, we have agreed with local government that it would be sensible to rationalise the funding of housing and council tax benefit subsidy. In implementing that transfer of responsibility, we have ensured that all properly made claims will be fully funded. Similarly, in respect of local government's new responsibility for the licensing system, I can confirm the commitment already given by my right hon. Friend the Secretary of State for Culture, Media and Sport that we will ensure that the costs of the licensing system are fully covered by the fees. My right hon. Friend the Secretary of State for Environment, Food and Rural Affairs will reduce spending pressures on local government by some £25 million to £35 million in respect of waste next year. Some £10 million of that will come from deferring until 2005–06 the introduction of the landfill allowance trading scheme.

Local authorities have pressed us to reduce the use of ring-fencing—that is, restrictions on the use to which Government grants may be put. We recognise that ring-fenced grants have their proper place in securing specific results, particularly as a short-term measure, but they cut across local accountability and can distort local priorities, so we need to review their use very carefully. I can announce today that from 2004–05, we will remove the ring fence from five social services grants and three grants in the environmental, protective and cultural services block—a total of £750 million in 2004–05, and more in subsequent years. Those grants will be distributed separately from formula grant, so as to distribute the money to the right places, but no conditions will attach to their use. The result will be to bring the proportion of grants that are ring-fenced down from 13.3 per cent. to 11.1 per cent. in 2004–05. We are on course to meet our target of reducing that proportion below 10 per cent. by 2005–06.

Hon. Members will be aware that the main provisions of the Local Government Act 2003 came into effect yesterday. The Act gives local authorities greater freedom to borrow and trade, and enables authorities to retain income from fees and charges. The new prudential borrowing system, which will start on 1 April 2004, coupled with the other financial freedoms, will help local authorities to organise their financial affairs more flexibly and to generate additional revenue.

All that is important to enable local authorities to budget prudently and minimise demands on council tax payers. We are clear about the fact that the current trend in council tax rises is not sustainable. People expect their local councils to set reasonable council tax. They and we are looking to authorities to deliver high-quality services in a cost-effective way. Against the background of further substantial increases in Government grant, and the extension of freedoms and flexibilities to local authorities, large council tax increase are simply not acceptable.

Local authorities should be aware that the Government will examine next year's council tax rises very closely. We will be looking for evidence that authorities have realised efficiency savings. We will take account not only of one year's increases, but of the trend in increases over more than one year. Every local authority, including fire and police authorities, must be in no doubt that we are prepared to use our targeted capping powers in 2004–05, if necessary, to protect the interests of council tax payers.

We recognise that in areas where there is a combined fire authority, next year's budgets will not be comparable with this year's, because the combined fire authority will be a precepting body in its own right for the first time in 2004–05. We will therefore consult the fire authorities and authorities with education and social services responsibilities about the level of earlier years' budgets, which we will use for comparison purposes when we come to consider the use of capping powers.

We are also taking steps to help individual taxpayers directly. Not all those who are entitled to help with their council tax bills are claiming the benefit. My right hon. Friend the Secretary of State for Work and Pensions is therefore working with local authorities to examine a range of options for promoting council tax benefit and encouraging the take-up of council tax benefit by potential beneficiaries. In particular, we want to ensure that the 1.9 million pensioners who will gain, or gain more, council tax benefit on the introduction of pension credit get the extra help to which they are entitled. My right hon. Friend will announce his proposals shortly.

It is worth recalling the measures that the Government have already taken to help pensioners. Compared with the position in 1997, pensioner households will, on average, be more than £1,250 a year better off in real terms—about £24 extra a week. That is as a result of the Government's measures, including above-inflation rises in the basic state pension, free TV licences for the over-75s, the winter fuel payment and the pension credit. As a result of our measures to target the most help on those in greatest need, the poorest third of pensioners will have gained an average of £1,600 a year in real terms since 1997.

[Mr. Nick Raynsford]

The proposed settlement that I have announced today continues the trend of the past six years, which has delivered year-on-year investment increases in local services. In addition to the £3.3 billion extra grant announced today, we have extended the flexibility for councils to deploy resources where they will do most good. We have made the finances of schools more secure, while ensuring that councils retain the ability to tackle other priorities. We have provided a good settlement, on the basis of which local authorities can plan for future improvements in services without unreasonable increases in council tax. Local authorities asked for extra funding, for reductions in ring-fencing, and for no unfunded new burdens. We have responded positively to all three requests. It is now vital that councils meet the expectations of their taxpayers and budget prudently to improve services at a reasonable cost. I commend the settlement to the House.

Mr. David Curry (Skipton and Ripon): I am grateful to the right hon. Gentleman for early sight of a fairly skeletal statement. He and I have spent a considerable part of our career on opposite sides of the same issues, and I look forward to a constructive, intelligent engagement on a subject that matters enormously to millions of our fellow citizens. I am glad of the healing presence of the Deputy Prime Minister, fresh from his new evening job as anger counsellor.

The Minister has been at his mellifluous, Panglossian best this afternoon.

The Deputy Prime Minister (Mr. John Prescott): A bit of class.

Mr. Curry: I always bring a bit of class, and if it hangs around, I hope some of it will rub off.

This time last year, the Minister set out proposals that led to utter, unadulterated chaos. I suspect he saw it coming, but the blundering collision of the Deputy Prime Minister and the Secretary of State for Education and Skills—the collision of two bulldozers—left a crater deep enough to bury virtually the entire settlement. It led to confusion and incoherence so complete as to be almost inspirational. It led to the biggest council tax increases for a decade, and a campaign by the Secretary of State for Education and Skills and the Minister for School Standards—the Laurel and Hardy of the Government—to blame everybody but themselves.

The settlement is a panic-stricken and desperate attempt to repair last year's damage. The watermark right through the settlement is panic. *[Interruption.]* I am glad the hon. Member for Blyth Valley (Mr. Campbell) agrees with me. I accept that the bills for next year will not reproduce the increases that we have seen this year. It is amazing how the imminence of elections can concentrate the mind. However, the mere fact that we do not have another catastrophe is not a virtue in itself. We will see yet again, as we see year after year, an inflation-busting increase in council taxes. Year on year, remorselessly, relentlessly and unremittingly, under this Government, council tax bills soar. Every year, Ministers recite the same old litany and say that the Government's proposals are fair, realistic and even generous. I have the speeches, which are a sort of black Gregorian chant. Each year, however, the inescapable arithmetic reasserts itself—bigger bills or reduced services. *[Interruption.]* It is very helpful to have been on the Government Benches, as one knows the tricks.

There are things in the statement that I welcome, but they give rise to questions. On the £750 million reduction in ring-fencing, the Minister talked in his statement of payments outside the formula to direct the money to "the right places". Does that mean that the grants must be used in the general sector from which they came, or may they genuinely be applied freely across the range of local government spending? In other words, may earmarked, ring-fenced grants for social services be spent elsewhere?

I welcome the additional funds to help services other than education. Last year, as the Minister will recall, the real crisis was the way in which education spending muscled every other sort of spending out of local government. Yet we all know that there is an historic shortfall in social services funding, and authorities also face the first year of bed-blocking fines, harmonisation of pay costs, mounting charges in care homes, and the cost of the new care standards and developing new arrangements for children's services, to which everybody in the House attaches enormous importance. I want to be reassured that we are not merely moving from catastrophe to disaster and declaring that that is a victory.

What does the Minister mean by the rationalisation of funding of council tax and housing benefit? There is a real problem here, and it is not good enough merely to say that old-age pensioners and people just above benefit level suffer large council tax increases. People on benefits suffer because so many people fall through the net. We know that more than 1 million potential claimants do not make the claims for which they are eligible.

Mr. Edward Davey (Kingston and Surbiton): Two million.

Mr. Curry: The hon. Gentleman doubles the figure, but that is a Liberal tendency.

It is necessary to make the benefits more accessible and efficient. Help the Aged has produced some extremely sensible proposals, and I am sure that the Minister will want to take them seriously.

I note the deferment of some demands on council waste management requirements. That is welcome, as too many requirements are piling up without being costed. I bet that that was dragged out of the Secretary of State for Environment, Food and Rural Affairs through clenched teeth and that heels were digging into the earth this morning.

At the heart of the statement was the explicit threat of capping. The Minister appealed to reason. One should beware of Governments when they appeal to reason, but I know just how important that little word "reasonable" is. Indeed, I think that the Government could not function without the concept of reasonableness, which they never define. However, we need to know what is reasonable in this context, as he uttered some serious threats. Is it council tax at inflation, or at twice or three times inflation? Is it anything that falls within double

figures? Is that what is reasonable in this context? When he says that he will consider the trend over more than one year, does he have an aggregate increase in mind, and if so, over how many years? What level of efficiency gain is he asking local authorities to factor into the equation?

I have a question about the total amount of money available. The Minister announced £54.1 billion in total support from the Government and business rates. The grey book has a projected revenue allocation of £54.5 billion. Are we really facing a settlement that is below forecast? If so, it is below forecast by an amount equivalent to the budget of a London borough.

I have come across a helpful little leaflet headed "National Statistics" and "Office of the Deputy Prime Minister", and called "Local Government Finance—Key Facts", which shows just how draconian Labour's council tax policy has been. It raised £11.24 billion in 1997–98, and it is estimated that it will raise £18.9 billion in the current year. Under Labour, the annual increase in council tax has consistently been three times the rate of inflation. Band D has increased by an average of £413 a year or £8 a week. In London, the band D payment is now more than £1,000 and has increased by 63 per cent. under Labour, so it is no wonder that the Labour party is so anxious to recall Ken Livingstone to the party colours if he can be extracted from his latest demonstration.

We have got used to Labour's pretence that public expenditure can rise painlessly, as borrowing and stealth taxes can take care of it, but the council tax is the tax from which it cannot hide. If I leave a rake on the floor of my tool shed and step on it, it will rear up and smack me in the face. Labour council taxes are that sort of tax; they are straight, up-front, in-your-face, cash-on-the-nail taxes, and as we all know, they hit the worst-off first. There is no escape. When services are delivered by local councils—*[Interruption.]* Just wait, it's coming. When services are delivered by local councils, every 1 per cent. of increased public expenditure that they have to fund requires a 4 per cent. rise in council tax. Even if the Government were to provide every penny of the increase in aggregate, which never happens, the distribution formulae would require local tax rises.

That is the matrix at the heart of the system, so there is no escape from that stark logic. Public expenditure increases require higher council tax bills. That is not alchemy, accident or miscalculation, but logical necessity. When the Government embark on a massive increase in public expenditure—significantly higher increases than we have seen—

Mr. Ronnie Campbell (Blyth Valley): He's trying to bring back the poll tax.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the right hon. Gentleman, but the hon. Member for Blyth Valley (Mr. Campbell) should control his excitement.

Mr. Curry: The hon. Gentleman is repenting of agreeing with my earlier statement.

When the Government embark on a massive increase in public expenditure, well ahead of inflation and significantly higher than in the past, the bigger bills automatically fall on the council tax payer's mat. It is no wonder that when the Minister's beaming countenance appears on the television screen, the prudent householder's hand moves instinctively to protect her wallet. What is the Government's response? It is very predictable. We are told that they are going to take council tax out of the new cost of living index.

The Minister makes much of the arrangements for education funding. This year, education funding was the biggest part of the problem. What we saw did not require the insight of a prophet or sage. At its worst and most perverse, we saw authorities such as Barnet and Essex ordered to increase education funding by more than the total increase in the whole Government grant. We also saw a massive increase in tax to keep essential services in place. It was the classic Labour formula of over-promise and under-delivery, followed by a desperate attempt to dispose of the dead bodies that littered the stage.

The price of the educational override that we now have, which was introduced by the Secretary of State for Education and Skills, is a system yet more complex, difficult to understand and incapable of taking the additional strain. The poor old Deputy Prime Minister has lost another round to the Education Secretary and is reduced to following the Lord Mayor's show and trying to work out how the bits fit together.

I fear that it will be the humble services that suffer in this settlement, at an average of about 2.2 per cent. for district councils. Pavements, street lights, pothole repairs, recreation and parks are the services that are often the closest to the citizen. This is the settlement that could mark the year when the streets begin to crumble. Of course, if the Minister is right and has paid the penance for last year's catastrophe, there will be rejoicing in the streets, and even the pensioners of Devon will invite him down again to share a grateful libation.

This settlement is quite simply bad news. To use the technical expression—I am sure that the Minister is familiar with it—the citizen has been stuffed. It is bad news for pensioners, for people on low incomes, communities and others. It shows the same old spin, blather, centralisation and panic, and the same old Labour.

Mr. Raynsford: I welcome the right hon. Member for Skipton and Ripon (Mr. Curry) to his new position and congratulate him on having come back after his wilderness years to head such an enormous team of former shadow Cabinet members. I hope that they are all happy in their new roles.

I, too, look forward to constructive engagement. It was interesting that the right hon. Gentleman's first comment implied that he accepted that council tax increases will not be as high in the coming year as they were last year. That probably indicates that he has been talking to his colleagues in Conservative local authorities, because it was those authorities that made this year's huge council tax increases of 16 per cent. He knows very well that his party was responsible.

The right hon. Gentleman will doubtless say that it was not those councils that were responsible, but the Government, so I should like him to remember the views of his former boss, the right hon. Member for Suffolk,

[Mr. Raynsford]

Coastal (Mr. Gummer), who made similar announcements from this Dispatch Box in the 1990s. He took a very simple view on this issue:

"When council tax bills go up, it is because the local authority puts them up. It has the control over them."—[*Official Report*, 27 November 1996; Vol. 286, c. 359.]

Does he believe that his former boss was wrong? If, on the other hand, he accepts that view, I hope that he will tell his local authorities to restrain their council tax increases in the coming year.

The right hon. Member for Skipton and Ripon asked a perfectly good, technical question about whether my comment on targeting the grant to the right place implied a different form of ring-fencing. I was referring to geographical location, because a number of such grants are specific and relate to circumstances that apply in some authorities but not others. We will continue to ensure that grants related to deprivation go to the right place—to those authorities that need such help—but, as I made clear in the statement, those grants will be unring-fenced.

The right hon. Gentleman talked about unclaimed council tax benefit and referred to various proposals, including those from Help the Aged, to tackle the problem. We are very conscious of the importance of doing that, and we will look closely at any evidence from Help the Aged and others. Indeed, as I said, my right hon. Friend the Secretary of State for Work and Pensions is actively engaged in that regard. The extension of the pension credit provides an opportunity to ensure that the new, more generous rules bring into entitlement those who previously did not qualify.

The right hon. Gentleman also asked about the level at which capping might apply. He will know very well that there are two possible approaches to capping: one is to specify a level in advance, which is the approach that his party often used to take when in government; the other is to say, as we do, that it is not right to impose such crude and universal capping. However, as a responsible Government we cannot stand aside if authorities persistently increase council tax by unreasonable levels. That is why we retain our reserve powers, which we will use in circumstances where we believe it necessary to do so. We do not want to use them, and we hope that authorities will budget prudently, but we will if necessary, as I have made clear to the House.

The right hon. Gentleman asked about the difference between the figures in the Grey Book and those in the settlement. As he will know from his own experience, it is the result of transfers that sometimes take place. This year, there is a transfer relating to council tax benefit and housing benefit, which in future will be fully reimbursed by the Department for Work and Pensions, rather than requiring a contribution from local authorities, which was supported under the revenue support grant. That explains the discrepancy between the figures.

On band D increases, I remind the right hon. Gentleman that when he and his colleagues were in government, they used to boast proudly, year on year, that the average band D council tax in Tory authorities was £250 a year less than that in Labour authorities. I bet he has not looked carefully at the recent figures. If he does, he will see that the difference has shrunk virtually to nothing, because of disproportionate increases in Tory authorities. He should certainly talk to his colleagues in local government, in order to advise them that they will incur the ire of the electorate if they go on with disproportionate increases.

On gearing, I remind the right hon. Gentleman that that effect is the consequence of the council tax scheme that his Government introduced. Nothing has changed since the scheme was introduced more than 10 years ago. On education, as we have already made clear, we are committed to improving the position of education authorities to ensure that extra money goes to schools but that other council services will not suffer as a result.

The right hon. Gentleman said that district councils are, as I accept, getting a lesser increase than they got last year. Last year, they got a very good increase, averaging 7.5 per cent., but it is tighter this year. The settlement has a floor of 2.2 per cent., but even so, it is an increase. When his party was in government, district councils used to experience actual cuts in their grant, year on year. I shall remind him of the increases in grant from Government to local authorities between 1994 and 1997, when he was in charge of local government: in 1994–95, 1.1 per cent.; in 1995–96, –0.6 per cent.; in 1996–97, 1.2 per cent.; and in 1997–98, 0.2 per cent. Our settlement guarantees an average increase of 4.7 per cent. and builds on six previous years of increases, so it is pretty cool for him to complain about the level of increase. This Government are funding local authorities, and we expect them to set reasonable council tax increases.

Mr. Edward Davey (Kingston and Surbiton): I thank the Minister for that statement, and join him in welcoming the right hon. Member for Skipton and Ripon (Mr. Curry) to his new position; we look forward to his attacking his own policy on many other occasions. The Minister says that his statement is a good news story for local government. Does he remember saying the very same thing last year? Does he recall that the effect then of that statement was a schools funding crisis and record council tax rises?

Did not the Minister give the game away when, during today's statement, he kept warning councils about their budgets? That was a case of getting his retaliation in first. The truth is that this year's statement is not a good news story for local government either. Many councils, especially those in the shire districts face real-terms cuts because of this low settlement. Is not the timing of the settlement a case of burying bad news under a Bush?

At the heart of the statement is a massive funding gap. Even if the Minister's claim of £300 million extra turns out to be new money, which we very much doubt, does he accept that that will still leave a funding gap of £500 million? Will he confirm that, to fill that gap, authorities will be forced either to hike council tax or to slash services? Will he also admit that the biggest losers in this statement are the police? How can the Government talk tough on antisocial behaviour when they are asking chief constables either to hike council tax precept by 15 per cent. or to cut officers on the front line?

Will the Minister concede that the Treasury, unlike the Office of the Deputy Prime Minister, is assuming an average council tax rise of 7.3 per cent.—nearly three times inflation? How can he wash his hands of council tax rises, given that both he and the Treasury have built an above-inflation council tax rise into their own assumptions? Worse still, in the light of the massive funding gap, is there not a danger of another year of double-digit council tax rises? How can he square that with his stated view that the council tax is at the limit of acceptability?

Given all that, it is surely incumbent on the Minister to be much clearer about his intentions in terms of capping councils. At least we know that the right hon. Member for Skipton and Ripon supports widespread capping: that is what he did when in office—16 times. How does the Minister square his capping threats with Labour's opposition to capping when in opposition? Why did he change his mind? Back in May of this year, he promised not to cap councils rated excellent by the Audit Commission. Why, by August, had he changed his mind again? The Government are in a mess on council tax because they have made this unfair Tory tax even worse, so is not the real answer on council tax to scrap it, not cap it?

On public services, this statement contains many hidden problems. On education, the Government have gone even further down the road of micro-managing every one of England's 21,397 schools. Given that almost every penny of Government support for schools is now ring-fenced, how does the Minister expect local education authorities to manage the £300 million overhang from this year's settlement? How are they expected to deal with their own demand-led spending on special educational needs and school transport? Given that 2,700 rural schools have fewer than 100 pupils, does not this straitjacket settlement imply a massive closure programme and yet another attack on the countryside?

On social services, will the Minister confirm that the settlement will not meet in full authorities' massive cost pressures in respect of services such as fostering and elderly care homes? For shire district councils, the statement looks particularly bad, with the grant for their core services increasing by less than inflation—something that, when in opposition, the Minister called a cut.

Will the Minister confirm that there is a real-terms cut for services such as recycling, cleaner streets and better lighting? Does not the recycling cut show that the environment remains a low priority for the Government?

The Minister may revel in having the poll tax promoter as Conservative leader and the council-capping champ as Tory local government spokesman, but he must recognise that the past cannot help the council tax payers of today. He knows that the council tax is set to soar again. He knows that the statement will do nothing to stem the seething unrest and unease about the spiteful council tax.

Mr. Raynsford: It is difficult to know what sort of settlement we would need to produce to make the Liberal Democrats happy. For years and years, authorities have had above-inflation increases. Again this year, for the seventh time running, local government is receiving an above-inflation settlement across the board. All authorities with education and social services responsibilities have well above-inflation increases, and districts have a near-inflation increase, after years under the previous Government when they faced cuts year on year. When we produce such settlements, the Liberal Democrats say how terrible it is. It reveals that they are living in a never-never land where money grows on trees and they can clamour for more and more resources without thinking about how to deliver value for money and cost-effective services.

The hon. Gentleman said that our £300 million extra left a £500 million gap. Of course, he has taken the Local Government Association's estimate of £800 million extra spending pressure. He has ignored the £120 million extra education funding, so he cannot do his figures.

Matthew Green (Ludlow): It is not new money.

Mr. Raynsford: It is new money.

First, we can see that the hon. Member for Kingston and Surbiton (Mr. Davey) has not got his figures right. Secondly, those LGA estimates are the typical position of the LGA. When we are approaching a settlement, there is negotiation, and obviously it wants to put the biggest possible gloss on the figures that it presents, so it offers some very imprecise spending estimates. It said that there was a £300 million schools overhang—although the full figures will not be available for some considerable time—and £300 million of additional social services pressures. Those are all figures plucked out of the air. There may be some substance to them, but they are not precise. However, the thing that is most telling is that there is no reference in any of the LGA figures to any possibility of cost savings or efficiency gains—none whatever. A 0.5 per cent. efficiency saving is all that would be required to fill the gap between the extra funding that we are putting in and the grand total of the LGA's somewhat inflated claim, so it does not wash.

The hon. Gentleman said that the Treasury was assuming an average council tax rise of about 7 per cent., but I make it clear that it is not an assumption. Every year, the Treasury puts in a figure based on past years' trends, thinking about what council tax rises might be. We do not assume that it will be at that level. We sincerely hope that it will be significantly lower, but obviously, for public expenditure purposes, the Treasury has to make some calculation, and that is the basis of it.

On capping, the hon. Gentleman asked why we have changed our mind in relation to excellent authorities. I have spelled it out on many occasions. We are reluctant to cap, but we cannot stand aside when authorities put up council tax by completely disproportionate amounts. The London borough of Wandsworth increased its council tax by 57 per cent. last year after cutting it by 25 per cent. the previous year—an election year. Few people would justify that increase—not even Conservative Members would justify it. However, had we said that excellent authorities would continue to be free from the risk of capping, that kind of excess would not have been considered, while other authorities with lesser increases might have been subject to capping. I hope that the hon. Gentleman will recognise that there must be fairness and consistency across all authorities

[Mr. Raynsford]

on these matters. I regret the move, but it is inevitable because of the decisions of some irresponsible authorities to up their council tax by more than was necessary.

The hon. Gentleman talks about scrapping the council tax. The Liberal Democrats do so blithely but, as he will know from the questions I have put to him, the implications of introducing a local income tax are far more complex than he and his party suggest, and the administrative costs are likely to be massive. His naive assumption that it can all be done with a saving of £500 million in administration beggars belief.

The hon. Gentleman talks about particular problems of cost pressures on local authorities without talking about the scope for efficiency savings. He talks about more micro-management of schools, but in the past six months we have been working very closely with local government to ensure that effective measures are in place, so that schools get the funding that they want and need, and that local authorities have the means to do that and to fund other services. That is practical work with local government to meet our educational objectives. I am only sorry that he could not welcome that.

Several hon. Members *rose—*

Madam Deputy Speaker (Sylvia Heal): Order. May I make a plea for single questions and single answers? Many hon. Members are hoping to catch my eye. I would like to please as many as possible.

Andrew Bennett (Denton and Reddish): I thank my right hon. Friend for all the hard work that he has put into the local government settlement and for his courtesy and patience when he meets representatives from local authorities about individual settlements, but can he remind us how we got into the situation of a regressive council tax? It was a panic measure from the Tories' poll tax. As a result, we are going to continue to have unfairness in local finance. Will he tell us what progress is being made on the local funding review and whether he is satisfied that the increases in VAT that were imposed when the poll tax came in are finding their way to local government?

Mr. Raynsford: I thank my hon. Friend for his kind remarks about the preparation of the settlement and our work to build a constructive dialogue and partnership with local government. We will continue to do that. He perfectly properly asked how the council tax has got into the position it has, where there is rising public concern about the level of increases in some areas. As I said earlier, the increases have varied from area to area, and some authorities, particularly Conservative authorities, have a very poor record, introducing large council tax increases in recent years. I hope that they will be much more prudent in the coming year. However, I recognise that there are issues about the council tax. It is precisely for that reason that the Government have initiated the balance of funding review, which he inquired about. That review has been going well. We have held three sessions to date. We have taken a lot of evidence. We have invited submissions and we will move on in the next few months to look at a series of options put to us by people who have submitted evidence to the review.

It is too soon to forecast the outcomes of the review. We certainly intend to look closely at a range of options in an open-minded, thorough and rigorous way, but our objective in the long term is to come up with options that will help to inform conclusions by Government on the right way forward to ensure a sustainable basis for local government funding.

Mr. William Hague (Richmond, Yorks): Will the Minister acknowledge that the population estimates on which his allocations are necessarily made are increasingly controversial or even discredited in some parts of the country as a result of serious shortcomings in the 2001 census? In particular, is he aware that the difficulty of estimating the population around the largest Army base in the country at Catterick in North Yorkshire has led the Office for National Statistics seriously to underestimate the population of the district of Richmondshire? Given that the ONS has conceded that it has been in error—it recently made that concession—can he assure me that the figures that he is publishing today take full account of that error, and that if they do not, he will put it right?

Mr. Raynsford: We have been in fairly regular dialogue with local authorities and the ONS about the statistics on which the settlement is based. The ONS has done some further data-matching exercises with both Westminster and Manchester city councils, where particular problems were identified. The right hon. Gentleman referred to some of the conclusions from that. The ONS will do further work. It is satisfied that, in general, the census was conducted in a thorough and rigorous way, and in many respects was the best and most comprehensive census yet, but there were issues and we are keen that they should be looked at carefully.

I have already given an assurance that, if the ONS revises its population projections on which the settlement is based, we will make an amending report to ensure that those authorities that lost out as a result of the previous calculation are compensated. It is too soon to do that, but I have given that commitment, and that applies to any authority.

Joyce Quin (Gateshead, East and Washington, West): I support the broad principles adopted by my right hon. Friend in approaching this issue, but I want to express some frustration that Gateshead, which is an excellent authority, once again seems to have been given the lowest rise of any metropolitan authority in Tyne and Wear. Will he look at the situation, and give a clear explanation of what the problem seems to be?

Mr. Raynsford: My right hon. Friend raised this issue with me last year. She rightly says that Gateshead is an excellent authority with an outstanding reputation for delivering good-value services. I shall certainly take on board her question about why it has a lower provisional settlement than surrounding authorities. I suspect that population factors have a lot to do with that, but I shall look into the matter and write to her.

Sir Nicholas Winterton (Macclesfield): Is the Minister aware that the Treasury has acknowledged that public sector price inflation is currently at 7.8 per cent? Is he convinced that the allocations that he is making to local government—especially to Cheshire and Macclesfield borough council—take that into account? Cost pressures in Cheshire include private sector charges for residential and nursing home care, which have risen by 14 per cent. In addition, bus contracts, which necessarily are a county council responsibility, have risen by between 50 and 60 per cent. How does he justify the allocation of resources in the face of increases that will pose huge problems for responsibly led councils?

Mr. Raynsford: The hon. Gentleman will accept that Cheshire has received good settlements both last year and this year. This year's settlement gives it 5.7 per cent. extra. That is almost at the ceiling, well above the average for all authorities, and roughly double the rate of inflation. That is a good settlement, and I hope that Cheshire will be able to work within it. Cheshire is also receiving special and specific grants totalling £29.6 million. I hope that it will use those resources to deliver services efficiently to local residents, as I know the hon. Gentleman wants.

Mr. George Stevenson (Stoke-on-Trent, South): I welcome my right hon. Friend's statement on the reduction in the ring-fencing percentage applicable to social services, and urge him to continue that process. Will he have discussions with my right hon. Friend the Secretary of State for Education and Skills to see whether the same principle can be applied to the standards fund? Finally, we heard an interminable rant from the right hon. Member for Skipton and Ripon (Mr. Curry), but I agreed with him on only one point—the issue of gearing. Will my right hon. Friend pay special attention to the local government gearing mechanism? It distorts local priorities and disrupts the financial system.

Mr. Raynsford: I am grateful to my hon. Friend for his kind remarks. We are looking at the question of ring-fencing very carefully. I have announced a significant reduction in the current year and made it clear that we are committed to achieving further reductions next year. We will obviously be talking to colleagues in all Departments. I have made it clear that gearing is one of the factors that we are taking into account in the balance of funding review that is considering issues relating to local authority funding. No conclusions are available yet, but we are giving the matter serious attention.

Sir George Young (North-West Hampshire): Counties such as Hampshire will get only the minimum increase of 3.5 per cent. Will the Minister admit that that is a very tough settlement indeed, and that people in Hampshire know whom to blame for this year's inflation-busting increase—the Government and not the county council? Will he assure the House that the 3.5 per cent. floor increase to which he referred will in every case cover the mandatory increase in education spending that the Government are expecting local authorities to pass through?

Mr. Raynsford: The right hon. Gentleman is normally very punctilious about figures, but Hampshire county council will receive an increase of 4.6 per cent., not 3.5 per cent. If he looks at the settlement carefully, he will see that Hampshire county council will get a 4.6 per cent. rise, plus some £52 million in additional specific and special grants. That is a good settlement, and it is in marked contrast to what happened when he was a Minister in the old Department of the Environment. Local authorities then got the level of grants that I set out in my response to the right hon. Member for Skipton and Ripon. An increase of 4.6 per cent.—as opposed to increases of 1 per cent. or less, or even a reduction of 0.6 per cent.—looks like a very good deal. I hope that the right hon. Gentleman will tell his council leader to budget prudently within those limits and to deliver the public services that local residents need.

Ms Karen Buck (Regent's Park and Kensington, North): I welcome the protection for schools in this year's settlement, the continuation of the floor, and the flexibility fund. However, does my right hon. Friend agree that some London authorities face considerable pressure when it comes to providing services, as a result of a rising population, the census undercounting in some areas, the fact that problems with mental health are much more prevalent in London than in other parts of the country, and other difficulties? Will he say how the flexibility fund will be applied? Will he assure me that the pressures and demands of London and of the provision of non-statutory services—such as early-years and youth services—will be given high priority for support?

Mr. Raynsford: The authority that my hon. Friend represents is one of those affected by census figures. Much discussion has taken place between the ONS and Westminster city council about those figures, but Westminster city council benefited from the floor last year. That protected the authority against a serious loss that would otherwise have been incurred, as result of the census figures. I am pleased that this year's figure for Westminster is, at 3.7 per cent., a little above the floor level. The authority is therefore being protected and has received a slight increase this year.

The average increase for London authorities as a whole is 4.7 per cent., exactly in line with the national average. There is no question that London is being treated less favourably than the country as a whole.

Sir Brian Mawhinney (North-West Cambridgeshire): The right hon. Gentleman's competence in this area of public policy is obvious and well-established, but I hope that he understands that his heavy reliance this afternoon on political spin emphasises the worrying nature of the settlement that he has announced. In the past six years, average council taxes in the real world have been two or three times higher than the percentage resource increases announced by Ministers at that Box. When council tax increases of between 9 and 12 per cent. are announced this year, will he consider them reasonable?

Mr. Raynsford: The right hon. Gentleman was another Minister in a Government that used to announce rather low increases in the local authority settlement of around 1 per cent. in a good year. I am sure that he will accept that that contrasts markedly with

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Cambridgeshire's grant increase this year of 6.2 per cent., following a record 8.5 per cent. last year. Those are very good increases, which most local authorities would regard as a sound basis for budgeting.

The right hon. Gentleman asked about council tax. We expect all councils to budget prudently and to restrict council tax demands to the lowest possible level. The levels that he is talking about seem to me to be high. We want authorities to provide good-value services in a cost-effective way, and not to impose unreasonable costs on council tax payers.

Mr. Harry Barnes (North-East Derbyshire): The previous Government's Local Government Finance Act 1988 put local government finance in a mess for a decade. It caused deprivation in some areas while others had money stuffed down their throats. The redistribution under this Government was slow to start with, but it has accelerated more recently. However, does my right hon. Friend agree that it is seriously inhibited by the floors and ceilings arrangement? Some authorities do not get resources from other sources, so is it not understandable that they feel obliged to charge high levels of council tax to rectify matters? Should not something be done to overcome the financial problems created by the previous Administration? In that way, authorities that have suffered can begin to put things right.

Finally, can we have a full debate on this topic in future, as 39 minutes of this statement were taken up by Front-Bench spokesmen, before Back-Bench Members were able to contribute?

Mr. Raynsford: My hon. Friend accepts that the settlements, both last year and this, have been good for Derbyshire. This year's increase of 6 per cent. follows last year's ceiling settlement of 7.8 per cent.

I hope that my hon. Friend recognises that it is sensible to give local authorities the opportunity to budget with a degree of certainty, and not to make them subject to short-term fluctuations that can be difficult to cope with. That is why we operate floors and ceilings. Floors to protect authorities from steep reductions in their grant entitlement have to be paid for, which is why the ceiling is needed.

We recognise that there is deprivation and other problems that my hon. Friend is well aware of in his area. The changes to the grant distribution formula were designed to reflect some of those needs more accurately. The Government are determined to continue in that way, not only through the grant distribution formula but through special grants. In the current year, Derbyshire is receiving £34 million for special needs, many of which are specifically to do with deprivation. We will continue to do all that we can to ensure that such authorities receive decent settlements that enable them to budget prudently and to deliver high-quality services without the need for steep increases in council tax.

Mr. A. J. Beith (Berwick-upon-Tweed): Does the Minister recognise that under this settlement it will be even more difficult to maintain services in districts of large area and small population, particularly in those that last year—for reasons that have still not been explained—got very low settlements of the order of 3 and 4 per cent., such as Alnwick, Berwick and Castle Morpeth? Is he willing to look again at the position of those three districts in Northumberland, the pattern for which was contrary to that of the rest of the county, and to see whether any further help is needed? Castle Morpeth has just had to turn around a major financial difficulty, but it is recognised to be doing so.

Mr. Raynsford: I am happy to look into that. I am sure that the right hon. Gentleman will accept that I do not at present have all the explanations of all the settlements for all authorities. He is right that there were generally very large increases for district councils last year, but that the three councils in his area to which he referred had relatively modest increases. The floor that is in place again this year will protect those authorities and guarantee them increases of at least 2.2 per cent. I am sure that the right hon. Gentleman will be pleased, as I am, that Northumberland county council has a particularly good settlement this year—a 6.2 per cent. increase. I shall look into the issue relating to those district and borough councils, and write to him about the matter.

Dr. Alan Whitehead (Southampton, Test): I congratulate my right hon. Friend on his continuing success in bearing down on ring-fencing in local government spending and on the success of his discussions with other Departments on the reducing of pressures—in particular, the collection of rubbish through non-implementation of the landfill trading scheme. However, does my right hon. Friend accept that that deferral will coincide with a projected trebling of the landfill tax escalator next year, so that there will be a combination of pressure and a ring-fenced sum of money from local authorities going in that direction? Is his Department looking positively at how local authorities might be able to manage that change, and has that been reflected in this year's settlement?

Mr. Raynsford: I am grateful to my hon. Friend for his kind remarks, and I assure him that we shall continue to do all that we can to bear down on unnecessary ring-fencing and to remove any unfunded pressures from local authorities. My hon. Friend highlighted the changes relating to waste management. The postponement of the landfill allowance trading scheme is simply a postponement; it is not a cancellation. We are putting the scheme back by one year, to allow local authorities more opportunity to prepare and so that they can avoid meeting additional costs that will probably be in the order of £10 million this year. Together with my colleagues in the Department for Environment, Food and Rural Affairs, we are keen that authorities should have the means to achieve the step change that is necessary in waste management to meet our objectives to reduce the use of, and dependence on, landfill and to ensure more sustainable waste disposal systems.

Mr. Patrick McLoughlin (West Derbyshire): Last year, Derbyshire Dales district council got a very small increase. Most Derbyshire district councils received in

excess of £500,000. Derbyshire Dales got an increase of £32,000. What will be the increase for Derbyshire Dales this year?

Mr. Raynsford: The three authorities in the area that the hon. Gentleman represents are Derbyshire county council, which has an increase of 6 per cent.; Derbyshire Dales, which has an increase of 2.2 per cent.—the floor; and Amber Valley, which has a similar increase. Both of the latter councils are protected by the floor, and his county council has a good settlement.

Mr. Stephen McCabe (Birmingham, Hall Green): I welcome the increase in formula grant of almost 6 per cent. for the people of Birmingham. Does my right hon. Friend agree that the real challenge now is to spend the money wisely, that all local authorities must recognise that they have a duty to provide cost-effective and efficient services and that wage inflation, in particular at the higher grades, without mass productivity means less money for services and, inevitably, higher council tax levels?

Mr. Raynsford: I am grateful to my hon. Friend for his remarks. I, too, am delighted that Birmingham city council will receive a grant increase of 5.9 per cent., following a good settlement of 8 per cent. last year. Birmingham will also benefit from £112 million in special and specific grants designed to help that council meet its responsibilities. As he knows only too well, it has substantial deprivation problems within its boundaries. I wholeheartedly agree that, given a good settlement of that nature, it should be possible for the city council to continue to make progress in improving service delivery and to impose reasonable increases in council tax on Birmingham residents.

Mr. Robert Key (Salisbury): Does the Minister agree that the only winner in this miserable settlement is the Treasury? As far as the hard-pressed taxpayers of Wiltshire and Salisbury are concerned, this annual charade is bringing both central and local government into disrepute. It does not really matter whether one has rates, poll tax, council tax or local income tax, so long as the Government refuse to acknowledge the need for a fair contract between them and taxpayers at local level showing where the burden falls, rather than the present system under which duties are imposed that local authorities have to meet when they have little freedom of movement. Until a new system introduces such fairness, we shall continue to have an annual charade in which people have little faith.

Mr. Raynsford: The only charade that I see is the extraordinary spectacle of former Ministers in a Government who could offer increases of only about 1 per cent. at best complaining about increases that would have been beyond those authorities' wildest dreams when that Government were in power. That is a bit rich coming from the hon. Gentleman, given that last year Wiltshire had the largest grant increase of any county, 8.9 per cent., and will this year receive a further 5.9 per cent. increase—on the ceiling. Those are very good increases—far beyond what Wiltshire would have had from the Government whom the hon. Gentleman represented.

Mr. Michael Jabez Foster (Hastings and Rye): Not only the Liberal Democrats but the Tories seem to believe that money grows on trees, especially when a Labour Government are in power. Last year, under the Tory council, East Sussex had a 20 per cent. increase in council tax, which is wholly unacceptable. At what level will my right hon. Friend tell East Sussex Tories that enough is enough?

Mr. Raynsford: I have made it clear in my remarks to local government representatives at various conferences recently, and I make it clear again today, that we take a dim view of authorities that increase their council tax by more than is absolutely necessary to maintain good quality services. We expect them to do much better than the very large increases that a number, including East Sussex, imposed last year. East Sussex has a grant increase of 4.5 per cent. in this settlement, which is a significant increase on last year's settlement. I hope that it will use it prudently. It also has about £32 million in special and specific grant, some of which I hope is destined for my hon. Friend's constituency, which has special problems in the county. I hope that East Sussex, which is improving its social services significantly—that is welcome—will continue to deliver and improve services, and will do so cost effectively with much-reduced demands in the coming year compared with last year.

Mr. Mark Francois (Rayleigh): Will the Minister confirm that for those shire districts that have received the minimum floor of 2.2 per cent., the settlement is effectively a real-terms cut given the current rate of inflation? Does he also accept that wherever one puts the floors and ceilings for any authority, the amount of money that it ultimately deserves from the Government is largely determined by the grant formula itself? Surely the Government need to revise the new grant formula spending share that they have come up with so that it does not unfairly penalise those authorities in the home counties that are suffering because Labour has deliberately moved resources to assist its friends in the north.

Mr. Raynsford: I find it slightly odd that, given that Essex county council is receiving an increase of 5.5 per cent—an above-average increase—in a year when the overall increase is 4.7 per cent., the hon. Gentleman complains that money is going north. It is not. Essex is getting more than the national average. People in the north, including some of my hon. Friends, whose settlements are rather lower, have good reason to complain that money is going south.

Tony Lloyd (Manchester, Central): My right hon. Friend has already made it clear that there will be an amending order where census figures have been revised and, as he is aware, the city of Manchester has already had such a revision accepted. However, notwithstanding the amending orders, there is also a cumulative effect, from the ceilings in previous years and other factors, on the next year and succeeding years. Can my right hon. Friend give the House a guarantee that in census-affected local authorities such as Manchester every penny will be restored, not just one year's money?

Mr. Raynsford: I know that there have been special issues in Manchester relating to the census. I referred to

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them in answer to an earlier question, when I made it clear that we will be prepared to issue an amending report once the Office for National Statistics has completed its investigations. If its figures suggest that there should be increased population figures for certain authorities, we shall issue that report.

Manchester has a good settlement this year: an increase of 5.8 per cent. on top of last year's figure of 6.5 per cent. In addition to the overall settlement, £66.5 million of special grant is going to Manchester, to reflect the particular needs of the community. That is a good settlement and we shall continue to work closely with Manchester city council, which is doing very good work indeed to tackle the problems in its area, to ensure that it continues to improve services cost-effectively.

Mr. John Redwood (Wokingham): Will the Minister allow councils to pay a housing-related supplement to teachers in high-cost areas where recruitment and retention are difficult or impossible?

Mr. Raynsford: The right hon. Gentleman comes from an area that has benefited from substantial increases in grants. Wokingham received an 8.4 per cent. increase last year and will receive a 5.8 per cent. increase this year. West Berkshire, too, had large increases last year and this year. Those settlements reflect the extra money that my right hon. Friend the Secretary of State for Education and Skills is putting in to meet education needs. In addition, as the right hon. Member for Wokingham knows well, through schemes such as the starter homes initiative we are helping to provide good quality, value-for-money homes for people in key services, such as teaching, to enable them to have low-cost home ownership options in areas where, as he rightly points out, prices are relatively high.

Mr. David Kidney (Stafford): My right hon. Friend mentioned the transitional funding of £120 million in the education settlement that will be targeted on about one third of local authorities—although, sadly, not the third that are currently at the bottom of the funding league table. He said that there would be £300 million to fund pressures other than those relating to schools. Can he tell us whether any of that will deliberately, as a matter of policy, be directed to the poorest authorities?

Mr. Raynsford: That money is being put into the general settlement, so it is not targeted as such. I distinguished between special and specific grants, which are targeted on particular areas, and the general settlement, which is distributed according to the formula. The additional £300 million will go into the formula to ensure that it can be distributed according to various indicators of need—including, obviously, deprivation. I am pleased to say that Staffordshire is receiving a 5.4 per cent. increase in its grant, which is above average, against the national average of 4.7 per cent. I hope that my hon. Friend will welcome that.

Mr. Owen Paterson (North Shropshire): By what percentage will the costs of local government increase due to statutory demands imposed by central Government?

Mr. Raynsford: As I said in the statement, we have adopted an extremely rigorous new burdens doctrine, which requires any additional burdens imposed by central Government on local authorities to be fully funded. That is why I was able to say that we are making a number of changes to ensure that authorities have the means to meet their responsibilities; we are not putting additional burdens on them without those burdens being funded. I gave specific examples in my statement and also indicated how in other matters, such as waste management, where local authorities said that they would have difficulty in meeting their obligations, we have taken action, which I announced this afternoon, to ease those pressures.

Those are the actions of a Government who are determined to ensure that local authorities have the means to meet their obligations and to do so without unreasonable council tax increases.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. We must now proceed. I allowed the statement to overrun to permit a slightly more equal amount of time between Back Benchers and Front Benchers, and I hope that Front Benchers will take note.

Points of Order

2.15 pm

Tony Baldry (Banbury): On a point of order, Madam Deputy Speaker. Is it in order to ask that the names of those of us who did not manage to catch your eye this afternoon might be gently remembered when we debate the local government settlement in due course?

Madam Deputy Speaker: Absolutely. We shall certainly do our best to bear that in mind. I appreciate that many hon. Members in the Chamber were disappointed this afternoon.

Mr. Jonathan Sayeed (Mid-Bedfordshire): On a point of order, Madam Deputy Speaker. The Prime Minister informed the House that trade between the United Kingdom and the United States was £2 billion a year. During Prime Minister's questions, he revised the figure from £2 billion a year to £2,000 billion a year. As neither figure is correct, will Mr. Speaker be asking the Prime Minister to return to the Chamber to correct the record?

Mr. Eric Forth (Bromley and Chislehurst): Yes, he must—

Madam Deputy Speaker: Order. Mr. Speaker will have heard and will no doubt read the comments, but he is not responsible for the answers of any individual Minister in the House.

Dr. Jenny Tonge (Richmond Park): On a point of order, Madam Deputy Speaker. Now that George Bush runs the foreign policy of this Government, why is he not coming to the House to make a statement?

Madam Deputy Speaker: That is not a point of order for the Chair.

BILL PRESENTED

CORPORAL PUNISHMENT OF CHILDREN (ABOLITION)

Mr. David Hinchliffe, supported by Mr. Hilton Dawson, Julie Morgan, Jane Griffiths, Dr. Rudi Vis, Geraint Davies, Mr. Paul Burstow, Dr. Jenny Tonge, Mr. Mike Hancock, Mr. Elfyn Llwyd and Dr. Richard Taylor, presented a Bill to amend the Children and Young Persons Act 1933 to remove any existing defence which justifies the corporal punishment of children and to give children the same protection as adults under the law on assault: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. [Bill 185].

First Aid Training in Schools

2.17 pm

Bob Russell (Colchester): I beg to move,

That leave be given to bring in a Bill to require first aid training to be given to children in schools as part of the National Curriculum.

The Bill would save many hundreds of lives every year, produce annual savings to the national health service of hundreds of millions of pounds and result in a better quality of life for all age groups throughout the land. It is a modest Bill with anything but a modest outcome: lives saved; money saved. Whatever the cost of providing first-aid training in schools, it would be petty cash compared with the huge financial dividend that would be generated for the public purse and it would save lives every day.

I acknowledge that teachers have a heavy work load and that many people in education feel that the national curriculum is already over-burdened. However, my Bill would not add to the burden of individual teachers unless they were already qualified first-aiders, because first-aid training would be undertaken by qualified first-aiders drawn from wider society, primarily volunteer members of St. John Ambulance and the Red Cross. I pay tribute to both organisations and to other voluntary groups that provide first-aid cover at a wide range of events, many of which would not take place if their organisers could not afford to buy in medical cover.

First-aid groups could do with more volunteers. Over time, my Bill would create a large pool of qualified first-aiders from which, it is hoped, many would become volunteers with St. John Ambulance and the Red Cross. In the short term, it is possible that there may be insufficient qualified first-aiders to train every child in school, so I realise that it may be necessary for the Bill's implementation to be phased, but the sooner the better in as many schools as it is possible to recruit qualified first-aiders to commence training.

My Bill sets out the framework. The precise details of implementation will emerge as a result of consultation with all the relevant bodies, including such considerations as what should be taught at what age group, the frequency of the training and so on. Today I am talking about the principle of the Bill.

I am grateful to St. John Ambulance, whose personnel have helped me to prepare my Bill. It believes that everyone should have life-saving skills, and it stresses that that could be achieved over time if everyone learned first aid at school. St. John says that currently fewer than 10 per cent. of schoolchildren in England are taught first aid—in many cases by teachers who have been trained by St. John, using materials provided by St. John Ambulance. That training, however, is purely at the discretion of the school and there is no obligation to provide first-aid training. My Bill would make it a requirement.

What I propose is not revolutionary. There are already aspects of the national curriculum in England that enable schools to teach first aid. St. John Ambulance's young lifesaver award links to the personal, social and health education syllabuses at both key stages 2 and 3, and to the citizenship syllabuses for

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key stages 3 and 4. The most direct link is probably with key stage 3, at which pupils should be taught basic emergency aid procedures and where to get help and support. That is better than nothing, but just think how much better it would be for all concerned if all children were taught first aid throughout their school years, starting as young as five, when they might learn how to react to a nosebleed, and continuing through to their early teens, when resuscitation could be accomplished.

The national healthy school standard says that, as a minimum, a school should provide opportunities for all pupils to develop health skills in relation to first aid. My Bill would take that concept forward and make it a requirement.

I am delighted to inform the House that in my constituency the Thomas Lord Audley school and language college has proposals, announced only last week, to establish a first aid club. Students would aim to get a recognised certificate from either the Red Cross or St. John Ambulance. It is felt that

"students will feel empowered, capable, confident, safety aware (especially when working in workshops)".

It is also felt that the training would relate to existing curriculum subjects, ranging from modular science to food technology and from biology to physical education.

That school can see the wider benefits that first-aid training produces. If every school had first-aid training as part of the national curriculum, the benefits to the nation would be immense. Mr. Mark Allan of Colchester St. John Ambulance told me that

"first aid training gives young people life skills and confidence, making them better citizens".

St. John Ambulance nationally trains 250,000 people every year in first-aid skills. Free first-aid training has been offered to teachers in the past. Each year, a number of schools at primary and secondary levels participate in the St. John Ambulance national schools first aid competition. Thus the concept of first-aid training in schools is not new.

I opened my speech by saying that hundreds of deaths could be prevented each year if qualified first-aiders were able to intervene. St. John Ambulance goes further and says that thousands of deaths could be prevented. Indeed, research has shown that perhaps 1,000 people a year who currently die as a result of injuries sustained in road crashes would be saved if first aid were applied before the arrival of paramedics. It is considered that a significant proportion of the 300,000 people who die from heart attacks would have a much-increased chance of survival if first aid could be applied at an early stage.

Alongside the important saving of lives, first-aid training would also reduce visits to overstretched accident and emergency departments by people whose injuries did not warrant hospital attention, and likewise reduce visits to doctors' surgeries if a qualified first-aider could more easily and more quickly deal with such minor matters at home or at their place of work. A pack of frozen peas placed on a sprained ankle is more appropriate than sitting in an A and E department for hours,—a fact confirmed to me by family doctor Chris Hall, the current mayor of Colchester.

St. John Ambulance has made the following statement:

"Apart from the obvious benefit of equipping children with life-saving skills, first aid training in schools has other positive effects. The training promotes good citizenship. It also raises awareness of accident prevention issues as well as equipping pupils with the skills to be able to cope with accident and emergency situations should these arise, making the school environment a safer place and building confidence in young people."

I would go further and say that first-aid training in schools from an early age would make children more aware of what makes their body work—what is good for it and what is bad for it. Obesity is a growing problem, literally, with the number of obese children increasing every year and more children suffering from diabetes as a consequence. Asthma is also on the increase. Today's young people are, collectively, less fit than their parents and grandparents were at the same age. For the first time in 100 years, we are looking at the prospect of falling life expectancy. A medical time-bomb is ticking away. Unless urgent action is taken, today's schoolchildren will suffer heart, mobility and breathing problems at an earlier age than is currently the case, throwing ever more burdens on the national health service.

If youngsters were involved in first-aid training as part of the national curriculum, it would make them more aware of the need for healthy food and healthy lifestyles. It would hopefully discourage involvement with illegal drugs, smoking and binge drinking. It would certainly lead to greater personal awareness—social inclusion would be achieved.

My Bill is all about saving lives and improving the lives of today's children. I commend it to the House.

12.25 pm

Mr. Eric Forth (Bromley and Chislehurst): This is one of those occasions when a Bill sounds good and looks good and, as the hon. Member for Colchester (Bob Russell) is praying for it, how could one possibly resist it? Well, I will do my best, because I have been round this track many times in a former existence.

The school curriculum is a precious and valuable thing. It defines in broad terms the resources available to our schools and to our teachers, and it forces on us priorities in education, which is a very good thing. We are talking about deciding how we allocate chalk time, if I may put it that way, because there are so many demands on the time and skills of our schools and our teachers.

I hope it goes without saying that we all agree that the maximum priority should be given in classrooms to giving our young people the fundamentals of the skills that they will need for their lives and their jobs—reading, writing and numbers are the obvious ones. I hope that history, geography and physical education would still be included in that list. Once one gets any way beyond that basic list, one runs into real difficulties and challenges about the allocation of educational time. In fact, many would argue—I am probably one of them—that until we can demonstrate that every young person of school age has fully mastered those basic skills of reading, writing, numbers and communication, we should not allow ourselves to be tempted to bring in further such material to challenge them for school and classroom time, yet that is exactly what the hon. Gentleman's Bill seeks to do.

I have heard many claims made over many years for other matters to be imported into the curriculum, and many of them are indeed of great value. Environmental awareness, civics and road safety would all contribute very substantially to young people's lifestyles, and, indeed, life expectancy. I would add another one, which has some relevance to the hon. Gentleman's argument—safety in the home. He argued that many lives could be saved by the measures that he outlined. I doubt that. I would argue that as many lives could be saved if we taught safety in the home. Many deaths are caused by accidents in the home, which could be avoided and certainly reduced if we were to spend time in our schools and classrooms teaching young people about safety in the home.

This is not an uncompetitive business. At any time there are well-meaning people who argue, for very good reasons, that their subject should get priority within the national curriculum—that what they want to see imparted should be imparted to our young people in competition, because it inevitably is in competition, with the basics of reading, writing and number work. That is the first problem that we must resolve in our minds.

The next problem is a more practical one, and the hon. Gentleman, in fairness to him, was honest enough to admit it: whether we can identify a sufficient number of people within education to impart these skills to our school pupils. He generously conceded that that was not the case.

Again, one immediately runs into the problems of allocation and prioritisation because we would have to decide which age group, which class or, indeed, which school would get the benefit of what the hon. Gentleman claims before the others did so. He did not say how long it would take for the cumulative process for which he argued to come to fruition and to spread the benefits that he claimed for that type of education to all pupils.

I suppose that the next question that we have to ask ourselves is at what point does perhaps a very young person who has received an element of first-aid training become remotely competent to give emergency treatment to someone who is suffering in some way or another? I must say that I am nervous about the thought of young, partially trained people believing that they can do good to someone who is in medical difficulty, given the possibility, at the very least, that that could make things worse, not better. That must surely be a very distinct risk.

In an ideal world, if every pupil could be made fully competent in first aid, perhaps the outcome that the hon. Gentleman argued for might be achieved, but I am not sure that we could achieve that outcome, even if we had a complete set of qualified teachers and all the classroom and educational time in the world. My fear is that, if we fell short of that, there would be a danger of the Bill being harmful, rather than beneficial.

The hon. Gentleman said, rather charmingly, in a rather Liberal Democrat sort of way, that the details of all this will emerge. In other words, yet again, we are being asked to sign a Liberal Democrat blank cheque: "Let's legislate now, because it sounds good, and let's not worry about the details because someone else will fill them in." That is simply not good enough. An hon. Member cannot come to the House and say, "I've got a jolly good"—*[Interruption.]*

Madam Deputy Speaker (Sylvia Heal): Order. Too much conversation is going on in the Chamber.

Mr. Forth: I am grateful to you, Madam Deputy Speaker, for your help, but I am usually up to it.

With such a complex matter, an hon. Member cannot simply say, "Here's a Bill. It sounds good. Sign up to it, and don't worry; we'll fill in the details later." That is simply not enough for a number of reasons, not least that it was not made at all clear whether gaining the alleged benefits of such education would be voluntary or compulsory. Even for the transitional phase—starting from when we have not enough qualified people, as the hon. Gentleman admitted, to some unspecified time in the future when we may—we were not told whether it would be voluntary or compulsory for our young people to learn such skills in the interim.

Nor was any mention made of the additional costs. Even if one were to assume that there would be no increase in the number of teachers or in the requirement for classrooms, what about the equipment and materials that would undoubtedly be required properly to impart such information to generations of young people? There must surely be a cost and a budget implication, but again—perhaps to no one's surprise—that was not mentioned at all.

The hon. Gentleman implied that just petty cash—I think that those were his words—would be involved and that, given the enormity of the education budget, if we merely slip in something else no one will notice. He should tell that to school governors, teachers and parents, because I am sure that they would need much more convincing than he has been able to impart today.

So, all in all, the Bill is well meaning—that is true—and its heart is in the right place, but I fear that, as with so many other such measures, it has been introduced simply in hope rather than expectation. If the House is to take such things seriously, I suggest that, if it wills the Bill, it should then find ways to will the means in terms not just of money, but of classroom time and educational priorities. That is the only responsible way in which one can approach such a Bill. I hope that the House will be responsible and that it will join me in saying—sadly, with regret—no to the Bill today.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Bob Russell, Mr. David Amess, Mrs. Annette L. Brooke, Sandra Gidley, Mr. Ivan Henderson, Lady Hermon, Kate Hoey, Mr. Alan Hurst, Mr. Andrew Rosindell, Mr. Simon Thomas, Dr. Jenny Tonge and Angela Watkinson.

First Aid Training in Schools

Bob Russell accordingly presented a Bill to require first aid training to be given to children in schools as part of the national curriculum: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 186].

Health and Social Care (Community Health and Standards) Bill (Programme) (No. 3)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 29 October 2002].

That the following provisions shall apply to the Health and Social Care (Community Health and Standards) Bill for the purpose of supplementing the Order of 7th May 2003—

Consideration of Lords Amendments

(1) Proceedings on a motion to disagree with Lords Amendment No.1 shall be brought to a conclusion two hours after the commencement of proceedings on Consideration of Lords Amendments at this day's sitting;

(2) Remaining proceedings on Consideration of Lords Amendments shall be brought to a conclusion one hour after their commencement.

Subsequent stages

(3) Any further Message from the Lords may be considered forthwith without any Question put.

(4) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—*[Gillian Merron.]*

The House proceeded to a Division.

Madam Deputy Speaker (Sylvia Heal): I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 380, Noes 210.

Division No. 380] **[2.35 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blair, rh Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*

Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Fraser Kemp and
Ms Bridget Prentice

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Ewing, Annabelle
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David

Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Peter Luff and
Mr. David Wilshire

Question accordingly agreed to.

Orders of the Day

Health and Social Care (Community Health and Standards) Bill

Lords amendments considered.

Madam Deputy Speaker (Sylvia Heal): I must draw the attention of the House to the fact that privilege is involved in Lords amendments Nos. 77, 78, 90, 217 and 218, which are to be considered today. If the House agrees to these Lords amendments, I shall ensure that the appropriate entry is made in the *Journal*.

Clause 1

NHS FOUNDATION TRUSTS

Lords amendment: No. 1, leave out clause 1.

2.53 pm

The Secretary of State for Health (Dr. John Reid): I beg to move, That this House disagrees with the Lords in the said amendment.

Madam Deputy Speaker: With this we may take Lords amendments Nos. 2 and 3, Lords amendment No. 4 and the Government motion to disagree thereto and Government amendment (a) to the words restored, Lords amendments Nos. 5 to 55, Lords amendment No. 56 and Government amendment (a) thereto, Lords amendment No. 57 and Government amendment (a) thereto, Lords amendment No. 58, Lords amendment No. 59 and Government amendment (a) thereto, Lords amendments Nos. 60 to 64, Lords amendment No. 161 and the Government motion to disagree thereto and Government amendments (a) to (bb) to the words restored, Lords amendments Nos. 162 to 193 and 227, and the Government motions to disagree to Lords amendments Nos. 5, 26, 28 and 29.

Dr. Reid: Lords amendment No. 1 would leave out clause 1. Let me put it simply: it attempts to wreck the Bill that has been sent from this House.

The Bill represents the next important stage in improving and revitalising our national health service. Let me make it plain right from the start that, to Labour Members, that means a national health service built on the founding principle that everyone in this country should have equal access to health care free at the point of delivery—a principle that will be defended and protected as long as this Government are in power.

Already over the past few years—and, indeed, into the next few years—the Government are making the largest-ever investment and largest-ever injection of finance into the national health service. That is not for one, two or three years, but for five years. Simultaneously, we have improved and will continue to improve and modernise the national health service, reforming the way in which health care is delivered in this country to the benefit of patients. This is already bringing significant results in health care. All the main indicators of waiting times are now lower than they were in 1997, when we inherited an under-invested and impoverished health service from the previous Government.

For instance, deaths from our two biggest killers are down dramatically. Deaths from cancer are down 10 per cent. in the last few years and death from heart disease are down by no less than 19 per cent.—a dramatic and significant reduction in the scandalous figures that we inherited. In addition, what we have already done can be seen by the additional 55,000 nurses and 14,000 doctors and by the largest building programme in the history of the national health service.

Dr. Ian Gibson (Norwich, North): Does my right hon. Friend agree that the real changes in cancer services have come from the 34 cancer networks that have been involved with patients and right through to doctors, pharmacists and so on? The networks have crossed institutional barriers and they are on their way now. Any interference with that would destroy much of the solidarity that has been built up among many of the work force in the health service.

Dr. Reid: I agree and pay tribute to that. Nothing we are suggesting today would cut across that. My hon. Friend points out the efforts that have been made and the results that the cancer networks have achieved. Without undue immodesty, I think that we are able to claim as a Government that the results are at least partly due to the extra £570 million a year for cancer services and the 30 per cent. increase in the number of consultants since we took office. There are 900 more cancer consultants, so we already bringing about significant benefits to patients. I believe that that is a significant start, but it is not enough. It is not nearly enough to bring the quality of care that those who depend on the national health service should have.

We said in our last manifesto, which we placed before the people of this country, that decentralisation of power to front-line staff is an essential part of the future national health service. It is an integral part of giving patients the power, the information, the quality of service and the degree of choice that they expect from their national health service today and that has hitherto been available only to those rich enough to buy quality, quick access, sensitivity and personal health care outside the national health service.

The Opposition in the other place have completely rejected the principle of handing power in the national health service to front-line staff. In doing so, they have gone far beyond long-established practice. Lords amendment No. 1 and Lords amendment No. 161, which would leave out schedule 1, are not revising amendments; they are wrecking amendments. The Government are proposing to accept the vast majority of the revising amendments agreed in the other place, but the main question before us today is not about sensible scrutiny but about whether the Tories and Liberals, in the main in the upper House, will succeed in overturning the majority will of the House of Commons.

Mr. David Hinchliffe (Wakefield): My right hon. Friend refers to long-established practice. I have been a member of the Labour party for many years and it has been long-established practice to develop policy within the party—at constituency and conference level—but we have not had that with this issue. We have not had Green Papers, White Papers or any consideration at all. There has been no scrutiny at all of this issue in the Commons. In view of the way in which this matter has been treated in the Commons, is it not unreasonable to suggest that somehow the Lords have behaved unconstitutionally?

Dr. Reid: I am not sure whether my hon. Friend meant this, but I would not, with due respect to the other place, ever draw comparison between our democratic methods inside the Labour party and the inherited privilege vested in the other place. He will have noticed that I voted—*[Interruption.]* I am sorry, but I voted for abolition. Those on the Opposition Front Bench have got another thing wrong.

I would not draw such an invidious comparison, but the other place has gone totally against the central element in clause 1. It has not refined or amended it, and that central principle has been the subject of debate and controversy and the Commons has decided on the matter after that debate and controversy. If that principle is rejected, it will go far beyond anything that we have been prepared to tolerate, even from an unelected second Chamber.

3 pm

Mr. David Cameron (Witney): For clarification, will the right hon. Gentleman set out whether there was a specific pledge in the Labour manifesto about foundation hospitals?

Dr. Reid: There was a specific pledge in the Labour party manifesto to decentralise power to the frontline of the national health service. I know that the hon. Gentleman is interested in, and deeply committed to, the process inside the Labour party. We know that the Conservative party has extremely democratic ways of making policy—and choosing leaders, incidentally. The way in which leaders emerge in the Conservative party is paralleled only by the selection of the Chinese leadership.

At least my hon. Friend the Member for Wakefield (Mr. Hinchliffe) has a deep interest in, and commitment to, a democratic discussion of such matters. If he is asking me whether I think, in retrospect, that we could have discussed the process better and more widely, the answer is yes. Therefore, I hope that the fact that our party and Government are about to embark on perhaps the widest consultation that we have ever undertaken is an indication that we have learned some lessons from the process. However, we are judging today not only the process but the merits of the case and the pledge that we made in our manifesto. That is what I am putting to the House today and I hope to receive support from the Government Benches.

Lynne Jones (Birmingham, Selly Oak): What will be the impact on national patient booking systems, electronic patient records and electronic prescribing if foundation trusts are able to opt out of national NHS information technology systems?

Dr. Reid: There is no indication whatsoever that any hospital with or without foundation status would benefit from doing that. It is possible for people to jump off Tower bridge—all things are theoretically possible—but there is not one shred of evidence that there would

[Dr. Reid]

be any incentive to opt out of what will be, by any standards, the biggest ever IT project. Indeed, the introduction of the project will mean that for the first time in history patients inside the NHS will not be referred to a hospital by their doctor and told to go home and wait for instructions on when and where to attend, without any consultation with them. The IT system that we are introducing will, from December 2005, not only allow for consultation with patients so that they have an option of which hospital to attend, but allow them to book online. Such a quality service has previously been commandeered only by the rich of this country, but we shall extend it to people who are dependent on the NHS.

Mr. John Redwood (Wokingham) *rose—*

Mr. Tim Yeo (South Suffolk) *rose—*

Dr. Reid: I shall give way, democratically, to the right hon. Gentleman on the Back Benches first.

Mr. Redwood: Will the right hon. Gentleman tell us which of the freedoms that he will grant to foundation hospitals he thinks they will use, and how will that improve things?

Dr. Reid: Yes, indeed. I was in Birmingham recently, and I commend the authority and the hospital that I visited. It had managed to build two new wards with 80 beds to assist people in that area. The building process took five months from start to finish, but the consultation process to get permission for the building took not five months but 10 times five months. A local national health service will be able to take such a decision locally, thus increasing efficiency and delivering a better quality of service than before.

Mr. Stephen Dorrell (Charnwood) *rose—*

Mr. Yeo *rose—*

Dr. Reid: I shall go for seniority this time and give way to the Front-Bench spokesman.

Mr. Yeo: I am grateful to the Secretary of State for giving way because my intervention is entirely helpful to him. I appreciate that he has been quite busy recently, so he might not have had time to study in detail the Bill and the proceedings during its passage through both Houses of Parliament. To help him to respond to the question asked by the hon. Member for Birmingham, Selly Oak (Lynne Jones), the Bill does not give foundation trusts the power to opt out of the incoming IT system. The Secretary of State was clearly unaware of that point.

Dr. Reid: I congratulate the hon. Gentleman on his new post, in which he will spend half his time on the national health service. If he thinks that I have difficulty coping with it, it is no doubt a sign of his innate capacity to think about and embrace larger subjects than anyone else that he is able to cope with health and education. It is an illustration of the Conservative party's priorities that it has appointed half a shadow Minister for education and half a shadow Minister for health, but two chairmen have been appointed to sort out the party.

The whole point of passing down power to hospitals with foundation status is to give them greater freedom to respond quickly to the needs and ambitions of today's patients.

Mr. Dorrell *rose—*

Dr. Reid: I shall make a little progress before I give way to the right hon. Gentleman because I want to respond to the helpful intervention by the hon. Member for South Suffolk (Mr. Yeo). I fully understand why the Conservatives are opposing our plans. It is not because they want to improve the national health service more than us, because that is one of the great promises—such as, "I will love you all the more for it in the morning", or, "I'm a Conservative and I love the health service more than you do"—that we have come to look at askance. They oppose the plans because they are frightened of the political consequences of the improvements. *[Laughter.]* I must tell the hon. Gentleman that his predecessor, who has gone on to become one of the two chairmen of the Conservative party, put that in explicit four-letter terms. He said that if we managed to carry out the improvements, the Conservative party's plans to run down the national health service would be flummoxed—I think that that was the word that he used. That is true, so the Tories oppose the measure because they know that as we succeed in improving the NHS, their attempts to undermine and attack it will have less effect. Their policy of cutting investment and attacking equality of access to health services will fail. Just as they opposed the formation of the national health service, they now oppose the reformation of our national health service because it stands for everything in which they do not believe. The reforms stand in the way of their alternative plan: to force people toward the private sector.

Mr. Dorrell: Rather than knocking down paper tigers and talking about why we oppose the Bill, will the Secretary of State return to the question asked by my right hon. Friend the Member for Wokingham (Mr. Redwood)? The Secretary of State cited the example of a hospital that, as a foundation trust hospital with new freedoms, would be allowed greater access to capital so that it could move quickly to build a new facility. Will he confirm that if such a hospital did that under the Bill, given that the capital allocation will be ring-fenced and the Treasury will put a ceiling on it, the money provided for such building would come at the expense of non-foundation trust hospitals?

Dr. Reid: The right hon. Gentleman speaks as if he is making a huge revelation. Of course there is a pot from which hospitals and other elements of the national health service—foundation trusts or otherwise—must take their money. The difference between what is happening under this Government and what happened under 20 years of the last Conservative Government—the right hon. Gentleman was Secretary of State for part of that time—is that we are making the biggest ever increase to the pot of money in the history of the national health service. When people in the NHS want

to build, they now know that that is possible. When we came into power, nearly half of the NHS's buildings were older than the NHS itself. Under the plans for capital allocations during this term of government, almost half the buildings will be less than 15 years old by 2010. That is the answer to the right hon. Gentleman's question.

Mr. Michael Weir (Angus) *rose—*

Dr. Reid: I want to make progress.

The creation of NHS foundation trusts is part of the process of moving from an NHS controlled from Whitehall to an NHS in which standards and inspections are national, but delivery and accountability are local, with more diverse provision, offering more choice for patients. That agenda will not go away. Decentralisation is a necessary prerequisite of responding more personally and sensitively to the extra power for patients which the Government intend to deliver. It will form a major part of our programme for the next few years.

Clare Short (Birmingham, Ladywood): Most of us agree that there should be more decentralisation in the health service, as we said in our manifesto, but many of us object to the current proposal because it allows the most privileged hospitals to decentralise. Giving them greater authority and more privileges will lead to growing inequality. Why not decentralise across the system?

Dr. Reid: First, with the greatest respect to my right hon. Friend, she is not exactly correct. The proposal gives the first foundation status opportunities not to the most privileged hospitals but to the best performing hospitals. Some of them are in more socially affluent areas, but others are not. Many good performing hospitals are in relatively underprivileged catchment areas. Secondly, and importantly, even if my right hon. Friend's premise were correct, her conclusion would be wrong because we do not intend to limit the opportunity to the first wave. Within four years we intend to raise every hospital in the country to the level at which we can free them from some of the central restrictions. That is one compromise that we made after discussions with my right hon. and hon. Friends. Our initial intention was to give foundation status to only a few hospitals, but after consultations with colleagues inside and outside the Government we agreed to extend that opportunity to everyone within four years.

NHS foundation trusts will be established as a new form of common ownership—a new public benefit organisation. They will still be part of the NHS family, with the purpose of providing NHS services to NHS patients. The care they provide to NHS patients will be, as I said, delivered on the basis of need, not ability to pay, and will be free at the point of use. The foundation principles and values of the NHS will be protected, but the system by which that is delivered will be decentralised and modernised. They will be locked into public ownership, which is the main thing that Opposition Members oppose. They know that a thriving local hospital, owned by local people in a way in which national services have never been owned before, will defend itself politically against a future Conservative Government's plans to privatise the NHS. That is what Opposition Members do not like about foundation hospitals.

Dr. Desmond Turner (Brighton, Kemptown): I greatly sympathise with my right hon. Friend's argument that trusts need to be freed of much of the bureaucracy that gets in the way of their effective operation. However, does he agree that as most of those directives on bureaucracy emanate directly from his Department in Whitehall, we do not need an Act of Parliament to deal with it?

Dr. Reid: It does not need an Act of Parliament to deal with all of it; it does need an Act of Parliament to deal with some of it. My hon. Friend is right that our proposals do not go as far as I should like. We have compromised. I have no shame in talking about compromise. We have compromised with colleagues inside and outside the party—people at the front line—to get a balance. The idea that we have not gone as far as the Conservatives would like, so they will vote against our moving in the direction they theoretically want us to go in, is sheer opportunistic hypocrisy.

We agreed, for instance, that all foundation trusts must pledge themselves to the long-time negotiated "Agenda for Change" with the health unions. That compromise benefits all workers inside and outside foundation trusts.

3.15 pm

Mrs. Alice Mahon (Halifax): Will my right hon. Friend give way?

Dr. Reid: If my hon. Friend lets me make progress, I shall I try to take her intervention later.

I want to illustrate how far we have gone in our discussions on compromise. We will insist on reinserting the statutory limit on the proportion of private patients treated in NHS foundation trusts, removed by the Opposition in another place. We have agreed to limit the borrowing powers, as explained earlier, of NHS foundation trusts through a prudential borrowing code. We have compromised on, and listened to, a number of concerns. Those are just a few examples.

In addition, we have tabled amendments, because people have raised the issue, on the way in which the membership of the trusts will be drawn up—that is, the membership from which the governance will be vested. There are also amendments on the sub-division of the electorates on the board of governors, the safeguarding of patient information and, for English hospitals, the extension of the public constituency to Wales in certain cases where that would be relevant.

Several hon. Members *rose—*

Dr. Reid: I will give way to my hon. Friend the Member for Cardiff, Central (Mr. Jones) and try to get around to my other hon. Friends.

Mr. Jon Owen Jones (Cardiff, Central): I wish my right hon. Friend had not made so many compromises, but I understand why he has done so. Will he remind some of our hon. Friends that the Government, who

[Mr. Jon Owen Jones]

have invested 70 per cent. more funding in the health service, have produced a better health service? By comparison with the investment made, however, we are making slow progress. Some of our colleagues need to understand that with that investment comes a need to reform; otherwise, we will not make the changes that our electorate so desire.

Dr. Reid: I agree with my hon. Friend. I have no doubt about the sincerity of the commitment of every Labour Member to the NHS. The debate is worth while, but those who believe that increasing capacity and putting more money into the health service will be enough are mistaken. Unless that is accompanied by reform, we will not safeguard the NHS for the next 50 years. For any given level of capacity we need to increase the quality of output, increase the speed of delivery of operations and give patients more information and choice over what they are doing. If we are to do that, we must decentralise the delivery of health care so that the local units, whether they be GPs or hospitals, can respond to the patients themselves when they exercise that new choice. All of that is about defending the NHS from both sociological changes and Opposition Members who would destroy it.

Kate Hoey (Vauxhall): I take the Secretary of State's point about patient choice and devolved powers, but surely the crux of the matter is that the purse strings are held by the primary care trusts. The manoeuvring and changing is not necessary. If we were to democratise the system, we should have started with the PCTs.

Dr. Reid: My hon. Friend is a little unfair. First, the PCTs are a huge decentralisation of power. Some 75 per cent. of our money goes through them. Secondly, I hope that the PCTs will not stop at the level of decentralisation that they have already achieved, but will involve GPs and others in the primary care sector in planning their health commissioning. Thirdly, patient forums are involved in the PCTs. However, even if we managed to democratise the formalities, giving power to patients is more than formal democracy. It means giving them a real choice. It is hypocrisy to argue that such choice can be provided while cutting the capacity of the NHS or diverting money to subsidise the 5 per cent. who are rich enough to buy their own operations. It is not hypocrisy to ask for a further degree of choice while putting in extra capacity, as we are doing.

Several hon. Members *rose—*

Dr. Reid: I genuinely must make some progress. Hon. Members will understand that if I do not, the accusation will be made that I have taken up too much time.

I have illustrated some of the compromises that we have made, but I have an important reassurance for hon. Members. Since I became Secretary of State for Health, some colleagues have specifically asked me to reassure them that we will learn from the experience of the NHS foundation trusts set up in the first waves in 2004. Some colleagues have expressed concern that we will not be in a position to learn from the experience of the first NHS foundation trusts before the rest of the NHS can apply for that status. They have asked me to explain our willingness to review and to learn as we go along. I have listened to those colleagues and I want to make it clear that we will of course review the experience of the first waves. Indeed, we will have particular opportunity to do so in the 12 months between the end of the first waves in the autumn of 2004 and the autumn of 2005. We will be able to carry out just such a review in more detail at that time. I will ask the Commission for Healthcare Audit and Inspection, which is of course accountable to Parliament and not to me, to assist me in that review. Obviously, during that period, I would not pass on any new application for a new NHS foundation trust to the regulator. That is the most forthright, succinct and clear indication that I can give to all hon. Members that we are prepared to learn the lessons—the obstacles as well as the opportunities—of the new foundation status as we go along. I hope that that reassures those colleagues who have asked me about that point.

Ms Joan Walley (Stoke-on-Trent, North): I accept that my right hon. Friend is looking to find some way to build on the wonderful work that has been done by Labour in the NHS, but why do we not learn the lesson of the resource allocations working party and the inequalities that there have been in health? I am looking for some assurances about "Agenda for Change". In chapter 8 of that document, it says that foundation trusts will be able to pay their staff far more than other hospitals. That will increase health inequalities, not decrease them. What will he do to ensure that the ability of foundation trusts to poach staff will not undermine the good work that the Government have done?

Dr. Reid: With respect, my hon. Friend is misreading chapter 8. "Agenda for Change" was agreed after two years of discussion with all the trade unions involved. It includes a flexibility to pay staff above the minimum agreed levels, but that does not apply only to foundation hospitals. It applies to all hospitals. If my hon. Friend is saying that some hospitals attract staff because they are perceived to be better than other hospitals—because they are teaching hospitals, have a better reputation or are more convenient—that has not been instigated by foundation trust status. It has always been the case. However, for the first time in the NHS we have an agreement worked out in great detail over two years—largely by my right hon. Friend the Minister of State, and I pay tribute to him—that involves 1.3 million people, from porters and cleaners right up through nurses and doctors. It even includes consultants, who for the first time have signed a contract to pledge a significant increase in the amount of face time that they have with NHS patients.

Mr. Andrew Lansley (South Cambridgeshire) *rose—*

Dr. Reid: I will give way to the hon. Gentleman because he has long been a supporter of foundation trusts. I trust that he will vote with us tonight.

Mr. Lansley: I will vote as I did on 8 July. The Secretary of State should listen carefully to the hon. Member for Stoke-on-Trent, North (Ms Walley). Addenbrooke's hospital in my constituency will be in

the first wave of foundation trusts. It wants to implement "Agenda for Change" and it knows that as a foundation trust it will be an early implementer of the new funding flows. It will get additional money to implement "Agenda for Change" at an early stage.

Dr. Reid: I congratulate the hon. Gentleman on the performance of his local hospital and on the support that he has given it in its quest for foundation status. I am sorry that his promotion means that he is in a straitjacket when it comes to voting tonight for what he believes in. I am sure that my hon. Friends will remark on the discipline that has been imposed in the attempt to inflict a defeat on the Government tonight. Perhaps they will bear that in mind. I am afraid that I have to correct the hon. Gentleman factually. It is not necessarily the case that foundation hospitals will implement "Agenda for Change" prior to everyone else. We are working on the guidelines on that point at present. *[Interruption.]*

I will try—if I can do so through the noise from Opposition Front Benchers—to sum up our position tonight. We face an important, crucial and controversial—because it is radical—vote in the House.

Mrs. Joan Humble (Blackpool, North and Fleetwood): Will my right hon. Friend give way on the subject of his important announcement?

Dr. Reid: If it is an announcement that my hon. Friend will support the Government tonight, I will gladly give way.

Mrs. Humble: I thank my right hon. Friend for giving way. Will he clarify the important statement he made a moment ago about reviewing the first waves of foundation hospitals before making progress? He used the plural "waves", so can he clarify how many hospitals will be involved and whether he will come back to the House with a report before making an announcement about more foundation hospitals in the future?

Dr. Reid: It is anticipated that the first waves will start in 2004 and will consist of two parts. One has already been publicly announced and includes 29 hospitals, falling to 25. The second part will include 30 hospitals or fewer, so the round figure is about 50. As for reporting to the House, I have always made it plain that we will review the situation as we go along, because it is the study of modern society that has led us to the conclusions we have reached about the need to give patients better information, quality, power and choice and, therefore, the need to decentralise. It would therefore be wholly contrary to our approach and intuition to say that we shall plough ahead irrespective of any obstacles or difficulties we encounter. We are prepared to review as we go along.

My hon. Friend is right, however. As I said, there is a period of approximately 12 months between autumn 2004 and autumn 2005 in which it would appropriate to carry out a specific review of what is happening. I shall ask CHAI to assist in that review. The commission, which is established under the Bill, is responsible and accountable not to me but to Parliament, so any report it produces will be presented to Parliament. I hope that that answers my hon. Friend's point.

Several hon. Members *rose—*

Dr. Reid: In fairness, I shall give way to my hon. Friend the Member for Warrington, North (Helen Jones), who has tried to intervene twice.

3.30 pm

Helen Jones (Warrington, North): I am grateful to my right hon. Friend. Will he clarify the remit of any such review? Will it include the effects of the change on the whole health community and not be only a review of foundation trusts?

Dr. Reid: My hon. Friend tempts me to hold a review of the workings of the whole system, which is neither what I said, nor what I intend. We are instigating one of the most radical transformations within the NHS, but that is only a part of a much wider agenda. One of our problems all along has been that foundation trust status has not been put in context. When it is seen in the context of the vast increase in capacity and of the reform of the system as a whole—in particular, reversing the NHS engine and navigation system away from central diktat and toward giving patients the sort of power that they have previously had only in the private sector—it is easier to understand why we have to decentralise.

This is a radical move, so we are duty bound to investigate and oversee the changes as we proceed. I have said that, to reassure colleagues, I shall, in the period between autumn 2004 and autumn 2005, call in assistance to examine the difficulties, challenges and experiences of the early foundation trusts, which will be to our benefit and enable us better to drive forward improvements in the NHS. To assist, I shall call in CHAI, which is responsible to Parliament, not to me. I think and hope that that will give a great deal of reassurance to many of our colleagues, who have continually asked us to reassure them that we will not proceed willy-nilly, regardless of experience.

Several hon. Members *rose—*

Dr. Reid: If my hon. Friends will forgive me, I really have to draw my remarks to a conclusion. The Minister of State, my right hon. Friend the Member for Barrow and Furness (Mr. Hutton), and I will be more than happy to respond to points raised during the debate. For now, let me take a last few interventions, so that no one is offended.

Mr. Gordon Prentice (Pendle): I do not think it is right to experiment on so many NHS trusts. It does not satisfy me at all that a huge number of trusts are to be subject to audit. My question is this: given that this is such a radical transformation, why is it not possible to pilot the scheme in a small number of trusts across the country?

Dr. Reid: First, we would still need legislation to do that. Secondly—I say this with all due respect to my hon. Friend—when it was first suggested that we might carry out a limited number of pilots, we were

[Dr. Reid]

immediately accused by my hon. Friend of creating a two-tier health system. I accept it as a consolation of my job that, in a sense, we cannot win. If we pilot in a small number of trusts, we are accused of privatisation or creating a two-tier system; if, for the sake of equity, we propose that the entire service be affected, we are told that that is far too radical a plan for a timid beast like the Labour party to contemplate. When we formed the NHS, it was a radical vision of amazing proportions and, of course, it involved risk. There is a degree of risk in everything—I do not deny that for a minute. That is precisely why we shall proceed with a degree of caution and in waves, and why I have reassured my hon. Friends that I shall genuinely examine the experience of the early trusts. However, I am not prepared to go back to the beginning and say we shall allow only 10 foundation trusts to be created, and have all the arguments about equity again.

Several hon. Members *rose—*

Dr. Reid: I will give way, first, to my hon. Friend the Member for Birmingham, Northfield (Richard Burden), then to my hon. Friend the Member for Halifax (Mrs. Mahon), who has been trying to intervene for a while. Then, I must conclude.

Richard Burden (Birmingham, Northfield): May I take my right hon. Friend back to the issue of membership? I am one of those who have doubts about aspects of the proposal without necessarily endorsing some of the more cataclysmic opinions that have been expressed about foundation trusts generally. However, if foundation trusts are to achieve the objectives that he has stated, is it not vital that their membership base be as wide as possible? He says that there will be an amendment that will allow foundation trusts automatically to accept patients and staff as members, unless they opt out. I welcome that, but I am worried by the wording, which is that the trusts may do so. Will he make it clear that, unless people opt out, automatic membership will be expected, and that membership will not be something that they can opt in or out of, as they see fit?

Dr. Reid: I entirely agree with my hon. Friend that there is a problem. There is no doubt about that. That is one of the risks involved. Having listened to my hon. Friend and other colleagues, we have decided that for patients and staff it will be an opt-out procedure. In other words, there will automatically be a reasonably representative basis of staff and patients from the beginning to stop particular groups, political or otherwise, trying to gain control of an asset of the local community and of the nation for their own benefits.

On the question of extending the idea of opt-out to the whole constituency, I am sure that my hon. Friend will understand that there are some places where the local constituency may be huge. Therefore we have not compelled trusts so to do. However, we have said that we would expect them, unless there are very good reasons not to, to follow the same procedures of opt-out as would otherwise be the case. We shall examine carefully whether they have such reasons.

Mrs. Mahon: My right hon. Friend and I were in the House when an experiment was carried out in Scotland to decide whether to impose the poll tax, with disastrous results. He has tried to say today that the opposition is coming from a few Back Benchers and the Tories. However, is it not true that most of the unions, staff organisations, workers, the royal colleges, the Society of Radiographers, physiotherapists, the general public in the latest poll—61 per cent.—pensioners, including Halifax pensioners, and the King's Fund are opposed to the proposed experiment? Has my right hon. Friend ever heard of the expression, "Everybody is out of step except our Johnny"?

Dr. Reid: It is true, to name a few, that the British Medical Association, consultants, the House of Lords, the Tories, the Liberal and Democratic party and some of the royal colleges—*[Interruption.]* Yes, and some trade unions. It is true also that every group that opposed the formation of the NHS is opposed to the proposal. Incidentally, all of these groups, with the exception of the trade unions—I will come to them in a moment—were opposed to Nye Bevan when he introduced the NHS in the first place. The trade unions, through the Labour party conference and in other ways, have expressed their opposition. That does not necessarily reflect the experience of staff when we are speaking for staff throughout the country. As my right hon. Friend the Prime Minister said the other day, when the trade unions invited him to speak to their political committee, and when I have invited trade union leaders to come with me to talk to staff in hospitals, we have not found rampant opposition to letting staff get on with the job themselves.

When "foundation trust" is understood by the public and the staff—let us be honest, there is often a bemused audience listening to our debates on radio and television about the term "foundation trust"—and once the term is explained to them, the vast majority of them think that it is a good idea, provided that it is part of a bigger system of change, provided that the founding values of the NHS are retained, and provided that they understand that the NHS will embrace within it the foundation trust, which will remain an integral part of the NHS.

I do not accept what my hon. Friend is saying, but I accept that, despite the controversy, some Opposition Members have been so deeply interested in the NHS—incidentally, they can hardly muster two or three questions—that they will be present, every one of them, to vote against the Government this evening. I know that in practice they will be voting against what they say and what in theory they support. The Liberals will be voting against decentralisation. The Conservatives will be voting against choice—real, substantial choice for patients in the NHS. I believe that their position is marked by a degree of opportunism and a degree of hypocrisy. I do not blame the Conservatives for that. I would go so far as to say that it is exactly what I would expect of the Conservatives.

If, however, any Member on the Labour Benches is looking for guidance or inspiration, or a swithering on the vote this evening, I merely ask them to look across the Chamber. Look at the Opposition. Remember what they did to the national health service when they were in power. Think what they will do if they ever get back into power. However sincere Labour Members might be, they should remember what is represented by those with whom they would walk into the Lobby tonight. Whatever position we take, I do not believe that there is any degree of coalescence with the Conservatives. If Labour Members vote against the Government tonight, they will be harming not only the NHS but our Government, by marching into the Lobby with the crowd opposite, who have no commitment to improving the health service. I ask the House to support the Bill and a Government who take pride in the past of our national health service and who have faith in its future.

Mr. Yeo: I draw attention to my entry in the Register of Members' Interests. I am delighted to have this early opportunity to debate such an important aspect of the Government's health policy so soon after taking on my new responsibilities. As it is the first time that I have debated with the Secretary of State, I should like to be as charitable as I can, although he has taken up well over a third of the time available for debate and left unanswered almost as many questions as there were before he stood up 45 minutes ago.

The key to what the Secretary of State thinks about the issue was revealed in the last minute or two, when it was plain to anyone in the Chamber that his concern about how the vote goes this afternoon is not about what that vote will do to patients or the national health service, but about what the vote will do to the Government and his position in it.

The Secretary of State raised a great many issues in his speech, some of which were somewhat tenuously related to the subject of the debate. I shall deal with those on another occasion. He frequently resorted to ludicrous allegations about the intentions of the Conservatives—intentions that we have never had, will never have and do not have now. Let me place on record the fact that I and the whole Conservative party are totally and unequivocally committed to the founding principle of the national health service—that care should be available to all free at the point of delivery, based on patient need and not on ability to pay.

Mr. Jon Owen Jones: Will the hon. Gentleman give way?

Mr. Yeo: In a moment.

I regret that the Secretary of State does not have and never will have the advantage that I and other hon. Members representing English constituencies have. We can see at first hand the results of his Government's policies on our constituents. We can learn from our constituents who are patients worried about their treatment, and from our constituents who are doctors and nurses and who speak to us of their frustrations as a result of the constant interference that they suffer from the Government. It is particularly unfortunate that as a Scottish Member of Parliament, the Secretary of State is trying to impose on England arrangements for hospitals that will not apply in Scotland.

The Secretary of State faces the debate this afternoon because he has failed to convince not just Conservatives and Liberal Democrats, but many in his own party and many people of no party about the merits of the Government's policy.

Andy Burnham (Leigh): The hon. Gentleman is making a point about members of his party. Does he agree with his Front-Bench colleague, the hon. Member for South Cambridgeshire (Mr. Lansley), who stated last week:

"It would be perverse to block a step in the right direction"?

Mr. Yeo: I agree absolutely with my hon. Friend. He and I are at one on the matter. If the measure were a step in the right direction—I shall explain in a moment why it is not—we would, of course, support it. If the hon. Gentleman studied what my hon. Friend said at many stages in Committee, he would see that my hon. Friend was pointing out exactly the areas where the policy is going wrong.

3.45 pm

The Secretary of State's failure to persuade people of the merits of the Government's policy has cost his right hon. Friend the Minister for Sport and Tourism a chance to support England's splendid rugger team in Saturday's world cup final in Sydney. *[Interruption.]* I hope that he is back. For the sake of the taxpayer, I hope that yanking Ministers back from Australia in an attempt to save the Government's bacon in the House of Commons does not become a habit.

Dr. John Reid: First, will the hon. Gentleman confirm that the Conservative party has brought the hon. Member for Bournemouth, East (Mr. Atkinson) back from China? Obviously, he is unaware of that; I am slightly ahead of him. Secondly, will he explain why I cannot be objective about people in the health service, although I visit them constantly and am on their side, whereas he can apparently be objective about old folks and residents in care homes despite the fact that he is a director of care homes?

Mr. Yeo: That is a very obscure intervention. I have not been discussing with my Whips the whereabouts of my hon. Friends, which is not a matter of concern to me. I have been considering the merits of the case that is before us this afternoon, which the Secretary of State seems singularly reluctant to address. The point that I want to make about his position as a Scottish Member of Parliament is that however disastrous the effects of the policies that he may be following are on the national health service, his constituents will not have to face those consequences.

Tony Baldry (Banbury): Does my hon. Friend accept that I gladly flew through the night from Sierra Leone to vote against the Government today because this is a totally iniquitous proposal? Poor star-rated trusts such as Oxford Radcliffe will never get foundation hospital status. The Bill ensures that unto those who have shall be given, while from those who have not shall be taken away even that which they have. That is the policy on the NHS under this Government.

Mr. Yeo: My hon. Friend eloquently anticipates the point that I was about to make. I am delighted to have his support. I say clearly that the Conservative party is opposed to this group of proposals on grounds of principle. In their present form, their effect will be to damage the national health service, not improve it.

Mr. Weir: The hon. Gentleman said that the policy had no impact in Scotland, but it has an impact in Scotland and Wales as their health service spending is determined by the Barnett formula, which depends on public spending in England. The Bill means that there will effectively be private health spending in England, which will affect Scotland and Wales. That is why we are voting against it.

Mr. Yeo: I think that I shall let the hon. Gentleman pursue that point in his own time.

As the hon. Member for Wakefield (Mr. Hinchliffe) pointed out—I was going to call him my hon. Friend, as he was my shadow counterpart about 10 years ago and we had many happy debates in the Chamber and outside—the proposal has emerged with a minimum of consultation. There was no sign of a White Paper and no mention in an election manifesto. Indeed, when the policy was finally debated at the Secretary of State's party conference this year, it was defeated.

Opposition Members would very much like to be able to support the Bill. In this House and the other place, we have made strenuous efforts to improve the measures that it contains. We have often done so with the co-operation of the Liberal Democrats and other minority parties, and in the House of Lords we did so with the co-operation of many Cross Benchers. During that process, the Government have conceded a number of points, but despite those concessions the House of Lords did not feel able to support clause 1. The fact that it reached that conclusion is not really so surprising because many other people and organisations have expressed their concern. The hon. Member for Halifax (Mrs. Mahon) referred to some of those organisations, which include the King's Fund, the British Medical Association, the Trades Union Congress, the Royal College of Nursing, Unison, the Society of Radiographers, the Transport and General Workers Union, the GMB and many others that the Secretary of State attempted to tarnish by saying that they had all apparently opposed the creation of the NHS 54 years ago.

Hugh Bayley (City of York): Will the hon. Gentleman give way?

Mr. Yeo: In a moment. The next point concerns the Secretary of State's remarks about his own Back Benchers. On this morning's "Today" programme, he sounded as if he was almost attacking his colleagues for contemplating voting against the Government. The truth is, as he should know, that those Members who are courageously thinking of opposing this clause are standing shoulder to shoulder with their constituents because they can see the damage that the Bill will do to them in its current form. Those who put the interests of their constituents first will enjoy the respect of this House, and of those whom they represent here.

We oppose the amendments—reluctantly, as I have said—for two reasons. First, they will harm those hospitals that do not receive foundation trust status. To begin with, that means the vast majority of the hospitals that our constituents use every day. Secondly, the foundation trusts established by the Bill will themselves be heavily burdened by a management structure that is muddled, confusing and expensive; by a star-rating system that distracts doctors and nurses, and sometimes prevents them from treating the patients most in need of their care; and by a regulator that, far from being independent, will be little more than a creature of the Secretary of State, with sweeping powers to direct foundation trusts' activities.

Mr. Stephen McCabe (Birmingham, Hall Green): Can the hon. Gentleman estimate how many NHS hospitals would be damaged by his policy of siphoning off money and giving it to private practice?

Mr. Yeo: I regret giving way to the hon. Gentleman. Such a tired old allegation is completely irrelevant to the important matters that the House has a limited amount of time to consider this afternoon.

There is no doubt that the clause will create a two-tier health service. The chairman of the British Medical Association council said:

"I am in little doubt that the establishment of foundation trusts will . . . exacerbate inequalities in the NHS."

Dr. John Reid: Will the hon. Gentleman give way?

Mr. Yeo: In a moment. Let us be clear: for several years, most of the hospitals that serve our constituents will not have foundation status. Only a handful—25—will qualify in the first instance, and the privileges obtained by them will be paid for by other, less fortunate hospitals.

Dr. Reid: I wanted to intervene because I was so moved by the hon. Gentleman's passion for eradicating inequalities in health care. Now that he has put the onion away, can he explain to the House how taking money out of the national health service and giving it to those who can afford half the private cost of a heart bypass—£10,000—so that they can jump the queue quicker, would increase equity in the health service?

Mr. Yeo: Given the Secretary of State's lamentable performance in defending his own policies this afternoon, I look forward with relish to debating the Conservative party's proposals on the future of the health service at the appropriate time. There is limited time this afternoon to deal with issues that are of great concern to Members on both sides of the House, so I shall address the subject covered by the amendments.

In terms of the two-tier service, the victory that the Treasury scored over the Department of Health last year has particularly damaging consequences, because borrowing by foundation trusts will count against the Department of Health's overall totals. By making investment a zero-sum game, the Secretary of State has ensured that extra investment by foundation trusts will impoverish non-foundation trusts now, and for a considerable time to come. He claimed this morning

that all national health service hospitals will gain foundation trust status within four years, but the question arises of whether that claim has been cast into doubt by what he has just said about a review of the first wave's performance at the end of 2005. In any event, four years is a long time for hospitals to languish in the second division, especially as, by definition, it is the weakest hospitals that will do so. Therefore, under the Secretary of State's plan, the hospitals that most need new investment will be the last ones to get it.

Another serious flaw in the clause concerns the nature of the foundation trusts that the Bill will establish, if it is passed. I have a long-standing interest in the role of independent hospitals. *[Interruption.]* Yes, it is a subject of which I have considerable direct experience having been chairman for eight years of the charitable trust that in 1983 took over the management of a former NHS hospital, Tadworth Court children's hospital.

That hospital, once the country branch of the Hospital for Sick Children, Great Ormond Street, faced closure in 1982. I led a successful campaign to keep it open, at the end of which an independent charitable trust was established to run it. Twenty years later—if the Secretary of State is interested in this rather important example of what a genuinely independent hospital can do—that children's hospital is vibrant, thriving and greatly expanded. I visited it last Friday in preparation for this debate. It is responsive to patients' needs, innovative in the services that it provides and outstanding in the quality of care that is offered by its professional and other staff to many children and their families.

The crucial ingredient in that remarkable success story has been the independence that the doctors, nurses and management have enjoyed—independence that, alas, foundation trusts are not granted by the Bill. Even though a Downing street press notice on 9 October 2002 suggested that foundation hospitals would be

"fully independent from Whitehall control"

under the Bill, foundation trusts will be as constrained in almost all respects as existing NHS trusts, prompting the Office for National Statistics to rule:

"NHS Foundation Trusts will be classified in the public sector as central government bodies. The same classification now applies for NHS Trusts."

The ONS concluded:

"This set up has similarities with the model adopted for Network Rail"—

not a happy precedent.

Under the Bill, foundation trusts are burdened with governance arrangements that are complex, confusing, ill defined, expensive and time consuming to operate. As much as £250,000 a year may be spent by each hospital in defining constituencies and running elections. The time and attention of doctors and managers will be diverted from patient care. There is a risk that foundation trusts may fall prey to pressure groups. As the hon. Member for Vauxhall (Kate Hoey) pointed out, it is not clear why the Government have chosen to address their concerns about governance to providers rather than to commissioners.

There are many other reasons for opposing the Bill but, in the interests of allowing other hon. Members to take part in the debate, I make one final point. Some people have suggested that, because certain features of foundation trusts proposed by the Government have a resemblance to our policies, we should not oppose the Bill but let it pass in its flawed state, with the intention of correcting those flaws as soon as we have the power to do so. That is a superficially tempting argument but it does not wash for two reasons.

First, as I have said, the Bill in its present form is a step in the wrong direction. It makes matters worse, not better. Secondly, the health service has been through many reorganisations in recent years. The Government now propose another upheaval. For us to encourage or even to condone that in the certain knowledge that, two years from now, we would have to impose yet more change to put right what Labour is doing would be grossly irresponsible.

The Bill does not provide reforms that will improve the NHS. It does not give hospitals the freedoms that they deserve. It creates a dog-eat-dog culture in the NHS. It is opposed by a formidable array of professional and other bodies. This debate and the vote that will follow it is almost certainly the last chance to block a proposal that, in their hearts, a majority of hon. Members on both sides know is wrong. Rejecting clause 1 will give the Government a chance to reconsider and to listen to the many voices pleading for change. They could then return to Parliament in the new Session with a Bill that does not divide the haves from the have-nots, and that gives foundation trusts genuine freedoms for the benefit of patients and their families. I urge the House to vote against the motion.

Several hon. Members *rose—*

4 pm

Mr. Deputy Speaker (Sir Michael Lord): Order. Before I call the next speaker, I remind the House that Mr. Speaker has placed an eight-minute limit on speeches by Back-Bench Members. That applies from now on. I call Mr. David Hinchliffe.

Mr. Hinchliffe: This is the first debate to which I have contributed since my right hon. Friend became Secretary of State for Health, and I wish him well, genuinely and sincerely, despite the somewhat unfortunate circumstances. I praise him for some of the steps that he has taken. He has made positive progress in the short time that he has been Secretary of State.

I also extend greetings to the hon. Member for South Suffolk (Mr. Yeo) and his new team. We tangled many moons ago, and I wish him well in his work. I am sure that his background and experience means that we will have some excellent debates. I also extend good wishes to the hon. Member for Sutton and Cheam (Mr. Burstow), the new Liberal Democrat spokesman. He, too, has a good track record on health issues.

I begin with an apology to my right hon. Friend the Minister for Sport and Tourism, who has had to return from the rugby union world cup. I am pleased to say that he is in the Chamber. Having seen the quality of some of the matches, some of us think that we have done him a great favour in getting him back. He is well aware that Great Britain meets Australia in the third rugby league

[Mr. Hinchliffe]

test on Saturday. At least the players in that code can string three passes together without dropping the ball, and they can also score the odd try.

In the limited time available to me, I want to make a few brief points about my concerns, and to repeat what I said when I intervened on my right hon. Friend in respect of the constitutional aspects of the handling of this matter. I think that he conceded that lessons should be learned from the way that the House has been bounced into a policy which, as everyone can see, has not been thought through properly. I welcome that.

I have been a member of the Labour party for almost 40 years—I know that I do not look that old. I have always been proud that the party has had democratic processes for policy development. Policies were discussed at branch and constituency level, and at conference. However, this policy was discussed at conference only this year, when a pretty clear decision was taken. I understand why the Lords should have some grievances about the way that the matter has been handled, as there has been no proper scrutiny in this House. No Green Paper or White Paper was published, and hon. Members have had no way to monitor the policy's likely effects apart from a brief inquiry conducted by the Health Committee.

I do not want to labour the point, but a number of Labour Members are aggrieved that the Bill has been able to pass through this House thanks only to the votes of hon. Members whose constituents will not be affected by foundation status. That concerns a lot of people, both in the House and outside it.

I want to repeat my key objections to the policy. I believe that it represents a return to a market ethos and to competition. We do not need to have this review; if we turn the clock back a few years, we can see exactly what happened under the internal market introduced by the Conservative Government. The same processes will be apparent and they will lead to there being winners and losers. Some Labour Members will support the Government's policy because they have hospitals that will apply for foundation status in their constituencies. They are not looking beyond their immediate areas and they are not considering the policy's effect on the wider NHS in their part of the world. That worries me.

The policy is a departure from the Government's previous aim—that the NHS should be primary care led. That policy direction was very successful. A weakness evident since the inception of the NHS is that we have allowed it to be dominated by the hospital sector, and by hospital consultants in particular. The Government were brave to move towards primary care trusts. If they were going to consider an innovation in respect of governance such as is set out in the Bill, the obvious place to start should have been at the level of PCTs. My hon. Friend the Member for Vauxhall (Kate Hoey) has made that point on several occasions. I am sorry that the Government have not done that.

I do not think that the governance elements have been thought through. I understand from questions that the Health Committee put to the Secretary of State and his officials a couple of weeks ago that the Government anticipate that the average trust will have about 10,000 members. I calculate that those 10,000 members will represent about one fiftieth of the patients within the remit of individual trusts. I do not regard that as democracy.

Siobhain McDonagh (Mitcham and Morden): Will my hon. Friend give way?

Mr. Hinchliffe: With the greatest respect, given the time that I have got—*[Interruption.]* Okay, my hon. Friend has persuaded me to give way.

Siobhain McDonagh: I thank my hon. Friend for giving way. He castigates the Government for a system of hospital democracy that includes one fiftieth of people in an area. What would he say to me about the fact that nobody in my constituency is on the boards of St. Helier hospital, St. George's hospital or any other hospital or primary care trust that represents them?

Mr. Hinchliffe: I would say what I have said on many occasions, which is that every patient—*[Interruption.]* My hon. Friend has asked a question and she is going to listen to me. Every patient ought to have a right to a vote in their local health service. What the Bill proposes is tokenistic; it is not thought through.

I have spent much of the last few days in my local hospital. I spent Saturday night and Sunday morning in the local casualty department with a member of my family. We are talking about spending £100,000 per trust just to start going in the direction of foundation trusts but, having spent several days this week in the NHS, I must say that there are a lot of other things that I would be spending that money on before that. There will be £100,000 for each foundation trust—£2.5 million for the first 25—and £2.3 million will be the cost of the regulator for one year, so £5 million of scarce NHS money that should have been spent on more doctors and nurses, and on treating people and hip operations—on the kinds of things that are raised in our constituency surgeries week after week—is being wasted on a half-baked idea.

I hope that Labour Members will listen to the Labour party conference—the decision was clear—to their constituents, to their PCTs, and to the voice of local people, and that they will vote against the Government this evening.

Mr. Paul Burstow (Sutton and Cheam): While listening to the Secretary of State's opening speech, it occurred to me that he was having to rely on some of the more basic tactics to try to ensure that Labour Members stick with him tonight. Pressing the class button and suggesting that the House of Lords not agreeing with this House should be a sufficient argument for this House to overturn the House of Lords does not provide a sufficient case that we should not listen to what the Lords have had to say. It is important to bear it in mind that in the debates in the other place it was not just Liberal Democrat, Conservative or Cross-Bench peers who expressed concern about this legislation; it was Labour peers as well. It is important for those who have concerns to keep that in mind when they pass through the Lobby.

The Liberal Democrats do not have an argument with the Government about their underlying analysis and the case for devolution in the NHS. Central control, targets and tick boxes stifle innovation and initiative in the NHS, and one size certainly does not fit the needs of every community and every individual who uses the NHS. However, we do not believe that the foundation trust proposals go anywhere near lifting the dead hand of control from the NHS.

The freedoms that come with this Bill—they are not many, and some of them are illusory when the Bill is studied closely—are earned at a price. It is a high price: it is about hitting Whitehall targets, achieving the star rating, and going through the hoops that Ministers set. There is still control, but it is slightly less clear where that control exists. In truth, freedom is granted at the pleasure of the Secretary of State. That theme runs throughout this Bill, because it applies to both the Commission for Healthcare Audit and Inspection and the Commission for Social Care Inspection. In each and every case, there are powers of direction and control that the Secretary of State may use to make clear what he wants to happen.

Indeed, the Secretary of State looms large in part 1, standing behind the regulator, armed with powers of direction, the final arbiter when deciding whether a trust may proceed to foundation status. We already know that not all trusts will be able to progress at the same rate. The best that the Secretary of State can offer is that it will be four years before all trusts have that status.

The Bill says little about the role of the regulator and how he will exercise his duties, yet decisions taken by foundation trusts will have profound effects on the balance of the local health economy. They will have real effects on the services that people need. In an intervention on the Secretary of State, the hon. Member for Norwich, North (Dr. Gibson) referred to cancer networks. I hope that he was not satisfied with the response that he received, as it gave us no confidence that foundation trusts will do anything but call into question the effective operation of such networks in future.

Will foundation trusts really see themselves as team players in the local health system? Will they be on the side of patients to ensure that cancer services are properly delivered? That is why my noble Friends want to amend the Bill so that it includes a requirement for the regulator to act in a way that is consistent with the National Health Service Act 1977. Lords amendment No. 4 would ensure that there is no ambiguity: the regulator would have to act in a way that ensures equity and safeguards universality of provision in health care services.

It is not good enough for Ministers in the other place and in the Chamber today simply to assert that foundation trusts will use their freedom in conformity with the key NHS principles and that they will not undermine the ability of other NHS providers in the local health economy to meet their obligations. Just putting something on the record in this place is not sufficient assurance. When legislation affecting patient-public involvement was being discussed in the House, Ministers gave numerous assurances that were not honoured subsequently.

It is important that Ministers confirm today that foundation trusts will never undermine other NHS hospitals and that they will never make predatory plans that would take business from another trust and cause it to lose activity. It is important to determine whether we are talking about competition or co-operation in the NHS. If foundation trusts secure freedom to act, it is hard to see how that freedom will not disadvantage the hospitals that are left behind.

Let us consider, for example, the borrowing rules—leaving to one side the question whether private finance initiative projects should count, although I think they should be included in the equation. Foundation trusts will have easier access to capital, but we have heard today that the Treasury has put a cap on the total amount available. The trusts will have to bid for the money in the pot that the Treasury makes available to the NHS. If they are allowed greater flexibility and freedom to dip into that pot, they will disadvantage everyone else. What will be the gains for those involved in the early part of the process compared with those who come later? As we reach the final wave of foundation trusts—although I hope that we do not—when everyone has that freedom, there will be no difference in terms of access to capital funds but there certainly will be a difference during the early phases.

There are questions about staffing. The Secretary of State says that foundation trusts will adhere to "Agenda for Change", but for how long? Nothing in the Bill would prevent foundation trusts from varying their pay and conditions over time so that they can expand their activities.

Tom Levitt (High Peak): Like me, the hon. Member for Cheadle (Mrs. Calton), who is sitting with the hon. Gentleman on the Liberal Democrat Front Bench, supports the application of Stepping Hill hospital in Stockport for foundation status. Does the hon. Gentleman support his hon. Friend's campaign, which I share, for that hospital better to serve the citizens of Stockport and High Peak?

Mr. Burstow: I thought that interventions should pick up on a specific point that a Member was making. That is an interesting point—

Mr. George Stevenson (Stoke-on-Trent, South) *rose—*

Mr. Burstow: Let me deal with the first intervention first.

At this point, there is a Bill before the House. My position and that of my party is opposition to the principle of foundation trusts. The measure has not yet completed all its stages; until it does, I certainly do not support applications for foundation status. That is my position and the position of my party.

4.15 pm

Mr. Stevenson: While the hon. Gentleman is trying to find a way out of the question, will he confront the issue that concerns everyone I have talked to in my constituency in north Staffordshire? They are asking, if the Stockport application goes ahead, and the other

[Mr. Stevenson]

application, too, what effect it will have on North Staffordshire hospital, which will not go ahead. Is he as concerned as my constituents about that issue?

Mr. Burstow: The hon. Gentleman makes a fair point, which is that as we have a series of waves of foundation trust applications, those that get left behind can be washed up and really lose out as a result of the process, particularly when it comes to the ability to bid for capital resources. Those that have the freedom early on will be able to get money out of the pot. Once everyone has the freedom, there is really no difference in terms of the access to that money. The Government tell us, "We have a bigger pot of capital funds available, so don't worry about it." The reality is that this system will allow two tiers to emerge. Whether it is only for a few years or not, that will damage equity within the national health service, which is why we are raising our concerns and will vote against the Government's proposals tonight.

I was talking about staffing within the NHS and the way in which the Government are trying to—

Hugh Bayley *rose*—

Mr. Burstow: If the hon. Gentleman will let me develop this point, I will give way to him.

The Government have said that they will stick to "Agenda for Change", but the point is that in a health care system where trained staff are, and are likely to remain, a scarce resource, the ability to compete on pay and conditions will be a boon to foundation trusts at the expense of patients treated anywhere else in the national health service, and it is not possible for the Government to argue that the other freedoms that will enable them to generate additional activity and additional resources will not be used to enable them to compete more effectively in the labour market locally, to attract staff from other trusts that are not foundation trusts. How can that not be the case? That is not just my view; in the other place Lord Warner, the Under-Secretary of State, said that NHS foundation trusts

"will be able to invest more easily in the delivery of new services, manage more flexibly, reward their staff in a way that is more appropriate to local circumstances and have access to a wider range of options for capital funding.—[*Official Report, House of Lords*, 6 November 2003; Vol. 654, c. 936.]

What can that be other than an ability to act differently from those that do not have foundation trust status? The seeds of a two-tier NHS on capital and staffing are being sown tonight by this legislation.

Kate Hoey: I very much agree with what the hon. Gentleman said in his last few sentences. Does he agree that a more dangerous issue is the fact that chief executives have already been discussing in national health trusts how they would be able to increase their own salary to some very large figure? They will now have the freedom to do that as well.

Mr. Burstow: That is true, but what is really an insult to the House and to the House of Lords is the fact that the Government are driving through their first wave of foundation applications before the ink is even dry on the Royal Assent to the Bill. It seems to me that we should have waited for this matter to be concluded before thousands of pounds and hundreds of hours were invested in taking these proposals to the stage that they have already reached for many applications. That is why, in response to the intervention by the hon. Member for High Peak (Tom Levitt), I do not support this at this stage, and I think it is right for many hon. Members to take that view.

It does not end there. The Secretary of State has said that the Government will reinstate the cap on the ability of NHS foundation trusts to pay more. The Bill as drafted leaves it up to the regulator to decide whether he will place any limitation on the amount of private work a foundation trust can do. It is a power, not a duty, a question of may rather than must, and Labour Members must look at the Bill and be certain what it says. This is a discretion for the regulator. It is not guaranteed that NHS foundation trusts might not do substantially more private work than they are doing now, because the regulator does not have to impose any such limitation.

The Minister of State, Department of Health (Mr. John Hutton): I am very reluctant to intervene on the hon. Gentleman, because I am following closely what he is saying, but I want to make it absolutely clear to the House that he is wrong in the point that he just made. There is no doubt whatever that the Bill requires the regulator to impose a patient cap.

Mr. Burstow: The Bills says "may", not "must". The wording is very clear, and I am sure that, if the Minister gets the chance later, he will take the House through the text and we will see how clear it is. I urge other hon. Members to take a view for themselves and to read the Bill.

At the very least, I hope that the Government will concede that foundation trusts should clearly state in their accounts the costs and income attributable to private activity, because that will also not be covered. That is what Lords amendment No. 29 is all about, and I hope that Labour Members will vote in favour of that as well.

The Government's proposed arrangements offer the prospect of costly sham democracy, which could have unintended consequences. Some of the most powerful speeches on foundation trusts in the other House were made by Labour peers. For example, Lord Lipsey warned that the governance arrangements would embed politics in the management of our hospitals. We should take that point into account.

I started by saying that Liberal Democrats agree with the need to free the NHS from the dead hand of ministerial interference, but the proposals will not achieve that. We need much more local control over the NHS, but we need to focus on PCTs and the commissioning side. Those who commission health care must be responsive to local needs. The commissioners should be democratically accountable. That is why we believe that the argument should be about democratic

health care commissioning. I refer, in particular, to the remarks of the Labour peer Lord Harris, who said:

"I believe that a fundamental question must be answered first: why is the emphasis on membership and boards of governors applied to provider trusts—in particular hospitals—rather than to the bodies charged with commissioning, in particular the PCTs? Is there not a serious danger that the new governance arrangements will reinforce, if not fossilise, the traditional provider domination of the NHS, when what we should be encouraging in a modern health service is a more flexible approach to how services are delivered, led by local needs determined by commissioning bodies devoted to improving public health and reducing inequalities in outcomes?"—*[Official Report, House of Lords, 8 September 2003; Vol. 652, c. 84.]*

Lord Harris was absolutely right to raise that concern about how the Government's proposals could fossilise the traditional domination of providers in the NHS. That is why we on the Liberal Democrat Benches argue the case for democratic local government, not anyone else, to be involved in the control of commissioning.

Hugh Bayley: Earlier in the hon. Gentleman's speech, he made the important point about the need to achieve equity in the NHS, but does he not recognise that there is gross inequity at the moment, with some hospitals operating on four times as many patients per doctor as others? If he rejects market forces, rejects national standards and regulation, and rejects patient and public empowerment as ways to get the poorer performing trusts to perform better, what method would the Liberal Democrats use to drive up standards in the poorer performing hospitals?

Mr. Burstow: The hon. Gentleman seems to have made a speech, and I commend him for taking that opportunity. *[Interruption.]* I want to finish my speech, as I should have thought that one or two other hon. Members want the opportunity to make theirs.

I just want to end with this: it has been made very clear, time and again, in the other place, that there is a strong case for saying no to the foundation trusts proposals. I urge hon. Members to go through the Lobby against the Government tonight. The proposals are the bathtub musings of a former Secretary of State, and they now appear in the form of half-baked legislation. This is the wrong way to try to decentralise and devolve in the NHS, and I hope that hon. Members on both sides of the House who still have doubts about the Bill and foundation trusts will take the opportunity tonight to send a message to the Government. That message is very simple: think again.

Mr. Stephen McCabe (Birmingham, Hall Green): I will endeavour to be brief, because I understand that many other hon. Members would like to speak.

I want to make it clear that I am a passionate supporter of the NHS. I have no private health insurance, and I receive no money from private health organisations. I came here quite simply in 1997 to defend the NHS and to see it rebuilt, but I have reached the conclusion that it has to be modernised; it cannot creak along on the 1948 model. I want it to reflect the needs of the people who use it. That is what is really important. Over a period, a tendency has developed whereby the health service has begun to reflect too much the needs of those who work in it. Important though those needs are, it cannot merely serve those interests—it must serve the interests of the people who need to use it. That is the first thing that I want to happen.

I understand that many of my colleagues have legitimate concerns and anxieties, and I respect the views that they hold. There is a tendency, however, to exaggerate some of those concerns. I had the benefit of serving on the Committee that scrutinised the Bill, and my slight concern is that if we overplay those anxieties we will set our face against any modernisation of the health service, which plays right into the hands of the Opposition. We know that a precondition of their plans is that they must portray the health service as creaking, moribund and useless. If we overdo our criticism of any modest proposals for change, we play into their hands. That is what I am worried about.

What is being proposed tonight, with all the qualifications attached and compromises offered by the Secretary of State, is a little bit more autonomy for local hospitals—a lot less than we happily give to chief constables—

Kate Hoey: We didn't need an Act to do that.

Mr. McCabe: I hear my hon. Friend, and I have had the benefit of her running commentary for the past hour and a half. I hope that everyone else will get to hear at least some of her views in the course of the debate.

The Bill will give local people, patients, staff and partnership organisations a real chance to have a say in the setting and the direction of the trust. That seems to me the right thing to do. It is a small step, in my judgment, towards a less bureaucratic, costly and centralised health service, which is the right thing for us to do. Contrary to the views of the hon. Member for Sutton and Cheam (Mr. Burstow), the proposals, for the very first time, put a cap on private work.

I recognise that there are concerns and that people are anxious. My point, however, is that we do not have a uniform health service now—anyone who believes that we do is kidding themselves. What we are trying to do is provide a little bit of autonomy as an attempt to move forward. We are building in safeguards: the Bill demands safeguards on partnership and sets out a duty of co-operation. The fears that some people have are exaggerated. My fear is simply this: every Labour Member who goes through the Lobby with the Leader of the Opposition tonight is pandering to the Conservatives. Every ex-Minister on the Labour Benches who demanded loyalty and support when they were holding their ministerial portfolio should think about why it is so difficult for them to show some loyalty in return tonight.

Mrs. Mahon: The hon. Gentleman voted a different way from me on the war in Iraq, and he went through the Lobby shoulder to shoulder with Conservative Members.

Mr. McCabe: My hon. Friend is absolutely right. On the issue of Iraq, I was not aware that we were actually discussing the future of the health service. On the issue of Iraq, there were cross-party positions in the House. My point is that there is a clear Conservative agenda to

[Mr. McCabe]

run down and denigrate the health service and to prevent modernisation and reform, because that is a precondition of the Opposition's policies.

Dr. Desmond Turner: May I remind my hon. Friend that there is also a very clear Labour agenda on the national health service? It was expressed by our party conference, and it is not foundation hospitals.

4.30 pm

Mr. McCabe: I should point out to my hon. Friend that I was also at the conference and I remember the constituency vote.

Mr. Jon Owen Jones: On the subject of marching shoulder to shoulder with the Tory party, I for one did not vote with Opposition Members on Iraq. However, I think that they have learned a lesson. Had they behaved on the issue of war with Iraq in the way that they are doing now, they would have defeated this side. They have learned that lesson, and they are putting it into practice now.

Mr. McCabe: Most people will recognise that that is absolutely the case. I simply make the point that there are people here who rightly expected loyalty when they held ministerial portfolios. I respect people's views and I accept that some people hold different views from me.

Clare Short: Will my hon. Friend give way?

Mr. McCabe: How could I refuse?

Clare Short: Labour has a big majority in the House of Commons, and I never asked anyone in our party for blind loyalty. I wanted to listen to them and for us to act together according to our values. That is what we should do today.

Mr. McCabe: I should make it clear that I have enormous personal respect for my right hon. Friend. If she has changed her view on this matter, I respect that. However, on the last vote, she did not vote for the policy because she was confused about the time of the vote, not because she was against the policy. That is the position, and I have to make it clear to her.

Clare Short: On a point of order, Mr. Deputy Speaker. I am sure that my hon. Friend would not want to mislead the House. I voted against this matter when it was last before the House.

Mr. Deputy Speaker: That is, no doubt, a matter of record for the House.

Mr. McCabe: I am very grateful for that correction. I was simply referring to my right hon. Friend's quotation in the newspaper. I might have the wrong quotation, but I recollect that we voted once on the matter on Second Reading, but there we go.

My point is that we have a choice, but if we go through the Lobby with the Leader of the Opposition, we shall be doing so with a man who has described the NHS and the people who work in it as a Stalinist creation. That is what he thinks about it; that is what the Conservatives believe in. I do not want any part of that.

Mr. Kenneth Clarke (Rushcliffe): I must admit that I had some hopes of the new Secretary of State when he took over his responsibilities. I thought that he would continue in the direction of reform and modernisation that has just been welcomed by the hon. Member for Birmingham, Hall Green (Mr. McCabe). Since the Labour party first came to office—after a rather regrettable two years of reaction under the right hon. Member for Holborn and St. Pancras (Mr. Dobson), of which he is proud—it has moved steadily in the direction of combining finance for the health service with radical reform. I thought that the Secretary of State might take that forward.

It is therefore a matter of considerable regret that, at a comparatively early stage in the Secretary of State's period of office, he has got himself into a terrible mess on the agenda of reform. He finds himself in a difficult debate before the House, defending a dog's breakfast that seems to have brought against it an amazing combination of opponents. It is not often that the hon. Member for Wakefield (Mr. Hinchliffe) and myself are on the same side in a health debate, but we both think that what the Secretary of State has produced is nonsense and that he should go away and think about it again.

Let me assure the Secretary of State and the hon. Member for Wakefield that I remain totally committed to the idea of a free national health service that is based on equal access to treatment for all patients and financed largely out of taxation, and I will not waiver from that. For more than 20 years, I have been accused, as has my party, of having a secret agenda to undermine that, but our entire period of office demonstrated that we never moved one iota in that direction. I will be bitterly opposed to any suggestion that we should move in that direction now. I do not believe that we will.

The principles underlying reform should unite certainly those on both Front Benches in this House. We all now profess a belief in patient choice. Far be it from us to dwell on the bitter opposition to that proposition that the Labour party used to evince. We all propound the benefits of diversity of provision of health care from the public, private and voluntary sectors. I echo what my hon. Friend the Member for South Suffolk (Mr. Yeo) said, as I was the Minister of State who saved Tadworth Court and allowed it to go the private trust. It is a demonstration of how what was described as a failed hospital has now become a beacon of excellence because of the way in which an independent trust was able to develop it. We actually believe that with properly directed patient choice, a certain amount of competition among providers will lead to improvements to the quality and efficiency of the service.

Foundation hospitals could have marked a considerable step forward, and at times I thought that they would. I regret that I have not looked up my voting record but I think that I abstained when the measure

came before the House in July. I shall not speak for my hon. Friend the Member for South Cambridgeshire (Mr. Lansley), who I am glad to say is our new shadow spokesman on health, but I suspect that he would have been considerably embarrassed if the Government had introduced measures to give effect to the local independence, liberalisation of the service and decentralisation that the Secretary of State said formed such a key part of his proposals. In fact, however, the Government have not persuaded people who believe in those things.

Many Members of the House of Lords would have moved in favour of the Government if they had delivered on what appeared to be the objectives of foundation hospitals. They would lose many Conservative opponents today—they might lose the lot of us—if they introduced genuine decentralisation for foundation hospitals, because we would support them. However, they have made half-baked concessions to the Labour Members who have been intervening on speeches for the past two hours, so they have wound up with the worst of all possible worlds. The Bill will not create an important new type of institution with the ability to exercise more local control in the service. It will create a body with a strange construction that will be even sillier than Network Rail, which is a precedent for the non-profit-making and accountable bodies to which the Labour party seems to be converted. The Government have not satisfied the dinosaurs who want to go back to the old NHS, and they certainly have not satisfied sensible reformers here, in another place, or in bodies such as the King's Fund, which is totally non-political and would certainly support any sensible modernising agenda.

Other hon. Members want to speak and share my frustration, so let me say why the Government have failed to win support and why I am convinced that the measure must be opposed. We must consider the role of the regulator. The Bill is covered with the regulator's constraints over the powers of new foundation hospitals. The regulator will have considerable control over their borrowing. I have some sympathy with the previous Secretary of State, the right hon. Member for Darlington (Mr. Milburn), who first introduced proposals for foundation hospitals. He lost the same battle with the Treasury that I lost when I was planning the precursors of NHS trusts. I wanted the most successful parts of the service to have the freedom to borrow and raise capital so that they could respond to rising demand. The Treasury turned me down. When I got to the Treasury, as Chancellor, I found that the Government were so battered over reform that no one wanted to change the system any more, so I was not able to reverse the decision. *[Interruption.]* The Labour party was accusing us of privatisation at the time, so my successor as Secretary of State for Health did not dare say that hospitals should be allowed to go to the private markets, because the present Secretary of State would have been in the vanguard with the hon. Member for Wakefield saying how dreadful it would be to privatise the service in such a way if that had happened.

The right hon. Member for Darlington had a go, but he failed. If hon. Members look at the way in which the new foundation hospitals will be constrained when raising capital, they will see that the situation is a complete nonsense that is made worse by the fact that when they get approval to borrow and make capital investment, it will be at the expense of the rest of the national health service. That point has been repeated by hon. Members on both sides of the Chamber, but the Secretary of State has not responded to it.

The cap on income from private practice is reminiscent of Barbara Castle. I cannot understand why on earth NHS hospitals should not be allowed to raise more income by attracting private practice and why doctors who carry out such practice should not do that in the NHS hospitals in which they work—it is a ridiculous constraint.

After listening to the debate, I do not understand quite how constrained the hospitals will be by national pay agreements. It seems that if a left-wing Member makes an intervention, the House is assured that hospitals will be bound by "Agenda for Change" and national pay terms and conditions, but if a Conservative or Liberal Member makes an intervention, there is a suggestion that they may move away from that a little. The NHS should not be in a straitjacket of national terms for pay and conditions regardless of regional and local needs. The management of the service would be improved if foundation hospitals had more discretion.

I do not have time to deal in detail with the elected boards of governors, but they are an appalling idea. With a membership that has yet to be defined, they will be elected on a tiny turnout. They may be dominated by the trade unions, or the membership will vote for local party politicians or various special interest groups, such as pro-life groups. That is not democracy. It is a ridiculous way to establish a system of governance for a local service.

I agree with those who say that we are too obsessed with hospital management. The commissioning side of the service—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman has had his time.

Mr. Frank Dobson (Holborn and St. Pancras): Unlike the Conservatives and the Liberal Democrats, many Labour Members have been against the foundation hospital proposal from the outset. We believe that it will be damaging and divisive, not just for the NHS, but for the Labour party as well. Events have borne out what we have said from the start. Nothing significant has changed since foundation hospitals were announced. My right hon. Friend the Secretary of State's proposal to revert to the original proposition of 25 foundation hospitals followed by another 30 without extending that opportunity to every hospital automatically within four years is a withdrawal of what was originally announced as a concession to those of us who were against the proposal.

A review has been announced, but we should not need it because if the first round of hospitals is not a success, surely no sensible Government will proceed with the second round. It has always worried us that the review will consider only the impact of change on the foundation hospitals, not the possible adverse impact on the hospitals nearby.

[Mr. Frank Dobson]

The principal objection to foundation hospitals is that they are intended to reintroduce competition into the NHS, setting hospital against hospital, as the Tories did under the right hon. and learned Member for Rushcliffe (Mr. Clarke). That proved immensely expensive and damaging for patients. If anyone doubts whether it was damaging, the one academic study on the subject concluded in relation to recovery rates from heart attacks that

"competition is associated with higher death rates."

Nothing is worse for patients than higher death rates.

Foundation hospitals will clearly have more money, which will allow them to poach staff from hospitals that do not have enough money. Ministers have said that foundation hospitals will be bound by the "Agenda for Change" document, chapter 7 of which sets out additional freedoms for NHS trusts to negotiate local arrangements, to have special bonus schemes and benefits, and to award recruitment and retention premiums above 30 per cent. of basic pay. They can do all of that without referring to anyone else. Ministers have said that other hospitals may be able to do that, but it would be possible only with someone else's permission. That is the substantial difference.

Foundation hospitals will be given the power to determine their priorities and strategies. No longer will they have to reflect the priorities and strategies that we have said should be laid down by primary care trusts. They will, indeed, become cuckoos in the nest, which will be very damaging. That is why most Labour MPs, the Labour party conference, most people who work in the NHS and the organisations representing them have rejected the concept of foundation hospitals. The major trade unions have rejected it, as have most of the professional bodies, including the British Medical Association, the National Health Service Consultants Association and the Royal College of General Practitioners. Ministers tell us to ignore them because they are, they say with disdain, "producers". That reminds me of Kipling's poem on Tommy Atkins, his paean of praise for common soldiers and his despising of the people who criticised them when they were not fighting. I would adjust it to say, "Then it's producer this, an' producer that, an producer 'ow's yer soul? But they all turn into heroes when the ambulances roll." Those are the people we are talking about—ambulance staff, nurses, midwives, cleaners, catering staff, doctors, radiographers and therapists. They are all opposed to foundation hospitals. Even the Tories never achieved such unanimity against any of their proposals.

4.45 pm

Mr. Adrian Bailey (West Bromwich, West): Will my right hon. Friend give way?

Mr. Dobson: No, I am sorry, but I do not have time.

We are rejecting the views of the very people who do the work in the NHS and who have always stuck up for the NHS. Many hon. Members will remember that in late April 1997, 53 doctors wrote a letter to the *Daily Mirror* saying that we had 24 hours to save the NHS. A survey of them has found that nine out of 10 reject the idea of foundation hospitals, and a random sample of NHS consultants shows that they do not like the idea. No patient organisation has come out in favour of the idea.

Who is for foundation hospitals, apart from the Government? It is a few academics and a few think-tanks, which appear to be more tank than think. A few extremely ambitious NHS managers are in favour of foundation hospitals, but even the NHS managers' body has said that 65 per cent. think that it will be more difficult for people in the NHS to co-operate with one another in future because of the introduction of foundation hospitals. Ministers say that they want to appeal over the heads of the producers and the Labour party to the public, but all the opinion polls show that at least 60 per cent. of the public reject the idea.

I know that the Whips and many other hon. Members are concerned about the impact of defeating the Government on this issue today, because it might be damaging to the Labour party, but I say to all my right hon. and hon. Friends that, until now, the arguments have been conducted at a national level. If this goes through, there will be rowing, trouble-making and bother for people in the Labour party all over the country. Labour MPs without foundation trusts will face their Tory opponents saying that they are useless because they did not manage to get their hospitals made into foundation trusts. When the first doctor or nurse moves from a non-foundation trust hospital to the nearest foundation trust, there will be a huge row in the local papers and Labour will be blamed.

We have a brilliant record in putting more money into the NHS, with more new hospitals than ever. We have increased the number of beds and the number of staff—including those in training—and people who work in the NHS want just to be left alone to get on with their day jobs of looking after patients.

Mr. Dorrell: It is absurd, given the importance of this Bill, that we should be debating our response to a Lords amendment against a two-hour guillotine. The Secretary of State alone took up 48 minutes. The idea that we can hear full contributions from the Opposition or from Government Back Benchers within two hours is absurd.

In the limited time left to me, I want to point out that the Secretary of State began his speech with two points. First, he said that there was no dispute on his side of the House—I would say on either side of the House—about the importance of the principle that the NHS was established as the means for delivery of health care on the basis of clinical need and without regard to ability to pay. That principle is supported by both sides of the House and by the overwhelming majority of the British people. I acknowledge that that principle is accepted by Labour Back Benchers and he should acknowledge that it is also supported on this side of the House.

The Secretary of State's second point was that in this day and age the best way to deliver that public policy objective is to follow a decentralisation policy in NHS management, trusting professionals and allowing those who deliver health care greater opportunity to match the service they deliver to the needs of their patients. If the Bill could be conceived of as a means of delivering that policy objective, I have no doubt that all my hon. Friends and I would support the Secretary of State. The

problem is that the Bill does not deliver what he claims it will. It does not decentralise within the health service—in fact, it does something that, until I read the Bill, I thought was impossible: it succeeds in making power in the NHS even more centralised and bureaucratic than it is now. In that more centralised and more bureaucratic health service, the Secretary of State gives foundation trust hospitals an entirely unfair advantage over all other institutions. His Bill does not deliver his objective, but does real damage to the management of the health service.

Let me give two important examples to demonstrate the truth of that statement. The Secretary of State was kind enough to allow me to intervene during his speech, but he did not respond to the point that I made. My point was that under the capital allocation procedures that he is to introduce, foundation trust hospitals will get priority, favoured access to capital from a cash-limited sum, the practical effect of which will be that those hospitals that are not foundation trust hospitals will come second in the queue and have less advantageous access to capital than they currently have.

Dr. John Reid *rose—*

Mr. Dorrell: No, I will not give way to the Secretary of State during my five minutes, because I know what his answer to my point will be. I did not try to intervene again during his speech, but I shall now respond to his answer.

The right hon. Gentleman said that the capital budget has increased; therefore there are no choices to be made. No Member of Parliament believes that any Government will ever create a world in which there are no choices to be made in capital allocations. The Secretary of State has created a world in which foundation trust hospitals will be at an entirely unfair advantage in terms of access to a cash-limited sum.

The second point that the right hon. Gentleman did not answer during his speech relates to employment terms. As my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) said, Labour Back Benchers are told not to worry—"Agenda for Change" is an entirely rigid straitjacket from which no element of the NHS will be able to depart. Opposition Members are told that the proposals are flexible and that all hospitals in the health service will be able to evolve local employment terms. The truth is that what the Secretary of State has delivered—

It being two hours after the commencement of proceedings, MR. DEPUTY SPEAKER *put the Question already proposed from the Chair, pursuant to Order [this day].*

Question put, That this House disagrees with the Lords in the said amendment:—

The House divided: Ayes 302, Noes 285.

Division No. 381] **[4.53 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Benton, Joe *(Bootle)*
Betts, Clive
Blackman, Liz
Blair, rh Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Maria *(L'pool Garston)*
Ennis, Jeff *(Barnsley E)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings &Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*

Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, St[illegible]
Prescott, rh Jo[illegible]
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Fraser Kemp and Ms Bridget Prentice

NOES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Austin, John
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Berry, Roger
Best, Harold
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burgon, Colin
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Caton, Martin
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clapham, Michael
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, Tony *(Northampton S)*
Clifton-Brown, Geoffrey
Coleman, Iain
Collins, Tim
Conway, Derek
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Dorrell, rh Stephen
Doughty, Sue
Drown, Ms Julia
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Dunwoody, Mrs Gwyneth
Efford, Clive
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Flynn, Paul *(Newport W)*
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Galloway, George
Garnier, Edward
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibb, Nick *(Bognor Regis)*
Gibson, Dr. Ian
Gidley, Sandra
Gillan, Mrs Cheryl
Godsiff, Roger
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Henderson, Doug *(Newcastle N)*
Hendry, Charles
Hinchliffe, David
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin

Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Illsley, Eric
Jack, rh Michael
Jackson, Glenda *(Hampstead & Highgate)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kilfoyle, Peter
King, Andy *(Rugby)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Loughton, Tim
McCafferty, Chris
McDonnell, John
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall-Andrews, Robert
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Mudie, George
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Owen, Albert
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Picking, Anne
Pickles, Eric
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Purchase, Ken
Quin, rh Joyce
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Short, rh Clare
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Steinberg, Gerry
Stevenson, George
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Trickett, Jon
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walley, Ms Joan
Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Wood, Mike *(Batley)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Peter Luff and
Mr. David Wilshire

Question accordingly agreed to.

Lords amendment disagreed to.

Mr. Yeo: On a point of order, Mr. Deputy Speaker. The House has just approved a measure the impact of which will be felt exclusively in England. The Government's greatly reduced majority has been obtained through Scottish Members of Parliament—*[Interruption.]* What advice do you have for those of us whose constituents will regard this as a constitutional outrage? Will you now allow the Secretary of State to make a statement, and to consider my offer to him to enter into immediate talks on how the Bill can be improved, so that its passage through both Houses can be guaranteed? *[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): I had some difficulty in hearing the hon. Gentleman's point of order, but I think that I got its gist. He will know that this is not a matter in which the Chair can interfere. He has put his point on the record, and if there is to be any development or discussion, it is entirely a matter for the usual channels, and not for the occupant of the Chair.

Dr. John Reid: Further to that point of order, Mr. Deputy Speaker. The expression "pathetically bad losers" springs to mind. Will you confirm to the Conservative spokesman, who is so concerned about where the representatives of this House were elected, that a House in which none of the Tories were elected sought to take the clause out of the Bill?

Mr. Deputy Speaker: Neither of those matters are points of order for the Chair.

Mr. Alex Salmond (Banff and Buchan): On a point of order, Mr. Deputy Speaker—

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman understands that I have not heard a genuine point of order so far, so I hope he is going to provide one.

Mr. Salmond: Is it in order to point out that Scottish Labour MPs have imposed on England a measure that is not only unpopular in England, but is to the detriment of the Scottish health service?

Mr. Deputy Speaker: I feared as much. There is nothing that I can say on that.

Mr. Frank Field (Birkenhead): On a genuine point of order, Mr. Deputy Speaker. [HON. MEMBERS: "Hooray!"] Had there been a free vote, the Government

[Mr. Frank Field]

would probably have mustered only 50 votes, so do you expect their Lordships to send the measure back to us again?

Mr. Deputy Speaker: Sometimes, the occupant of the Chair has difficulty in understanding all that goes on in this House; he certainly has no power at all over what goes on in the other place. Let us move on.

MR. DEPUTY SPEAKER *then proceeded to put the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [this day].*

Lords amendments Nos. 2 and 3 agreed to.

Clause 3

GENERAL DUTY OF REGULATOR

Lords amendment: No. 4.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Joan Ryan.]*

The House divided: Ayes 344, Noes 240.

Division No. 382] **[5:14 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Best, Harold
Betts, Clive
Blackman, Liz
Blair, rh Tony
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris

Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Gillian Merron and
Ms Bridget Prentice

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Berry, Roger
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, Tony *(Northampton S)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cook, Frank *(Stockton N)*
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dobbin, Jim *(Heywood)*
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hinchliffe, David
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McDonnell, John
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall-Andrews, Robert
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard

Paice, James
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Stevenson, George
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Richard Younger-Ross and Bob Russell

Question accordingly agreed to.

Lords amendment disagreed to.

Government amendment (a) to the words restored agreed to.

Lords amendment No. 5 disagreed to.

Lords amendments Nos. 6 to 25 agreed to.

Lords amendment No. 26 disagreed to.

Lords amendment No. 27 agreed to.

Clause 15

Private Health Care

Lords amendment: No. 28.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Joan Ryan.]*

The House divided: Ayes 343, Noes 213.

Division No. 383] **[5:29 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*

Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes: Gillian Merron and Charlotte Atkins

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver

Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Peter Luff and
Mr. David Wilshire

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment: No. 29.

Motion made, and Question put, That this House disagrees with the Lords in the said amendment.—*[Joan Ryan.]*

The House divided: Ayes 347, Noes 215.

Division No. 384] **[5.42 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Cabom, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith *(Streatham)*

Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Nick Ainger and Charlotte Atkins

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric

Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Richard Younger-Ross and Sir Robert Smith

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendments Nos. 30 to 55 agreed to.

Lords amendment No. 56 and Government amendment (a) thereto agreed to.

Lords amendment No. 57 and Government amendment (a) thereto agreed to.

Lords amendment No. 58 agreed to.

Lords amendment No. 59 and Government amendment (a) thereto agreed to.

Lords amendments Nos. 60 to 64 agreed to.

Clause 47

INTRODUCTORY

Lords amendment: No. 65, in page 17, line 23, at end insert—

"( ) the availability and quality of information provided to the public about the health care;"

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may take Lords amendments Nos. 66 to 113 and 194 to 219.

Dr. Ladyman: This group of amendments relates to part 2 of the Bill, which establishes independent inspectorates for health and social care. All the amendments represent Government concessions or technical changes to improve the Bill's drafting.

We made several significant concessionary improvements to part 2 in response to sensible suggestions made in the other place and during the Bill's progress through the Commons. Lords amendments Nos. 65, 81, 83 and 93 will require the Commission for Healthcare Audit and Inspection, the Commission for Social Care Inspection and the National Assembly for Wales, during the course of their inspections and so on, to have regard to the quality of information provided to the public by national health service and social care bodies.

Lords amendments Nos. 66 to 68, 71, 74, 84 to 86 and 88 will enable the Secretary of State to set out in regulations how individual national health service and social care bodies may make representations to the Commission for Healthcare Audit and Inspection and the Commission for Social Care Inspection before reports or performance ratings relating to them are published. Lords amendments Nos. 72, 76 and 110 create a clear duty for the Commission for Healthcare Audit and Inspection and the independent regulator of NHS foundation trusts to co-operate in the exercising of their functions. However, it remains unlikely that the independent regulator would be regularly in receipt of information about the quality of health care provided because it will not inspect—inspection will remain the role of the Commission for Healthcare Audit and

Inspection. Lords amendment No. 73 provides that the commission has a function, rather than a power, to promote effective co-ordination of reviews and so forth in the provision of health care by, or for, English national health service bodies and cross-border special health authorities.

Lords amendments Nos. 87 and 92 will provide that the Commission for Social Care Inspection and the National Assembly for Wales will have the function of undertaking studies on value for money in relation to local authorities. Lords amendment No. 79 will strengthen the relationship between the Commission for Healthcare Audit and Inspection and the Audit Commission by placing a duty on both to co-operate in areas in which they both have functions. That will reduce the burden of inspection on the NHS.

Lords amendments Nos. 95 and 96 make it absolutely clear that following the inspection of a boarding school, the Commission for Social Care Inspection or the National Assembly for Wales must publish a report on whether a child's welfare has been adequately safeguarded and promoted. Lords amendment No. 97 makes it clear that the Commission for Social Care Inspection or the Assembly must send a copy of any such report to the school in question.

Lords amendments Nos. 111 and 112 place a new statutory requirement on the Commission for Healthcare Audit and Inspection and the Commission for Social Care Inspection to prepare and publish a code of practice on access, handling, use and disclosure of confidential personal information. Lords amendment No. 102 provides for a clear regulation-making power to require information to be made available to the public about health and social care complaints procedures. Lords amendment No. 113 will strengthen the duty of co-operation between the Commission for Healthcare Audit and Inspection and the Assembly to minimise the burden of inspections in cross-border areas.

Finally, amendment No. 194 and related amendments to schedules 6 and 7 require the Secretary of State to delegate—in practice, it will be to the NHS Appointments Commission—the responsibility for appointing the chair and members of the Commission for Healthcare Audit and Inspection and the Commission for Social Care Inspection. That was our policy intention. It is now an explicit requirement.

6 pm

Mr. Lansley: I am grateful to the Minister for setting out the purpose of the amendments and for recognising that they respond to sensible and reasonable amendments proposed in the Lords. I thank our colleagues in the other place for raising some of the issues.

The Minister referred to the Government's policy intention on appointments to the chair and members of the Commission for Healthcare Audit and Inspection and the Commission for Social Care Inspection. I do not recall Ministers being that explicit in Committee, but I am happy that they have accepted the value of specifying that in legislation. Likewise, there was pressure in Committee in another place in respect of how the Commission for Health Improvement and the regulator should co-operate. It should not be at the discretion of CHAI to appoint itself as an advisory body to the regulator and to provide information on its own initiative. It is more reasonable to provide a structure of complementary and parallel duties. My colleagues and other noble Lords in another place put pressure on the Government to ensure that the code of practice on access to information covers other bodies that have access to such information and that they treat it with respect. It is right that the Government accepted that.

It has been helpful for the Government to accept a range of other substantive suggestions, at least to part 2, made in another place and to respond to arguments. We should recognise that whatever the outcome of our discussions on part 1, we always intended the Bill to proceed in a form that would support not only a restructured audit and inspection system for the health service and social care, but a structure for the establishment of standards. For example, much will hang on the clause in part 2 on quality. If we have a structure of standards based on clinical evidence, peer review and clinical practice—something to which members of the NHS can look for guidance—the Government of any party will, I hope, be able to move towards that as the basis on which people will establish practice in the NHS and against which their performance is genuinely measured, rather than the targets and the bureaucratic structures that have been the Government's preference over the past few years. Part 2 is important and I am happy that we can proceed with it on a more agreed basis.

Mr. Burstow: I also want to express my appreciation of my colleagues in the other place who worked diligently in Committee and at other stages to draw out some of the issues that the Minister responded to by accepting the Lords amendments. In particular, I highlight the important concession on co-operation between the Commission for Healthcare Audit and Inspection, the regulator and the Audit Commission. That will help to lighten the burden of the regulation appropriately. In Committee, we touched on the powers of the Commission for Social Care Inspection to report and alter aspects of how a school or college discharges its duties. The other place deliberated on that in a little more detail in Committee, for which we are grateful.

Finally, I wonder whether the Minister could tell us whether the Government plan to consult on issues of convergence of standards, which I understand were debated in the other place on 10 November. Have those consultations started, and what will the timetable be? It would be useful to know at an early stage the timetable for publishing the codes of practice that will apply to both new commissions. We welcome the architecture we have arrived at for inspection and regulation. The final step will be to have only one body that is capable of regulating and inspecting both health and social care.

Dr. Ladyman: I am pleased that we have broad support for the concessions that the Government have made. I hear what the hon. Member for Sutton and Cheam (Mr. Burstow) says about the possibility of having a single body for inspection. The Bill contains a duty for the CHAI and the CSCI to co-operate, so I hope that they will work closely together on many issues. Whether we will ever reach the point of having one body will be for some future Minister to worry

[Dr. Ladyman]

about. The hon. Gentleman asked about specific timing issues. I will obtain that information for him and write to him.

Lords amendment agreed to.

Lords amendments Nos. 66 to 113 agreed to [some with Special Entry].

Clause 149

INFORMATION CONTAINED IN CERTIFICATES

Lords amendment: No. 114, in page 68, line 17, at end insert "or regulations under subsection (8B)".

The Minister of State, Department of Health (Ms Rosie Winterton): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may take Lords amendments Nos. 115 to 120.

Ms Winterton: The amendments cover part 3 of the Bill, which provides for the recovery of NHS charges. All the amendments deal with issues raised and debated at length in Committee and in the other place. Amendments Nos. 114 to 119 would enable regulations to be made so that contributory negligence—where the injured party is partially responsible—would be taken into account when calculating NHS costs, if an agreement on that issue has been reached as part of a settlement of a personal injury claim through a prescribed mediation process, as endorsed by the court. The Bill already contains provision for that purpose.

Mr. Simon Burns (West Chelmsford): Will the regulations be made under the affirmative or the negative procedure?

Ms Winterton: They will be made under the negative procedure. It was argued, persuasively, in the other place that in the present climate—in which the courts urge parties at least to consider other ways to deal with disputes—there was a case for considering whether some of the alternative dispute resolution procedures, especially mediation, should be included in the processes that could be accepted as a means of confirming contributory negligence findings for the purpose of calculating NHS costs. The Secretary of State and Scottish Ministers will be able to make regulations covering issues such as the qualifications of the mediator, the nature of the mediation process and the types of statement about contributory negligence that would be needed to be included in the mediation.

Mr. Lansley: Last week I was able to attend the annual general meeting of the Cambridge and District Community Mediation Service. May I make a plea that the Government think positively about ways in which they can support such services' core funding? That is a continuing problem for such organisations, which provide a valuable alternative dispute resolution procedure that we want to use in future if we can.

Ms Winterton: From my previous post in the Lord Chancellor's Department, I am aware of the many benefits offered by mediation.

Lords amendment No. 120 will make it possible to issue a further certificate specifying a higher amount in NHS costs than a previous certificate only if the reason for the increase is that incorrect or insufficient information had previously been supplied by the person to whom the certificate is issued. Therefore, if a clerical error is made by the scheme's administrators, no further certificate for the correct amount, if that is higher than the amount specified in the original certificate, can be issued. That means that compensators will not have to pay the price of a mistake by the administrators.

Amendments to change the level of parliamentary scrutiny afforded to some of the regulation-making powers in part 3 were also made in the other place in response both to concerns raised and to recommendations of the Delegated Powers and Regulatory Reform Committee.

Mr. Burns: Given the pressure of time, I shall be extremely brief.

We warmly welcome the Government's acceptance of the amendments, which, I understand, followed arguments made in another place by my noble Friend Lord Hunt of Wirral. As the Minister said, it is important to encourage the use of mediation where such a system is feasible in order to minimise some of the problems that might arise if that additional battery of weapons to resolve disputes is not available. For that reason, we are pleased that the Government have accepted the amendments.

Lords amendment agreed to.

Lords amendments Nos. 115 to 120 agreed to.

It being one hour after the commencement of proceedings on remaining Lords amendments, MR. DEPUTY SPEAKER *put the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [this day].*

Lords amendment No. 161 disagreed to.

Government amendments (a) to (bb) to the words so restored agreed to.

Remaining Lords amendments agreed to [some with Special Entry].

Committee appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments Nos. 1, 5, 26, 28 and 29: Mr. Paul Burstow, Mr. John Hutton, Mr. Andrew Lansley, Joan Ryan and Claire Ward; Mr. John Hutton to be Chairman of the Committee; Three to be the quorum of the Committee.—*[Joan Ryan.]*

To withdraw immediately.

Reasons for disagreeing to certain Lords amendments reported, and agreed to; to be communicated to the Lords.

Sitting suspended, pursuant to Order [10 November].

7 pm

On resuming—

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the consideration of any Lords Messages and Amendments that may be received may be proceeded with, though opposed, until any hour.—*[Vernon Coaker.]*

Question agreed to.

Sitting suspended, pursuant to Order [10 November].

9.30 pm

On resuming—

Criminal Justice Bill

Lords Reasons for insisting on certain of their amendments to which the Commons have disagreed, considered.

Mr. Deputy Speaker (Sir Michael Lord): I must acquaint the House with the fact that a message has been received from the House of Lords. The Lords insist on certain of their amendments to the Criminal Justice Bill to which the Commons have disagreed, for which insistence they assign their reasons. They do not insist on certain amendments to which the Commons have disagreed and do agree with the amendments proposed by the Commons to the words so restored to the Bill. They do not insist on their remaining amendments to which the Commons have disagreed.

Clause 41

APPLICATION BY DEFENDANT FOR TRIAL TO BE CONDUCTED WITHOUT JURY

Lords Reason: 32B.

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): I beg to move, That this House insists on its disagreement with the Lords in their amendment.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment (a) to the words restored, Lords Reason 33G, the Government motion to insist and Government amendments (a) to (h) to the words restored, Lords Reason 34C, the Government motion to insist and Government amendments (a) to (e) to the words restored and Lords Reason 36C, the Government motion to insist and Government amendments (a) to (d) to the words restored.

Mr. Patrick McLoughlin (West Derbyshire): On a point of order, Mr. Deputy Speaker. I am sorry to raise this issue as a point of order, but we never know when we might get the chance to do so, given the current funny situation. I wish to draw your attention to an answer that I received today from the Under-Secretary of State for the Home Department, the hon. Member for Slough (Fiona Mactaggart). The question, tabled on 6 March this year, was to ask the Home Secretary what the administrative costs were of active community unit grants, race equality grants and refugee integration unit grants in the last financial year. I received an answer this evening from the Under-Secretary, saying:

"I will write to the hon. Member and place a copy . . . in the Library."

Is that the way an effective Government operate? It is now November.

Mr. Deputy Speaker: I understand the point that the hon. Gentleman makes, and he has now got it firmly on the record. As we have only an hour for the current business, we should proceed without delay.

Paul Goggins: At this stage of the parliamentary process, hon. Members, no doubt, will be looking for a degree of compromise and agreement, wherever that may be possible. In that spirit, the Government are

[Paul Goggins]

prepared to make a number of concessions that, we hope, will meet some of the concerns that have been expressed.

Clause 41 will provide defendants with the option, subject to the court's consent, to opt for judge-alone trial. It will give defendants a choice that they do not currently have about the way in which they are tried. The Government have been somewhat bemused by the hostility with which that provision has been attacked in some quarters. However, we have listened to the arguments, and we have tabled an amendment, the effect of which will be to give the judge discretion in deciding whether to grant a defendant's application for judge-alone trial. That amendment will alter subsection (3), so that the judge may, instead of must, make an order.

Mr. Douglas Hogg (Sleaford and North Hykeham): Can a copy of that amendment be found in the Vote Office? I have just been given a series of papers that does not include that amendment.

Paul Goggins: I am sure that others who are better placed will be able to check whether that is true, but I understand that the relevant amendment is available, and I am sorry that the right hon. and learned Gentleman has been unable to find it. I shall press on.

The hon. Member for Beaconsfield (Mr. Grieve) criticised our earlier amendments to clause 42, to restrict the application of the clause to serious fraud trials, on the ground that they removed some of the judicial discretion contained in the original draft. That was certainly not our intention, nor, I submit, is it the effect. The further amendment that we now propose, however, would confer on the judge an absolute discretion in relation to the making of an order for non-jury trial under this clause. We are also providing further safeguards by requiring the judge to consult the Lord Chief Justice, or a judge nominated by him, before making an order that the trial be conducted in the absence of a jury.

Clauses 43 and 45 deal with the pernicious problem of jury tampering. We listened to the argument made yesterday by the Opposition. Again, in the spirit of constructive dialogue, we propose an amendment—the removal of the second condition set out in subsection (5)—which we hope will satisfy the concerns raised by the hon. Member for Beaconsfield. We consider the burden on the jury imposed by necessarily intrusive police protection to be a very real problem. As I said, however, we have listened to what has been said and, like Opposition Members, our main concern is to ensure a fair trial, which is of course ensured by the condition set out in subsection (6).

On clause 45, we do not believe that continuation of a trial following discharge of a jury because of tampering will necessarily be a "non-starter", as suggested by the hon. Member for Beaconsfield. Clearly, a judge who felt unable to continue a trial alone because he felt that he would not be able to hear it with the requisite impartiality, or who thought for some other reason that the defendant would not receive a fair trial, would not be obliged to do so. That established principle is already reflected in the Bill. I hope, however, that our proposed amendments will allay a good many of the Opposition's concerns by making it absolutely plain that the judge will not be able to continue the trial sitting alone unless he is satisfied not only that jury tampering has actually taken place but that the defendant will receive a fair trial. We have also amended the clause to increase the discretion of the judge in this matter.

Having covered the technical detail of the amendments, I want to address the wider issues of this debate. It seems to me that the Opposition are prepared to threaten this House and the electorate of this country with the possible loss of this Bill. We are not surprised that that is the case, given the comments of the right hon. Member for West Dorset (Mr. Letwin) on 15 July:

"I don't think there is anything in this bill that is to the great benefit of mankind. If it is lost, it is a price worth paying to protect trial by jury."

He therefore made his position clear. I was somewhat surprised to read in this morning's *Financial Times* the comment by the hon. Member for Beaconsfield that "If he"—the Home Secretary—

"fails to compromise he may not get his bill."

Both the former shadow Home Secretary and the shadow Attorney-General therefore threaten the House with the loss of this Bill.

Let me remind hon. Members precisely of what that threat entails. Loss of this Bill would mean the loss of tougher sentences for those who commit murder, and the loss of tougher sentences for those who carry out dangerous sexual and violent offices, with no release if they still pose a risk to the public. It would mean the loss of a new five-year minimum sentence for firearms offences to help tackle gun crime, and the loss of longer sentences for dangerous drivers who kill—

Mr. Edward Garnier (Harborough): On a point of order, Mr. Deputy Speaker. It seems to me—you may agree or disagree—that the Minister is engaging in a wider debate than is permitted under this amendment. It is of quite a narrow structure—

Mr. Deputy Speaker: Order. Those are matters for the Chair.

Mr. Garnier: I am just trying to help.

Mr. Deputy Speaker: Order. I am very grateful for the hon. and learned Gentleman's kind offer of help, but I think that we can now proceed.

Paul Goggins: I am sure that the hon. and learned Gentleman's comments are always helpful, Mr. Deputy Speaker.

The loss of the Bill would mean losing measures to crack down on bail bandits and to tackle reoffending on bail. It would mean losing the extension of drug testing and treatment provision. It would mean that the possibility of the police, prisons, probation service and victims having a voice in sentencing for the first time ever would be lost. It would mean losing the

enhancement of jury trial by ensuring that juries better reflect all sections of society and the abolition of the automatic right of exemption.

Mr. Hogg: Will the Minister give way?

Paul Goggins: No, I will not give way.

Mr. Hogg *rose—*

Hon. Members: Give way.

Mr. Deputy Speaker: Order. The Minister has made it clear that he is not giving way at this point.

Paul Goggins: I am not giving way because we have a short time for debate. Earlier this afternoon, there was criticism that there was insufficient time for people to make their contributions. I intend to make available every minute possible for other hon. Members to contribute.

In the light of the comments that I have just made, I submit to the House that if the Opposition continue to resist—

Mr. Robert Marshall-Andrews (Medway) *rose—*

Paul Goggins: If the Opposition continue to resist—

Mr. Marshall-Andrews *rose—*

Mr. Deputy Speaker: Order. When a Member seeks to intervene, he must not remain on his feet indefinitely if the Minister is not giving way.

Paul Goggins: I have explained why I am not giving way.

If the Opposition continue to resist, they will bring the Bill down and the people of Britain will know it.

Mr. Dominic Grieve (Beaconsfield): As I am conscious that we have reached a stage in the proceedings on the Bill when, perhaps inevitably, tempers may get frayed, I wish first to put on record my thanks to the Minister and to Baroness Scotland for the opportunity they have provided us with for dialogue on this very difficult piece of legislation. I am genuinely grateful for that opportunity, in exactly the same way as I have been genuinely grateful to the Minister for the way in which he has conducted the Bill, which covers a wide range of topics. Undoubtedly, some of them are important, and I also believe that this legislation has the potential to do good. I am absolutely clear about that, and I want to make clear to the Minister my thanks to him in particular for this evening's opportunity to talk.

It is really with some regret that I have to say to the Minister that, notwithstanding that, the amendments that the Government have tabled—I shall come to them in a moment, because I shall have no difficulty in welcoming them as steps in the right direction—unfortunately do not go far enough in my view and that of my colleagues to meet the issues that the House has to consider.

The Minister quoted a statement that my right hon. Friend the Member for West Dorset (Mr. Letwin) made on 15 July. The quote was correct, but the Government cannot be surprised about the state into which they have got themselves on the Bill. We have been saying for a very long time that there are issues surrounding jury trial and bad character that are of fundamental importance to the way in which justice is discharged in this country. We are coming to the point when this touches on matters of conscience. When that happens, it is perhaps no surprise that we get into a situation in which agreement becomes very difficult.

I went to the other place this afternoon to listen to some of the comments that were made. The one that struck me most was from the ex-Attorney-General, Lord Morris. Although out of loyalty he suggested that he felt that the Government should have their way—a view I cannot share—he nevertheless went to the heart of the issue when he said that the Government were setting out to undermine jury trial and that that would be the result of what they were doing. Although I believed that we might be quite close to coming to a sensible outcome on the issue of jury trial, I very much regret that that outcome unfortunately still appears to elude us.

This is the Government's Bill and at some point they will have to make some decisions. They will have to decide whether a compromise can be reached so that a good piece of legislation can be placed on the statute book, about which I would be happy to say that although I regret some details, it is of benefit. However, if the Bill comes up against the conscience of many Members of this House and the other place, it will founder. I tell the Minister that if a satisfactory outcome is not reached, it will not be for lack of trying on my part. Although we have not reached an agreement, I rejoice that his willingness to table amendments this evening indicates that the Government are willing to engage in the process.

9.45 pm

Mr. Hogg: Does my hon. Friend agree that it is quite scandalous for the Under-Secretary to suggest that if the House of Lords persists in its view, the Bill is necessarily lost? That is not true. The Government could concede on these two small matters and the Bill would be saved.

Mr. Grieve: The matter is entirely in the hands of the Government. Of course, it is right to say that the constitution of this country as it stands at present, and especially that of the other place, is the Government's creation. It does not behove them to criticise the other place for exercising its constitutional rights because they have no grounds to do so.

Mr. John Gummer (Suffolk, Coastal): Surely my hon. Friend is being too kind to the Government. They always want it both ways. They want us to accept the other place that they have created when that is convenient, but when it is inconvenient, they suggest that because it is an unelected body we cannot listen to it. Surely they have to make up their mind on the constitution as well as the Bill.

Mr. Grieve: My right hon. Friend is right. I do not wish to widen the scope of the debate because I want to concentrate on the amendments, but it is true that the Minister made some intemperate comments toward the end of his speech. Given the lateness of the hour and the process through which we have been, however, that is fairly forgivable. Nevertheless, there is no point in criticising Members of the other place, including many Government Back Benchers, for doing their job in accordance with their consciences and views.

I shall put on the record the problems that remain. We indicated previously that we remain of the view that clause 41—"Application by defendant for trial to be conducted without jury"—is entirely ill conceived and will lead to the trial process being brought into disrepute by forum shopping. Unfortunately, the tendency of judges to acquire a reputation on specific cases to which forum shopping will befall would be exploited. On top of that, the clause will deprive members of the public who form juries of the opportunity to decide on the guilt or innocence of their peers, which is as important as the right of the protection of a defendant through a jury trial. That situation would be quite wrong, and the Government will find that judges who sit alone will acquit, which will lead to public outrage that would not occur if a jury tried the case. We remain absolutely clear in our minds that clause 41 must go in its totality and must not be seen again.

Mr. Garnier: My hon. Friend suggests that some judges might acquit—well, they might. However, equally there will be case-hardened judges who could take a prejudiced view on specific defences and lines of evidence, which would be antipathetic to the interests of justice and defendants. Would my hon. Friend care not only to nail his colours to the mast on acquitting judges, but concern himself with the fact that justice requires a fair trial for both the prosecution and the defendant?

Mr. Grieve: My hon. and learned Friend is right. It could be said that as the trial process in front of a judge alone is the defendant's choice, on his head be it. It is a bit difficult for him to complain about the judge being hard on him. I prefer to see the other side of the coin, however, which is the extent to which the public may express grave disquiet at decisions that are taken by judges sitting alone in criminal cases which the public do not understand and where justice is not seen to be done. That is the merit of juries. We should have nothing to do with the issue of individuals having choices.

Lady Hermon (North Down): Will the hon. Gentleman clarify one simple thing for me? Is it now Tory party policy to campaign to abolish the non-jury Diplock courts, which have worked successfully in Northern Ireland without the sun and the moon falling in?

Mr. Grieve: I reassure the hon. Lady that it is nothing of the kind. If she bears with me, I will provide her with complete reassurance on that when I deal with jury tampering, which is the relevant issue with regard to Diplock courts. We are not talking about a situation in which it is necessary to have a trial in front of a judge alone because no fair trial could otherwise take place. Mercifully, England and Wales have not had the same problem as Northern Ireland.

The other concern relates to applications by prosecution for certain complex or lengthy trials to be conducted without a jury. The Minister made some concessions on that and I acknowledge that they are important. The possibility of a review by the Lord Chief Justice and the possibility of a discretion to the judge not to allow a trial to take place without a jury are helpful. However, the Serious Fraud Office has a conviction rate in excess of 90 per cent. The number of trials that will fall within that category are minute, especially in the light of the Government's amendments.

Trials have not collapsed because of the difficulties of finding juries. Juries can be found. There is, therefore, no justification for keeping clause 42. If that clause were to go, I have no doubt that our tasks in relation to the Bill would be immeasurably simplified. The proposals to curtail the right to trial by jury in fraud trials are fundamentally flawed. Although I accept that the Government's amendments are a minor improvement, they do not go to the heart of the issue.

Mr. Hogg: My hon. Friend welcomed the inclusion of a review by the Lord Chief Justice. Perhaps he might care to reconsider that because what is being proposed is a private word with the Lord Chief Justice. No one will know what he has said and no one will have the opportunity to address him. That is private justice of a most unsatisfactory kind.

Mr. Grieve: I have no doubt that anyone who reads what the Lord Chief Justice said on Second Reading—

Mr. Hogg: That is not the point.

Mr. Grieve: I will get to that. No one could doubt that the Lord Chief Justice has the interests of justice and judicial discretion at heart. The concession is not good enough, but it is better than a poke in the eye.

Mr. Hogg: It is private justice.

Mr. Grieve: It is still marginally better than what was on offer before. I do not give the concession greater praise than that. If I did, I might be minded to reconsider clause 42, but I am not and nor are my colleagues.

The final issues relate to the application by prosecution for trial to be conducted without a jury if there is a danger of jury tampering. Although I continue to have concerns about that, the Minister has gone a considerable way to provide reassurance. In the case of an application to discontinue jury trial even before the first trial has started, the amendments tabled are improved by removing the second condition in clause 42(5), and I accept that. However, I still believe that the test for deciding whether such a trial should go ahead is not high enough. The Minister knows the amendments that we tabled earlier and they remain, to my mind, the acceptable model. However, the Minister and the Government have gone a long way to provide reassurance. I am sorry that in the totality of the matter it is not sufficient.

In the case of discharge of the jury because of jury tampering, I am again pleased that the Minister has made certain concessions and I accept that they may have been reached with great difficulty. Nevertheless,

they are worthy concessions. It remains the case that the test of whether it is necessary in the interests of justice for the trial to be terminated is not sufficiently high. That is perhaps a minor issue and the Government have come even closer to satisfying us on that—although still not close enough.

The Government have tabled amendments, and that is productive in the process of trying to come to an agreement. I am willing to continue that process. I would like to see the Bill on the statute book, but nothing will induce me to take a step that would allow that as long as the fundamental flaws in it—especially in relation to clauses 41 and 42—remain. Those clauses should not be in the legislation. It is such a fundamental issue that it makes it impossible—I say this with regret—to reach agreement with the Government this evening.

Simon Hughes: (Southwark, North and Bermondsey): The Bill started its passage through Parliament on 21 November last year, when it had its First Reading in the House of Commons. We took six months to deal with it, finishing on 20 May. The following day it went to the Lords, and they finished their work on it on Monday 17 November. They did their job well, as we tried to do ours. Only yesterday did we have the chance to consider for the first time the changes that the Lords had made. We did so carefully, although within a guillotined time limit. We sent back to the Lords a variety of matters, after eight votes.

Only four substantive matters remain, out of a Bill of 307 clauses and 30 schedules. Of 14 parts, only two are still controversial—four clauses in part 7 to do with jury trial and 16 clauses in part 11 to do with bad character, reputation and evidence. I say to the Minister in the same spirit that has followed the Bill throughout its passage that it cannot be impossible for people of good will to negotiate an agreement that allows the Government, who have already secured agreement on 12 of the 14 parts of the Bill, 287 of the 307 clauses and all the schedules, to reach an agreement on those that are outstanding in the hours that remain of this Parliament.

We did not determine that the matter should be finished by tomorrow: the Government chose that. Like the Conservative party, the Liberal Democrats have appreciated the discussions with Ministers at all stages. Like Conservative, Labour and Independent peers, Liberal Democrats have participated in those discussions and made our position clear. The Government must understand that in this Parliament there are two Chambers, both of which are entitled to have their say. It is a Parliament of the Government's making. Indeed, the second Chamber is explicitly of this Government's making and they therefore have to accept that it has the right to have its say, as we do.

Let me make our position clear on the matters that remain. The amendments tabled represent progress—they are an improvement. However, on the two substantive matters to which they relate—jury trial and bad character—the Government have not yet addressed fundamental concerns that have caused opposition on both sides of this House and of the House of Lords. Let me make it clear how the Government will have to proceed. I hope they will do so, and if they do, we shall respond in the hours that remain.

10 pm

The Government must accept that making only the minimal alteration to clause 41, "Application by defendant for trial to be conducted without jury", and giving the judge discretion means, by definition, that there will, at least on a regular basis, be the possibility of non-jury trial for the most serious offences in cases that clearly produce two types of serious trial in this country. Instead of the respected institution of the jury—12 people—making a decision, a judge will make the decision alone in some cases. That judge would come with a reputation and would be in a far more invidious position than any judge is now. The change is not necessary. The reason it should be resisted, which I hope the Government will accept, is that it eats into the principle that we in this country have jury trial for serious cases, and the defendant—not the Government or the judge—chooses.

We debated yesterday at great length clause 42 and whether serious fraud cases were better dealt with by judge or by jury. The logic of the Government again coming up with a proposal that gives a discretion to the court seems to my hon. Friend the Member for Somerton and Frome (Mr. Heath) and me—we have examined the matter carefully—to be that if the tests that remain in the Bill are passed, the judge will be driven to decide that the case can be a judge-only case. That outcome is the presumed outcome. Yes, the provision for an application to the Lord Chief Justice provides a threshold, but as the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) said, that application is made without criteria or public debate, and as a result there is no necessity for decisions or reasons for those decisions to be stated publicly.

Mr. Hogg: It is more offensive than that, because the relevant parties to the litigation do not have an opportunity to address the Lord Chief Justice.

Simon Hughes: That appears also to be the case.

Mr. Garnier: Have the Government applied their mind to the time available to the Lord Chief Justice? He is already a busy man; is he expected to throw away his existing list in order to deal with the applications of a private nature that the hon. Gentleman is describing?

Simon Hughes: If there were a real issue—if we as a country had great difficulty securing convictions in serious fraud cases—that might be a matter that should daily command the attention of the Lord Chief Justice. However, serious fraud cases are not ones in which convictions are not regularly successfully achieved: 90 per cent. result in convictions—a higher proportion than in any other category of case heard before judge and jury. The Government are inventing a mischief in order to propose a solution, and their solution is the loss of jury trial. A defendant who happens to be charged with fraud may suddenly lose the right to a jury trial, with no say at all.

I hope that we have made it clear to Ministers that we have arrived at our position for all sorts of reasons, not only history, success and reputation, but because of the danger that once the principle that serious cases should go before juries is broken into for some serious cases

[Simon Hughes]

today, it is possible to argue that it should be done for other serious cases tomorrow. Lesser cases do not go to juries; the change that we are debating would be the beginning of serious cases not going to juries, and defendants would have no say in that. If the Minister believes that that will enhance criminal justice and the reputation of the good parts of the criminal justice system, he is sadly mistaken. I am sure that, in their heart of hearts, he and his colleagues do not believe that.

On jury tampering, I also welcome the concessions that have been made. I think that there is scope for agreement on the wording. I accept that there are cases where it may be necessary, when attempt after attempt has been made to have a jury trial and people have interfered, to pull the plug. That may be necessary when everything else has been tried. I think that the Government now accept that and that they are moving in the right direction. We are prepared to work on some wording in relation to clauses 43 and 45.

I hope that the House is making it clear that clauses 41 and 42 are not a necessary precondition of the Bill passing through this place. I hope that the Minister understands that if the Government choose to pull the Bill because they cannot get their way on these two clauses, that will be the Government's choice, not our choice. It will be a choice that is not consistent with the reputation and the view of the British people, who trust jury trial more than they trust a single administration in the government of this country. I hope that the Government will realise that the reputation of the criminal justice system deserves better treatment, and that they will think again. We are willing to do so, and I hope that they will do so too.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): I can be exceedingly brief.

Although I do not want to embarrass him, my hon. Friend the Member for Wolverhampton, North-East (Mr. Purchase), who sits beside me, said just now that a jury trial is the criminal classes trying the criminals. I do not agree with that. However, having heard my hon. Friend the Minister speak, I was reminded that Gladstone once said of Disraeli that his only principle was lack of principle. We are not discussing a Bill that is bobbing between two Houses with people trying to come to some convenient solution. We are discussing a fundamental principle. If we lose sight of that, it seems to me that we lose sight of what justice and liberty are about.

I was not involved in consideration of the Bill in Committee, but I have read the reports of all the proceedings. It seems that most of the statements that have come from the Home Secretary have been both banal and didactic. An argument must be constructed before cursing people who disagree with a proposal. Perhaps one of the problems in this debate is that most of us can agree that we have the worst Home Secretary for the past 100 years, but some of us are suspicious that we may have the worst Home Secretary for the next 100 years. That is not good enough, and I do not say that in jest.

Lady Hermon *rose*—

Mr. Sedgemore: There are many Labour Back Benchers whose views I respect who are saying that making this intervention into jury trials is not an important issue. That is not the history of the Labour party since the Representation Committee was formed more than 100 years ago.

People have different sticking points in politics. I can only say that this is one of my big sticking points, and I would hope that it is a big sticking point for all my colleagues. My researchers have gone through all their election addresses individually since 1997, and none of them has advocated the abolition of jury trials in his or her election manifestos. What is this all about? Why are we striving might and main, according to the Home Secretary, to deal with about 20, 25, 30, 40 or 50 cases a year? I say for myself that I am debating whether it is worth while taking the Whip of a political party that will make a fundamental interference in liberty and justice.

Mr. Hogg: We have been told by the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore), for whom I have the greatest respect and against whom I have frequently appeared in court in the past, that we have the worst Home Secretary, probably for 200 years. I am bound to say that I think that he is probably right. The Home Secretary is one of the most illiberal individuals whom I have had the misfortune to listen to since I entered the House of Commons. I hope very much that the House of Lords will stick to its position. My hon. Friend the Member for Beaconsfield (Mr. Grieve) set out the detailed arguments, strongly reinforced by the hon. Member for Hackney, South and Shoreditch, so I do not have to repeat them. I agree with them. I shall just make three points.

Lady Hermon: I am most grateful to the right hon. and learned Gentleman for taking an intervention, as the hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) did not do so, which I regret. May I say on behalf of the people of Northern Ireland that the present Home Secretary is regarded as a very brave and courageous Home Secretary, precisely because when the Bill was first drafted, it did not extend to Northern Ireland. It was the Home Secretary, at the request of my right hon. Friend the Member for Upper Bann (Mr. Trimble) and myself, who agreed to extend key provisions to Northern Ireland. Will the right hon. and learned Gentleman please explain to me and to the people of Northern Ireland why he and his party do not object to non-jury Diplock courts, but continue to object to non-jury trials in respect of a small issue?

Mr. Hogg: The last thing I want to do is to be critical of the hon. Lady, for whom I have the greatest respect, but last night my hon. Friend the Member for Beaconsfield set out in considerable detail why we thought it right to retain the Diplock trials in the Province. I share that view. The special circumstances in the Province justify them. As for thinking that the Home Secretary is a brave and liberal chap, he may have his virtues, but liberality is not among them. He is one of the most illiberal Home Secretaries I have had the misfortune to see or read about in all my study of politics and history.

I shall make three points, the first of which relates to clause 41. Let us be clear about it. The effect of the Government's provision is to create a presumption against jury trials. I do not believe that a liberal

Government should be doing that. We are given a concession: the word "may" is to be introduced into the Bill instead of the word "must", but there are no criteria of any kind. It has not advanced the cause one little bit. The presumption is still against jury trials, and for the reasons advanced by my hon. Friend the Member for Beaconsfield tonight and yesterday, that is deeply offensive.

Clause 42 is a spectacular own goal on the part of the Government. What is being offered by way of a compromise is a private conversation between the trial judge and the Lord Chief Justice. I entirely agree with the kind remarks made by my hon. and learned Friend the Member for Harborough (Mr. Garnier) about the Lord Chief Justice, but the idea that a trial can be regulated through a private word is bizarre. The people who are being tried have a right to say something about their position. What is proposed is a private word between two judicial figures, with the people actively involved being utterly deprived of any opportunity to make representations, and the ultimate decision being no doubt motivated by the decision of the Lord Chief Justice, which will never be announced to anybody. If that does not offend the principles of fair trial, I cannot think what does.

Mr. Garnier: My right hon. and learned Friend and I recall that in the last Parliament the Government were keen that we should pass the Human Rights Act 1998, which brought into domestic law the European convention. He and I also remember that article 6 brings with it into domestic law a right that the common law already recognises—the right to a fair trial. If a trial is to be continued through the means of a private conversation between the trial judge and the Lord Chief Justice we know not where and when, surely that conflicts with article 6 and the Human Rights Act.

Mr. Hogg: Manifestly so, and my hon. and learned Friend and I will have great fun with that, should the matter come before courts in which we are engaged. The prospect of the forum being determined as a result of a private conversation is deeply offensive.

I want to make two further points. First, in what I suppose passed for his peroration, the Under-Secretary told the House that, if the House of Lords stuck to its views, the entire Bill would be lost. That is complete rubbish; it does not even begin to approximate to the truth. The reality is that, if the Government want to make a concession on the several clauses involved, they can do so, and the Bill will then be saved. The Bill will be lost only if they refuse to make a concession, so I have the very nasty feeling that the House has been a trifle misled—would that be an appropriate word, Mr. Deputy Speaker?—as to the impact of the position that we are adopting tonight.

10.15 pm

Finally, I would commend to the Under-Secretary, his officials and his Front Bench colleagues a little modesty. The plain truth is that, in the other place, by a very substantial majority, the noble Lords have expressed their view. It was largely a free view, unconstrained by the Whip and expressed by those who know something about the matter and are not seeking jobs. I am bound to say that that view has a greater legitimacy in my eyes than that of Labour Members, bound by the Whips, most of whom are looking for jobs. I prefer the views of those in the other place in this matter. They know what they are talking about and they have not been bought by ambition.

Mr. Marshall-Andrews: There is not a great deal that I can add to this highly polemical and very instructive debate, except this: I have prosecuted the worst of them—

Chris Ruane (Vale of Clwyd): The Tories.

Mr. Marshall-Andrews: Many of them, funnily enough, are Tories.

I have prosecuted the worst of them and I have defended the worst of them, and I have gloried in the successes and suffered the defeats in that respect. I come here to defend the jury system only because it is part of us, not because it is anything else. It is part of us inasmuch as this Chamber is part of us. It brings together an enormously eclectic number of people in order to judge their fellow citizens. The idea that they are not capable of doing it is an insult to them and an insult to us. We are an extraordinarily eclectic group of people. The days when the squirearchy came here to sit on the Tory Benches and to patronise the representatives of organised labour on this side of the House are all gone. *[Interruption.]* Of course, they have toffs on those Benches, and let me say straight away that we have toffs on our side as well.

We have become a glorious and eclectic mix of people and we trust ourselves to wrestle with the most profound, difficult and sometimes incomprehensible legislation. One message that I have is: for God's sake trust the jury system, which has served us for 800 years. The idea that juries do not understand the complexities of fraud trials is an insult to juries and an insult to those who have lived with them for 800 years. Nobody in the business or game would support that view. It is borne out by juries' high conviction rate; they know dishonesty and fraud when they see them.

Let us support the system that has served us so well, and stop, at this stage, any erosion of this great liberty that we have. There were those who said that we should do away with jury trial for the least serious offences, and we beat them back twice in the last Parliament. Now, they have come back and said that we should do that with the most serious offences. Had we lost last time, we would now be squeezing into 800 years of liberty a tiny section of criminal activity, which would be wholly unacceptable.

I want to finish on the question of jury nobbling. The jury is the strength of the system, not its weakness. It is almost impossible to corrupt 12 people, whether with money, bribery, threat or violence—that simply does not exist—but it is possible to corrupt, bribe or threaten one man. The great strength of our system is that it involves 12 people. In a very long life of crime—I used that phrase the other day as a joke, but the point is true—I have never known a jury to be corrupted or distorted to the extent that an unjust verdict was delivered. But if I were asked whether, if the Bill goes through, I could say that the prospect is that I will never see a single judge corrupted or bribed, I would describe that as myopia.

[Mr. Marshall-Andrews]

This country's glorious and wonderful system has been copied and adulated throughout the world. The House—on both sides—should resist with every sinew and vein of its body any attempt to erode what we have.

Mr. Gummer: As so often, the hon. and learned Member for Medway (Mr. Marshall-Andrews) has put his finger on the pulse of the nation. I have great respect for him, which is why I want to address him very directly. Throughout all these debates, he has heard that only those whose commitment is to the Government Whip have supported him. All those who have taken, and can take, an independent view have opposed him. That means that he is about to do something extremely dangerous, which is to decide—or to attempt to decide—the future of English justice not by listening to all the voices and coming to a common position that the whole nation can support, but by agreeing with a pre-judgment of the Home Secretary.

My concern is that although I have listened to such debates recently and when we previously discussed these matters, I have never heard a proper argument that stands up, and the people outside have never heard such an argument. That matters more than anything else, as British justice works because the British people believe it to be just. The jury is a crucial part of that. *[Interruption.]* If the hon. Lady would not speak but perhaps listen, she might hear something. I know that she listens to what the Whips say and votes as they tell her, but will she listen to the fact that no independent in the other House has considered that the case is proved? In a court, a case has to be proved, and in this court the case has to be proved.

The court of Parliament ought to take seriously the fact that we need jury trials to give people confidence in the justice of British justice. I hope that the Under-Secretary will reflect on the fact that he has it in his hands to make British justice continue to be respected. He should not put in peril the whole of the Bill because he wants to do the work of the Secretary of State. The Secretary of State has shown himself unable to understand what 800 years of history mean. He is out of touch with the view of the general public. Will the Under-Secretary change the world by standing up for the general view instead of his boss's view?

Mr. Garnier: There are two ways to look at the problem that the Government face when considering whether the jury system should be maintained. First, does it accord with principle, and, secondly, is it of practical utility? The experience of those of us who have practised in the courts before criminal juries and civil juries suggests that it works. There is a collective common sense that exists in a jury made up of 12 of our citizens randomly chosen.

Of course, it is inconvenient for the Government. Of course, it is expensive and, of course, the Treasury will apply pressure on the Lord Chancellor's Department, or whatever it is called nowadays, to increase the rate at which trials are conducted so that they are more economically efficient, but it seems that that conflicts with the principle of whether, by removing trial by jury—*[Interruption.]* I know that the Under-Secretary of State for the Home Department finds this immensely amusing. She is laughing at the Minister for Crime Reduction, Policing, and Community Safety. Perhaps she has good reason to laugh at her, but let me return to the issue. If we are to remove the trial by jury system, we have to be convinced that the principle that lies behind it should be thrown away.

I am not going to go into a history lesson at this late hour. Many of those who support the jury system trace it back into the mists of mediaeval history. I do not need to do that. I need rely only on the principle that exists today—that in order for the criminal justice system to receive the consent of the public and, more important, the agreement of those who are tried, it is important that those who are tried are tried by their peers, wherever that is possible.

As someone who tries criminals or those who are accused of crimes, and who has to deal with cases in partnership with a jury, I do not see prisoners, shackled and handcuffed, who are reluctant to be tried by their peers. I see people who would rather not be in a criminal court, but when they are convicted and sentenced they accept that the process is legitimate and that the people who have found them guilty are not distant, separated officials of the state but their equals.

The hon. and learned Member for Medway (Mr. Marshall-Andrews) jokingly referred—I am afraid that jokes do not go down terribly well with his colleagues at the moment—to there being toffs on both sides of the House and to other sorts of people on both sides of the House. He will find reflected in the ordinary jury people of all walks of life and of different political and other opinions, who come together as a group of 12 to decide the guilt or innocence of the individual whose liberty they are required to consider. That does not seem to have occurred to the Government or to the ministerial team, who seem to celebrate in denigrating the one aspect of the criminal justice system that meets most closely with democracy and with what we are supposed to stand for in the Chamber—namely, a representative democracy, whether it be in the making of laws or in the application of laws. It is a poorer House of Commons—a poorer Parliament—that refuses to accept that the jury system works and is something that can be sustained and celebrated by reason of principle. It is a revolting Government—a Government who ought to be abhorred and despised—who cannot see the wisdom of experience and common sense that is to be found in the ordinary English jury.

I trust that the House will sustain the Lords in their objections to the Government's refusal to accept common sense and popular wisdom.

10.30 pm

Paul Goggins: The hon. Member for Beaconsfield (Mr. Grieve) said that only small changes needed to be made to clause 42. I do not agree that they are small changes, but, if they are, why is he not prepared to go that extra distance to make the kind of agreement—

Mr. Grieve: If I may correct the Minister, I think that he must have misunderstood. We have said consistently that clause 42 is fundamentally flawed and should not be in the Bill.

Paul Goggins: The hon. Gentleman has made his views clear.

The right hon. Member for Suffolk, Coastal (Mr. Gummer) described my colleagues who have supported this aspect of the Bill—indeed, the whole Bill—as people who were shackled to the Whips. Frankly, I know that they vote—

It being one hour after the commencement of consideration, MR. DEPUTY SPEAKER *put the Question already proposed from the Chair, pursuant to Order [18 November].*

Question put, That this House insists on its disagreement with the Lords in the said amendment:—

The House divided: Ayes 332, Noes 220.

Division No. 385] **[10:31 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cabom, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hodge, Margaret
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James

Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Vernon Coaker and Jim Fitzpatrick

NOES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baird, Vera
Baker, Norman
Baldry, Tony
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Conway, Derek
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dawson, Hilton
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
McDonnell, John
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Marshall-Andrews, Robert
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter

Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winnick, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wood, Mike *(Batley)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Richard Younger-Ross and Mr. Hugo Swire

Question accordingly agreed to.

Government amendment (a) to the words restored agreed to.

Motion made, and Question put, That this House insists on its disagreement with the Lords in their amendments Nos. 33, 34 and 36.—*[Mr. Heppell.]*

The House divided: Ayes 331, Noes 215.

Division No. 386] **[10.46 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hodge, Margaret
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne

Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Vernon Coaker and Jim Fitzpatrick

NOES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barnes, Harry
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Collins, Tim
Conway, Derek
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dawson, Hilton
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy

Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wood, Mike *(Batley)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Richard Younger-Ross and Gregory Barker

Question accordingly agreed to.

Lords amendment No. 33 disagreed to.

Government amendments (a) to (h) to the words restored agreed to.

Lords amendment No. 34 disagreed to.

Government amendments (a) to (e) to the words restored agreed to.

Lords amendment No. 36 disagreed to.

Government amendments (a) to (d) to the words restored agreed to.

Motion made, and Question put, That this House insists on its disagreement with the Lords in their amendments Nos. 114 to 119 and 121 to 131.—*[Mr. Heppell.]*

The House divided: Ayes 339, Noes 216.

Division No. 387] **[11:01 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cabom, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hodge, Margaret
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*

Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes: Jim Fitzpatrick and Vernon Coaker

NOES

Abbott, Ms Diane
Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bourn'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
O'Neill, Martin
Opik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric

Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wood, Mike *(Batley)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Richard Younger-Ross and Mr. Hugo Swire

Question accordingly agreed to.

Lords Amendment No. 114 disagreed to.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. You will know that because of the timetable imposed by the Government the second group of amendments—which has now been rejected and which comprised the Law Commission's proposals—has not been discussed at all. Would it be possible to ask those who are drafting the message to the other place to make it plain that we have rejected its views without even having had the courtesy of discussing them?

Mr. Deputy Speaker (Sir Alan Haselhurst): The practice and tradition is that the message reflects simply the decisions of this House. That is not a matter for debate.

Government amendments (a) to (n) to the words restored, and consequential Government amendments (o) to (q) agreed to.

Question, That this House does not insist on its disagreement to Lords amendment No. 120, *put and agreed to.*

11.15 pm

Sitting suspended, pursuant to Order [10 November].

1 am

On resuming—

Health and Social Care (Community Health and Standards) Bill

Lords Reasons for insisting on certain of their amendments to which the Commons have disagreed, considered.

Mr. Deputy Speaker (Sir Alan Haselhurst): I must acquaint the House with the fact that a message has been received from the House of Lords. The Lords insist on certain of their amendments to the Health and Social Care (Community Health and Standards) Bill to which the Commons have disagreed, for which insistence they assign their reasons. They do not insist on an amendment to which the Commons have disagreed and do agree with the amendment proposed by the Commons to the words so restored to the Bill. They agree to the Commons amendments to certain Lords amendments and they do not insist on their remaining amendments to which the Commons have disagreed.

Mr. Michael Fallon (Sevenoaks): On a point of order, Mr. Deputy Speaker. Could you confirm that, as the House is now destined to sit tomorrow, the Sessional Orders will apply tomorrow and will continue to be applied tomorrow?

Mr. Deputy Speaker: To the best of my knowledge, that is undoubtedly the case. The Serjeant at Arms is aware of the difficulty that might arise if the House is sitting on Thursday. He is in contact with the Metropolitan Police Commissioner to ensure that hon. Members have access to the Palace in the normal way.

Mr. Douglas Hogg (Sleaford and North Hykeham): Further to that point of order, Mr. Deputy Speaker. Obviously, it is essential that hon. Members have access to the House. Surely it would be inconceivable to enforce the Sessional Orders with total strictness so as to prevent the public demonstration. It would be wrong of the House to insist that they be so enforced. That would be an infringement of public rights. I hope that that is not what we have in mind.

Mr. Deputy Speaker: I hope that my remarks contained no such implication.

Clause 1

NHS FOUNDATION TRUSTS

Lords Reason: 1B.

The Minister of State, Department of Health (Mr. John Hutton): I beg to move, That this House insists on its disagreement with the Lords in their amendment.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment (a) to the Bill, Lords Reason 161CC, the Government motion to insist and Government amendments (a) to (bb) to the words restored.

Mr. Hutton: The House of Commons has now approved both the principle and the detail of the Government's proposals on NHS foundation trusts on

[Mr. Hutton]

five separate occasions. The will of this House is now clear, and it should always be the will of this House of Commons that must prevail.

We should all be clear about one other thing: the only point or purpose in the other place continuing to carry these wrecking amendments is to stop this part of the Bill reaching the statute book. No other reasonable interpretation can be placed on how Conservative and Liberal Democrat peers are behaving. They have nothing new to say on NHS foundation trusts. They have moved no new amendments for this Hosue to consider this evening. They have nothing new to offer. All they are doing is holding up the proverbial parliamentary finger to the decisions that we have made in this House.

That is not scrutiny. It is not revision of legislation. It is a naked attempt to thwart the democratic decisions of elected Members of Parliament.

Anne Picking (East Lothian): My right hon. Friend and his Front-Bench colleagues will know that earlier tonight I voted against the Government on the particular issue of foundation hospitals. However, that fight has been lost. We are the democratic power in the House. We must decide what happens and I will abide by the collective responsibility of the House. The Lords should have no input in what we do. Does my right hon. Friend agree?

Mr. Hutton: I am grateful to my hon. Friend for what she has said. It is obvious that we face a simple choice. As I said, the House of Commons has decided, on five occasions, to support the proposals. My hon. Friend did not support them but I understand and respect her genuine concerns about the issue. However, the House of Commons must now assert its predominance and its will in these matters.

Sir Patrick Cormack (South Staffordshire): There may be many more Tea Room conversions, but in case there are not, will the Minister remind the House of how many Labour Members of Parliament there are and how many of them voted for his proposal earlier this evening?

Mr. Hutton: That will be in *Hansard* and people can do the arithmetic. I think that about 80 per cent. of my right hon. and hon. Friends decided to support the Government tonight. Mathematics has never been my strong card and I am a simple soul, but that seems to be an overwhelming majority of my right hon. and hon. Friends.

Mr. Paul Tyler (North Cornwall): A few days ago the Secretary of State for Health said that the House of Lords was not entitled to amend the Bill because the Lords are unelected. Can the Minister of State explain how many Labour Members were elected on a manifesto commitment to introduce foundation hospitals?

Mr. Hutton: That is not what my right hon. Friend said—*[Interruption.]* No, it is not. The hon. Gentleman is quite wrong.

There is a simple issue for us tonight: whether the will of the House of Commons should prevail. My view is that the decisions that we made in this House should stand.

Mr. Alex Salmond (Banff and Buchan): Will the Minister give way?

Mr. Hutton: No, I shall not give way.

We have looked in detail at every square inch of the measure. We have accepted 90 amendments to part 1. I am afraid that the debate that took place earlier this evening in the House of Lords completely failed to recognise that simple fact. As my noble Friend Lord Warner made clear in the other place earlier tonight, no Government can ever concede to the unelected House the right to tell this elected House what will or will not become the law of our country. There can be no question of the Bill proceeding unless clause 1 and the other provisions in part 1 are included. On that issue—

Mr. Salmond *rose—*

Mr. Hutton: I am not giving way.

There can be no negotiation with unelected Conservative—[HON. MEMBERS: "Give way."] I am not giving way—*[Interruption.]*

Mr. Deputy Speaker: Order. I think it is clear to the hon. Member for Banff and Buchan that the Minister is not giving way—[HON. MEMBERS: "Why not?"] It is entirely a matter for any Member whether to give way to another.

This is acknowledged to be contentious business and the hour is late; it would be better if it were discussed in a calm and moderate manner.

Mr. Hutton: I am grateful, Mr. Deputy Speaker. During our earlier proceedings, the right hon. Member for Charnwood (Mr. Dorrell)—usually an eloquent and respectful Member of the House—criticised my right hon. Friend the Secretary of State for speaking too long. In fact my right hon. Friend gave way to the right hon. Gentleman and his right hon. and hon. Friends on a generous basis. I am trying to make progress in the debate. I have given way to others but I am not giving way to the hon. Member for Banff and Buchan (Mr. Salmond).

There can be no question of the Bill's proceeding unless clause 1 and the other provisions in part 1 are included. We shall not negotiate with Conservative and Liberal Democrat peers on that matter. We will not detach part 1 from the Bill.

Opposition Members should think very carefully about how they want to proceed, because there is a very great deal at stake: a delay in implementing the new GP contract agreed with the British Medical Association, the loss to the national health service of up to £150 million a year through the provisions relating to the injury cost recovery scheme, the new provisions on NHS dentistry, the reform of the welfare food scheme, and the independent inspectorates.

Mr. Andrew Lansley (South Cambridgeshire): The Minister is representing the choice before the House as being whether the whole Bill proceeds or not, but the choice before the House now is whether part 1 proceeds or not. We are debating whether we proceed with foundation trusts in their present form. The rest of the Bill, as the Minister knows, is in a form that we are happy to see proceed.

Mr. Hutton: I would simply say two things to the hon. Gentleman. The House has already decided to proceed with part 1. We have had that debate on five separate occasions and on each of those occasions the House has approved it. The other thing I would say to the hon. Gentleman and all his right hon. and hon. Friends, is that the Bill as a whole stands before the House tonight. Of course it is true that these amendments are about part 1, but the Bill as a whole is one piece of legislation, and I have made it very clear to the hon. Gentleman and the House that the whole Bill stands before us tonight and we have to make a decision on that Bill. *[Interruption.]* It does.

Mr. Salmond *rose—*

Mr. Hutton: No, I am not giving way.

I am also moving one further consequential amendment.

Mr. Deputy Speaker: Order. I am sorry to interrupt the right hon. Gentleman. The hon. Member for Banff and Buchan must sit down if it is quite clear that the Minister is not taking his intervention.

Mr. Hutton: I am also moving one further consequential amendment this evening. It responds to the concerns of both peers and Members of the House about the representation of staff governors on the boards of NHS foundation trusts. At present, the schedule provides for at least one staff representative on the board of governors. My amendment—the amendment tabled by my right hon. Friend the Secretary of State—will increase that to a minimum of three. This emphasises our commitment to promoting the effective participation of elected staff representatives in the work of NHS foundation trusts and also demonstrates, I believe, the willingness of Labour Members to try to get a resolution to the matters before us tonight.

The further amendment I am proposing to clause 1 and schedule 1 deals with the issue of commencement and when the clause should take effect. I consider that we in the House should continue to disagree with the Lords over their amendments. We have made our position clear. We should stand firm in insisting now that this is the will of the House, which must and will in fact prevail.

Mr. Salmond: On a point of order, Mr. Deputy Speaker. As you are aware, Standing Order No. 97 allows the Speaker to certify Bills that make provision only for Scotland as such, so as to put them to the Scottish Grand Committee. If the Bill was considered to be only an English matter, could it not also be so certified; and if so, why have 43 Labour Members of Parliament for Scotland voted to impose it on England? If the Bill, as I believe, has serious consequences for the health service in Scotland, why have 43 Scottish Members of Parliament from the Labour party voted to impose a Bill that will undermine the health service in Scotland?

Mr. Deputy Speaker: Order. The short answer is that there is no such provision in the Standing Orders.

Mr. Tim Yeo (South Suffolk): I had hoped that, with eight hours for reflection, the Government might have come to their senses by now. The substitution of the Minister of State for the Secretary of State may reveal a lack of confidence in the Secretary of State's ability to put the case for the Government, and given the collapse in the Government's majority this afternoon that lack of confidence may easily be understood. The Minister of State said that the Government had taken this proposal through the House five times. I remind him that on each occasion the majority has been less than it was when it came before the House before.

By contrast, the majority with which this proposal was rejected in the other place an hour or so ago was substantially larger than the majority by which it was rejected yesterday. Those results make it clear to everyone, except perhaps members of the Government, that though they may have technically won the vote in the House—even though with the assistance of Scottish Members of Parliament to whom these provisions will not apply, as the hon. Member for Banff and Buchan (Mr. Salmond) has just pointed out—they have without doubt comprehensively lost the argument.

1.15 am

Let me remind the House that the proposals have now been rejected by a majority of English Members of the House of Commons on two separate occasions. The proposals now command the support of considerably less than half the Members of the House, and these measures will harm, not help, the national health service and the patients whom it serves. Not surprisingly, they are opposed by a remarkable range of professionals, trade unions and other bodies. As many hon. Members pointed out this afternoon, they will create for the first time in half a century a two-tier NHS in England.

The privileges and advantages that the Government will bestow on just a fraction of NHS hospitals will not be extended for several years to the majority of hospitals that our constituents use around the country. Indeed, if the review that the Secretary of State announced in debate this afternoon is to mean anything genuine, there is now a question mark perhaps not just over the timetable for extending foundation trust status to non-foundation trust hospitals, but possibly over the question of whether other hospitals will receive foundation trust status at all.

The Secretary of State did not explain what he would do if the review that he announced finds that foundation trusts are not working properly. I doubt whether it is worth asking him to explain this now, because his knowledge of the Bill this afternoon appeared to be somewhat sketchy, but we must recognise that there is now a real chance that foundation trusts will not work well because of the serious flaws in the Government's proposals. On top of the way that they are now creating

[Mr. Tim Yeo]

a two-tier NHS, the nature of the foundation trusts that the Bill will establish is so far from the concept originally proposed by the former Secretary of State—the concept originally endorsed by the Prime Minister and then undermined by the Chancellor of the Exchequer—that it will not achieve the benefits that the Government claimed for it.

Foundation trusts will not enjoy the freedoms that true independence brings. They will be subject to the same star ratings that have plagued the lives of doctors, nurses and managers for the past few years. They will be strictly regulated by a body that is itself controlled tightly by the Secretary of State. They will be forced to operate a management and governance structure that is irrelevant to the needs of patients, ill defined and confused in its concept, and expensive and cumbersome to operate. The only gains that foundation trusts will make are those that they will achieve at the expense of other hospitals.

What makes these damaging proposals all the more offensive to English MPs is that it applies to their constituents, but not to the constituents of those Scottish Members on whom the Government relied for their majority.

Mr. Salmond: Is the shadow Secretary of State aware not only that 43 Scottish Labour Members voted to impose foundation hospitals on England, but that these proposals were vigorously opposed by the Labour party in Scotland, including in the constituency of the Secretary of State for Health?

Mr. Yeo: I am most grateful to the hon. Gentleman for pointing that out, and it puts into context the use of the word "hypocrisy" by members of the Government earlier today in relation to this issue.

The Secretary of State knows that the Opposition would like to give our support to measures that give greater freedom to doctors, nurses and managers in the NHS. He knows that, unlike him and most Ministers, I have direct personal experience of chairing an independent charitable trust that successfully transformed an ailing NHS hospital, using the freedom that release from ministerial control bestows.

I therefore now make the Secretary of State an offer on behalf of the Opposition—I do so in good faith in an attempt to rescue the Bill. If the Government make concessions on two important aspects of the Bill, the Opposition are prepared to end their resistance to the Bill's passage through the House. First, the Government must abandon the costly, muddled, expensive and cumbersome governance procedures set out in schedule 1, and replace them with a simple management structure that does not involve elections by badly defined and probably unrepresentative constituencies. Secondly, they must change the rules relating to borrowing, so that borrowing by foundation trusts will not prejudice the ability of non-foundation trusts to access funds that they need to maintain and improve their services. That change will have to be accompanied by explicit Treasury consent.

Those changes would go a long way towards avoiding the creation of a two-tier national health service, and my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) is available to discuss the details of our proposal through the night and tomorrow morning if necessary. I appreciate that time is not on the Government's side. That is a problem that is entirely of their making. The two aspects of the Bill that we believe should be changed are ones that have caused concern in both Houses during the Bill's passage through Parliament, and have been widely criticised outside Parliament. It would have been helpful if the Government had listened to the concerns expressed by a great many people at an earlier stage, and acknowledged the strength of opposition to their proposals not only on the Opposition Benches, but in the Labour party. Nevertheless, it need not be too late to save this Bill.

Even if agreement cannot be reached on those two points, I confirm that the Opposition will be happy to let the rest of the Bill, apart from part 1, go straight into law. Our aim throughout these proceedings has been to avoid damage to the national health service. We believe that our proposal responds to the concerns of a great many people who are worried about what this Bill will do to the NHS. If by any chance the time scale proves too tight to reach an agreed settlement before the House prorogues, we will of course be happy to set out the basis on which a new Bill could be introduced early in the new Session and given the swiftest possible passage through Parliament. In the absence of progress along the lines that I have indicated, however, we will continue to fight against this motion.

Mr. Frank Field (Birkenhead): My right hon. Friend was clearly right when he said earlier—although I would put it in slightly different language—that the two Houses must at some stage come to some agreement on this Bill. I want to make a plea to my hon. Friends, including my hon. Friend the Member for Weaver Vale (Mr. Hall), as to why we should use this opportunity to think again about our stance.

One of the most valuable things that the labour movement has given to this country is the NHS. The NHS now is a prisoner of our success. In every election that I have fought, I, and those who fought elections before me, knew that the NHS was behind our lines. It was untouchable. It had a Teflon defence. The defence was that although we loved this institution, it did not have the money to deliver the job. Therefore, whatever problems, difficulties or failures it presented to our constituents, we all knew that it could not do better. The great success of this Government is that the NHS now has more funds and a larger increase in funds than any other Government have ever provided or asked taxpayers to provide. However, by doing that, we have stripped away that great defence—the defence that the NHS, this great nationalised industry, cannot deliver in the way that our constituents want it to deliver.

With the NHS moving from behind our lines into political no man's land where it faces attack from quarters who could never before attack it, we have to judge whether this small part of the Bill, which is causing such dispute within and between parties, will answer one key question that our constituents will ask. When we go to the polls, will they have seen that the money that they have willed from their wage packets and purses has been used as effectively as possible to increase the performance of this body that we have moved from behind our lines into political no man's land?

Let us consider the Bill, and I ask my hon. Friends to examine one aspect of setting up foundation hospitals. Before the spring of next year, the larger hospitals must from nothing create an electorate. Some of them will be searching for up to 3 million voters. We can imagine the legal disputes from some of those factions in our constituencies if they are not successful should we have a vote. We know what would happen. We all know from this institution to which we are so committed—

Jim Knight (South Dorset): Is my right hon. Friend against democracy?

Mr. Field: If my hon. Friend will allow me, I will continue as this is the first opportunity that I have had to contribute.

What will happen when we go to our local hospital to use it and look at the health side of its performance? Yesterday, I took my mother to St. Thomas's hospital. She had been some months before to see what was wrong with her heart. There was no follow-up appointment, so I phoned. Something had gone wrong, so we were given an appointment quickly—wonderfully. We then turned up and her file was there, but the results of the tests that she had had were not there. We had to wait while there was a search for those papers. The X-ray could not be found, so it had to be taken again. That hospital is under enormous pressure and it is trying to deliver a better service to our constituents and to our families, yet on the key issue of patient records this wonderful institution was losing things. If we pass the Bill tonight, we will also say to that hospital that it will have to set up an electorate. As well as trying to find and link papers to the patients who have come in for treatment, it will have to find up to 3 million people to take part in an election.

Of course, at some stage there will be a deal with the House of Lords. We are not quite sure what that deal will be. It will partly depend on our vote. However, I make a plea to Labour Members to maintain their opposition to the clause on foundation hospitals. I do not do that as someone who has opposed reform of the health service. Perhaps my Front Benchers found me annoying in suggesting ways in which we could be quicker in transforming this old nationalised industry into one that is responsive to consumer demand.

I pressed the Government to allow patients to go abroad, and 16 months later the Government, to some extent, conceded that. I asked them to take one target that everyone could see so that there would be no question of spin—that we would abolish day waiting lists before the next election and that we would bring in teams from abroad to achieve that objective. In doing so, we would break the Scargillite tendency among the consultants who have a vested interested in making sure that there are large waiting lists so that they can get private practice. There has been some movement, but precious little.

I speak and make my plea not as someone who has made the traditional defence of the NHS that we heard earlier. I believe passionately that, if it is to have a future, it is the Labour party's job to transform it from this old nationalised industry—the only nationalised industry for which the voters had any affection—to one that serves them in this new century.

1.30 am

Anne Picking: I thank my right hon. Friend for giving way because many of his remarks seem to be directed at me. I was a nurse—a front-line public service worker—for all my days until I came to the House, so I know what it is like to do that job. Our debate is not about foundation hospitals any more because we have debated that issue and voted on it—my personal position did not win the vote. However, we are now considering the democracy of this House, which must be sacrosanct.

Mr. Field: I apologise if I was looking at my hon. Friend while making my remarks, but if she cares to look at the circle of hon. Members sitting around her, she will understand that it was more preferable to look at her than her colleagues. I was not sending her a personal message in any way because I accept her honourable position. At the end of the debate, I hope that we will all know that we voted in the way in which we believed to be right.

I disagree with my hon. Friend on one point—if I may look at her again. Although it is quite proper for her to say that we have made our point and that we should insist that the Commons prevail, there is quite a long time until the opening of the new Session next Wednesday, so a lot of haggling could go on. There must be agreement at some stage and that must be satisfactory to the Government. My only plea is that when we consider how we vote, we do not do that on the traditional grounds of defending the old national health service, which is passing from our midst.

I make a plea as an ardent advocate of modernisation. We will succeed only by modernising, but I cannot for the life of me understand how it can be in our long-term interest to push more hospitals down the route of having to encourage more of our constituents to vote for various boards, especially given that some people who are sitting not far from me find it difficult to explain how they will operate.

I end my speech as I began it. We have moved the NHS from behind the safety of our lines into political no man's land. The electorate's test will be how we use their money to improve the service that the NHS provides. Will foundation hospitals have any influence on that before the next election? It will take a great deal of the time of some of the cleverest people in the NHS to get the scheme off the ground, but I wonder whether it will make any difference to a single one of our constituents. On that basis, I hope that at least some of us will insist on opposing this part of the Bill.

Mr. Paul Burstow (Sutton and Cheam): I rise to respond to the Minister, because he tried to say that we had a straight choice—take the Bill or leave it. That is not the choice before us, because we are debating part 1, which sprang up fully formed without any consultation. It did not appear in the Labour party's manifesto at the general election and did not form part of the NHS plan.

The Government must understand—they have not addressed this worry at any stage during the Bill's passage—that the Bill will not ensure equity, or safeguard universality, in the national health service. It will not require decisions about foundation trust status to take account of their impact on the rest of the NHS on such hospitals' patches. It will not prevent a foundation

[Mr. Paul Burstow]

trust from adopting a predatory approach towards non-foundation trusts in its neighbourhood, and especially towards services and staff.

We are talking about establishing an NHS in which competition, not co-operation, determines the form that it takes and how it progresses. The Bill confers a privileged status on foundation trusts in respect of borrowing and capital. The early wave of foundation trusts will have an easier ride when gaining access to capital at the expense of the rest of the NHS. The Bill still does not clearly deal with the cap on private activities within the NHS. The word used is "may", not "must". I urge Labour Members to read clause 15(1), which makes it plain that that is the case.

The House of Lords has considered foundation trusts a number of times. It has given us a chance to reflect on the issues again. I encourage hon. Members to take this opportunity to reject foundation trusts in the Lobby.

Dr. Desmond Turner (Brighton, Kemptown): I hope that Labour Members can divorce the debate from a confrontation either between Labour and the Opposition or between this House and the other place. The central issue is, if we insist on having foundation hospitals, will that advance the great Labour project, to which I fully subscribe, to improve public services and, in particular, to make the health service what we want it to be? In that spirit, I ask my Front-Bench colleagues to think again and my hon. Friends to think carefully about how they vote. I realise that the Government will probably carry the vote, but they should bear that request in mind.

My Front-Bench colleagues have regrettably failed to answer the serious criticisms levelled against foundation hospitals. The rest of the Bill does not depend on them and is acceptable to the House. I ask my Government to think again. I also ask my hon. Friends, who share my reservations, to stand by their concerns. Otherwise, I fear that we will be in danger of passing legislation that future Labour Governments—I am not worried about Governments of other parties—may wish we had not enacted.

Mr. Quentin Davies (Grantham and Stamford): We have got familiar over the past five or six years with the fact that we have an arrogant Government. They always have to have their way. If they do not, they get petulant and bad-tempered. I am afraid to say that the Minister behaved like that. In that petulance and bad temper, they forget, or show less than regard for, our constitution. He said that the other place had no right to turn down the Bill, but of course it has a right to do that. Our constitution and the Parliament Act are clear on that point. The other place is entitled to use its constitutional powers. If the Government wish to do so, they can use the Parliament Act in the next Session, but they have no grounds for such petulant resentment at the other place for simply fulfilling its constitutional mandate.

The substantive question is whether the House of Lords is right to take the view that it has. No one who has taken part in the debates on this matter today can be in any doubt that on this issue we need the other place to take a different view. At best this is an extremely muddled Bill, and at worst it is thoroughly dishonest. Its whole premise—as the Government introduced it—is that foundation hospitals can enjoy some real benefits by achieving that status, but other hospitals will not suffer any disadvantages. That is an implausible proposition to begin with, but it has been clearly exposed today as bogus. We have learned that from the financial point of view it will be a zero-sum game. If the foundation hospitals are able to raise more capital, it will be pound for pound at the expense of the capital available to hospitals that do not have that status.

Mr. Hutton *indicated dissent.*

Mr. Davies: The Minister of State shakes his head, but I doubt whether he will be brave enough to rise to contradict me. What I contend has been established beyond peradventure.

Another peculiar feature of the Government's propaganda on this subject is the claim that foundation hospitals somehow represent the recapture of hospitals for local democracy. In practice, all the powers will be drawn back into the bureaucracy by the regulator. Indeed, as the bureaucracy will determine which hospitals are allowed to become foundation hospitals, the Bill will increase centralisation, which is the exact opposite of the propaganda line. The Government have been disingenuous about the Bill.

The most dramatic revelation this afternoon was when the Secretary of State was forced to make concessions to his Back Benchers. He made contradictory and irreconcilable concessions to various groups in his own party. He told one group that if it did not like foundation hospitals, it should not worry because the Government would have a review after 12 months and possibly go back on the whole idea. However, he told another group—one that did not like the exclusivity of the concept—that all hospitals could become foundation trusts within four years. The Secretary of State does not seek to contradict me, and it is obvious that those two assurances contradict each other.

When incompatible, and I am tempted to say dishonest, promises are made on a Bill, it is important that the other place should take the opportunity to call a halt and say that we should not go ahead with it. Not only does the House of Lords have the constitutional right to take the view that it has, but it is clear from the way in which the muddle that the Government are in has been exposed by the debates today that the Lords are right. Thank heavens they have used their powers to ensure that the Government's contradictions and the Bill's shortcomings are laid bare. The House of Lords has done a great service to the country this evening. I hope that the other place will continue to stand firm and courageous, and send the Bill back again. If the Government have the courage of their convictions, they can use the Parliament Act in the next Session.

1.45 am

Kate Hoey (Vauxhall): I shall be brief. [HON. MEMBERS: "Hear, hear."] Well, I may go on longer, if that is the attitude. The House of Lords has done what it has the right to do.

If we do not like what the House of Lords is doing, we have to change the constitution, because the current constitution gives the Lords that right. To be frank, I am pleased that, apart from the provisions relating to foundation hospitals, the Lords have made several other amendments that improve the Bill.

In my view, the Bill has no credibility. It has no real support within the national health service or in the country. I cannot understand why Ministers in my Government are not listening to what people throughout the country are saying. Their handling of this issue has been extremely short-sighted. Already in my area, thousands of pounds have been spent on a consultation exercise, not on the principle, but on the detail. That that has happened—that the money has been spent before the proposal has even been passed by Parliament—is quite disgraceful. The money being spent now and that will be spent in future could have been added to the money that the Government are already putting into our national health service.

We have an excellent trust in Guy's and St Thomas's. Members of the board live in the community and forums bring in people from all parts of the community. At every consultation meeting that I have attended, I have not seen a single hand rise in favour of foundation trusts. We are doing something that has no support in the country, and the Government will rue the day if the Bill goes through tonight.

Sir George Young (North-West Hampshire): The hon. Member for Vauxhall (Kate Hoey) and the right hon. Member for Birkenhead (Mr. Field) have just had the courage to articulate reservations which we all know are widely shared by Labour Members. I hope that, even at this late stage in our debate, Labour Members will reflect on what those two Members have said. The first time we voted on this issue, the Government majority was 35; the second time, it was 17. At that rate of progress, the vote later on could be quite tight.

I say to the Minister of State, Department of Health, the right hon. Member for Barrow and Furness (Mr. Hutton), who opened the debate, the issue is not whether the Bill reaches the statute book, as he implied; the issue before the House now is whether the Bill reaches the statute book with part 1, or without it. All the other beneficial measures in the Bil will go on to the statute book if, in a few minutes' time, the House agrees with the Lords in their amendments.

Two issues that have run throughout the debate this afternoon and evening remain wholly unanswered by the Government. The first relates to funding. If a foundation trust successfully raises money privately and uses those resources to construct a building that would not otherwise have been built, the consequence will be that another hospital does not get a building that was in the Government's plans, because the overall public expenditure ceiling cannot be breached. Every single addition, every single success scored by a foundation hospital, will be compensated for by a failure by another hospital. It is no good the Secretary of State pointing at his head. He and the Minister of State have had debates this afternoon and this evening to answer that point, and neither has done so.

Hon. Members: Answer him!

The Secretary of State for Health (Dr. John Reid): I shall speak slowly, because even after three explanations, hon. Members obviously do not get it. It is quite easy for those who can do arithmetic. The envelope for capital expenditure is sufficiently big to contain all of the demands because, unlike the Conservatives, Labour is building up investment, not cutting it.

Sir George Young: With the greatest respect for the Secretary of State, I have to say that that does not answer the point that has been made time and again, for the following reason: he will never be able to get from the Treasury the totality of the money that he would like to spend on the NHS. If foundation hospitals were to be allowed to spend in addition to the provision made, there would be some advantage in their creation, but I repeat what I said a few moments ago: every success by a foundation trust will be matched by another building for a hospital that is not a foundation trust having to be dropped from the plans. That is the charge that the right hon. Gentleman has failed to answer throughout the debate.

The second point was touched upon by the hon. Member for Vauxhall. The Secretary of State wants to make services more responsive to the needs of patients. We agree with that. However, he has democratised the wrong body. It is not hospitals that determine the shape or the volume of services that are consumed. It is the primary care trust that commissions the services from the hospitals. If the right hon. Gentleman wanted to make the NHS more responsive to local needs, he should have applied his corporate government measures to the primary care trust, not to the hospitals.

Some Labour Members are cautious about voting with the Opposition. I have voted with Oppositions in previous Parliaments when there were Conservative Governments. If a Government Member thinks that it is right to vote with the Opposition because he or she believes that the amendment under question is right, he or she should do so. It seems to be perverse to rebel if it is thought that there is no chance of success, but to pull back on the one occasion when there is a real prospect of making a change. I understand that Labour Members have cover from their party conference if they want to vote in favour of the Lords amendment.

If Labour Members want a satisfactory resolution—if they want all the measures in the Bill to reach the statute book but not part 1—they should vote with the Opposition. They know in their hearts that that is the right thing to do, and they should not listen to the bullying from the Secretary of State.

Tom Levitt (High Peak): I intervened earlier to point out how a Liberal Democrat Member was supporting foundation hospitals in her locality but voting against them tonight. I do not want to criticise her or to make political capital out of that, but she was right to support foundation status for the Stepping Hill hospital in Stockport. It is an up to three star hospital that requires two new operating theatres in short shrift. It is a hospital that needs to replace two more of its existing theatres within three or four years. Should that hospital have the right to decide when, where and how it replaces its operating theatres, or should it be a small fish in the big pool of Greater Manchester, never rising to the top and never being able to secure the operating theatres that it requires?

[Tom Levitt]

On behalf of the people of Stockport and High Peak, I want Stepping Hill hospital to be able to make its decisions about the services that it provides. The decisions on operating theatres would not be taking resources away from other hospitals and other trusts.

Mr. George Stevenson (Stoke-on-Trent, South): Has my hon. Friend given any consideration to the effect that his argument would have on North Staffordshire hospital trust and not the foundation hospital?

Tom Levitt: I grew up in north Staffordshire and I had treatment in north Staffordshire hospitals, and I sympathise with my hon. Friend. I am explaining why no other hospitals will suffer because of my local hospital getting extra facilities.

The hon. Member for Grantham and Stamford (Mr. Davies) explained how he did not think that the model worked. He is living in the past. As long as there is more money going into the health service, conditions will not worsen in non-foundation hospitals. He is right in his analysis if there are cuts in the health service, as there were under Tory Governments in the past and as there would be under future Tory Governments. That is when his model would work.

I say to my hon. Friend the Member for Vauxhall (Kate Hoey) that there are plenty of Vauxhall voters on the Government Benches. We have been listening to her extremely carefully.

Tony Baldry (Banbury): In their own interests, Labour Members should reflect on whether today will be their NHS poll tax. I shall explain why.

In Oxfordshire, we have the Oxford Radcliffe NHS trust, which is a low starred trust. That is through no fault of the staff, the doctors or members of trade unions who work there. There are many structural reasons involving the bringing together of hospital sites and the Oxford teaching hospital. However, the hospital produces some very good medicine. It is a no-star trust, so it has little chance of becoming a foundation hospital. That is exactly the sort of hospital that should receive help from the Government, yet it will not.

The Nuffield Orthopaedic Centre up the road has the highest star rating and will be in the first wave of hospitals to get foundation status. Unto them that have will be given, and from those that have not will be taken away even that which they have. Nurses working at the Nuffield Orthopaedic Centre in one part of Oxford will be paid more than nurses working in the Oxford Radcliffe Hospitals NHS trust. Where is the equity in that? Where is the national health service in all that? The measure is a totally unfair way of proceeding. If Labour Members believe that that—

Mr. Kevan Jones (North Durham): Will the hon. Gentleman give way?

Tony Baldry: No, I am short of time.

If Labour Members believe that that is the way forward for the national health service, they will seriously regret that they put part 1 into legislation, if that is what they choose to do.

Dr. Richard Taylor (Wyre Forest): As somebody who has worked in the NHS for rather a long time, I am dedicated to it as a service for the patient. I agree that it is vital to decentralise control, but the proposal is the wrong way of decentralising services. It is wrong because it drives a wedge between primary and secondary care, and between hospitals, at exactly the time when the Government are looking for partnerships, collaboration and networking. It is ill thought out because of the lack of patient forums, at exactly the time when the Government are trying to improve patient and public involvement in health. I do not believe that the members of boards of governors of foundation trusts will be entirely independent of their executives.

There is an alternative way. One has only to go back 17 of the 18 re-organisations that we have had in the past 20 years, to local district health authorities, which had locally elected members in the form of councillors, representatives of local bodies, a locally elected consultant and a locally elected GP, to see that they worked. With the resource management initiative that was abolished almost as soon as it was drawn up, they would have produced an efficient service. Even now, the Commission for Healthcare Audit and Inspection would have been able to prove that those organisations were living within their means or were underfunded.

I would like us to forget about foundation trusts and consider other reforms while there is still time. A vote against the Government is not a vote against decentralisation; it is a vote against the wrong sort of decentralisation.

Mr. Kenneth Clarke (Rushcliffe): I hope I have a chance to remind the Secretary of State, who appeared to believe the reply that he gave to my right hon. Friend the Member for North-West Hampshire (Sir George Young) about the effect of the financing of foundation hospitals on other hospitals, that that was not the view of his predecessor. When foundation hospitals were proposed, it was not the intention to cap capital spending. Borrowing was to be enlarged. It was the Treasury that insisted on a cap. Why does the Secretary of State think the Treasury insisted on putting a cap on capital spending, if there is now unlimited funding, no choices to be made, and all can have the investment that they wish? It was the Treasury that insisted that capital investment in foundation hospitals would be at the expense of other hospitals. He cannot seriously deny with a straight face, even at this hour of night, that he has lost that argument and several others as well with those in another place.

2 am

Dr. John Reid: I have a considerable respect for the right hon. and learned Gentleman, but there is one significant difference between the position that he faced and the position that we face now, which is that there is an increase in investment—*[Interruption.]* Opposition Members may not like it, but the difference between the

Tory Government cutting the capital investment envelope and a 7.4 per cent. real-terms increase for five years means that every feasible application for capital requirements, even counted against the envelope, can be met under the Labour Government, while they were consistently refused under the cuts of the Tory Government. That is the point.

Mr. Clarke: Then will the Secretary of State explain why the Treasury insisted on a cap?

Dr. Reid: The Treasury insisted not on a cap, but that any borrowing made by the foundation trust counted towards the general envelope. *[Interruption.]* That is not—*[Interruption.]*

Mr. Deputy Speaker (Sir Michael Lord): Order. The House must listen to the Secretary of State.

Dr. Reid: That is not an individual cap for a hospital; it is—*[Interruption.]*

Mr. Deputy Speaker: Order. I remind the House that these are serious matters, and they must be dealt with accordingly. May I also remind the Secretary of State that he is intervening?

Dr. Reid: My intervention would be briefer if Opposition Members were prepared to accept the answer for which they have constantly asked. There is not an individual cap on hospitals, foundation trusts or otherwise—

It being one hour after the commencement of consideration, MR. DEPUTY SPEAKER *put the Question already proposed from the Chair, pursuant to Order [this day].*

Question put, That this House insists on its disagreement with the Lords in the said amendment:—

The House divided: Ayes 290, Noes 249.

Division No. 388] **[2:02 am**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Benton, Joe *(Bootle)*
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
David, Wayne
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ennis, Jeff *(Barnsley E)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris

Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Shaw, Jonathan
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW L...)*
Thomas, Gareth *(CWyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Fraser Kemp and Mr. Jim Murphy

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Barnes, Harry
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bennett, Andrew
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burgon, Colin
Burnett, John
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clapham, Michael
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clarke, Tony *(Northampton S)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Dorrell, rh Stephen
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibb, Nick *(Bognor Regis)*
Gibson, Dr. Ian
Gidley, Sandra
Gillan, Mrs Cheryl
Godsiff, Roger
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hendry, Charles
Hinchliffe, David
Hoban, Mark *(Fareham)*
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Holmes, Paul
Hopkins, Kelvin
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kilfoyle, Peter
King, Andy *(Rugby)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
McDonnell, John
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Mahon, Mrs Alice
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Quin, rh Joyce
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*

Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Sedgemore, Brian
Selous, Andrew
Shephard, rh Mrs Gillian
Short, rh Clare
Simmonds, Mark
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Stevenson, George
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Trickett, Jon
Turner, Andrew *(Isle of Wight)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Watkinson, Angela
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Wood, Mike *(Batley)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. David Wilshire and
Mr. Peter Luff

Question accordingly agreed to.

Lords amendment No. 1 disagreed to.

Government amendment (a) in lieu of Lords amendment No. 1 agreed to.

Lords amendment No. 161 disagreed to.

Government amendments (a) to (bb) to the words restored agreed to.

MMR Vaccine

Motion made, and Question proposed, That this House do now adjourn.—*[Joan Ryan.]*

2.18 am

Norman Baker (Lewes): Nineteen hours ago I was attending a breakfast meeting in Newhaven to discuss infrastructure works in my constituency. It seems a long time ago.

The measles, mumps and rubella vaccine is a difficult subject, but it is extremely important for my constituents. I do not profess to be an expert on the matter but I shall do my best to represent constituents who have presented me with a compelling set of circumstances that I feel obliged to raise on their behalf in this debate. I do so with the full support and encouragement of my constituent, Isabella Thomas, on behalf of her children Michael and Terry. I hope that the Under-Secretary has received from my office information giving the history of events.

My constituent has four sons. The two older boys both caught measles during the first years of their life when the single vaccine against measles was not offered. They are both fine. However, the two younger boys both received the MMR vaccine and suffered severe reactions that dramatically changed their lives. Michael suffered mild asthma and breathing problems after his third diphtheria, tetanus and pertussis and polio vaccinations, but was developing normally before he was given the MMR vaccine at 14 months.

Within hours of the MMR vaccination, Michael developed high-pitched screaming and a high fever. According to my constituent, he was like a wild animal; he screamed when anyone touched him and cried day and night. He has been diagnosed with regressive autism and has an obsessive-compulsive disorder. He suffers from auditory hallucinations, increased clumsiness, chronic bowel disease, temperature control problems, severe headaches, loss of memory, breathing problems and rashes. Last year, he was unable to attend school very much due to his health problems. At present, he does not go to school, as no school can meet his needs. It is clear from a psychological report compiled this year that his condition is deteriorating. Medical test results have found the measles virus, consistent with the vaccine strain, in damaged tissue in Michael's bowel and in his blood.

Michael's younger brother Terry also suffered minor reactions to his DTP and polio vaccinations. He was prone to febrile convulsions, but otherwise he developed normally. He walked at 10 months and his development milestones were satisfactory according to his health visitor at the time.

As Michael had had such a severe reaction to the MMR vaccine, his mother was worried about giving Terry the same injection. However, under intense pressure, and after medical advice, she duly had Terry vaccinated. During the night after the vaccination, Terry suffered a fit and within a week he developed excessive temperature swings and loss of skills. Before the vaccination, he was potty trained, but he regressed the very next day. Within two weeks he began to suffer from constipation and chronic diarrhoea. Within a month he appeared clumsy and walked into doors. He stopped talking and would become completely silent. He no longer indulged in pretend play. He now suffers from fits, jaundice when ill, chronic bowel disease, very high fevers, rashes, regressive autism and excessive thirst. His medical test results show that he, too, has the measles virus, consistent with the vaccine strain, in the damaged tissue in his bowel.

As I said earlier, I do not pretend to be an expert in these matters. I merely consider the evidence as a layperson. The Minister may be able to give me some explanations but none has yet been forthcoming from the medical profession. Given the circumstantial evidence, the conclusions that my constituent has reached are hardly surprising.

My only previous involvement in the topic of vaccines was when I raised questions about bovine material in vaccines during an Adjournment debate in this place on 28 March 2000. I was concerned that the use of such material, which could be a transmitter of Creutzfeldt-Jakob disease, was allowed in vaccines years after it should have been withdrawn. Subsequently, the Government admitted that in a statement. In fact,

[Norman Baker]

although it was thought that the risk of the disease was greater from injections than from food, action was taken on food as a transmission route but not on vaccines. Sometimes, when there are questions about the safety of vaccines, Governments, of whatever party, have the wholly laudable intention of not damaging confidence in vaccines generally, which are obviously useful for society, and are reluctant to admit that there may be a problem under certain conditions. That idea came to my mind as a result of that debate on bovine vaccines three years ago.

I need to know how these conditions developed in Michael and Terry. How can they be explained if they are not an adverse reaction to MMR? Should some other medical explanation be forthcoming? The injections were two years apart and the adverse reactions began immediately after the vaccine was administered, so the circumstantial evidence is quite strong.

My constituent, in a letter to me, says:

"I wanted to keep my children safe from disease and I trusted the system. I thought the system would be structured to protect my children as individuals. I have been naive. The system is structured to protect itself."

That is her view on the matter, and I hope that the Minister's response will go some way to reassure her and make her feel better about the situation in which she and her children now find themselves.

I know that the Minister is not responsible for the legal system and therefore cannot say much about that, but my constituent is in a difficult situation. Her anxiety and stress has been exacerbated by a change to the legal aid funding of the class action. Her sons were awarded legal aid to pursue their case for compensation through the courts, but after several years of legal aid, on 1 October, just six months before the test cases were due to go before the High Court in April 2004, legal aid was stopped. Unless a judicial review requires the Legal Services Commission to revise its decision, it will be extremely difficult for her and many other parents to fight the case that they have progressed so far. Purely from the point of view of the use of public funds, it seems rather excessive and bizarre to have expended so much public money up to a particular point, only to pull the rug. There is a question mark in my mind about that.

My constituent believes, rightly or wrongly, that the reactions that have been caused in her children and which have led to these, it seems, permanent conditions are a result of MMR. She holds that view very strongly and communicates it to those in the health service. She feels that because she holds that view, her children are effectively being denied effective treatment to deal with their conditions until such time as she is prepared to deny that MMR is the cause. That may be a misconception on her part, but that is what she believes.

Whatever else comes out of this, I hope very much that we can find a way of providing effective treatment to help those children, because their mother sincerely believes they have been effectively abandoned in many ways by the health service as a consequence of the situation that has arisen and as a consequence of the huge controversy surrounding MMR in the medical profession and society at large. No doctor, it seems, wants to be associated with cases that may be MMR-related—or at least are in the mother's view—in case somehow there is a problem from their perspective, so the children are effectively denied medical treatment that would help them.

I want to leave plenty of time for the Minister to reply so I will not speak for much longer. My constituent says that she thinks that the Department of Health has failed in its duty of care for her children. In a letter to me, she raises a number of points about the pre-introductory MMR trials, which she believes

"were inadequate in that they failed to follow up adverse reactions for more than just a few weeks."

She says that

"it took the Department four years to identify and withdraw two of the three original MMR brands that had been introduced into the UK vaccination programme in 1988".

I do not know whether that is true. She refers to the two brands Pluserix and Immravax, which she says were withdrawn in September 1992 because they contained a mumps strain that was apparently suspected of causing mumps meningitis. If the Minister has advice on that, I should be interested to hear it.

Is it possible, I ask the Minister, that there was an earlier strain of MMR that was, in her view, less satisfactory than the ones being used now? Would that be an explanation of the situation in which my constituent finds herself? In the opinion of the Department of Health, is there a difference in the safety of different strains or is it the Minister's view that they are all equally safe, as the Government maintain they are?

My constituent says that the vaccine policy makers failed by providing an inefficient monitoring system for adverse events following vaccination. To justify her position on that, she quotes a sentence published in *The Lancet* on 4 March 1995:

"There is an urgent need to find more reliable methods of adverse event surveillance."

Lastly, my constituent also believes that the Government's senior vaccine officers failed to investigate the children believed to have been damaged. She says that a full list of children then affected was presented to the then Health Minister, the chief medical officer and the principal medical officer during a one-hour meeting in 1997, when the Government were asked to instigate a scientific investigation of the children believed to have been damaged. Such an investigation would have been useful. Is the Minister aware of that meeting? If so, is she able to tell me what progress there has been as a result of the meeting?

I freely admit that, as the Minister will understand, I am not an expert in health matters—my expertise, such as it is, is in environmental matters—but my constituent is extremely distressed. She has two children whose lives have been changed for the worse—it seems, permanently. There is at least a casual link in her mind between the conditions that the children now have and the administration of the MMR vaccine.

The Minister will know just how difficult it is for parents to decide whether vaccinating their children is the right thing to do. There are risks in vaccinating and in not vaccinating. It is a very difficult decision, and my constituent feels that the medical profession encouraged her to take the wrong decision for her children. I hope

that the Minister can deal constructively and sympathetically with my constituent's case and give some reassurances that I can take back to her.

2.30 am

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): I congratulate the hon. Member for Lewes (Norman Baker) on securing this debate on his constituent and the MMR issue. Many other hon. Members and I care greatly about the health and safety of children. Many of us, as parents, well understand the difficulties of deciding whether to have children vaccinated and, indeed, the concerns that any parent must have about the health of their child.

Of course, autism can have a devastating impact on children and their families, and it is only natural that the parents of autistic children want to find out what has caused their child's condition, but it has proved difficult to find such a cause. The Department of Health has already asked the Medical Research Council to consider the evidence. The MRC produced a clear and authoritative picture of what scientific research has revealed about the occurrence and causes of autistic spectrum disorders: The MRC report clearly reflected the current state of knowledge. Like other authorities, the MRC identified a strong genetic component in the causation of autism.

The Government have demonstrated their commitment to finding out more about the causes of autism by allocating a further £2.5 million to the MRC to help it to take forward the recommendations of the report. However, we know that some parents genuinely believe that their children's lives have been damaged by the MMR vaccine. Clearly, the hon. Gentleman's constituency is one of them. Of course, they want to know what has affected their child. However, I have to reassure the hon. Gentleman and others that all the scientific research from around the world comes to the same conclusion: there is no credible evidence linking MMR and autism. That may not be a comforting conclusion for parents who believe that their child's autism was somehow triggered by MMR, but I cannot ignore the evidence and the scientific advice that we have received from around the world.

Perhaps I can put the introduction of the MMR vaccine in the UK into context. The MMR vaccine underwent a thorough licensing programme and a review was carried out in 2001, which was prompted by concerns raised by Andrew Wakefield in a publication in 2000. The Committee on Safety of Medicines concluded that standard procedures were followed and that MMR vaccines were licensed on the basis of satisfactory standards of safety, quality and efficacy.

Pre-licensing trials are normally not large enough to detect rare adverse reactions. That is why procedures are in place to monitor vaccine safety after licensing. Therefore the retrospective call for the original MMR clinical trials carried out in the 1970s and 1980s to be able to detect an increase in autism postulated in the 1990s is not sensible or justified. None of the studies carried out subsequently, however, has provided any support whatsoever for the claims that either bowel disease or autism is associated with the MMR vaccine.

The hon. Gentleman touched on the withdrawal of the MMR vaccines containing the urabe strain of mumps vaccine in 1992. The identification of this issue four years after the introduction of the vaccines is not proof that the clinical trials were inadequate. When the Department of Health became aware of the existence of a potential safety issue with that vaccine strain, it immediately asked the Public Health Laboratory Service to instigate detailed monitoring of possible vaccine-associated cases of aseptic meningitis. Initially, some 28 vaccine-associated cases were identified, which were all in recipients of MMR vaccines containing the urabe mumps strain. This indicated a risk of one case of aseptic meningitis in 11,000 vaccinees. As soon as those data were available in 1992, an alternative vaccine became available which did not have that level of risk and was equally effective. The vaccines were replaced in September 1992. Very rare adverse reactions sometimes cannot be identified until a vaccine is used in a wider population, which is precisely why we have the monitoring arrangements that we do.

To turn to the monitoring arrangements—the yellow card scheme—I cannot go into all the detail in the time available to me, but as soon as the strain was identified, vaccines were withdrawn. That demonstrates clearly that if we identify a problem, we are able to act and respond—*[Interruption.]* I cannot hear what the hon. Member for Epping Forest (Mrs. Laing) is saying from a sedentary position. If I could, I might be able to respond.

A number of studies cannot find any difference between the rate of autism in children receiving MMR and in those who do not receive it. Other studies have found no sudden increase in autism associated with the introduction of the MMR vaccine in the UK in 1988, no difference in the age of diagnosis between MMR-immunised and un-immunised children, no difference in the MMR immunisation rates between those children with autism and the general population, and no link between the timing of MMR and the onset of autism.

Norman Baker: One thing that I did not mention was some staggering figures on the incidence of autism in the United States, which tend to suggest, taking all the states on average, that there has been an overall increase of 870 per cent. between 1992 and 2002—from 12,000 cases to 118,000 cases in just 10 years. Has the Department of Health made any studies as to what the reasons might be for that gigantic increase in the US? Has that been investigated at all?

Miss Johnson: Obviously, I am not responsible for health care in the US, although I appreciate that its experience may be relevant to ours. In the UK, vaccinations are not compulsory but voluntary. I do not have an analysis with me this evening of the US figures that the hon. Gentleman has quoted, and I cannot therefore comment on their validity or on what the scientific community has said about them.

It is not just this country that has come to this conclusion about MMR—a huge number of countries around the world that use the vaccines have done so, as has the World Health Organisation, which states that MMR

"has an outstanding safety record".

The hon. Gentleman will have heard the recent views from Dr. Murch, who was one of the authors of the original papers that triggered the MMR debate. His words speak for themselves:

[Miss Johnson]

"No other vaccine has ever been studied in such depth and the evidence for its overall safety is comprehensive . . . There is now unequivocal evidence that MMR is not a risk factor for autism."

He was one of the authors of the original report. He continues:

"This statement is not spin or medical conspiracy, but reflects an unprecedented volume of medical study on a worldwide basis."

I now turn to the question of measles virus in samples from autistic children, which the hon. Gentleman also raised. Some parents of children with autism have chosen to have samples of blood and tissue analysed privately. The hon. Gentleman referred to the fact that, in some cases, the measles virus consistent with the vaccine strain has been found in blood and other samples taken from the child. The detection of that has become the focus of much attention over recent months.

There is only one laboratory of which we are aware that claims to find measles virus in tissue samples from autistic children. However, the head of that laboratory in Dublin, Professor O'Leary, issued a press statement last year because he was concerned about the way in which certain newspapers had reported the results of his work. He said that the newspaper reports were

"misleading, erroneous, and are causing unnecessary concern among parents."

He added:

"I and my research team have consistently advocated the use of immunisation and the use of MMR to protect the nation's children from measles, mumps and rubella."

Much evidence has been put into court about parallel testing of blood and other samples both by Professor O'Leary and other experts advising the court. The results of those investigations need to be put into the public domain, so that everyone, including the parents involved in the court cases, can see all the evidence and not just selected parts of it. We need to be careful about accepting just part of the story.

The hon. Gentleman might also like to know about the test results of the recent court case taken against the manufacturers of MMR. He will be aware that three test specimens were claimed to have proved positive when tested by the laboratory on behalf of the claimants, and this became the centre of attention in a number of media stories claiming that Dr. Wakefield believed this to be the strongest evidence yet linking MMR to autism. However, the hon. Gentleman will also be interested to know that the results of the analysis of the same samples carried out by other expert laboratories were that no measles virus could be detected in the samples. I am not sure how the stories were run in the newspapers, but they probably did not serve the public's best interest. Scientists and the responsible media need to look at the evidence dispassionately, both for and against a theory, and not risk the idea that they suppress results.

On legal aid, it is important to understand the process that has led to the decision by the Legal Services Commission to withdraw funding for the MMR litigation. After all the evidence from both claimants and defendants was put into court, I understand that the Legal Services Commission took the view that there was insufficient evidence to proceed with any prospect of success for the claimants. This decision was appealed by the claimants' lawyers and it was reviewed by the funding review committee of the LSC. The committee is an independent body made up of solicitors and barristers from private practice, including a Queen's counsel with expertise in this sort of litigation. The decision to withhold further funding was supported on appeal.

We should not forget that the LSC had already made an investment, which the hon. Gentleman mentioned, of £15 million in this case. Despite this investment, medical research had not proved a link between the MMR vaccine and autistic spectrum disorders and no link had been proven by any other medical authority. I also think that it is important to note that the LSC has said that, on further consideration, it regrets embarking on funding the scientific studies that have contributed to the £15 million costs.

It is important to ensure that this £15 million investment of legal aid does not go to waste. I am sure that hon. Members will agree that it is imperative that experts look at this evidence, as they have with all evidence on MMR over the years, to reassure themselves that no evidence of a link has been overlooked. We also have the evidence about the view of the claimants' chances in court.

Mrs. Eleanor Laing (Epping Forest): Will the Minister ensure that the money that the taxpayer has spent so far does not go to waste? It appears that the research that has so far been carried out has been to no avail, simply because it does not appear suitable to take forward the court case. Will she assure the House that taxpayers' money that has gone into the research on the possible link between MMR and autism will not be put to waste, but will be followed up so that we can finally reach a conclusion on this question?

Miss Johnson: The hon. Lady makes a good point, and I was saying that we hope that the money will not go to waste. I understand that most, if not all, of the expenditure is incurred by claimants, so much of the expenditure is effectively their property. They have the ability to put the information into the public domain, so the main onus does not rest with the Government.

I turn to the examination of cause regarding autism children. Detailed information about more than 200 children was obtained from families, GPs and specialists who look after children. Experts reviewed more than 100 cases of autism and bowel disease in children, but they could find no syndrome that made those children different from any others with autism. They found no evidence to implicate the vaccine or to give any cause for concern about its safety. It is worth pointing out that only one parent admitted that their child's symptoms had appeared before the MMR jab. However, there were written records from health professionals showing that there were concerns about nearly 40 per cent. of children's development before they received the MMR jab.

Exactly the same thing was seen in a study done by Professor Taylor, because there was clear evidence that some parents had originally acknowledged that their children had problems before the MMR jab but later said that the symptoms had appeared after it. That is not to say that parents do not tell the truth. It shows how fraught the situation can be, how difficult it must be for parents to deal with it, and how difficult it can be to assess evidence before and after such a jab.

Many scientific studies have failed to demonstrate a causal link between MMR vaccine and autism or bowel disease. The Committee on Safety of Medicines has considered the safety of MMR vaccines on numerous occasions and its conclusion remains that available evidence does not support an association between MMR vaccine and autism or bowel disease. Therefore the identification of at-risk groups is neither relevant nor feasible and the hypothesis that there is a connection does not hold.

I am not sure how much time I have left, but I shall say a little about vaccinations in Japan. Japan does not use MMR vaccine, but that is because it cannot produce a vaccine with a mumps component that does not carry the risk of mumps meningitis. Japan uses single—

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twelve minutes to Three o'clock.

House of Commons

Thursday 20 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT, FOOD AND RURAL AFFAIRS

The Secretary of State was asked—

Rural Public Bodies

1. **Mr. Jim Cunningham** (Coventry, South): What estimate she has made of the staff cost of the merger of English Nature, the Countryside Agency and the Rural Development Service as proposed by the rural delivery review; and if she will make a statement. [139828]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): In my statement on 11 November, I announced my intention to create an integrated agency that would incorporate elements of the work of English Nature, the Countryside Agency and the Rural Development Service where those functions would most enable the agency to reflect its new remit. Plans for setting up the agency, including arrangements for transferring staff, are now being developed. I hope to give more details in the spring.

Mr. Cunningham: I thank my right hon. Friend for her reply, but has she received any extra moneys for the agency, given its new functions?

Margaret Beckett: Sadly, no. As my hon. Friend will appreciate, the functions are not new. We are considering ideas about a different method of organising the way in which we carry out the functions that the Department and its different agencies exercise.

Mr. Ian Liddell-Grainger (Bridgwater): Given the importance of the organisations in an area such as Somerset where we have a national park, areas of outstanding natural beauty and a coastline that is second to none, does the Secretary of State believe that amalgamating them into a bureaucratic machine of such size and complexity will maintain the parts of Britain that matter most? Will not a muddle of interference from Government and bureaucrats ensue?

Margaret Beckett: We are anxious to ensure that we reduce the current bureaucracy and complexity. The House will appreciate that we have an arrangement of agencies and responsibilities that DEFRA inherited from the Departments from which it was created. It is our goal—I have made it the Department's top priority—to reduce, for example, the complexity of schemes, forms, bureaucracies and inspections to which Lord Haskins rightly drew attention in his report.

Tom Levitt (High Peak): A couple of weeks ago, I visited Cressbrookdale in my constituency with officers from English Nature. It is an isolated valley that is home to a unique combination of flora as well as 250,000 visitors every year. I witnessed English Nature's work on the ground. It has a varied and wide function and I should like—I am sure that my right hon. Friend agrees—all its functions in rural and urban areas to be maintained. May I put in a word for the maintenance of all its functions and for the leadership of English Nature to play a main role in future operations?

Margaret Beckett: I am grateful for my hon. Friend's question, not least because it enables me to put on the record how highly the Department values the work and reputation of English Nature. He is right to urge his case, which falls on willing ears. We want to preserve all that is best and valued that has been built up in English Nature and ascertain how best that expertise and experience can be used to maintain a truly independent voice on behalf of those interests.

Mr. James Clappison (Hertsmere): Does the Secretary of State appreciate that English Nature is widely admired for its high quality and especially for its independent advice not only in the Department but many other quarters? Independence is a good thing, is it not?

Margaret Beckett: It certainly is. We did not accept 100 per cent. of Lord Haskins's recommendations, which included the abolition of the Countryside Agency, because we believed that there was merit in preserving that independent voice on behalf of rural interests. We strongly value the independence of the bodies and wish to maintain it.

Mr. Michael Meacher (Oldham, West and Royton): I am glad to hear my right hon. Friend say that. As she said, it is essential to maintain an independent voice on behalf of wildlife and the natural environment because both remain under intense pressure from road building, ports development, house building and chemical agriculture. Does she also accept that making environmental protection subordinate to farming and rural development is contrary to the Curry commission's recommendations, which the Government accepted, and to DEFRA's advocacy of sustainable agriculture?

Margaret Beckett: Fortunately, there is no intention of doing any such thing. I emphasise to my right hon. Friend that we value the interests and concerns that he mentioned. I hope that he and others who have great experience and expertise will continue to scrutinise and comment and pass on the benefits of their experience as we develop the new agency. I am mindful that although there is great regard for English Nature, when it was set up after its predecessors were abolished there was great public anxiety, which it has managed to come through

to establish a powerful reputation. There is no reason why we cannot build on that expertise, create bodies and a pattern of agencies that work with the Department and preserve the independence and value that exist in the current structures, but without some of the duplication and bureaucracy.

Mrs. Caroline Spelman (Meriden): Tom Burke, a council member of English Nature and a former adviser to the Prime Minister, called Lord Haskins's proposals to subsume English Nature into a single huge rural agency "an act of barbarism" amounting to

"selling the biodiversity police to the agricultural mafia".

There is a real risk that Britain's endangered species may lose a champion. We heard what the Secretary of State said, but will she be more specific? Will she spell out what safeguards she will establish to ensure that English Nature retains what she describes as its independent voice?

Margaret Beckett: The hon. Lady should look more carefully at what I said when the Haskins report was published. I remind her that we intend to produce a much more detailed response than that preliminary, interim response to the arrival of the document in the public domain. We will do that in the spring.

I am familiar with the comments quoted by the hon. Lady. I had the impression that the Conservatives held the agricultural mafia in high regard, but never mind. Of course, her remarks come from someone who regrets the Department's creation, and clearly prefers the isolationism of a purely environmental role. I do not share that view, but I respect and understand the fears that have been expressed and we shall do all that we can to ensure that they are not realised.

Rural Payments Agency

2. **Mr. Gordon Prentice** (Pendle): What steps she is taking to reduce the time taken by the Rural Payments Agency to make payments. [139829]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): The RPA is undertaking a change programme due to deliver in 2005–06. The programme is the cornerstone of DEFRA's strategy for achieving 95 per cent. electronic service delivery capability for common agricultural policy schemes. It will reduce the average time taken by a claimant to complete a CAP claim. All valid claims submitted electronically will be paid within two weeks of the start of the payment window, or three weeks from receipt where no payment window exists.

Mr. Prentice: It is reassuring to hear about the change programme, and I wish the Minister well, but some claims are taking for ever to process. The Rural Payments Agency compensates food manufacturers for the difference between European Union and world sugar prices. That may be all very well for manufacturers making a million Mars bars a day, but for specialists making assorted biscuits, with a wide product range that is constantly changing, the complexities of the system are truly daunting. Is the Minister aware of the problem, and would he be willing to meet me along with representatives of the interests that are being crushed by this bureaucracy?

Alun Michael: I shall be happy to meet my hon. Friend. I am aware of the complexities of the programme, but it is worth mentioning that £750 million has been paid to farmers in the last month under livestock and arable schemes, at the opening of the relevant payment windows. We are significantly improving performance in a number of ways. I know that there were some teething problems when the RPA's new integrated system "Oregon Live" went live on 25 October, but I think that that too will help to improve the agency's record.

Michael Fabricant (Lichfield): The Minister has not really answered his hon. Friend's question. He rightly encourages diversity in farming. The biscuit manufacturer mentioned by the hon. Member for Pendle (Mr. Prentice) is typical of those in many small industries: he used to be a farmer, and his biscuits are home-baked. He has a wide range of not only biscuits, but sweets and chocolates. The trouble is that a lot of forms must be filled in, one for each line. That may be easy enough when 10 million Mars bars are involved, as the hon. Gentleman said, but those who make products in small numbers must fill in a different form for each one. How can the Minister aggregate the system to encourage the diversity in farming that both he and Conservative Members want?

Alun Michael: We are enthusiastic about simplifying everything that can be simplified, but we must meet the requirement under European legislation to account for public money going to those producers. We are always happy to look at industry's suggestions on ways in which things can be simplified, but we must meet those requirements.

Mr. Owen Paterson (North Shropshire): IACS—integrated administration and control scheme—forms have to be submitted in April and May, but the RPA's customers sometimes find that there are serious payment problems many months later, after evidence may have been harvested. Can the Minister guarantee that all IACS forms will be validated by late summer so that farmers are not hit by unexpected cash-flow problems later in the year?

Alun Michael: I welcome the hon. Gentleman to his new responsibilities. As he knows, giving a guarantee is always unwise in this business, so I urge him to seek guarantees only when they can realistically be given.

In 2003–04, the Rural Payments Agency has a target to pay 80 per cent. of all valid non-IACS claims within 28 days of the claim becoming processable, and all claims within EU deadlines or, in their absence, 60 days. I appreciate the hon. Gentleman's point about complexities and timing, and we are always willing to look at specific problems that arise as part of the change programme that I referred to earlier. I am happy to look at his specific points but we must achieve the work output within the requirements of the common agricultural policy systems.

Fishing Industry (Scotland)

3. **Mr. Michael Weir** (Angus): When she last met Scottish Executive Ministers to discuss the future of the Scottish fishing industry. [139830]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): I discussed the future of the Scottish fishing industry extensively with my Scottish Executive colleague, Ross Finnie, before, during and after a Fisheries Council meeting in Brussels earlier this week. My right hon. Friend the Secretary of State is holding a video conference with Mr. Finnie later today.

Mr. Weir: I thank the Minister for his answer. He will be aware that haddock stocks are at their highest level for 30 years. The Scottish Fishermen's Federation has proposed seeking the decoupling of haddock and cod to preserve cod but allow the continued fishing of the more abundant stocks of other white fish species. Will the Minister take that point on board, reject any deal at the December Fisheries Council that includes cuts in haddock quotas and ensure that Scotland's fishermen can continue to catch Scotland's premier fish?

Mr. Bradshaw: Yes, I have already taken that point on board, as have my officials, and we raised it with the Commission and its officials in the run-up to the December Council. The hon. Gentleman is right to talk about haddock, but other stocks are also in good shape. One has to be cautious about one single year of haddock, but he is right. I do not want any decisions at the December council on cod, which are necessary because of the state of cod stocks, to have a negative impact on the ability of Scottish fishermen or, indeed, fishermen in the rest of the UK, to catch fish of which there are healthy stocks.

Mr. Frank Doran (Aberdeen, Central): May I wish my hon. Friend well in the arduous discussions that he is about to embark on? It is the first time that he has done this, and I hope that he finds time to buy his Christmas presents, because he may find that it is in short supply.

The hon. Member for Angus (Mr. Weir) mentioned the Scottish Fishermen's Federation submission. I had some contact with its representatives in Brussels, and they were getting negative responses from the Council officials, which is a matter of concern. It is important that the Minister takes that on board. Finally, I am conscious of the fact that there is no business statement today, so perhaps he can tell us when he expects the annual fisheries debate to take place this year.

Mr. Bradshaw: I spoke to my hon. Friend about that yesterday, and I am still awaiting an answer from the usual channels. I hope that the debate will be held in the normal way. As for his first question, the arguments are difficult, and are being made only now as a result of the dichotomy between the state of cod stocks and other fish caught in the mixed fishery. We have to carry on trying to persuade the Commission, and I appeal even at this stage for any more evidence of the ability through technical measures or special zonal measures to carry on fishing prawns and haddock without damaging cod stocks. We will continue to make that argument, and I hope that we will make it successfully when decisions are made at the December Council.

Andrew George (St. Ives): Does the Minister agree that those who claim that we can unilaterally withdraw from the common fisheries policy are engaged in creating an irresponsible diversion and perpetrating a cruel hoax on desperate fishing communities? Does he agree that although we can all agree that the common fisheries policy has failed our fishermen, fishing communities and fish stocks, the most recent reforms were monumentally timid, and that we cannot wait another 20 years before we tackle this again? Does he therefore agree that the UK should now take the lead, grab the issue by the scruff of the neck, go back to the drawing board, and acknowledge that the centralised basis of the common fisheries policy should be scrapped and replaced with a robust, devolved, proper regional management structure?

Mr. Bradshaw: Yes. The hon. Gentleman is right and speaks with great expertise on such matters, representing as he does one of the major fishing areas in the south-west of England. He is right about the foolhardiness of the suggestion that we should leave the common fisheries policy. I am sorry that his view is not shared by all his Liberal Democrat colleagues or, indeed, by the tartan Tories—the Scottish nationalists—or the real Conservatives. It would be disastrous not only for our fishing industry, but for the whole UK economy. I share his vision of the future that he mapped out for the fishing industry.

Ann Winterton (Congleton): In his response to my recent Adjournment debate on the demise of the cod stocks in the British sector, the Minister stated:

"CFP measures represent the best and . . . only possible route to address the problems that we face."—[*Official Report*, 11 November 2003; Vol. 413, c. 265.]

Does that mean that he is committed simply to increasing the dosage of past poisonous medicines, or is he prepared to look at successful alternative management systems such as those in the Faroe Islands?

Mr. Bradshaw: We are always keen to consider alternative management systems. The hon. Member for St. Ives (Andrew George) suggested some constructive ones—it would help if the hon. Lady were occasionally to do the same. If she is repeating her call for our withdrawal from the common fisheries policy, that is a foolhardy suggestion, because she knows very well that that would mean our withdrawing from the European Union. If she thinks that she could renegotiate a better deal with all the countries that she had annoyed—*[Interruption.]*

Mr. Speaker: Order. Hon. Members should let the Minister answer.

Mr. Bradshaw: I am afraid that if the hon. Lady and her colleagues seriously believe that they could tear up all the European Union treaties and renegotiate better deals with all those individual countries—and Iceland, the Faroes and Norway—they are living in cloud cuckoo land.

Biofuels

4. **Norman Lamb** (North Norfolk): If she will make a statement on the impact of the development of a biofuels industry on the rural economy. [139831]

The Minister for the Environment (Mr. Elliot Morley): Our assessments indicate that if the UK met the reference target in the EU biofuels directive for the substitution of 5.75 per cent. of fossil fuels by biofuels by 2010, that could create or sustain up to 6,000 jobs in the agriculture sector. It would imply production from up to 1 million hectares of land, taking into account the contribution from waste cooking oil.

Norman Lamb: I am pleased that the Minister recognises the potential beneficial impact of the biofuels industry on the rural economy, as well as on the environment in meeting our Kyoto targets. Will he encourage the Chancellor to take the opportunity in his pre-Budget report to end the ludicrous situation whereby the duty reduction on liquefied petroleum gas—LPG—fossil fuel is double that on bioethanol and biodiesel? Surely, that must come to an end.

Mr. Morley: I understand the hon. Gentleman's point. However, he should bear in mind the 20p per litre reduction on biofuels. On top of that, there is an additional payment for farmers who grow biofuel crops, and they gain extra advantages from being able to grow biofuel crops on set-aside land. Switching to biofuel crops has a range of advantages that do not apply to LPG. The argument for the differential on LPG relates to the fitting of LPG equipment at garages and of conversion, which have considerable costs that do not apply to biodiesel and biofuel vehicles. Nevertheless, I shall certainly bear the hon. Gentleman's point in mind.

David Taylor (North-West Leicestershire): The existing rate of duty derogation of 20p a litre has clearly been insufficient to stimulate domestic production. The Select Committee on Environment, Food and Rural Affairs, of which I am a member, has described the Government's biofuel policy as muddled and unfocused. If that is true, will the Minister tell us how the muddle can be clarified and the impact sharpened in the near future?

Mr. Morley: That is not necessarily a fair description. We have taken note of what the Select Committee report has said, and we take it seriously, as we do all its reports. It has made a very helpful contribution to this debate. There is no doubt that the current duty cut has stimulated the use of biodiesel, in particular, from the use of waste oils. That has been quite beneficial, but we need to examine whether the amount of duty cut is appropriate. We also need to consider the whole ecological footprint of the industry, to see whether such cuts are, in the end, justified.

Mr. Keith Simpson (Mid-Norfolk): The Minister will be aware of the Environment, Food and Rural Affairs Committee report on biofuels, one of whose conclusions was that it was disappointed that there appeared to be no sole Department taking the lead on this issue. We know that there are various interests involved, but the fact that five major Departments or organisations are involved without having one lead Department obviously means that biofuels are not getting the attention that they deserve. Will the Minister tell us whether, as a consequence of the Select Committee report, one Department has now been nominated as the lead Department to deal with biofuels?

Mr. Morley: That is not the situation at the moment. As the hon. Gentleman rightly stated, a number of Departments and a wide range of issues, including energy, fuels and transport, are involved. Biofuels are a matter of major interest for DEFRA, and we spend a lot of time discussing the issue. We understand the reasoning behind the Select Committee's recommendations, and we are considering its report, of which we will take careful note.

Mr. David Chaytor (Bury, North): There is considerable frustration among drivers of diesel cars about the slow pace of development of biodiesel. Why is it possible to drive down to Devon and buy from a private supplier a load of fuel made from waste cooking oil, but not to go to a normal fuel station and buy biodiesel? Is it not the case that there are costs involved in developing the infrastructure for the use of biofuels, and that that is why the question of duty needs to be revisited?

Mr. Morley: My hon. Friend makes a good point, but I was surprised by his comment that people cannot buy biodiesel in normal garages, because they can. The local garage in my village has a biofuel pump, and I make use of it myself. We want an extension of that availability and for the use of biofuels to be encouraged as an alternative to other fuels, particularly because of their contribution to climate change.

Common Agricultural Policy

5. **Mr. David Cameron** (Witney): What representations she has received about the implications of the common agricultural policy reform proposals for farmers who have diversified into non-subsidised activities; and if she will make a statement. [139833]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): We have received responses from a wide range of stakeholders to the public consultation on the options available to member states under the agreement on reforming the common agricultural policy. These have included farmers producing non-supported crops, many of whom support a scheme which redistributes subsidy, and other farmers, particularly in the livestock and dairy sectors, who support a scheme based on historic entitlements. An assessment has been made of the redistributive effects of a number of CAP direct aid payments, and a copy has been placed in the Library of the House. A decision on the model for the single farm payment will be made as soon as possible.

Mr. Cameron: While I thank the Secretary of State for that response, she will know that I have written to Ministers about my constituents, Mr. and Mrs. Hobbs, and many others in my constituency who have

diversified out of subsidised agriculture while maintaining their land, as Governments of all parties have encouraged them to do over the years. What would the Secretary of State say to their concern that, because they might not be eligible for single farm payments, the value of their land could fall? How tempted is she by the option of making payments on an area basis, and will she give a guarantee that there will be a full and proper debate in the House on this matter before a final decision is made?

Margaret Beckett: To pick up first the hon. Gentleman's final point, he will know that what happens with the business of the House is not a matter for me, although I heed what he says and I am sure that my right hon. Friend the Leader of the House will also heed it. As the hon. Gentleman will have understood from my reply, we are receiving a range of responses to the consultation and people are highlighting, as he has on behalf of his constituents, a range of different concerns and interests. We shall look at all that very carefully, because we are anxious to get the maximum benefit for all in the community from this opportunity for reform.

Mr. Ian Cawsey (Brigg and Goole): At a recent meeting I held with local farmers, they put to me the view that the options for CAP reform are too restrictive. In fact, there is a strong case for a hybrid approach under which there may be regionalisation for arable farmers, but an historic view may be taken on livestock based on the fact that one involves land area and the other headage. Will my right hon. Friend give an assurance that she will consider that issue going forward on this important reform?

Margaret Beckett: We are certainly getting a range of representations. I have to say to my hon. Friend that whether it is possible and practical to have a different regime for different methods of farming, particularly in this country where one may get mixed farming, is another matter, but it is a further interesting addition to the debate.

Mr. Douglas Hogg (Sleaford and North Hykeham): Is not my hon. Friend the Member for Witney (Mr. Cameron) probably right to say that if subsidies are paid on an historic basis, that will give the recipients of such subsidies an unfair competitive advantage if they subsequently compete with those who historically have produced in the unsubsidised sectors of agriculture?

Margaret Beckett: Such an eventuality should not arise because it will not be possible to claim the single farm payment on land that has previously not attracted payment as it has been growing unsubsidised crops. I am sorry; I think I have got that the wrong way round, but I am saying to the right hon. and learned Gentleman that he should look again at the scheme and the proposals: it is not open to subsidised people simply to move in and compete on the same basis with those who have, as he rightly says, established farming that is unsubsidised. It is also the case in respect of those who are going for a totally area-based system that there may be different rules in that regard. That is one of the facets of the decision that we have to take that we shall have to look at most carefully.

Lawrie Quinn (Scarborough and Whitby): My right hon. Friend will probably be aware that there are many fine examples of diversification schemes in the context of the most marginal areas of the country—for example, in the North York Moors national park. Often, not only the work of her Department, but that of the national parks themselves, helps those diversification projects to come forward. In the context of the review, what is she doing to ensure that that best practice is not lost in the larger national debate?

Margaret Beckett: I assure my hon. Friend that the last thing any of us wants to see is established best practice, whereby people have diversified and looked for markets that they can satisfy, to be lost in this transition. I see no reason to suppose that that is likely to be the case; indeed, we anticipate that it will create greater opportunities rather than fewer.

Mr. John Whittingdale (Maldon and East Chelmsford): Does the Secretary of State accept that farmers who have diversified into the unsubsidised activity of potato growing are deeply concerned about the outbreak of potato ring rot? Given that a further three farms are under investigation, will she say what progress is being made in containing the disease and give an assurance that the plant health and seeds inspectorate, which is investigating the outbreak of four different diseases, has all the resources necessary to do so?

Margaret Beckett: First, I welcome the hon. Gentleman to his new responsibilities. I also welcome the hon. Member for Meriden (Mrs. Spelman). I apologise for not welcoming her earlier; I intended to do so, but got sidetracked.

Of course I understand that one of the many concerns of people who have moved into that unsubsidised sector is the emergence of a disease such as potato ring rot. My understanding—this is based on a report that I received yesterday; I have not had chance to update myself this morning—is that we are making quite good progress in tracking down any potential course of the disease. Obviously, like him we take it extremely seriously. It is also my understanding that we have the resources needed to tackle it, but I can assure him that I and the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Exeter (Mr. Bradshaw), are taking the greatest interest and are very aware of the concerns.

Watercourses (Silt Removal)

6. **Andrew Selous** (South-West Bedfordshire): What her policy is regarding the removal of silt from watercourses in respect of the *(a)* European waste framework directive and *(b)* nitrate directive. [139834]

The Minister for the Environment (Mr. Elliot Morley): Neither the waste framework directive nor the nitrates directive applies to the removal of silt from watercourses. However, the Waste Management

Licensing Regulations 1994 control the application of dredged material to land and the Government have made use of their discretion under article 11 of the waste framework directive to provide licensing exemptions for dredgings from inland waters.

Andrew Selous: Flooding is a real concern to many of my constituents in their towns and villages. What advice would the Minister give to the Bedford group of drainage boards, among others, who wrote to me recently, as they believed that an increased risk of flooding would result from reduced dredging, which they think will happen when silt removed from watercourses cannot be sent to approved landfill sites after 2006?

Mr. Morley: In my experience, it is rare for a drainage board to send dredgings to landfill sites, so that should not have an effect. There has been some concern about whether traditional dredging methods, which leave spoil and vegetation along the side of dykes, will be restricted in some way. That will not be restricted. The regulations will prevent spoil from going to landfill, but the hon. Gentleman will find that that is a very unusual procedure in drainage. If there is a major problem, I shall be happy to speak to him and to look into it in further detail.

Mrs. Anne Campbell (Cambridge): What advice is given to farmers about farming practice to avoid soil erosion, which causes rivers to silt up in the first place? Surely it is better to tackle the cause of silting, which leads to flooding, rather than to deal with the consequences afterwards.

Mr. Morley: My hon. Friend is absolutely right. DEFRA produces codes of practice in relation to soil management. For the first time, as part of the changes to and reviews of our agri-environment programme, one aspect will be natural resource management, which will include soil management. In the changes to whole farm plans and audits, it is also possible that those examples of good agricultural practice can be looked at in further detail in terms of how we apply them and ensure that they are maintained.

Miss Anne McIntosh (Vale of York): Does the Minister agree that my hon. Friend the Member for South-West Bedfordshire (Andrew Selous) has identified a serious problem, namely the plethora of bodies involved in keeping watercourses clear? I have raised the matter with him on a number of occasions. There are the Environment Agency, British Waterways, the drainage boards, county councils, district councils, and, to a certain extent, parish councils, which are involved as wardens if there is flooding. Does he agree that this is a good opportunity to streamline the structure for keeping watercourses clear?

Mr. Morley: I welcome the hon. Lady to her new position on the slimmed-down Opposition Front Bench. We have done precisely the same thing in streamlining the organisation and system of flood management. The funding review considered the issue of critical ordinary watercourses, which will now become the responsibility of the Environment Agency, instead of the responsibility being split between local councils, internal drainage boards and the Environment Agency. The EA can contract back the management where appropriate to IDBs, but the approach will be much more streamlined. That includes streamlining and amalgamating regional flood defence committees and local flood defence committees. We are doing precisely what the hon. Lady is asking for.

Large Combustion Plant Directive

7. **Paddy Tipping** (Sherwood): If she will make a statement on the implementation of the large combustion plant directive. [139835]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): We expect to make an announcement about our plans shortly.

Paddy Tipping: Does my right hon. Friend accept that if the national plan approach is taken, there will be serious consequences for the British coal industry, as generators will choose to import low-sulphur coal rather than to retrofit power stations? Will he listen to warnings from the coal industry that up to 15,000 jobs could be at risk, at a cost to the economy of £700 million?

Alun Michael: We are well aware of the concerns of the coal industry, which my hon. Friend is right to point out. For that reason, Lord Whitty has been meeting representatives of all parts of the industry. The decision is not an easy one and must be based on a considered assessment of the costs and benefits to the whole of United Kingdom industry—including the interests to which my hon. Friend referred—of the two options between which we must decide.

Norman Baker (Lewes): Notwithstanding the point made by the hon. Member for Sherwood (Paddy Tipping), which I understand, is it not important that this significant environmental objective should not have large loopholes that undermine its very purpose? Will the Minister give an assurance that there will not be wide exemptions for older plants that operate below 40 per cent. load, which is quite common these days? Does he understand the importance of ensuring that there is proper inspection of those plants, now and after the directive's implementation? Will he give an assurance that the Environment Agency will have enough inspectors, as he will be aware of the downward trend in the number of inspections that the agency is carrying out?

Alun Michael: The big question concerns the effectiveness of inspection, and the problem with the directive is that, when costs and environmental impact are considered, there is a fine balance between the two approaches. We need to come to a judgment on a number of competing factors, but I can assure the hon. Gentleman that we are taking all those issues into account in reaching our decision.

Mr. Michael Clapham (Barnsley, West and Penistone): I emphasise the point made by my hon. Friend the Member for Sherwood (Paddy Tipping) that

the issue is jobs. As the Minister will be aware, the emission limit value means that there will be a focus on each individual power station, which will then have a stimulus to retrofit, whereas if we go for the national plan, there will be a different approach, and we will find that the generators import low-sulphur coal. The matter is enormously important. Will my right hon. Friend discuss the way forward with his colleagues in the Department of Trade and Industry, because it is important that we get this right; otherwise, the indigenous coal industry could be wiped out?

Alun Michael: I can assure my hon. Friend that the matter is being looked at on a cross-government basis. The decision is one in which the different interests that he refers to are reflected. I assure him, too, that we are in touch with the UK coal industry and the electricity generating industry, to make sure that we fully understand the analysis that they have undertaken and the reasoning that underpins the fears that have been expressed. We will give full weight to those submissions in reaching a decision, but as he will appreciate, it would be wrong of me to anticipate that decision.

Mr. Henry Bellingham (North-West Norfolk): Will the Minister tell the House the percentage of UK coal used in generation in 1997 and the percentage used this year?

Alun Michael: I cannot give those precise figures, but I will be happy to write to the hon. Gentleman.

Mr. Eric Illsley (Barnsley, Central): I echo the comments of my hon. Friends the Members for Sherwood (Paddy Tipping) and for Barnsley, West and Penistone (Mr. Clapham). The Minister will probably realise that Hatfield colliery in the constituency of my hon. Friend the Member for Doncaster, North (Mr. Hughes) is, as we speak, under threat of closure, and the Selby collieries have closed this year. If, in implementing the large combustion plant directive, we adopt the national plan, we will see the total eclipse of the British coal industry.

Alun Michael: My hon. Friend refers to the analysis provided to us and the fears that have been expressed, and I repeat to him that the analysis is being fully considered as we reach a decision. We are aware of the difficulty of the decision, finely balanced as it is, and of the need to take into account both industry requirements and environmental considerations in reaching the right conclusion.

Rural White Paper

8. **Sir Nicholas Winterton** (Macclesfield): If she will make a statement on the progress her Department is making in implementing the rural white paper. [139836]

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): We have made considerable progress in delivering the commitments set out in the rural White Paper. The latest update on progress, which was provided on 31 August 2003, is published on DEFRA's website. A review of the rural White Paper is currently under way, and my aim is to publish it shortly.

Sir Nicholas Winterton: Does the right hon. Lady accept that the Select Committee on Environment, Food and Rural Affairs concluded, in its ninth report, that, on education, DEFRA

"has some way to go before it can be considered an effective department for rural affairs"?

The Committee also expressed concern about DEFRA's delivery of policies to promote sustainable development, and with the Countryside Agency revealing in a recent report that the difference between the quality of life in rural areas and urban areas remains great and is increasing, does the Secretary of State accept that she should review her policies to maintain a living and working rural community to provide food for the people of this country?

Margaret Beckett: Indeed. As I said, we are reviewing the rural White Paper and the policy information that it gives us. The hon. Gentleman may know that, in addition, we have commissioned and hope shortly to publish some economic analysis from Birkbeck college, and we intend to build on that work. One of the things that was a surprise and a source of some dismay to me when the Department undertook responsibility for these matters was the lack of hard evidence. That is now becoming available; it is highlighting where the greatest difficulties arise and will enable us, we hope, to focus resources and effort on tackling some of those difficulties.

Mr. Ian Davidson (Glasgow, Pollok): Does my right hon. Friend agree that addiction is a major problem in rural areas? What is she doing to end the addiction to subsidy in so many of our farming communities? Does she agree that unless we reform the common agricultural policy to reduce fraud, corruption and incompetence, people in the countryside will never be able to stand on their own two feet?

Margaret Beckett: As my hon. Friend knows, the direction of the reforms of the CAP that we recently secured will do a great deal to reconnect members of the farming community with the marketplace. That, we believe, is in their best interests and in the interests of the wider community.

Mr. Michael Jack (Fylde): Is the Secretary of State aware of the comment on rural policy in Lord Haskins' report, in which he quotes a senior official in her Department as saying:

"I have some difficulty working out what DEFRA thinks its rural agenda is"?

If she is familiar with that quotation, will she postpone publication of the White Paper until she has considered Lord Haskins' interesting recommendations on combining better rural service delivery mechanisms, and will she bring those two together in the form of a debate

in the House so that we can have a say in shaping Britain's future rural agenda before policy is finally determined?

Margaret Beckett: I welcome the right hon. Gentleman to the Chair of the Select Committee. We look forward to working with him. My noble Friend Lord Haskins is a specialist in interesting quotations and quotation-worthy observations. Perhaps there has been a slight misunderstanding. We are not proposing to produce a new White Paper, and the Haskins report is already in the public domain. We are publishing a review of the rural White Paper, which itself is only three years old, and of the economic work to which I referred. We then intend to publish some proposals in the spring, drawing on a refreshed rural strategy. I can assure the right hon. Gentleman that we shall take careful note of all the different strands of information and advice.

Diana Organ (Forest of Dean): One of the key planks of the Government's rural policy is the regeneration of market towns. Gloucestershire has seven successful market and coastal town initiatives, four of them in the Forest of Dean. Is my right hon. Friend aware of how much work has been done in the first phase, which is the identification and prioritisation of what is needed in those market towns? Unfortunately, little progress can be made because of the lack of clarity from the RDAs and from DEFRA about where the funding is to come from to deliver the projects and programmes identified as necessary in those market towns.

Margaret Beckett: My hon. Friend raises an important point. I thought the market towns initiative and the recognition of the important role of market towns were among the most interesting and worthwhile things to come out of the rural White Paper. I accept that while much was done in the first phase, there is not as much progress as people had hoped in the second. We are pursuing the matter. It is my understanding that the responsibilities identified by my hon. Friend rest with the RDAs, but following the suggestions in Lord Haskins' report about different and more devolved responsibilities, and about working with RDAs and local government, we will all need to look carefully at how those responsibilities can best be exercised in order to ensure better delivery, not worse, for rural areas.

Mr. James Gray (North Wiltshire): The Secretary of State claims considerable progress in achieving the targets in the rural White Paper. No doubt achieving EU beach standards is laudable, but such achievements butter few parsnips in the countryside. Aspects such as rural transport, rural policing, affordable housing, health services, and shops and post offices in village communities are all acknowledged to be getting worse, not better. Central Government spending is lower in the countryside than in towns and cities, and rural council tax is higher for worse services. Does the right hon. Lady agree that if the rural White Paper and the annual updates are to serve any purpose at all, they should demand analysis of the extent to which the Government are achieving what they set out to achieve? If those documents are merely a spin-doctor's menu of self-congratulatory platitudes, there is precious little purpose in having them.

Margaret Beckett: The rural White Paper is being reviewed by officials in the light of what has been delivered. I am astonished to hear the hon. Gentleman's rant about how terrible everything is in the countryside. I do not know how he has the gall to talk about rural transport when, since my Department was launched, we have spent £25.7 million on rural transport with a further £20 million—*[Interruption.]* Opposition Members groan because they hate being reminded how much the Government have done for rural areas—including on policing, shops and post offices—and how little they did. Responsibility for the state of the countryside rests on them.

Mr. Bob Blizzard (Waveney): Is not a key part of implementing the rural White Paper the establishment of a biofuels industry based on crops, not just cooking oil? The Treasury says that a further duty rate reduction would simply suck in imports from countries with established biofuels industries, but as the industry is so important to the economies of rural areas, will the Secretary of State, with her counterpart in the Department of Trade and Industry, come forward with a specific plan to kick-start the biofuels industry, because there is a danger that if more is not done, we may not have one?

Margaret Beckett: I understand my hon. Friend's concern, and I know that he has been a long-standing and strong campaigner on the issue. I can assure him that we discuss with Ministers in other Departments what can be done to help to kick-start the industry. We remain aware of the concerns that he has identified, but he has also rightly identified some of the anxieties about undesirable side effects.

Mr. Archie Norman (Tunbridge Wells): Does the Secretary of State recall that one of the White Paper's key conclusions concerns safer communities and rural policing, yet since its publication, crime in rural areas has risen? Will she undertake to discuss with her colleagues in the Home Office the fact that, despite the rural police fund, every time police budgets are under pressure, or every time there is a shortage of officers, as there is in my area of west Kent, it is rural policing that is cut, with the result that people in many rural communities still feel that they operate in a police-free zone?

Margaret Beckett: I am slightly surprised to hear the hon. Gentleman say that, and it is perhaps something that he should take up with his local authority. There are record numbers of police in Kent, as there are everywhere else: record numbers of police are available to police rural areas. I am not aware of any evidence that they have been removed from rural areas, although I am aware, of course, of the concern about crime.

The hon. Gentleman touched on the provision of housing. Whether it is housing, transport, post offices or schools, this Government have poured resources into the rural areas that lacked those things for 20 years.

GM Crops

10. **Mr. Simon Thomas** (Ceredigion): What recent discussions she has held with EU Commissioners on enabling European regions to ban GM crops. [139839]

The Minister for the Environment (Mr. Elliot Morley): DEFRA Ministers have not had specific discussions on this matter with EU Commissioners.

Mr. Thomas: Will the Minister therefore take the opportunity to have such discussions? He will know that the National Assembly for Wales and 10 other regions in the EU have declared themselves a network of GM-free regions, and they want European legislation to recognise their right to be GM-free, if that is a decision taken by their legislators. Will he make sure that that can happen, bearing in mind that David Byrne, the EU Health Commissioner said a couple of weeks ago that if it were proven that GM crops harmed the environment, that would be sufficient grounds to allow areas and regions within the EU to ban them? Surely the time is now right to ensure that that can happen in Wales and in other parts of the EU.

Mr. Morley: On the latter point, it is fair to point out that some of the Commissioner's comments were misinterpreted. It may well be possible for certain specific areas to be declared GM-free where there is evidence that GM crops could cause harm, but in reality they are likely to be small and to have specific reasons for that. There will have to be evidence that the GM crops will cause harm, and that is not likely to apply to a region as large as Wales. My understanding was that the Welsh Assembly had not specifically argued for Wales to be a GM-free zone, but for some very strict regulations in relation to GM, and I understand the arguments for that. As things stand, there is no provision in EU law for taking such action; again, evidence is needed. Of course, if there is voluntary agreement among farmers and landowners, they can declare their area a GM-free zone.

Roads Used as Public Paths

11. **John Mann** (Bassetlaw): What discussions she has had with non-governmental organisations on the consultation paper on proposed amendments to legislation to reclassify roads used as public paths as restricted byways. [139840]

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): In deciding to issue the consultation paper, I took account of the views of Members of Parliament and their constituents, who have called for action to deal with the inappropriate use of traditional byways by mechanically propelled vehicles, and strong pleas for firm action. My hon. Friend has been at the forefront in making those pleas. In addition, I have provided an opportunity for the rights of way review committee to comment on the draft proposals. That committee consists of representatives of 20 non-governmental organisations and 15 other organisations that are consultees and which receive papers.

John Mann: Increasingly, a new plague is engulfing the last vestige of tranquillity and sanity. Down our country lanes, dog walkers, horse riders and families merely seeking a Sunday morning breath of fresh air are being confronted by hordes of motor bikes. Is the Minister sympathetic to my view that where once a horse and cart ambled, an automatic upgrade for a motor bike to roar is neither logical nor acceptable?

Alun Michael: I do share that view, which is why it is included in the consultation paper. We must look at the implications of the sort of change that my hon. Friend proposes, and we are considering the matter with care. We need to balance the interests of different people and ensure that there are no unintended consequences, but the consultation will give an opportunity to look at the way forward that he urges.

Mr. Edward Leigh (Gainsborough): May I warmly commend to the Minister what the hon. Member for Bassetlaw (John Mann) said? There is a famous path called the Berkshire Ridgeway, which is some 2,000 years old and which I have often walked myself. In recent years, it has been being utterly ruined by people who ride motor cycles along it. For God's sake, we have some of the busiest roads, and people can ride their motor bikes wherever they want, but do they have to ruin the last vestiges of rural England and paths that have remained unspoilt for maybe hundreds of years? It has got to stop.

Alun Michael: I share the hon. Gentleman's concern. Indeed, I have been to the Ridgeway to look at the impact. I have also had meetings with Members of Parliament and Members of another place, along with local authorities, because the Ridgeway is a complex path, as he knows, which runs through the areas of a number of authorities. We have a detailed plan that is rightly a matter for local management, but I, my officials and the Countryside Agency have been working with local authorities specifically to address the concerns of Members of this House, which the hon. Gentleman has articulated, and to try to ensure that we get the balance right and use the powers that are already available, as well as considering the sort of changes that my hon. Friend the Member for Bassetlaw (John Mann) has urged on the House.

GM Food

12. **Joan Ruddock** (Lewisham, Deptford): What her policy is on new approvals of GM foods in Europe. [139841]

The Minister for the Environment (Mr. Elliot Morley): Applications for approval to market GM foods are subject to collective EU decision making under the novel foods regulation. The independent Food Standards Agency leads the UK assessment of any application based on scientific evidence of risk to human

health. Any food exceeding the EU threshold for GM ingredients must be labelled to provide consumers with information and choice.

Joan Ruddock: Will my hon. Friend confirm that the EU regulatory committee meeting on 10 November saw the UK Government indicate their willingness to give approval to GM sweetcorn Bt11? Can he tell me why he wants that product in our shops when neither the new labelling and traceability arrangements nor the new GMO approval regime, with its compulsory post-monitoring regime, are in place? What is the haste to end the EU moratorium on GMOs?

Mr. Morley: In the UK submission to the Commission, we made it clear that marketing should not go ahead until the traceability and labelling regulations had been resolved. That remains our position, and it is why the decision to address that specific point was deferred. On the other issues that my hon. Friend raised, the one criterion that we apply is whether such products are safe. That is subject to review by the Food Standards Agency, which is advised by the Advisory Committee on Novel Foods and Processes.

Paul Flynn (Newport, West): GM foods are now at a commercial disadvantage. Is it not true that the Canadians, who have grown GM foods in great quantities for a number of years, are turning away from them for that reason and because there is international repugnance regarding their use? Should we not wait for scientific proof that such foods are harmless and insist that the biotech companies prove that themselves?

Mr. Morley: The basis of the applications is that there must be careful evaluation of whether there is risk to people and, indeed, the environment. We expect any application for GMs to go through that process. My hon. Friend might have a point about whether such crops are marketable at present—that was addressed by the strategy unit report—but whatever the future for GM, there must be clear traceability and labelling so that people may have the choice of whether to buy the foods.

Terrorist Attacks (Istanbul)

12.31 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): With permission, Mr. Speaker, I should like to make a short statement in respect of the bomb blasts in Istanbul this morning. The House will, I am sure, understand that as information is coming in all the time, it has not been possible to make copies of the statement for distribution to hon. Members in the usual way. Copies will be placed in the Vote Office as soon as possible.

There were a series of explosions this morning in Istanbul, one of which was targeted at the headquarters of the HSBC bank and another at the British consulate general building. It is too early to establish all the details, but these are clearly appalling acts of terrorism. It is sadly already clear that a number of British, Turkish and other people have been killed in the explosions. Latest reports are that 17 have died and that more than 300 have been injured. A number of members of the British consulate general staff are still unaccounted for and, in addition, a number are injured. We are obviously working very hard to establish the full scale of the tragedy to British consulate general staff, staff of HSBC and all others caught up in it. I know that I speak for the whole House in my utter condemnation of these atrocities and in expressing my condolences to the families of those killed and sympathy to those who have been injured.

I spoke about an hour ago to the Turkish Foreign Minister, Abdullah Gul. I expressed to him my sincere condolences to the Turkish Government and people for the Turkish casualties, and stressed our solidarity with Turkey and the Turkish authorities. I also spoke to Peter Westmacott, our ambassador in Ankara, who is travelling right now to Istanbul in the company of the Turkish Interior Minister, Mr. Aksu. The Foreign Office will this afternoon be sending out a consular rapid deployment team to join staff travelling there from the embassy in Ankara. We have opened emergency units in London to co-ordinate our response.

Following the horrific attacks on synagogues in Istanbul last Saturday, which killed people of both the Jewish faith and the Muslim faith, we had already revised our travel advice to take account of those attacks and to warn of a significant threat from terrorism. We are revising the travel advice again in the light of these explosions to warn against all but the most essential travel to Istanbul. Although it is too early to say precisely who was behind the explosions, they have every hallmark of the cowardly and indiscriminate acts of terrorism of al-Qaeda and its associates.

These attacks are an affront to democracy and to the entire civilised world. They are an affront to people of every faith and religion in the world. We shall stand united with the international community in the fight against this appalling global terrorism.

Mr. Michael Ancram (Devizes): I thank the Foreign Secretary not only for his statement but for the promptness with which he has made it to the House. We all share the feelings of horror, revulsion and condemnation of these murderous attacks on innocent people. At this tragic time, our first thoughts and our prayers must be with the bereaved and the injured. Our hearts go out to them.

I realise that information is still coming in. The latest information that I had before I came into the Chamber was that the figures are now 25 dead and 390 injured. That indicates the scale of these atrocities.

I extend our deepest sympathy to the Government and people of Turkey. They are a strong and valued ally of ours in NATO. We have a warm relationship with them. Like us, they are no strangers to terrorism. At this difficult time for them we extend to them our support and, I hope, our aid. I welcome the Foreign Secretary's announcement that a consular rapid deployment team is being sent to Turkey today.

The Foreign Secretary has given us all the details of this outrage that are currently available. We understand why he cannot say more at this stage. There are, however, a number of brief questions that I feel I must raise.

Was there pre-warning of these vicious terrorist acts? Given that earlier this year there had been apparent terrorist attacks on both the British consulate and on HSBC branches in Istanbul on 3 April and 31 May respectively, what extra precautions had been taken to heighten levels of security at both of the locations that were attacked so viciously this morning? Is there any sign that today's outrage was carried out by the same group, the Abu Hafs al-Masri brigades, which claimed responsibility for the attacks on the synagogues on 15 November, and for the attack on the United Nations in Iraq in August? What links does this group have with al-Qaeda? Does the Foreign Secretary attach any significance to the British character of both of today's targets? Will he be issuing further advice on security and travel not only in Turkey but wider afield, and what will be the nature of this advice?

Today has tragically shown once again that nowhere in the world is immune from the poison of international terrorism. As we in this country have learned over many years, we must be vigilant and we must take precautions. We must never present the soft targets upon which terrorism thrives. However, terrorism is not just about the terrible acts of violence such as we have seen today; it is about the fear that it seeks to create. If we yield to that fear, the terrorist wins. We must never let terrorism or its threat deter us from going about our business or from doing what is right. The fight against terrorism is a fight that we can never give up. Terrorism may wound us; it can never defeat us.

Mr. Straw: I thank the right hon. Gentleman very much for those words. I share with him all his sentiments. It is important for us to remind ourselves, if we needed any reminding, as he has said, that Turkey is and has been a strong and important ally of ours in NATO since its inception. It has been allied with us as part of our common defence here in the United Kingdom. In addition to that, it is now an applicant member of the European Union, and we have been giving Turkey every assistance in joining the EU as quickly as possible.

The right hon. Gentleman asked me a number of specific questions. Was there any pre-warning of the

[Mr. Straw]

terrorist attack? The answer is no. We keep the issue of travel advice under close review. Since the Bali atrocity in October last year, we significantly upgraded the way in which intelligence is handled within the system and the way in which judgments are made on that, which in turn may feed their way into published travel advice. As I have already indicated, the travel advice was changed earlier this week in response to the terrorist bombings at the synagogues last Saturday.

The right hon. Gentleman asks me whether security at the consulate general and other buildings had been reviewed and strengthened, given the earlier attacks. The answer to that is yes. When I spoke to Abdullah Gul, the Turkish Foreign Minister, earlier today, he said to me—I think, as it was a very poor telephone line—that Turkish security personnel had been able to intercept the car trying to drive in to the main compound of the consulate general, the result of which may have been fewer injuries and deaths than would otherwise have occurred. That, however, is subject to the caveat I have just entered.

The right hon. Gentleman asks whether there are any indications that the same group carried out this morning's attack as carried out the atrocities on Saturday. I have no specific information, but I would be surprised if there were no, or no substantial, links with that group.

The right hon. Gentleman's final question was whether, given the global nature of terrorism, we would give further advice to people thinking not only of travelling to or staying in Turkey, but wider afield. The answer to that is yes. When we deem it necessary to change travel advice in respect of one country because of specific information relating to that country, we always also make judgments on whether to widen the advice, as we have in respect of many parts of the middle east, so that people are alert to the wider implications of a specific threat.

Mr. Menzies Campbell (North-East Fife): On behalf of my right hon. and hon. Friends, I join in the expressions of sympathy to those who have been injured and the families of those who have been killed, whatever their nationality. I echo the support for the Government of Turkey under Mr. Ertegun, who have made so much progress in the brief period since they took office.

Are not these events a harsh and brutal reminder not only that indiscriminate violence is the mark of the terrorist, but that those who represent British interests abroad are now in the front line? Does the Foreign Secretary agree that if these events are claimed to be part of a jihad, it is a curious jihad, which targets Muslims as willingly and indiscriminately as those of any other religion? The whole House expected the Foreign Secretary to say that the United Kingdom would not be deflected from a determination to combat terrorism, but does he agree that such a determination ought to be matched with prudence—with a commitment to a continuing review of security and a further commitment to ensure that those who represent our interests abroad are not put at unnecessary risk?

Mr. Straw: I am grateful to the right hon. and learned Gentleman for his comments and I entirely support what he said in respect of our admiration for the people of Turkey and our backing for Turkey generally as well as in this time of very great need.

The right hon. and learned Gentleman asked was it not now the case that those who represent British interests abroad are in the front line of threats or the reality of terrorism. My response to him is to say that everybody, of any nationality and of any faith, is in the front line of acts of terrorism. That is underlined by his point that many acts of terrorism have taken place in Muslim countries or in African countries where the overwhelming proportion of casualties have been Muslims or people of African origin, not westerners. It is worth remembering that many Muslims died in the worst terrorist atrocity of all, on 11 September 2001, and that in the appalling atrocities that took place on 7 August 1998 in Nairobi and Dar es Salaam more than 200 people were killed and more than 5,000 injured, of whom the overwhelming proportion were individuals of African and Muslim origin, not of western origin.

Donald Anderson (Swansea, East): We obviously have a special responsibility for our diplomatic personnel overseas. Can my right hon. Friend say what the position is of our distinguished consul general, Roger Short, in Istanbul? As my right hon. Friend rightly said, we again have a terrorist outrage, almost certainly by Islamic militants, and the majority of the victims are Muslim. Surely the message is clear. We and the Muslim world share a common enemy and the intelligence should flow properly and co-operatively between us. Will the Secretary of State therefore encourage religious leaders in this country and abroad to take that message and to co-operate as fully and as widely as they can against that common scourge and enemy?

Mr. Straw: On my right hon. Friend's first point, he will understand that we cannot publish casualty lists until next of kin have been informed. On his main point, of course I encourage religious leaders publicly to condemn such outrages. After the outrage in Riyadh not so long ago, I was struck that one of the senior imam in the main mosque in Mecca was the first to issue a total and unqualified condemnation of acts of terrorism and to draw attention to the fact that they have nothing whatever to do with the practice of Islam.

Mr. Robert Key (Salisbury): Does the Foreign Secretary share my view that it is hard for us to understand what it is like for a country that is surrounded by neighbours which are, at best, not always friendly, and often openly hostile? Does he agree that the steadfastness of the Turkish Government and people as a NATO ally should be rewarded with our assurance of assistance and encouragement of the Turkish people to become more closely involved with their European neighbours?

Mr. Straw: I entirely applaud what the hon. Gentleman says and share his sentiments.

Mr. Bill Olner (Nuneaton): May I associate myself with the Foreign Secretary's comments, especially in sending condolences to the families of people in the consulate who died in the atrocious attack? I was there with colleagues two weeks ago and recall that the consulate is in the middle of a general shopping area where ordinary people would have been going about their ordinary daily lives. Is there anything the Foreign Secretary can do to ensure that such atrocious attacks do not deter good, ordinary people from going about their normal duties? The terrorists must not be seen to have won.

Mr. Straw: I agree with my hon. Friend.

In response to an earlier question on whether we will provide assistance to the Turkish authorities, we stand ready to provide any assistance we can. In addition to the rapid deployment team from the Foreign Office, a team from the Metropolitan Police Service will also fly out on the same aeroplane this afternoon.

Sir John Stanley (Tonbridge and Malling): Given the clear threat warning to British interests represented by the synagogue attacks in Istanbul last Saturday, was a specific request made to the Turkish authorities for increased security for the British consulate in Istanbul earlier this week? If so, what was their response?

Mr. Straw: I cannot say at this juncture whether specific requests were made, but we may be able to provide the information in due course.

Mr. Fabian Hamilton (Leeds, North-East): Two weeks ago, I was also at the consulate general in Istanbul with colleagues. One thing that struck me was the very warm relationship between Jewish Turks and the majority Muslim Turks, which was severely damaged by the bombing of the synagogue at the weekend. Has my right hon. Friend had the chance to speak to Roger Short, the consul general, or Jim Begbie, the deputy head of mission, this morning? Will this terrorist outrage have an effect on the policies of the consulate general and the Foreign Office of employing as many locally engaged staff as possible? Many of them will have been injured; I hope none have been killed.

Mr. Straw: For reasons which I hope are, sadly, all too obvious, it has not been possible to speak to any consulate staff in Istanbul. I have, however, spoken to our ambassador, Peter Westmacott, who is on his way there.

Derek Conway (Old Bexley and Sidcup): The whole House will echo the sincerity of the condolences that the Foreign Secretary expressed today. Will he take this opportunity to reinforce the Government's support for Turkish entry into the European Union, as a long-standing democracy? As the Defence Secretary is by his side, will he pay tribute to the role of our NATO allies, in particular the superb Turkish armed forces in their peacekeeping role with NATO and in other parts of the world?

Mr. Straw: I am delighted to associate myself with the hon. Gentleman's remarks, as is my right hon. Friend the Defence Secretary.

Mr. Stuart Bell (Middlesbrough): Muslim leaders in my constituency to whom I spoke this morning share the sense of bereavement, loss and sorrow that is felt in this House for those who have been killed and injured. The same must go for every Muslim-faith community throughout the land. Does my right hon. Friend recall the words of Winston Churchill in a trans-Atlantic dialogue of 1942 about Nazi Germany:

"What kind of people do they think we are?"

What kind of people do the terrorists think that we and the international community are? Can this House and the international community send out the message that there is no political gain from mass destruction other than death and destruction?

Mr. Straw: My hon. Friend is right. This evil of terrorism is something that we simply have to fight and defeat. There is no alternative. This is a global threat and a global challenge. The division is not between Islam and Christianity or any one religion and another. I know that the feelings of my many thousands of Muslim constituents about such atrocities are exactly the same as those of my non-Muslim constituents. We are part of one world—one civilisation—and the divide is between those who support the values of civilisation, including Islam, Christianity, Judaism, Hinduism, Sikhism, Buddhism and the other world religions, and those who wish to destroy the values of civilisation.

Angus Robertson (Moray): On behalf of the Scottish National party and Plaid Cymru, I associate myself entirely with the condolences offered by the Foreign Secretary and with his statement. It is self-evident that terrorism shows no respect for borders. Bearing that in mind, will the Foreign Secretary commit himself further than the very welcome bilateral measures that he announced, and say that the United Kingdom will also be working with partners that are EU members and accession countries to counter the threat of terrorism?

Mr. Straw: I am grateful to the hon. Gentleman for associating his party and Plaid Cymru with what has been said in the House. We always work closely with our EU and accession partners to counter terrorism. The work of the international community as a whole has been significantly upgraded following the 11 September atrocity and the passage of Security Council resolution 1373.

Richard Burden (Birmingham, Northfield): I echo the Foreign Secretary's condemnation of the weekend's appalling attacks on the synagogues and today's outrage, as well as his condolences to the victims. As he says, we do not yet know who was responsible for those outrages. If it turns out to be al-Qaeda, or whoever else, as chair of the British-Palestine all-party group in this Parliament I must point out that such actions cannot claim in any way to advance the Palestinian cause—if that is claimed. Indeed, they are as much an insult to the Palestinian people and their quest for freedom as an insult to the rest of the world.

Mr. Straw: I am grateful to my hon. Friend, who speaks with great authority on the matter, as chairman of the all-party group on Palestine.

Mr. David Tredinnick (Bosworth): Does the right hon. Gentleman agree that resolution of the Israeli-Palestinian conflict is an essential part of the war against terrorism and that it should be put at the top of the political agenda? Will he encourage President Bush to do that in America?

Mr. Straw: Look, resolution of a number of conflicts is at the top of the political agenda and right at the top is that of the Israel-Palestinian conflict. Indeed, President Bush and our Prime Minister have been talking about that at the press conference that is coinciding with this statement. I have the same view as the hon. Gentleman about the importance of resolving the middle east crisis, but there is no justification or excuse for that sort of terrorism. It is the rejectionist terrorists working from the occupied territories into Israel and elsewhere who are continually setting back the cause of peace in the middle east, undermining not only the prospects for peace among the Israelis and the west but for a peaceful future for their own people, the Palestinians.

Mr. Ben Chapman (Wirral, South): Given that this was a direct attack on British interests and in a sense on British territory, has my right hon. Friend, even at this early stage, been able to assess the implications for homeland security?

Mr. Straw: It will come as no surprise to the House to learn that following the attacks a series of meetings and arrangements were put in place, including a meeting of Cobra in the Cabinet Office briefing room, to assess the implications for security at our posts abroad and here at home.

Mr. Douglas Hogg (Sleaford and North Hykeham): The Foreign Secretary will clearly be reviewing security at all posts. Does he agree that it is an essential principle that it is desirable to keep posts open if at all possible? It may be necessary to reduce the number of staff or to evacuate families, but he will surely be assigning close protection teams where there are high risks. Does he agree that Great Britain in general and the Foreign Service in particular gained great credit for remaining open in such places as Beirut and Algiers in extremely difficult circumstances and that that should be the principle that should continue to operate?

Mr. Straw: I share the right hon. and learned Gentleman's view. I pay tribute to the bravery, for that is what it is, of many of our staff and their families in the foreign service. On Remembrance day, on 11 November at 11 am, we always have a service in the Foreign Office in remembrance of the staff who have been killed in service, as we did on Tuesday week. That is a reminder that it is our military that bear the overwhelming brunt of these sacrifices, but that our own staff and their families are also there in the front line. My first responsibility has to be for the safety of our staff and our families. Subject to that, I entirely agree with the right hon. and learned Gentleman. Wherever I have been faced with decisions about whether wholly to evacuate a post or simply to draw down staff and keep a basic service going, in consultation with the staff on the ground, I have always sought to keep our posts open—obviously, providing an appropriate level of protection. That is of profound importance in continuing to represent British interests and diplomacy, but also in showing that we are not going to be defeated by terrorism.

Mr. Shaun Woodward (St. Helens, South): I join in expressing my sympathy to the families of those who were murdered and injured in the attacks today. In looking at the background to those atrocities, can the Foreign Secretary speculate on how relevant it may be that Turkey joined with the United States after 9/11 in its war against terror, that Turkey has stood firm with all those countries in the war against terror, and that Turkey stands within the Islamic world as a model—a country that chooses to be modern, democratic and secular, while keeping true to individual faiths? When he rightly talks about standing in solidarity with Turkey, would not one of the best expressions of that solidarity be to help to facilitate the passage of Turkey into the European Union?

Mr. Straw: I agree with the sentiments that my hon. Friend has expressed. Although Turkey has had secular Governments following the major change by Ataturk, until recently the significance of the most recent election was that by a large majority the Turkish people decided to choose an explicitly Islamic party—no different from Christian Democrat parties elsewhere in Europe, but an Islamic party with a forward and western-looking aspect. That may anger the terrorists even more.

We have done a great deal to encourage Turkey's entry into the European Union. We have always been in the vanguard of those calling for Turkey's membership and assisting that country, and we shall continue to be there.

Mr. A. J. Beith (Berwick-upon-Tweed): Members of the Constitutional Affairs Committee who visited the British-based and locally engaged entry clearance staff at the consulate general two weeks ago will be waiting anxiously for news of them. Our hearts go out to their families. Does the Foreign Secretary acknowledge that the problem and the impact may have been greater because while the main consulate building is being restored and is therefore empty, staff have had to be distributed to buildings on the periphery of the site? Those who guard those buildings and the entrance to the site may well have borne the brunt of the atrocious attack.

Mr. Straw: Of course I understand that. Inquiries are continuing, but the right hon. Gentleman will know from his visit that substantial works were taking place on the main part of the site and that some accommodation was being used at the front.

Earlier, I was asked whether we were taking steps physically to strengthen security. We are doing that, but there is always a period when works have to be carried out; there is no alternative to that.

Mike Gapes (Ilford, South): May I associate myself with all the condolences that have been expressed? Does the Foreign Secretary recall the statement by the Saudi billionaire terrorist bin Laden that he was organising a fight against a Zionist crusader alliance and its international allies? Does he agree that that means that

there is not one target of bin Laden's campaign, but that it is directed against hundreds of millions of people around the world and that we can expect far more of that until his organisation is crushed and eliminated?

Mr. Straw: I am afraid that I recall all too many vile utterances from Osama bin Laden or those claiming to speak on his behalf. The threat will continue until it is defeated. As with Nazism, we can do only one thing: work to defeat it.

Mr. John Wilkinson (Ruislip-Northwood): In associating ourselves with the Foreign Secretary's expression of heartfelt condolence, is not it also incumbent on us to take immediate external and internal action? As external action, we should ensure the primacy of NATO for Turkey's security. There are no divisions on the continent on the security of the people of Europe from the Bosphorus to the North sea. On internal action, can we candidly continue an open-door policy for admission into this country, especially for individuals who come from areas of known terrorist activity and great political disturbance?

Mr. Straw: Our commitment to NATO as the prime military alliance to guarantee the security of this country and Europe is well known and total. I do not believe that it is appropriate to hold a debate on the hon. Gentleman's second point now. I take every care with our border controls, but the terrorists sadly show some terrible and appalling skills.

Paul Flynn (Newport, West): We all empathise with the terrible agony of those who have been bereaved today and those whose families have been injured. Al-Qaeda appears to have changed its policy. What is the Foreign Secretary's preliminary analysis of what is happening? Although there have been British victims in the twin towers and elsewhere, why does he believe that al-Qaeda has directly targeted British interests for the first time, and why today?

Mr. Straw: It is far too early to say. Of course, much analysis of the bombings will be undertaken, but if one examines the long list of terrorist atrocities in the past five years, one realises that the sites range from Bali, Riyadh, Morocco through Dar es Salaam and Kenya to ships on the high seas and New York and Washington, and the whole of humanity, indiscriminately, is the victim of terrorism.

Mrs. Cheryl Gillan (Chesham and Amersham): May I add my voice to those of colleagues in all parties in condemning the appalling acts of barbarism and extending my sympathies to the families of the bereaved and the injured? As the Foreign Secretary knows, a young woman in my constituency lost her life in the Bali bombing. In common with other families today, the incident will be brought into sharp relief. Can we ensure that we have learned the lessons from handling the Bali bombing and that appropriate support and help is available to families and relatives in this country as well as abroad?

Mr. Straw: I do indeed remember the hon. Lady's constituent who died. I should like to underline my condolences to her family. There were lessons to be learned from Bali. It is worth remembering that we received no intelligence that could have warned us of the atrocity. I am absolutely clear about that. However, I accepted in the House that there were lessons to be learned from the way in which we handled the aftermath of the tragedy. I believe that we have learned them and that they are already being applied.

Mr. Nigel Evans (Ribble Valley): The Foreign Secretary is absolutely right when he says that all of us who detest terrorism are on the front line. Last year, 991,000 British citizens visited Turkey and it is right that the travel advice has now been upgraded. Britain is the fifth largest investor in Turkey with more than 330 companies there. Will the right hon. Gentleman ensure that those companies get extra guidance about how to upgrade security to protect their workers, from wherever they come?

Mr. Straw: We provide as much guidance as we can to British interests and companies abroad, and we shall continue to do that. Of course I accept the importance of our commercial and economic relationship as well as the human relationship.

Mr. Paul Marsden (Shrewsbury and Atcham): These were despicable terrorist attacks against innocent people. What are the Government doing actively to support intelligence sharing with the Turkish authorities to bring the perpetrators to justice and prevent further outrages in Turkey?

Mr. Straw: There is long-standing, good co-operation between our intelligence services and the security authorities in Turkey, and I am sure that that will continue.

Mr. Andrew Mackay (Bracknell): When the Foreign Secretary rightly on behalf of the House again expresses condolences to the Turkish Government, will he especially underline our deep appreciation of Turkey's work in Iraq in reconstruction and security? That is in marked contrast to the foot-dragging of some other countries, which are allegedly our allies.

Mr. Straw: This is another grim day for Turkey, but I hope that those who are aware of our proceedings —as many hundreds of thousands are in Turkey— will be heartened by the depth of the condolences that have been expressed in the House for that country and its people, and the genuine feeling of solidarity with Turkey, appreciation for its actions over many decades and strong support for its application to join the European Union.

Dr. Julian Lewis (New Forest, East): Does the Foreign Secretary accept that although only a small number of terrorists were involved in the long list of atrocities, even including 11 September, they appear to share one belief: that, as a result of sacrificing their lives, they will go to paradise? Given his remarks about that attitude being a perversion of Islam, has not the time come, not for the ordinary, moderate Muslims in Britain—we know where they stand—but for the leaders of the Muslim community, to make their voice heard

[Dr. Julian Lewis]

loudly to try to persuade people that such activity leads the perpetrators not to paradise but to an entirely different place?

Mr. Straw: I agree with what the hon. Gentleman says. Everyone, especially those in a position of leadership, has a clear responsibility to express condemnation of what has happened. Leaders have a clear responsibility to provide leadership—theological leadership, if they are theological figures—and to point out that there is a difference between good and evil, and this is evil.

Mr. Mark Francois (Rayleigh): I echo the condolences that the Foreign Secretary has offered so eloquently.

The right hon. Gentleman rightly reminded us all that Turkey is a NATO member, and one that has suffered two atrocities in a relatively short time. Have the Turkish Government yet made any formal request to NATO for assistance, whether under article 5 of the North Atlantic treaty or through some other mechanism? If it were to do so, would it not be important for the whole alliance to demonstrate its solidarity with the Turks by responding sympathetically?

Mr. Straw: There has been no specific request under article 5, for reasons that the hon. Gentleman will probably understand, but we are ready to provide whatever assistance we can. My right hon. Friend the Secretary of State for Defence has already made clear that that includes whatever military assistance we can give the Turkish authorities.

Patrick Mercer (Newark): May I associate myself with the Foreign Secretary's comments, especially his robust observations about the continuing war on terrorism?

Last week we were told, in the context of homeland security, that the level of the state of alert had been raised. We were told, via a BBC news programme rather than by the Government, that there was a distinct threat to British possessions overseas. May I entreat the Foreign Secretary, and indeed the Home Secretary, to treat us more responsibly, and to let the British population know the position so that we can be more alert and act as our own intelligence officers?

Mr. Straw: I understand the hon. Gentleman's point. Obviously it is crucial, when we are advising British citizens who are going abroad and those representing British interests abroad, that we make our assessment of the nature of the threat explicit. There is a separate discussion to be had about how specific we should be in respect of an assessment of the threat in the United Kingdom. I support the position of my right hon. Friend the Home Secretary, but I shall be happy to relay the hon. Gentleman's remarks to him.

Mr. George Osborne (Tatton): I echo the condolences, and also the strong messages of support for the Turkish Government.

Does the Foreign Secretary agree with the tough message delivered by President Bush in London yesterday? He said that if we were to defeat international terrorism, we must shake off "decades of failed policy" in the middle east when we tolerated oppression in return for stability.

Mr. Straw: It was a good speech, and I thought that particular passage excellent. President Bush has underlined the message from the Arab world itself. As Members may know, two important reports produced by Arab intellectuals, funded by the United Nations Development Programme, have said that the Arab world can no longer use as a crutch the idea that it is a victim of outside oppression, or the idea that people from the Arab world and the Islamic faith are incapable of prosperity and democracy. Those ideas, they say, are an affront to their own people. President Bush echoed a demand that is increasingly emanating from the Arab world itself.

Points of Order

1.14 pm

Mr. Michael Ancram (Devizes): On a point of order, Mr. Speaker, of which I have given notice to the Foreign Secretary. Today's Order Paper refers to ministerial statements. There is a written statement in the Foreign Secretary's name relating to Iraq. On checking the statement, I discovered that it relates to decisions made last week on changes made in the coalition strategy in relation to Iraq. I wrote to the Foreign Secretary last week asking him to make a statement in the House about those changes.

You, Mr. Speaker, have frequently emphasised the importance of Ministers making statements to the House, particularly on matters of significance. Has the Foreign Secretary, at any stage in the past week, sought your permission to make a statement in the House about those changes in Iraq? If not, does not airing them in a written ministerial statement that cannot be questioned, on the last day of the parliamentary Session, constitute a gross abuse of the processes of the House which should be severely deprecated?

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw) *rose—*

Mr. Speaker: Order. I see that the Foreign Secretary wishes to say something, but let me first tell the right hon. and learned Gentleman that there were two applications for urgent questions, which I refused. It would be inappropriate to allow any discussion of that refusal.

Mr. Straw: I am grateful to you, Mr. Speaker, and also to the right hon. and learned Member for Devizes (Mr. Ancram) for giving me notice of his point of order.

I could not make a statement last week, although I would have liked to, because I was in Washington discussing the policy that led to the announcements by the Governing Council on Saturday. Even had I been here, because we were putting a series of proposals to the Governing Council for it to endorse, amend or reject, it would have been inappropriate to make a premature disclosure about the nature of the discussions before Saturday.

As for this week, I was in Brussels on Monday and Tuesday. I therefore was not here to make a statement, although we kept matters constantly under review. The right hon. and learned Gentleman asked urgent questions of you, Mr. Speaker, and you have dealt with them. I considered whether I should make a statement yesterday, but there was much else on the Order Paper. Urgent questions are a matter for you, Mr. Speaker, and not for me. I therefore thought that the House would appreciate a written statement.

Had I been here, I would have been delighted to make a statement at the beginning of the week on the outcome of my discussions and the British Government's involvement in the decisions made at the end of last week. Only my physical absence from the country prevented me from doing so. Whatever else may be said about me, I do not believe that Members on either side of the House would suggest that I do not keep the House informed by means of oral statements whenever I can.

Sittings of the House

1.17 pm

The Leader of the House of Commons (Mr. Peter Hain): I beg to move,

That, at the sittings on Monday 24th and Tuesday 25th November—

(1) notwithstanding the provisions of paragraph (1) of Standing Order No. 21 (Time for taking questions), no Questions shall be taken, provided that, one hour after the commencement of the sitting, the Speaker may interrupt the proceedings in order to permit Questions to be asked which are in his opinion of an urgent character and relate either to matters of public importance or to the arrangement of business, statements to be made by Ministers or personal explanations to be made by Members; and

(2) the Speaker shall not adjourn the House until any Message from the Lords has been received and any Committee to draw up Reasons which has been appointed at that sitting has reported.

This is a contingency motion. It provides for us not to have a Question Time if we are required to sit on Monday and Tuesday, because the House has made no arrangements for the tabling of questions for those days. Any urgent questions, ministerial statements or personal statements would be taken one hour after the commencement of business. The motion also provides for the sittings on those days to continue until any message from the Lords has been received and any Reasons Committee has reported. As I have said, it is a contingency motion: I hope that we shall not be sitting on Monday and Tuesday, but we must make arrangements in case it proves necessary.

Mr. Patrick McLoughlin (West Derbyshire): Surely the new procedures mean that we need much less notice of questions? What does the Leader of the House think of the way I was treated over a parliamentary question tabled on 3 March? The answer was put on my desk late last night, and it read:

"I will write to the hon. Member and place a copy ... in the Library."

Is that the way in which Members of Parliament should be treated?

Mr. Hain: I understand that the hon. Gentleman raised this yesterday, and was given a very clear answer. *[Interruption.]* If Members would calm down and let me speak, it would be for the convenience of the House.

As the House will know, the motion is necessary only because of the extreme and highly irregular attitude adopted by Opposition and Liberal peers last night. The decision to adjourn against the Government's wishes was entirely contrary to the usual conventions.

On the "Today" programme this morning, the hon. Member for South Suffolk (Mr. Yeo) argued that the Lords were justified in objecting to Government Bills. He highlighted

"crossbenchers in the House of Lords who've been crucial to the outcome of the votes there".

Actually, it was quite the opposite. In the votes, Cross Benchers were evenly divided—*[Interruption.]* Let me give the figures. On foundation hospitals, 11 Cross Benchers voted against, and eight for the Government.

[Mr. Hain]

On jury nobbling, 23 Cross Benchers voted with the Government and 10 with the Conservatives. Perhaps the hon. Member for South Suffolk can be forgiven for trying to mislead "Today" listeners, but I know that the House will not be fooled.

The Government were repeatedly defeated yesterday by a coalition of Conservatives and their partners in crime, the Liberal Democrats. On foundation hospitals, 101 Tories and 51 Liberal Democrats voted against the Government. On fighting fraud, 117 Tories and 55 Liberal Democrats voted against the Government.

Mrs. Lorna Fitzsimons (Rochdale): Will my right hon. Friend assure my constituents and me that he will not be bowed by the outrageous coalition in the House of Lords? When the Opposition campaign in our constituencies they say that they are trying to fight crime, yet they are doing exactly the opposite in the House of Lords.

Mr. Hain: Absolutely. My hon. Friend provides me with an opportunity to expose, as she did, the double standards of the Conservatives and the Liberal Democrats, who claim on the ground and in some of their public statements to be fighting crime, but who vote against measures that fight crime much more effectively.

On jury nobbling, 119 Tories and 53 Liberal Democrats voted against the Government. The truth is, this is not about the sensitivities of Cross Benchers, who were more or less evenly divided on each of the key votes. Nor is it about another spurious argument that was dragged into the debate yesterday—the outrageous attempt to suggest that some Members of this House are more equal than others when voting on Government legislation and matters before the House. These specious allegations seek to camouflage a carefully planned operation orchestrated by the new Leader of Opposition to sabotage the Government's fight against crime and frustrate health service modernisation.

Mr. Oliver Heald (North-East Hertfordshire): Would the Leader of the House comment on the views of that great conspirator, the right hon. Member for Birkenhead (Mr. Field), who said that if there had been a free vote only 50 Labour Members would have supported the Government's proposals on foundation hospitals? Is not the truth that the Government Whips are forcing through a measure that nobody in the House wants?

Mr. Hain: That is curious behaviour from the shadow Leader of the House with pretensions to be in government—he thinks that there should be free votes on key flagship Government legislation. What a shambles—*[Interruption.]*

Mr. Speaker: Order. The shouting in the Chamber is so loud that sometimes I cannot hear the hon. Members who are speaking—*[Interruption.]* It is my duty to listen.

Mr. Hain *rose—*

Mr. Gerry Steinberg (City of Durham): Will the Leader of the House give way?

Mr. Hain: Indeed.

Mr. Steinberg: As one of the nobblers who voted against the Government, I promise the Leader of the House that I will not vote against the Government. [HON. MEMBERS: "Groveller!"] Yes, I always grovel, especially to you lot. I shall certainly not vote against the Government, because it is quite outrageous that this has become party political. Even though I disagree wholeheartedly with the Government's policy on foundation hospitals, the will on this side of the House is that it should become law. Although I shall not vote for that, I shall certainly not oppose the Government on the issue any more.

Mr. Hain: I am grateful to my hon. Friend, because he and colleagues on the Government Back Benches have sincerely held differences of opinion. However, the issue is not about sincerely held differences of opinion any more—it is about an unelected House of Lords defying the will of the elected House of Commons to take these matters forward.

Clive Efford (Eltham): Is my right hon. Friend aware that rumours are circulating that negotiations are taking place in the other place on a deal or bargain to win concessions from the Government? Does that not demonstrate sheer opportunism? I speak as someone who voted against the Government last night, but what happened in the Lords was not the result of a principled position in any way whatsoever—it was just an attempt to thwart the Government with an unelected Tory majority in the Lords. Will my right hon. Friend promise that in the Queen's Speech next week there will be an opportunity to discuss future reform of the House of Lords and have a free vote on its abolition?

Mr. Speaker: Order. Before the Leader of the House continues, the House should remember that there is a motion before us, and we cannot go too wide of it.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Speaker. Following directly from what you have just helpfully said, you will, I hope, confirm that in the ensuing debate, in which I hope to catch your eye, there will be a full opportunity to explore the areas opened up by the Leader of the House as part of our response to what he said about the motion.

Mr. Speaker: I do not like to give the right hon. Gentleman assurances before he has delivered his speech. Let me hear what he has got to say—I can always stop him in full flow.

Mr. Hain: I, too, look forward to hearing what the right hon. Member for Bromley and Chislehurst (Mr. Forth) has to say.

I welcome the intervention of my hon. Friend the Member for Eltham (Clive Efford), as clarity is now developing on the real issues that are at stake.

Mr. Andrew Robathan (Blaby): On a point of order, Mr. Speaker. I have the Division list from yesterday.

The hon. Member for Eltham (Clive Efford) said that he voted against the Government, but looking at the list, I cannot find him there.

Mr. Speaker: Order. That is not a point of order.

Paul Flynn (Newport, West) *rose—*

Mr. Speaker: Order. The Leader of the House should speak first.

Mr. Hain: Mr. Speaker, I understand that my hon. Friend the Member for Newport, West (Paul Flynn) wants to intervene, and I am happy to allow him to do so.

Paul Flynn: I am extremely grateful to my right hon. Friend, who has been very generous in giving way.

As someone who has consistently voted against both the Health and Social Care (Community Health and Standards) Bill and the Criminal Justice Bill, and did so again yesterday, I assure the Leader of the House that what is before us has now changed utterly. We are not talking for or against Bills—we are voting for which House is supreme. The House of Commons has spoken on those two Bills. I and many others will respect that and not vote against the Bills again.

Mr. Hain: I was about to come on to that very point, and am grateful to my hon. Friend for his clarification.

I am explaining the issue by speaking directly to the motion, because it is important that the House understand why the Government have found it necessary to introduce the motion.

Mr. McLoughlin *rose—*

Mr. Andrew Stunell (Hazel Grove) *rose—*

Mr. Hain: I shall give way again to the hon. Member for West Derbyshire (Mr. McLoughlin) in a minute, and also to the hon. Member for Hazel Grove (Mr. Stunell).

The public have a right to know that the Opposition voted to allow juries to be nobbled. They also have a right to know that the Opposition voted to enable rich fraudsters to evade imprisonment by dragging out court proceedings, costing taxpayers tens of millions of pounds that should be spent on locking up criminals, not allowing them to get away scot-free. In relation to the point made by my hon. Friend the Member for Newport, West, the public have a right to know that, having lost the last two elections by huge majorities, the Tories have given up on democracy and are now ruthlessly manipulating their power in the Lords to defeat an elected House of Commons.

Mr. Stunell: The Leader of the House is deploying a series of irrational arguments to justify something. There is one Bill before the House that was not in the Labour manifesto. A large number of his Back-Bench colleagues voted against it and his colleagues in the House of Lords were divided on it. The Leader of the House has come to the House with a strange argument and is trying to reassure his Back Benchers of its legitimacy. Will he assure the House that he will base our debate on the merits of the case for the Bills that he is talking about?

Mr. Speaker: Order. I say to the hon. Gentleman that we cannot debate the Bills now: there is a motion before us. I advise right hon. and hon. Members to examine the terms of the motion. *[Interruption.]* Order. I can hear the hon. Member for Bolsover (Mr. Skinner) giving good advice on sticking to the terms of the motion.

Mr. Dennis Skinner (Bolsover): And I am quite happy to be here on Monday and Tuesday.

Mr. Hain: As ever, my hon. Friend sticks to the terms of the motion.

In response to the hon. Member for Hazel Grove: do the Liberal Democrats have a new policy to favour the supremacy of the House of Lords over the elected will of the House of Commons? That is what the motion is about. It is about the fact that the public have a right to know that Conservative peers have been acting under close instruction from the new Conservative leader in the House of Commons, who, because he knows that he cannot defeat the Government in the Commons, is deliberately organising defeats in the Lords, where the Labour Government have only 28 per cent. of the vote. If the leader of the Tories wants to provoke days of reckoning on fighting crime, on delivering better health services, and on the fundamental constitutional and democratic right of an elected Government to have the will of the Commons prevail over an unelected, undemocratic Lords, we are up for it. We are up for it today, we are up for it on Monday and we will be up for it on Tuesday, too. We will run this right up to the wire of Prorogation in time for Her Majesty to deliver her speech on Wednesday.

Several hon. Members *rose—*

Mr. Speaker: Order. The Leader of the House is not giving way. [HON. MEMBERS: "Why not?"] Order.

Mr. Hain: I have already given way generously. If I have time, I will do so again.

I trust that everybody understands what is at stake here. This has gone way beyond sincerely held differences on the detail of both Bills: it is about a naked and unprecedented attempt to block the will of the people, who want fraudsters and jury nobblers to be jailed, not let off—of a public who want better health services and do not want them to fail so that the Conservatives have an excuse to pursue their agenda of privatisation and charging for health. I repeat what health Ministers said last night: no matter how many times the Bill goes back to the Commons, it will come back with clause 1 and schedule 1 on foundation hospitals reinstated.

Let us remind ourselves, too, that the House of Lords has not been engaged in revising legislation—it is not a case of carrying out its normal duties to scrutinise and constructively to revise—because we have already accepted 90 amendments to part 1, on foundation hospitals.

Mr. Heald: Will the Leader of the House give way?

Mr. Hain: In a minute.

This is a naked attempt to thwart the democratic decisions of elected Members of Parliament on the instructions of the Tory high command in the Commons—a new, irresponsible and extremist Tory high command; and here is one of them.

Mr. Heald: If it is right that the Government made 90 amendments as a result of the House of Lords amendments that brought them to their senses, how can the Leader of the House say that the Lords are not doing a worthwhile job? Of course they are—they are revising the legislation and making the Government think again.

Mr. Hain: I am distinguishing between a situation where the Lords carry out their proper constitutional duties and the situation where, in an unprecedented fashion, and having clearly decided to confront the will of the elected Chamber, they simply adjourn, thereby denying the Government the chance to take the initiative.

It is important for the House to know, and vital to our understanding of the motion, that two crucial pieces of legislation are at risk. If we lost the Health and Social Care Bill, the results would be: a delay in implementing the new GP contract agreed with the British Medical Association; the loss to the national health service of up to £150 million a year through the provisions relating to the injury cost recovery scheme; the loss of the new provisions on NHS dentistry; the loss of the reform of the welfare food scheme; and the loss of the independent inspectorates. And if we lost the Criminal Justice Bill, that would mean not only a continuation of jury tampering and a free ride for fraudsters, but the loss of these measures: tougher sentences for murder, especially "life meaning life" for premeditated child murders; longer sentences for dangerous sex offenders; longer sentences for violent offenders; longer sentences for dangerous drivers who kill; five-year minimum sentences for gun offences; a crackdown on bail bandits to tackle reoffending on bail; more drug testing and drug treatment—

Mr. Richard Bacon (South Norfolk): On a point of order, Madam Deputy Speaker. Can you confirm that it is not the purpose of the motion to discuss the merits of the Bill?

Madam Deputy Speaker (Sylvia Heal): I think that the point is that the Leader of the House was not actually discussing the merits of the Bill.

Mr. Hain: Indeed, Madam Deputy Speaker—I was seeking to make clear to the House, as I am entitled to, the consequences of proceeding down the course that the Conservative Opposition want to take.

If we lost the Bill, we would also lose more powers for the police in their fight against crime and terrorism, and the possibility of giving the police, prisons, probation service and victims a voice in sentencing for the first time ever.

Mr. Roger Gale (North Thanet): On a point of order, Madam Deputy Speaker. Can you confirm that, procedurally speaking, there is no need for the Government to lose any Bills? If they simply accept the view of the Opposition, the Liberal party and House of Lords, the Bills will go through.

Madam Deputy Speaker: I must remind the hon. Gentleman that it is not, and never has been, appropriate for the person in this Chair to get involved in the debate.

Mr. Hain: I say frankly to the hon. Gentleman that what is at stake here is whether an elected Government with a majority in the Commons are able to carry on with a programme of fighting crime or whether the Conservative Opposition, with their Liberal Democrat allies, are going to thwart us in that objective.

Mr. Simon Burns (West Chelmsford): Will the right hon. Gentleman explain to the House why the Prime Minister himself voted to keep an unelected Chamber and wants an unelected Chamber to remain?

Mr. Hain: The House of Lords needs reform, and it will be reformed. We are talking about an unelected, undemocratic House of Lords—

Several hon. Members *rose*—

Madam Deputy Speaker: Order.

Mr. Hain: It is very interesting that the Opposition are engaged in trying to wreck two crucial pieces of legislation on fighting crime and on health service reform and investment. That is their agenda.

Mr. David Cameron (Witney): Will the Leader of the House give way?

Mr. Hain: No, I will not give way any more.

Let us be clear that where Labour is tough on crime, the Tories are weak on crime. Where Labour wants better health service delivery, the Tories want to cut health services, forcing people to pay for vital operations and go private.

Mr. William Cash (Stone): On a point of order, Madam Deputy Speaker. The Leader of the House is putting forward a number of extremely tendentious arguments regarding the constitutional position. Is it not correct that the Parliament Acts are available if the Government wish to use them?

Madam Deputy Speaker: I have already ruled that in no way is the occupant of this Chair drawn into the debate.

Mr. Hain: Of course, the Parliament Acts are available to any Government at any time, in particular circumstances, but we are not seeking to go down that road—we hope that the House of Lords will co-operate constructively, as, traditionally, it often has. If it does not, there will be serious consequences.

Where the Labour Government are for democracy, the Tories are for privilege and elitism. We are happy to fight them on that new ground, because we know that the people will be with us on cracking down on crime

and on better health services. The Tories may be able to defeat us in a House of Lords full of their supporters and hereditary peers, but they will not defeat us where it really matters: where the people have a vote in the next general election. Passing this motion leads us on the road to that victory.

1.39 pm

Mr. Oliver Heald (North-East Hertfordshire): The Government are as intransigent as they are incompetent. The Leader of the House has created delight from Bromley to Bolsover by saying in the motion that we should sit for two more days. I want to take him up on his point that the House of Lords had considered these matters and that, over a period of some days, persuaded the Government to accept 90 amendments to the Bills. He is now telling us, however, that the House of Lords is full of arrogance for standing up against the Commons. Why does he say that?

Kali Mountford (Colne Valley): Will the hon. Gentleman give way?

Mr. Heald: In a moment.

The Leader of the House says that that is the case because the House of Lords decided to adjourn at 11 o'clock last night, yet the Government spend all their time telling us that we should finish work at 7 o'clock every evening. In fact, we are about to lose the opportunity to use the Smoking Room after 8 o'clock because of the changes in hours that the Government have made.

David Cairns (Greenock and Inverclyde): The House made those changes.

Mr. Heald: No, no. The former Leader of the House of Lords always used to argue that it was right for the House of Lords to have sensible sitting hours, yet when it suits the Government, they say that the Lords should sit all night. What sort of reform of the House of Lords is the Leader of the House of Commons talking about? He wants a House full of Tony's cronies. Even if the Government's reform to remove the hereditaries from the Lords had been made, they would still have lost every vote yesterday, because we were not relying on the support of the hereditaries to win them—we were relying on the support of Members on both sides of the House of Lords. Furthermore, in yesterday's debate on foundation hospitals it was very revealing that the right hon. Member for Birkenhead (Mr. Field) said that only 50 Labour MPs supported the Government's policy.

Kali Mountford: Will the hon. Gentleman give way?

Mr. Heald: In a moment.

We have been standing up for important principles. On jury trial, we have said that the Government should not erode that important liberty of the subject unless there is an overriding reason to do so. What reason have the Government put forward? They say that in long and complicated fraud trials, there should be trial by judge alone, yet 92 per cent. of fraud cases result in a conviction. So what is their reason for this change?

Mr. Tom Harris (Glasgow, Cathcart): On a point of order, Madam Deputy Speaker. Could you once again confirm the ruling that was made earlier, which was that this debate is on a motion on the sitting hours of the House, and is not an opportunity to go back— *[Interruption.]*

Madam Deputy Speaker: Order. I cannot hear the hon. Gentleman's point of order.

Mr. Tom Harris: Can you confirm, Madam Deputy Speaker, that this debate is not intended to be an opportunity to revisit the arguments on either the Criminal Justice Bill or the Health and Social Care (Community Health and Standards) Bill, and that it is an opportunity to discuss the motion on the Order Paper, which the hon. Member for North-East Hertfordshire (Mr. Heald) is not addressing?

Mr. Bacon: Further to that point of order and my earlier point of order, Madam Deputy Speaker. Can you confirm that my hon. Friend the Member for North-East Hertfordshire was doing no more than the Leader of the House was doing, and that the Chair has already confirmed that that was perfectly in order?

Madam Deputy Speaker: I have already said, and I repeat it for the benefit of all hon. Members, that we are not at this moment discussing the merits of any particular piece of legislation that may subsequently come before the House.

Mr. Heald: Thank you, Madam Deputy Speaker. I shall wait for that opportunity.

Kali Mountford: I am grateful to the hon. Gentleman for giving way at last. Is he not concerned that the Lords' unprecedented move of pulling up stumps last night when this House was prepared to continue to debate the merits of Government legislation that had already been voted on by this elected House cocked a snook at the House of Commons, and that the electorate will not understand why their views are being overlooked by the other place?

Mr. Heald: Labour Members call that modernisation when it suits them.

We have spent a good deal of time having constructive discussions with the Government and a great deal has been achieved: they have accepted 90 amendments. As we speak, further discussions are going on. It is right that, if necessary, we should take extra time to discuss these issues, as the motion suggests.

Mr. Peter Pike (Burnley): Will the hon. Gentleman give way?

Mr. Heald: In a moment.

The Leader of the House used to write eloquently about the rule of law and the need for justice and liberty. The day before yesterday, a former Labour shadow Attorney-General and Attorney-General, Lord Morris of Aberavon, whom the Leader of the House knows well, made the point that to erode jury trial was a very serious step. We are arguing that, if it is to be done for the sake of 50 cases a year, it is a step too far. We have support for that argument right across the House. Will

[Mr. Heald]

the Leader of the House intervene in this matter, even at this late stage, in the interests of justice and the rule of law? Can he not bring some common sense to bear on all those who are digging in? As Lord Healey has rightly said, those who are dug in should not keep digging. That is something that the Leader of the House could do for us.

Mr. Pike: Does the hon. Gentleman not recall that when we were in a similar position over the Railway Act 1993, when the Conservative party was in government, the House of Lords adjourned while this House was in disagreement with it, but when it met the following morning, it accepted—as it did on every occasion during the 18 years of Conservative rule—that when there were disagreements, the legitimacy lay within the elected House and not the other place?

Mr. Heald: There are always constructive discussions to be had, as there should be.

The offer that has been made is a fair one. It is to accept 393 clauses. Cannot the Government just go that small step in the interests of justice and the rule of law, and refrain from eroding the right to a jury trial? Can they not do that small thing, bearing in mind that it will affect only 50 cases a year—

Madam Deputy Speaker: Order. Once again, I must remind the hon. Gentleman that the merits or otherwise of the Bill are not for discussion at this moment.

Mr. Forth: On a point of order, Madam Deputy Speaker. It might have been before you assumed the Chair—when Mr. Speaker was in the Chair—that we all listened politely, if incredulously, to the Leader of the House listing many elements of the Bills under discussion. I raised this issue with Mr. Speaker in a gentle way, and he said that he was prepared, at that stage, to allow at least elements of the Bill to be brought in when they were relevant to the debate. As I said, that might have been before you assumed the Chair, Madam Deputy Speaker, but your perusal of *Hansard* tomorrow will show that the Leader of the House spent a large part of his time enumerating elements of the Bills.

Madam Deputy Speaker: I am sure that the right hon. Gentleman, who is a very experienced Member of the House, will be able to distinguish the difference between listing the contents of a piece of legislation and debating its merits.

Hon. Members: List them!

Mr. Heald: I do not think that I should go down the route of listing all 393 clauses.

Mrs. Cheryl Gillan (Chesham and Amersham): Does my hon. Friend agree that it is rather appalling that aspersions should be cast on the other place in this debate? I have been reading carefully yesterday's debate on the Health and Social Care (Community Health and Standards) Bill in the other place, in which our noble Friend, Lord Cope of Berkeley said:

"More seriously, as far as I can detect, the various parties seem to have moved close to one another on the Bill on the various outstanding issues. We should, as a House, attempt to facilitate the ability of the Government, Opposition and other parties to come to an agreement about the future and settle it on a Bill about which there has been much controversy."—[*Official Report, House of Lords*, 19 November 2003; Vol. 654, c. 2035.]—

Madam Deputy Speaker: Order. Perhaps the hon. Lady could bring her intervention to a close.

Mrs. Gillan: I was simply trying to make the point to my hon. Friend that this was responsible parliamentary behaviour—

Madam Deputy Speaker: Order. The hon. Gentleman is aware of what the hon. Lady is saying. I call Mr. Oliver Heald.

Mr. Heald: We were looking for a cooling-off period—a time for reflection—and I do not think that it is too much to ask that the Government should reflect on issues of this seriousness.

David Cairns: Will the hon. Gentleman give way?

Mr. Heald: In a moment.

The offer that has been made on foundation hospitals would allow the whole Bill—the GP contract and all the other measures that I could list—to go through. What we do not want is a two-tier system in our country—a half-baked solution that simply will not work. We are entitled to negotiate and discuss. The other place was giving us that opportunity. *[Interruption.]* It may be, Madam Deputy Speaker, that we are to have those clauses listed.

David Cairns: Will the hon. Gentleman give way?

Mr. Heald: In a moment.

It would be bad news for this place if we were left to wait for Lords messages with the Government digging in and nothing else to be done. We should reflect on the reason for us getting into this mess: the Government's appalling management of the business.

David Cairns: Will the hon. Gentleman give way?

Mr. Heald: In a moment.

How could it happen that the Criminal Justice Bill, which had been in Committee in this place in January, arrived for final, serious consideration in the Lords only last night? In fact, the printers were kept up all night to get the papers ready for this place. That is incompetence. To add to it, we now have intransigence. That is not good enough.

David Cairns: I am grateful to the hon. Gentleman for giving way. Given the burgeoning alliance between the Conservatives and the Liberal Democrats in another place, does it not alarm him that he has been abandoned by all but one of his allies in this place? Does it not speak

volumes of the Liberal Democrats that while their peers are queueing round the block to defeat the Government in another place, only one of their MPs can be bothered to turn up to this Chamber to debate the supremacy of this House?

Madam Deputy Speaker: Order. That is not relevant to the debate.

Mr. Heald: I think that the one Liberal Democrat Member we have here is quite a good one. *[Interruption.]* Well, there are mixed views on that.

David Taylor (North-West Leicestershire): On a point of order, Madam Deputy Speaker. Before an attempt at rescuing the shadow Leader of the House is made by his predecessor, will you rule that any listing of the titles of the 393 clauses that might be envisaged by the right hon. Member for Bromley and Chislehurst (Mr. Forth) would be ruled out of order as tortuous and unnecessary in relation to the debate on the matter before us? *[Interruption.]*

Madam Deputy Speaker: Order. This is a point of order. Would hon. Members please allow the hon. Gentleman to continue?

David Taylor: Will you, Madam Deputy Speaker, rule in advance that any attempt by the right hon. Member for Bromley and Chislehurst to regale the House with the titles of all the clauses of any Bill concerned would be ruled out of order as tortuous, a waste of time and an abuse of parliamentary process?

Mr. Heald: Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. I wish to respond to the point of order from the hon. Member for North-West Leicestershire (David Taylor).

Mr. Heald: Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. No, first and foremost, I want to respond to this point of order. Never would it be appropriate for any occupant of the Chair to make a ruling in advance of hearing what any Member would say.

Mr. Heald: May I turn to an important matter of detail in the motion? Paragraph (1) says that no questions should be taken on Monday and Tuesday of next week. If we are to be here, waiting for Lords messages, it would be wrong to lie idle, so may I suggest that we have questions on Monday and Tuesday of next week and that we find time for a short debate on Iraq, which the shadow Foreign Secretary asked for?

Mr. Chris Bryant (Rhondda): Questions on what?

Mr. Heald: I am coming to that. I suggest that we have questions on home affairs and health, because this Government do not like answering questions. We know that the Prime Minister never answers a question. In fact, he has been asked 11 questions by the Leader of the Opposition—11 asked and none answered.

Mr. Cameron: Does my hon. Friend think that it would be worth while to have questions to the Chancellor, because the one question that no one on the Treasury Bench seemed to be able to answer yesterday is whether total capital investment in the health service is capped? If the Chancellor, who is now responsible for almost all domestic policy, came to the House, we might be able—

Madam Deputy Speaker: Order. Again, we cannot debate questions that we might ask of a Minister.

Mr. Heald: There should be questions next week, despite what the motion says.

Mr. John Redwood (Wokingham): I am extremely grateful to my hon. Friend for giving way. He is making a convincing case. Has he borne it in mind that we have had only 164 sitting days in the parliamentary year, although a lot of people outside the House have to work 240 days a year in their normal employment? Does that not show that we do not have enough time to consider such Bills properly or to ask the right questions, as he has said? Should not we ask the Government for more sitting days as well as more hours?

Mr. Heald: My right hon. Friend makes an excellent point. Although a distinction was drawn between the previous shadow Leader of the House and me, I think that working hard—I know my right hon. Friend the Member for Bromley and Chislehurst agrees—is something we should be doing.

Mr. Nigel Evans (Ribble Valley): It appears to me that the Government will get into similar problems next year. They have a number of unpopular Bills that they will find difficult to get through this place and, indeed, the other place. The issue of questions is important: should not the Government modernise Question Time so that we can table questions in the expectation that we may sit on the Monday and Tuesday when prorogation takes place? If we came across a similar situation, we could have Question Time.

Mr. Andrew Miller (Ellesmere Port and Neston): On a point of order, Madam Deputy Speaker. Is it not the case that the motion on sittings is amendable? Had the shadow Leader of the House been doing his job properly, his arguments would not be necessary, as he could have tabled amendments.

Madam Deputy Speaker: The hon. Gentleman is correct. The motion is amendable, but I note that it was tabled quite late last night.

Mr. Roger Gale (North Thanet): On a point of order, Madam Deputy Speaker. What you have just said is extremely helpful. Would you consider taking a manuscript amendment?

Madam Deputy Speaker: We seem to be getting quite a few references to hypothetical questions. I am not ruling on a hypothetical question.

Mr. Heald: Looking at paragraph (1) of the motion, the only reason that this proposal is needed is to prevent us from having Question Time. If the motion had not been tabled, I believe that we could have normal days on Monday and Tuesday.

Mr. Burns: I am grateful to my hon. Friend for giving way, because I want to ask him a question about paragraph (1). Is my interpretation correct in that, fortunately, it allows for an interruption on Monday and Tuesday for an urgent question? Given the comments of the Leader of the House on an unelected Chamber, could not that opportunity be used for the Prime Minister to come to the House to explain why he believes in an unelected Chamber whereas his Ministers seem not to?

Mr. Heald: My hon. Friend makes an excellent point. Of course, if we had the Chamber at the other end of the Corridor that the Prime Minister wants, we would still have had exactly the same result in those votes.

Kevin Brennan (Cardiff, West): Will the hon. Gentleman give way?

Mr. Heald: Give me a moment, because I want to make the point that there is a good reason to have Home Office and Department of Health questions next week. [HON. MEMBERS: "And Treasury questions."] And possibly Treasury questions. Let me give an example.

My hon. Friend the Member for West Derbyshire (Mr. McLoughlin) has explained that on 6 March he asked a question on administrative grants for the Home Office. On 19 November—eight months later—he received a holding reply. He could have an answer to that question on Monday or Tuesday.

Kevin Brennan: Will the hon. Gentleman give way?

Mr. Heald: In a moment.

To give another example, my right hon. Friend the Member for Penrith and The Border (David Maclean), the Opposition Chief Whip, asked a question of the Home Office on 27 January. He received a reply on 19 November—this Wednesday:

"I will write to the right hon. Member and place a copy of my letter in the Library."

That is the reply, 10 months later. My right hon. Friend could come along on Monday or Tuesday.

Mr. Jonathan Sayeed (Mid-Bedfordshire): I put it to my hon. Friend that even when we receive answers they are not much use. After all, the Prime Minister yesterday told us that trade between the United States and the United Kingdom totals £2,000 billion a year. That is more than the gross domestic product of the United Kingdom.

Mr. Heald: My hon. Friend makes an excellent point. To return to my point about the hopeless answer—

Kevin Brennan: Will the hon. Gentleman give way?

Mr. Heald: In a moment. The Secretary of State for Health was asked

"what recent discussions he has had on the testing of school children for sexually-transmitted diseases".

The answer was:

"The power of decision to provide a school based health service, and the content of that service, is for the individual governing body of the school in consultation with pupils, parents and the school community."

What discussions did he have? He would not answer the question. All right hon. and hon. Members who regularly ask questions and wait for 10 months for an answer or do not receive an answer could come to the House on Monday or Tuesday and ask the same questions and get answers for a change.

Kevin Brennan: Could we also have questions to the Department for Constitutional Affairs so that we could discuss creating sufficient Labour peers to reflect the democratic wishes of the country and so get the Bills passed? Would not that be a better use of time?

Mr. Heald: Sadly, we do not need a debate on that. The Prime Minister is already doing that.

It is right that we should have the opportunity to use this time well. The Leader of House has made his accusations, but the truth of the matter is that he and his colleagues should be using the time that the House of Lords has given us to pause and reflect.

Mr. Crispin Blunt (Reigate): On a point of order, Madam Deputy Speaker. I have been listening to my hon. Friends' arguments and your rulings from the Chair on points of order. They have convinced me to prepare a manuscript amendment that is real, rather than hypothetical. I hope that you will accept it as an amendment to the motion.

Madam Deputy Speaker: Manuscript amendments are for the consideration of the Speaker, and if it is sent to his Office, it will be considered in the usual way.

Mr. Heald: The Government have made their allegations, but they should do the responsible thing and use this time for reflection. Instead of being stubborn, arrogant and intransigent, they should listen, learn and look at what all sides are saying. Then we could move forward on the basis of the constructive proposals made by the Opposition and others. Unless the manuscript amendment is accepted and there is some change during the course of debate, we shall divide on the motion.

2.2 pm

Mr. Stuart Bell (Middlesbrough): I congratulate the hon. Member for North-East Hertfordshire (Mr. Heald) on his new role: he clearly enjoys it and has kept the House amused and lively.

I have not fully understood the terms of the contingency motion, but I am assuming that in the light of the Lords' behaviour the Prime Minister will use the next occasion available to him to visit Her Majesty to recommend that more peers should be created so that the House of Lords respects the will of an elected Parliament. In that way, if we are here on Monday and Tuesday, we shall be debating the possibility of a new

Parliament Bill that will limit further the powers of the other place to prevent the will of the elected representatives from being respected.

Mr. Redwood: Will the hon. Gentleman give way?

Mr. Bell: I will be happy to give way in due course. We have plenty of time. The Conservative Benches are galvanised and I look forward to hearing from the right hon. Gentleman. The Lords have voted once, but they have to vote again, so we have plenty of time to have a full debate. Before I give way, however, I will set the foundations of my contribution: I am assuming that we may expect the Prime Minister to recommend the creation of more peers, and that on Monday and Tuesday we shall be looking for a new Parliament Bill.

Mr. Redwood: Can the hon. Gentleman explain to the House how that could possibly work? The problem is that once Her Majesty has graciously agreed to create a peer, there is no requirement for that peer to follow the Labour Whip. Indeed, most of them do not seem to bother.

Madam Deputy Speaker: Order. We are straying wide of the motion.

Mr. Bell: I shall stick with the motion, Madam Deputy Speaker, but I remind the right hon. Gentleman that in 1911 there was no difficulty in the Prime Minister advising the Leader of the Lords that the recommendation had been made and that the King had graciously accepted it. There followed a Parliament Bill. There is no logistical difficulty about such a recommendation, and given the attitude of the other place, I imagine that Her Majesty would graciously accept it.

As the Leader of the House said, this is not a question concerning the principle of Government legislation. That was debated last night and we shall not go into it again. Many of my hon. Friends voted with the Conservatives. That is a matter for them and their conscience. If they can sleep at night, that is fine. They have made their point. Now we face a constitutional question: the upper House is preventing the elected House of Commons from exercising its will in the interests of the people.

Mr. Evans: Is the hon. Gentleman saying that if the Prime Minister created sufficient peers from among his Labour cronies to sit in the House of Lords to ensure that there was a sufficient majority to get everything through that the Government wished, there would be no need —

Madam Deputy Speaker: Order. We are not going into the merits of various ways of selecting or electing members of the House of Lords now.

Mr. Bell: I am grateful for your protection, Madam Deputy Speaker.

In response to the hon. Gentleman's question, it was a Liberal Prime Minister who recommended to His Majesty the creation of peers. That was accepted and there followed a Parliament Bill. That would not change the nature of the Parliament Act 1949. There would still be a pause in the passage of legislation, and certainly the Lords would have the right to amend legislation, fulfil their constitutional function and send legislation back to us. That constitutional position is not being altered. If we are here on Monday and Tuesday, I would like to debate the reasons why we should have a new Parliament Bill; why this House is sitting on Monday and Tuesday under a contingency motion; and why this elected assembly should never again put ourselves in this position.

Mr. Nick Hawkins (Surrey Heath). As the hon. Gentleman knows, I have a great respect for his interest in the way in which both Houses operate. Would he be interested to know—I can send him the details later—that one of the peers appointed by the present Prime Minister to the upper House recently wrote to me to say that she was unaware that she was still listed as a Labour peer, having moved to the Cross Benches because of her professional position, and that she rarely had time to sit in the other place? Does he agree that if we are considering the role of the upper House we must look at whether those appointed by the current Prime Minister are doing the job for which they were appointed?

Mr. Bell: The same holds true for those who owe their peerage to what happened 400 years ago under Charles I, but I respect your counsel, Madam Deputy Speaker, and will not get into that debate.

The powers of the Lords have been referred to. I mentioned the Parliament Act 1911 and I will refer briefly to the Parliament Act 1949. If on Monday and Tuesday the House sits under this contingency motion and if we debate the possibility of a new Parliament Act, it would not interfere with the Parliament Act 1949, which gives the Lords a delaying power. It would be perfectly possible for the Prime Minister to visit Her Majesty on Sunday, for her to accept the recommendation and for us to debate a new Parliament Bill on Monday and Tuesday. That could be done in such a way that the Queen could refer to it in her speech on Wednesday.

Mr. Bacon: Will the hon. Gentleman say who he thinks should be the arbiter on whether the House of Lords is correctly fulfilling its constitutional functions? Should that question be determined simply by the majority, for the time being, in this House, or by wider considerations, including public opinion and a sense of consent throughout the nation? If the answer is the latter, surely it is worth listening to what the House of Lords has to say.

Mr. Bell: Without diverting into a debate wider than the motion before us, I can tell the hon. Gentleman that the answer is very simple: the Parliament Acts 1911 and 1949 provide the upper House with certain clear powers. Those are revising powers and powers to delay within a set time. As we have heard today, the House of Lords has respected that situation, and it made some 90 amendments, which the Government have accepted. That is the constitutional position.

What we are seeing today and what we saw last night, as my hon. Friend the Member for Colne Valley (Kali Mountford) said, is that the House of Lords no longer

[Mr. Bell]

respects the will of the people. Without getting into a wider debate, I can say that this House gave a clear view last night; a majority of 17 is quite sufficient. The late Winston Churchill said that a majority of one is enough. The will of this House was expressed, and this motion is a result of the Lords not wanting to respect the wishes of our elected representatives.

Mr. Greg Knight (East Yorkshire): May I take the hon. Gentleman back to the terms of the motion? Many hon. Members on this side of the House would agree with it if it did not contain paragraph (1). Why can we not have questions next week?

Mr. Bell: That, of course, is a matter for Madam Deputy Speaker, not for me. We have already had a suggestion for a manuscript amendment, and the Corridor and the Speaker's door are open if anyone wants to pursue that course. If manuscript amendments were to be accepted by the Speaker, I would be happy to move one saying that we ought to be here on Monday and Tuesday to debate the prospect of a new Parliament Bill.

Mr. Bryant: My hon. Friend strongly made the point that on two separate occasions this House has already made its views known extremely forcefully on both the Bills that have still to return from the House of Lords. Opposition Members have said that the Lords has every right to make the House of Commons think a second time, and it surely does, but not a third, fourth, fifth, sixth and seventh time, because in the end it should be the democratic Chamber that wins through. Would my hon. Friend suggest in his new Parliament Bill that there should be only one opportunity for the Lords to ask the Commons to review its position?

Mr. Bell: Again staying within the terms of the debate, I shall answer that by referring to a point made to me by my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke). Not in this Parliament, and certainly not since 1997, have we seen the House of Lords acting in the way that it did last night. Getting to the point made by my hon. Friend the Member for Rhondda (Mr. Bryant), certainly a new Parliament Act should reduce still further the delaying power of the Lords.

Mr. Tom Clarke (Coatbridge and Chryston): I intervene mainly because my hon. Friend referred to me. Last night I did my duty as an elected Member of this United Kingdom Parliament and as my constituents would have expected me to do. Those who would seek to influence me not to vote on, for example, Northern Ireland matters—particularly, if I may say so with respect, if those people represent the Conservative and Unionist party—should recognise that they are playing right into the hands of the separatists.

On the point made by my hon. Friend, I have not always supported the Government; I opposed them on incapacity benefit. [HON. MEMBERS: "Give way."] However, and here I conclude, the point came when Lord Ashley of Stoke and I, who, if you like, led that rebellion, accepted, as Lord Ashley said, that the democratic House had spoken. He accepted that judgment, and it is time that that wisdom was replicated in another place.

Mr. Bell: I am grateful to my right hon. Friend. By way of an intervention he made a better speech than I could. I am grateful to you for your indulgence, Madam Deputy Speaker.

My right hon. Friend made a valid point which I made earlier, and if I may I will repeat myself. Many of my right hon. and hon. Friends voted with the Conservatives last night as a matter of conscience. They expressed their wish and their will, and they opposed their own party. However, what we are now debating is a motion through which the unelected upper House can seek to impose its will on an elected Chamber. Two of my hon. Friends have already said today that this is a question of the constitution, and I am sure that all my colleagues will now vote with the Government—I urge them to do so.

Mr. Hawkins: The hon. Gentleman is looking at how the role of the upper House as a revising Chamber may affect this motion. Does he accept that the practical reality is that, because of the Government's tight guillotines, the upper House is now the only House that has the opportunity to debate matters such as those arising from the Criminal Justice Bill, in full?

The Government could have all bar about three clauses of their huge Criminal Justice Bill by agreement with the democratic Chamber, so is not the other place entitled to claim that it is doing its job as a revising Chamber by saying to the Government that they can have 305 clauses of the Bill if they just take out the three that many of the hon. Gentleman's colleagues do not like any more than we do?

Mr. Bell: The hon. Gentleman makes a valid point, but I reiterate what the Leader of the House and the Secretary of State for Health have said. Certainly in the case of the Health and Social Care (Community Health and Standards) Bill, if not the Criminal Justice Bill, these questions go to the heart of Government policy. I surmise, without straying too far from the motion, that if the Government had lost the vote last night, it would have been a matter for a vote of confidence in this Chamber. The hon. Member for Surrey Heath (Mr. Hawkins) would have been the first to call for that, and I would have supported that call.

What the Lords are doing is not revising. We have already been told that 90 amendments have been accepted by the Government. What we are seeing now is a policy put forward by the Government, and supported by a majority in this House, being contested and rejected by the Lords, creating not a constitutional crisis but a constitutional difficulty. If, under the terms of the motion, the House sits on Monday and Tuesday, we should take all that into account.

Mr. Burns: With regard to the Bill dealing with foundation hospitals, will the hon. Gentleman bear it in

mind that those policies were not in the Labour party manifesto, and they were rejected by the Labour party conference in October?

Madam Deputy Speaker: Order. We are not discussing the merits of the subject matter of legislation.

Mr. Bell: I always seek your protection, Madam Deputy Speaker, but if I may, I shall make a brief response to the hon. Gentleman. Every Queen's Speech that I have listened to over the past 20 years has said, "and other Bills will be presented to you". Those Bills were not always in the manifesto.

Mr. Tom Harris: Is my hon. Friend aware that, once again, the other place has voted for the amendments on jury trials and fraud? Does that not confirm exactly his point that the powers of the other place have to be curbed in favour of maintaining the supremacy of this Chamber?

Mr. Bell: I am making this speech as a humble barrister. I did not get into the debate on jury trials, and I will not get into it now. However, the only examination that I ever passed with any distinction was one on constitutional law, and the lesson that I learned from that was that the other place must always yield to the supremacy of this Chamber. What we are seeing now is a usurpation of that right and a lack of dignity and respect for this Chamber, as my hon. Friend the Member for Colne Valley said. Last night, this House—certainly 590 of us, if not 650—were ready to sit here to resolve any conflict between the Lords and this place, and the other place refused to do its constitutional duty. Without straying too far from the motion, I can say that that is a challenge to this House, and it is a challenge that I take up, first as a Member of Parliament, secondly as a barrister and thirdly as someone who did well in constitutional law.

Mr. Heald: Is it not right that there should be a process, which is continuing, of trying to produce a Bill that is satisfactory to all parts of the House? What is wrong with the other place saying, as it did last night, "Let us have a pause for reflection—a cooling-off period—and see if we can go that extra mile"?

Mr. Bell: It is not "The Green Mile"—the film that the hon. Gentleman may have seen, as I have—to which he refers. He gives me the opportunity to mention a cooling-off period. The House of Lords is a revising Chamber—a Chamber intended to send matters back, to make recommendations and sometimes to cool off the emotions of this House. That function has hitherto been exercised fairly well. But, as the hon. Member for Southwark, North and Bermondsey (Simon Hughes) said yesterday, when a debate has been going on for almost a year in this place and the other place, and when, a day before prorogation, after the House and the Government have indicated that they will not yield on matters of substance on Government policy, the other place turns that down, creating the need for the motion before the Chamber today, possibly requiring Parliament to come back on Monday and Tuesday, that is not revising. It is not cooling off. It is, if I may use the vernacular, cocking a snook.

Mr. Bryant: Is it not just downright recidivism, for that matter?

Mr. Bell: If I spoke about recidivists, I would be getting into the Criminal Justice Bill, and I do not wish to exercise that right at this moment. I see, even in a short space of time, a repetition of the proceedings before the Parliament Act 1911, when the other place sought to interfere with the taxation powers of this House. In 1949 the law was changed again because of the intolerable delays that the House of Lords created in the nationalisation programme of a Labour Government. We are now seeing a third attempt to usurp the functions of an elected Government. That never happened under the Conservatives, even though there was a cooling-off period and many amendments were moved. The Tory Government were defeated many times and the legislation returned to the House. There was a cooling-off period, but there was never a motion such as the one before us to be debated two days before prorogation. That is a challenge to the supremacy of the House.

Mr. Blunt: Was that not because the Government then were wise enough to negotiate a compromise with the other House in order to get their legislation through?

Mr. Bell: The former Conservative Government and the present Government have both sought to clarify issues with the Lords, sought to amend or improve their legislation with the Lords, and by and large were successful. Whether the principle of the Bills was accepted is another matter. By accepting 90 amendments to the present legislation, the present Government have shown themselves prepared to fall over backwards to please the House of Lords and to take into account what the Lords said. We come back to the point made by the Leader of the House: this is a challenge to our supremacy. Those on the Conservative Benches—I see many in the House, I see Chairmen of Committees, and I respect them—understand the principle of supremacy and the challenge to this House. I should be surprised if they continue with that challenge by supporting the other place.

Mr. Tom Harris: Opposition Members criticised my hon. Friend earlier for suggesting that more Labour peers should be created in order to get the Government's manifesto commitments through the other place. He has been in the House long enough to remember that in 1990 the Conservatives made sure that every single hereditary peer in the country—people who had never once attended the House of Peers—were drafted into the House of Lords to push through the poll tax legislation. Does that not show utter contempt for the democratic process of both Houses?

Mr. Bell: That is certainly the case. Many years ago Laurence Olivier was made a peer. He never showed up at all until his wife, Vivien Leigh, threatened to disrupt the proceedings. He had not even signed the form, but he thought he had better show up. At the Labour party

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conference in 1977, Jack Jones asked about the origins of the peers and the liaisons in the time of Charles I from which the descendants are now profiting. I will not discuss the composition of the Lords, but I will answer one point that was made in relation to the debate.

It was suggested that I had said that we should create Labour peers. I never said that at all. I said we should create sufficient peers so that the will of this House will be respected in another place. That is the essence of our short debate today.

Mr. Burns: May I remind the hon. Gentleman, as he seems to have forgotten, that it was under the premiership of the Baroness Thatcher that the House of Lords refused to accept the War Crimes Bill, and we had to use the Parliament Act to get it through?

Mr. Bell: I am one of the few Members of Parliament who, on the day Lady Thatcher retired from the House, praised her for her contribution, much to the chagrin of my hon. Friend the Member for Bolsover (Mr. Skinner), as I well remember. The question was whether she had been the greatest Prime Minister since the war. My response was that the greatest Prime Minister since the war was Clement Attlee.

On the War Crimes Bill, I remember that well. I was one of those who, with the hon. Member for West Chelmsford (Mr. Burns), sought to push it through and congratulated everyone when it was pushed through. But we are not dealing with that.

Whether we are under a Conservative or a Labour Government, the supremacy of the House cannot be challenged. Yet we see it being challenged even now. We sign sessional orders every time we open a new Parliament, so that we have access to the building. Hon. Members may have seen from their e-mails that certain entrances will be closed today. That is an infringement of the rights of Members of Parliament.

Mr. Blunt: Is the hon. Gentleman saying that the House of Lords is not entitled to exercise its powers, as they exist under the Parliament Act?

Mr. Bell: There is such a thing as abuse of power. What we are seeing today and what we saw last night are clear abuses of power by the other place towards an elected Chamber. That shows disrespect to every Member of the House who was duly elected by the people of our country to govern the country. The legislation of which we were speaking, which I will not get into, is supported by the Cabinet and by the Commons, and the Lords are challenging it. That is an abuse of power, not a use of power.

Mr. Bryant: Is it not one of the greatest ironies of history that for the most part, the Parliament Act has had to be used on issues on which there had been free votes in the House but the Lords decided to throw the legislation out? A classic example is the Hunting Bill. Should the Lords not bow down and listen to the will of the democratically elected Members of the Commons?

Mr. Bell: I will not be tempted by my hon. Friend to widen the debate, but that is a clear case of an elected Assembly expressing a clear view, which has been disregarded subsequently by another place. The Parliament Act may have to be enforced.

Mr. Evans: Would it not be useful for the House to come back on Monday and Tuesday? People think we do not sit on enough days. We are discussing two controversial Bills that are deeply flawed and which do not have the full support of the House. We know that there are many reservations on the Government side. Debating the Bills on Monday and Tuesday would give us more opportunities to discuss their merits, which would be useful to the House.

Mr. Bell: I say again that I would be happy to come back on Monday and Tuesday to debate a recommendation from the Prime Minister to Her Majesty to create new peers. I would be happy to come back on Monday and Tuesday to debate a new Parliament Bill. I would be happy for a new Parliament Bill to be included in the Queen's Speech. I would be happy if we created sufficient peers so that the will of this Chamber was respected in the other place, and so that the will of a Government duly elected was respected. I would be happy to debate all those matters on Monday and Tuesday.

Mr. Miller: I draw my hon. Friend's attention to yesterday's debate in the House of Lords. The Cross Benches had been prayed in aid by the Opposition in the debate, but Baroness Finlay of Llandaff said:

"I do not want to comment on the way in which votes have been cast in one way or another."

She went on to say:

"I sincerely believe that if we had more time to look through these proposals, more might have been achieved."—[*Official Report, House of Lords*, 19 November 2003; Vol. 654, c. 2019–20.]

We are providing that time.

Mr. Bell: We are giving that time, but the Government have said, and the Leader of the House has said today, that the legislation is a vital part of the Government's and Parliament's programme to ameliorate situations in relation to health and crime. I shall not go into that, Madam Deputy Speaker, but that is where the Lords are interfering with our democratic process.

Mr. Greg Knight: On a point of order, Madam Deputy Speaker. A rumour is growing among Opposition Members, which I think is probably true, that some of my hon. Friends have tabled a manuscript amendment to the motion. Will you confirm whether that it is case, and if so, what is Mr. Speaker's decision?

Madam Deputy Speaker: Many hon. Members were present when the manuscript amendment was raised, and I repeat my ruling that that is a matter for decision by Mr. Speaker. The House will be notified accordingly.

Mr. Bell: I will give way to the hon. Member for Reigate (Mr. Blunt).

Mr. Blunt: The hon. Gentleman has talked considerably about the democratic rights of this Chamber, but in his contract with his electorate I do not recall his standing on a manifesto pledge to remove the right to jury trial or to have two-tier hospitals.

Madam Deputy Speaker: Order. The hon. Gentleman was present in the Chamber when I ruled that we are not here to debate the merits of any Bill.

Mr. Bell: I am grateful, Madam Deputy Speaker, and I do not wish to go into that, but in my political career I have followed the conservative line that Governments are elected to govern for a four or five-year period and to return to the country and say, "This is what we did." That was the philosophy and tradition of the Conservative party for many a year. I have sat in this House for 20 years, some under a Conservative Government, and I have voted on Bills that were never put to the people by way of a manifesto or never appeared in a Queen's Speech.

Mr. Gordon Prentice (Pendle): My hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) mentioned the speech by Baroness Finlay in the other place yesterday. She is a highly regarded Cross Bencher and she complained that many questions had not been answered. My hon. Friend the Member for Middlesbrough (Mr. Bell) is a constitutional expert, so could he tell me whether, when the Reasons Committee retires to put together the reasons why this House rejected the Lords' proposals, they could extend beyond one simple sentence? Could detailed reasons be given to the House of Lords as to why we have rejected its proposals?

Mr. Bell: I may be a constitutional expert, but that is a matter for the Chair or the Leader of the House.

Kali Mountford: Did not my hon. Friend's electorate elect him to use his considerable judgment, which has been amply demonstrated this afternoon—I do not require him to comment on that; I simply make that point? Given his great experience and wisdom, is it not the case that on issues such as this there comes a point when each House has to recognise that the argument is over, and have we not now reached that point? However many more days we spend debating the issues, the House of Lords should recognise that we will be answerable to the electorate while they carry on debating, and the constitutional position must remain that the decision lies ultimately with this House.

Mr. Bell: I, like many other hon. Members, have had to cancel a series of constituency engagements today. I was due to open a building, which happens about once every five years, but I had to tell my constituents that I would be in this Chamber and not one has complained about that because they know that this is my place and this is where I should be.

My hon. Friend is right in the sense that the debate is over and the reasoned amendments have been put. The amendments from the other place are no longer reasoned amendments; what we are getting is rejection. We are now seeing a constitutional ping-pong. We are no longer here for reasons of principle; we are here because of a challenge to this House and its supremacy.

Vera Baird (Redcar): I apologise for not having been here all morning, but I have been listening to the proceedings in the other House. I take it that all hon. Members are perfectly well aware that the amendments now before their lordships' House were originally tabled by my noble Friend Baroness Scotland on behalf of the Government and, having been withdrawn, have now been retabled by the Opposition. They are precisely the basis of an agreement that was reached this morning that would have resolved the entire issue. That ought not to be lost sight of.

Mr. Bell: I am grateful to my hon. and learned Friend, who not only has a constituency next door to mine but is also a distinguished barrister who has participated in many of these debates. She demonstrates again not only that this is a constitutional ping-pong, but that the other place is showing cynicism of the highest order. Members of the other House have set aside their own principles and understanding of the constitution and taken a view that we have not seen in the entire life of this Government since 1997, and such as we have not seen since the early part of the century, or in the 1940s when we had a Labour Government with a strong programme of nationalisation.

Vera Baird: I have obviously not made myself clear. What has happened is that the Government have changed their mind and what they agreed this morning, they now vote down in the House of Lords. I cannot see how that can be given the countenance of a lack of principle in the Opposition.

Mr. Bell: It is for the Leader of the House to define the Government's policy, but that shows how we are open to argument in the interests of our legislation. Because of that we are still here debating the motion to sit on Monday and Tuesday. The House of Lords is usurping the powers that were given to us by the Parliament Acts of 1911 and 1949.

Sir Nicholas Winterton (Macclesfield): The hon. Gentleman has been very reasonable through much of his remarks, and he has a fine reputation in the House. He spoke about the Prime Minister going to Her Majesty the Queen in order to bring about the appointment of a number of additional peers, and he said that they would not necessarily be Labour peers. How could he guarantee that they would take the point of view that he is expressing in the Chamber today? Might they not support the cross-party opposition, not least on the erosion of jury trial, which I consider to be a constitutional issue? Will the hon. Gentleman accept that the Lords have a right to take a position on that to the bitter end, even if foundation hospitals are a political matter?

Mr. Bell: I have one eye on Madam Deputy Speaker, and she has one eye on me, so I shall not get into a debate on the merits of the Bills. However, I believe that the

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Lords are wrong on jury trials, and I say that as someone who practised in jury trials in France as well as in the United Kingdom.

On hon. Gentleman's point about the Prime Minister seeking to make recommendations to Her Majesty on peerages, I should say that my right hon. Friend has been reluctant to create peerages, either on the Labour side or on the Conservative side. We are at least 25 peers short, and there may be some announcement later. In the light of what is happening today, I urge the Prime Minister to use his constitutional right to make the recommendations.

On the hon. Gentleman's third point about competence, I am suggesting that, were we to have a debate on Monday on constitutional issues, sufficient peers should be sent to the Lords who would respect the constitutional issue of who is supreme. The Parliament Act 1949 would still be extant in the sense that the Lords would have the power to delay legislation. I am suggesting not that peers be created simply to support this Chamber, but to respect the constitutional position. So it comes down to a question of competence, not political ideology.

Kevin Brennan: Further to the point made by our hon. and learned Friend the Member for Redcar (Vera Baird), is not the point of principle not who did or did not table what amendments, but the thwarting of the democratic wishes of the democratic upper Chamber? This is the upper Chamber in this Parliament, and that is how we should refer to it.

Mr. Bell: If I may, I should like to go back in history a little, while staying within the confines of the debate. In 1911, the Prime Minister went to His Majesty and asked to create peers because of the constitutional position and the opposition of the Lords to a certain tax Bill that we will all remember, even if we were not here at the time. In 1947, the Lords had to yield to the Commons in terms of their delaying abilities. They had eternal delay at that time, but they do not have it now, except on a Bill that would prolong the life of this Parliament, which is not covered by the Parliament Acts. What we are seeing now is again a threat to the constitution, and my hon. Friend highlights that issue. Not as a Labour Member of Parliament, but as a Member of this House, I seek to ensure that the rights of the people who sent me here are respected.

Mr. Heald: Does the hon. Gentleman recall that there were two general elections before the extra peers were created in 1911? Is he suggesting that that should occur now?

Madam Deputy Speaker: Order. I have allowed a degree of levity, but I think that we should now focus much more strictly on the motion.

Mr. Bell: I am happy to stay on the motion, Madam Deputy Speaker, but I suggest to the hon. Gentleman that it is not Labour Members who have most to fear from a future general election, but Conservative Members.

Mr. Gordon Prentice: On a point of fact, it is not possible for the Prime Minister to create any number of peers. Any recommendations must go through the House of Lords Appointments Commission.

Madam Deputy Speaker: Order. We are not currently debating the composition of the House of Lords or its method of appointment and selection.

Clive Efford: On a point of order, Madam Deputy Speaker. I was going to wait until my hon. Friend the Member for Middlesbrough (Mr. Bell) had finished his speech before raising this point, but he has taken so many interventions that I do not think that raising it now will ruin his train of thought. Earlier, I said that I had voted against foundation hospitals last night. Unfortunately, an hon. Member on the Opposition Benches—I shall not name him, as he is not present—suggested that I had misled the House. I seek your advice on how I may seek redress and put the record straight, as I resent the accusation that I would deliberately and knowingly mislead the House.

Mr. Heald: Further to that point of order, Madam Deputy Speaker. I had a very interesting conversation with the hon. Gentleman in the Lobby and I can confirm that he definitely voted with us.

Madam Deputy Speaker: That was not a point of order for the Chair, but it appears to have been satisfactorily resolved.

I must make an announcement to the House. The following manuscript amendment has been accepted by Mr. Speaker. The amendment, which was tabled by Mr. Eric Forth, Mr. Crispin Blunt and Mr. David Wilshire, is in line 2, leave out paragraph (1) and insert

'(1) notwithstanding paragraph (5) of Standing Order No. 22 (Notices of questions, motions and amendments), Oral Questions shall be taken on Monday 24th November to the Secretary of State for the Home Department and on Tuesday 25th November to the Secretary of State for Health; and the shuffles for these Oral Questions shall be held at 6.00 p.m. at this day's sitting or one hour after the conclusion of proceedings on this Motion, whichever is later.'.

The amendment has been available in the Vote Office since 2.41 pm.

Mr. Greg Knight: On a point of order, Madam Deputy Speaker. In the light of the manuscript amendment, which I think most Opposition Members welcome, will there be an opportunity for the Leader of the House to make his position clear before the debate proceeds any further? If he is minded to accept the amendment—I hope that he is—we may well not need to continue this debate for much longer.

Madam Deputy Speaker: If the debate concludes naturally, it is possible that the Leader of the House will have the opportunity to respond.

Mr. Knight: Further to that point of order, Madam Deputy Speaker. I am not seeking to challenge the

Chair, but I think that it would be most helpful if we could hear from the Leader of the House at this stage, rather than at the end of the debate.

Madam Deputy Speaker: I must remind the right hon. Gentleman that, although I have read out the manuscript amendment which is available in the Vote Office, it has not yet been moved.

Mr. Bell: I shall give way to the hon. Member for Surrey Heath (Mr. Hawkins).

Mr. Hawkins: Shortly before the points of order that we have just heard and your announcement, Madam Deputy Speaker, the hon. and learned Member for Redcar (Vera Baird) pointed out to the hon. Gentleman the peculiar behaviour of Ministers in relation to the Criminal Justice Bill. In talking about the constitutional settlement, does he recognise that many Opposition Members feel that the other place has a particular revising function on criminal justice matters because of the presence there of Law Lords? Does he recognise that, as part and parcel of that position, the expressed views of the Lord Chief Justice, who has been very critical of the Home Secretary's legislation—

Madam Deputy Speaker: Order. I have repeated from the Chair on more than one occasion that we are not currently debating the merits of that particular measure.

Mr. Bell: I am grateful to you, Madam Deputy Speaker, for your comments, and to the hon. Gentleman for making those points. As a brief answer, I must first point out that the Law Lords do not vote or participate in Lords debates. Secondly, the same arguments that he advanced on criminal justice were made on taxation in the early 1900s, when exactly the same point was made. I shall not pursue that issue any further.

Mr. Greg Knight: May I draw the hon. Gentleman's attention, if he will listen for a moment, to paragraph (1) of the motion? The House would be interested to hear his views about that paragraph, as the Leader of the House did not give any justification for its inclusion. Why should we be denied the right to ask questions on Monday and Tuesday next week?

Madam Deputy Speaker: Order. The right hon. Gentleman is speaking to an amendment that has yet to be moved.

Mr. Knight: With the greatest of respect, Madam Deputy Speaker, I was referring not to the manuscript amendment, but to paragraph (1) of the motion, which says that we shall not have questions.

Mr. Bell: I simply refer to the manuscript amendment that will be before the House, which proposes that oral questions to the Home Department shall be taken on Monday and that questions to the Department of Health shall be taken after that.

Kali Mountford: I think that the whole House will be surprised by the imaginative move that has been made by Opposition Back Benchers. Given that it has been possible to make such a move during this debate, is my hon. Friend as surprised as I am that those on the Opposition Front Bench were not able to make a similar decision late last night, just as the rest of this House had to make its decision about considering the motion at all?

Mr. Bell: I shall leave it to the Opposition to wonder what they were doing at 1 o'clock or 2 o'clock in the morning. They certainly filled the Tea Room and the Library, although I did not get as far as the bars.

Mr. Mark Francois (Rayleigh): I thank the hon. Gentleman for giving way. He has been most courteous in giving way numerous times to allow hon. Members to make contributions during his speech. May I bring him back to the important point made by the hon. and learned Member for Redcar (Vera Baird), who explained to the House that a compromise had been in the offing this morning? As I understand it, the process of ping-pong is designed to promote compromise; in fact, a compromise was very nearly reached, but the Government reneged on it. Much of his argument has been based on saying that the other place has been intransigent, but is it not unfair to blame the other place for intransigence when the Government had just about agreed a compromise, but then reneged on it?

Mr. Bell: As I said earlier, I shall not get into that issue or usurp the authority of the Leader of the House.

I am dealing with the question whether the supremacy of this House can be challenged by the Lords, and I am grateful to the House and to you, Madam Deputy Speaker, for giving me the time to speak about that and to make constitutional points. If we do have oral questions to the Home Department on Monday, I will be asking why the Prime Minister has not seen the Queen to recommend new peerages, why we are not debating a new Parliament Bill and why we are not going to restrict the powers of the Lords to seek to usurp the will of this Chamber, and I will be explaining why I will always seek to protect this House of Commons in terms of constitutional law so that its supremacy can remain intact in the interests of my constituents, Members of Parliament and the country.

2.49 pm

Mr. Paul Tyler (North Cornwall): I beg to move a manuscript amendment, in line 2, leave out paragraph (1) and insert

'(1) notwithstanding paragraph (5) of Standing Order No. 22 (Notices of questions, motions and amendments), Oral Questions shall be taken on Monday 24th November to the Secretary of State for the Home Department and on Tuesday 25th November to the Secretary of State for Health; and the shuffles for these Oral Questions shall be held at 6.00 p.m. at this day's sitting or one hour after the conclusion of proceedings on this Motion, whichever is later.'.

I am delighted, on behalf of my colleagues, to support the manuscript amendment that was tabled by the right hon. Member for Bromley and Chislehurst (Mr. Forth) and others. I had some sympathy with the sittings motion until I heard the frankly bogus arguments that

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the Leader of the House advanced in its favour. I want to return to the argument that he put forward earlier this afternoon.

Mr. Blunt: On a point of order, Madam Deputy Speaker. Would it be possible to move the manuscript amendment that has been accepted by Mr. Speaker on a point of order?

Hon. Members: The hon. Gentleman has moved it.

Madam Deputy Speaker: Order. I did not think that the hon. Member for Reigate (Mr. Blunt) had sought to move the amendment, so I called Mr. Tyler.

Mr. Tyler: I have moved the amendment in the name of the right hon. Member for Bromley and Chislehurst and his colleagues.

I want to address the sittings motion and dispel some of the bogus constitutional nonsense that we heard from the Leader of the House and the hon. Member for Middlesbrough (Mr. Bell). I am surprised that the hon. Gentleman got any prizes for constitutional history. I was a historian and I can tell him, as a matter of fact, that the circumstances in 1911—I was not there but there was a Liberal Government—were totally different from what is happening now. In 1910 and 1911, issues were put before the people in a general election, so that was the context in which the House of Lords eventually had to back down. The circumstances are totally different today, as has been made perfectly clear by hon. Members of all parties, including Labour Back Benchers. None of the issues that the House of Lords has examined during recent hours were the subject of manifesto commitments or a mandate from the electorate. There is no way the Prime Minister could now go to the palace to ask for, or in which the monarch could give, the sort of assurances the hon. Gentleman talked about on the basis of the convention in 1910 and 1911 unless there was a general election.

The hon. Gentleman has obviously not taken account of recent constitutional developments. The Prime Minister and leaders of all parties have said that there is no way that the House of Lords will contain a built-in majority for any one party in the future. Unless the new leader of the Conservative party goes back on that assurance—I am sure that he will not—no future Government will ever have a built-in majority in the second Chamber, and rightly so.

The constitutional myths peddled by the Leader of the House revolve around precisely this issue: he said that the matters under consideration had been the subject of a democratic mandate to Members of this House, so the other House could not intervene. That is simply not true. It is possible that if there were a firm commitment to the creation of foundation trusts in the next Labour manifesto, that could be the case in future. It is equally true that if the next manifesto were to include a commitment to abolish jury trials in certain circumstances, Labour Members could then argue that their mandate would override the role of the House of Lords.

However, as the hon. and learned Member for Redcar (Vera Baird) said, the circumstances are nothing like as clear as that. The amendments that the other place has considered were originally tabled by the Government, and the Leader of the House refused to respond to that point at the Dispatch Box. It is simply not true to suggest that the discussions that are taking place in the other place are a challenge to this House and the Government's mandate because the amendments that they are considering were introduced by the Government. Perhaps the Government have changed their mind yet again.

Mr. Burns: Would it help the hon. Gentleman's argument if I reminded him that not only do Labour Members not have a mandate from the electorate, they do not have one from their own party because the Labour party conference rejected the whole concept of foundation hospitals in October?

Madam Deputy Speaker: Order. I have already ruled on that.

Mr. Tyler: As we all know, constitutionally speaking, we are not here at the behest of our party but at the behest of our electorate. The Leader of the House ignored the fact that there is no mandate for the issues that the other House is considering.

Mr. Heald: Does the hon. Gentleman agree that the House of Lords adjourned last night after representatives of my party and the Liberal Democrats had made the explicit point that adjournment would allow a cooling-off period so that we could discuss matters and reach agreement? That happened, but the Government then tabled their amendments.

Mr. Tyler: That is an extremely important point. Parliament operates as one whole body—that is the significant constitutional point. It is seen as the High Court of Parliament. The procedure to which the hon. Gentleman refers is part of the parliamentary process.

Mr. David Heath (Somerton and Frome): I was party to the discussions late last night and early this morning. Agreement was reached between Ministers and Conservative and Liberal Democrat Members. We struck an agreement but the Government reneged on it at 10 am today for no apparent reason and with no explanation.

Mr. Tyler: I am grateful to my hon. Friend for making that absolutely clear. I hope that Labour Members are listening. We are supposed to deal with matters in just such a way, which is why we listen to Ministers when they suggest a way to get out of such difficulties.

Mr. Tony Banks (West Ham): Of course we could have continued with the procedure last night if Members of the other place had not decided to take to their beds somewhat earlier than us. The hon. Gentleman said that the two Houses form one Parliament, which is constitutionally true. However, speaking as a House of Commons man, he must agree that the will of this

elected House should prevail over that of the unelected House. The electorate can deal with us, but they cannot deal with them down the Corridor.

Mr. Tyler: I understand the hon. Gentleman's point but the question is not who prevails, but when they prevail. I am perfectly willing to be here on Monday and Tuesday. As he knows, this place works by discussion—Parliament means talking. My hon. Friend the Member for Somerton and Frome (Mr. Heath) was involved in discussions with Ministers in which a sensible compromise was reached. Ministers—not this House or that House but the Executive—pulled the plug on those discussions. The legislature—hon. Members on both sides of the House—has a right to hold the Executive to account. That is what my hon. Friend and Conservative Members were doing, and I hope that Labour Members appreciate that they also have a responsibility to hold the Executive to account.

Mr. Bryant: The hon. Gentleman's argument would be strong, especially on foundation hospitals, if it were not for the fact that Liberal peers have already caved in. They accept that this House should have its say in the end. Surely he should now agree with the Liberal peers.

Mr. Tyler: The hon. Gentleman misunderstands the process—he has not been a Member for quite as long as the hon. Member for West Ham (Mr. Banks). The whole point is that sensible conclusions may be reached through discussion, and such discussions are continuing.

The whole point of the sittings motion is to allow more time to ensure that Parliament does its job properly—I have no problem with that whatsoever. My problem with the motion is that it is unnecessarily circumscribed. When Parliament sits, one of our most important functions is clearly to hold Ministers to account, which is why I am delighted to support the manuscript amendment. However, the motion does not provide specifically for urgent questions, so I hope that the Government will assure us that if any urgent questions are tabled on Monday or Tuesday, they may be taken. I hope that the Leader of the House will tell us that if important matters were to arise over the weekend, such as terrorism issues, the appropriate Secretary of State would make a statement to the House. Nothing in the motion makes that impossible, so I hope that it will happen.

Mr. Heald: On a point of order, Madam Deputy Speaker. You will know that Mr. Speaker has always been careful to say that Ministers and others in the Government should not make announcements before the House gets to hear of important decisions. Are you aware that the Government sent a press release to each trust in the country this morning for them to put out saying:

"We are obviously very disappointed by the fact that Parliament has failed to pass the legislation that would have allowed us to apply for NHS Foundation Trust"

status? It is said that consultation has taken place for some time and that favourable responses have been received to the application from a number of quarters. The press release continues:

"We are however heartened by the Secretary of State for Health's statement to the House of Commons where he pledges himself to continue the process of handing power down to hospitals like us."

Madam Deputy Speaker: That is not a point of order for the Chair.

Mr. Tyler: I shall return to the arguments advanced by the Leader of the House at the outset of the debate. He was peddling a completely new constitutional theory about the relationship between the two Houses. I cannot remember what he studied at university at about the same time as myself, when we were both young Liberals, and he was a true radical. However, I know from my experience given the way in which the relationship between the two Houses has developed over the years, not only in terms of the Parliament Acts, to which the hon. Member for Middlesbrough referred, but of the evolution of the relationship, that it is extremely important that we give proper time for discussion between the two Houses.

It is entirely at the behest of the Government's business managers how Bills come through during the course of the year. If those two Bills had been the subject of proper pre-legislative scrutiny, for example, of which the Leader of the House is in favour, and if they had come forward as draft Bills with proper discussion having taken place with outside interests as well as with Members, it might well have been possible for the right hon. Gentleman to bring to this place a carry-over motion. Both Houses have now accepted that where there is proper pre-legislative scrutiny of such Bills, a carry-over motion can be considered.

Mr. Greg Knight: I think that the hon. Gentleman has misled the House, and I am certain that it was inadvertent. He said that the original motion did not provide for allowing urgent questions. If he reads the first paragraph again, he will see that it refers specifically to Mr. Speaker being able to grant urgent questions.

Mr. Tyler: I am grateful to the right hon. Gentleman. I was relating my remarks rather more to the question of statements. I apologise if I misled him or other Members.

I shall return to my central theme, which is the constitutional role and relationship of the two Houses. The Leader of the House will know—because he voted for it—that on 4 February I and a number of colleagues on both sides of the House voted for the other House to be elected. It happens that the Secretary of State for Health has since then said that because the other House is not elected it is not entitled to amend his Bill. The matter is in the hands of the right hon. Gentleman and the Government. If they do not want an ineffective House at the other end of the building, they are in a position to change the situation.

The Prime Minister voted for a fully appointed House. Any suggestion that the legitimacy of part of this Parliament is inappropriate in dealing with this particular issue is prime nonsense. It is true that we are

[Mr. Tyler]

told—the Leader of the House may be able to confirm this—that a Bill will shortly come before us that will make modest changes to the constitutional position of the other House. As I read the Division lists in the other place, that would make no difference to the present situation and the two Bills that we have been discussing.

Mr. Hain: Does the hon. Gentleman concede that what is at issue is not the right of the House of Lords to revise, scrutinise or come up with constructive amendments, but the right of the other place to veto? There is a distinction between a revising chamber and a vetoing chamber. What we have seen happening recently, and particularly yesterday, is the exercise of a power of veto, which is not acceptable to a democratically elected chamber—this Chamber—which is the supreme body of Parliament.

Mr. Tyler: There are two reasons why that is obvious nonsense. First, the Government originally introduced the amendments under discussion. The right hon. Gentleman cannot get out of that one. Secondly, the House of Lords cannot insert a veto into the process. It can only ask for time, and that is precisely what it has done. There have already been discussions and an attempt to compromise, but the timing is in the hands of the Government. If they felt that they wanted more time, why did they leave it until this week to complete the legislative process? The Government's business managers set the calendar, not me, and not our colleagues at the other end of the building.

Why are we in this situation? We are in it because the Government have mishandled the whole of the legislative process for the whole of the year. They have tried to get a gallon into a half-pint pot. They have taken some extremely difficult issues and attempted to deal with them in an extremely complicated way that has involved some substantial Bills. In the so-called spill-over Session—we could have had a longer one if the Government had so wished—we have had the so-called ping-pong.

I hope that the Government have learned some lessons for the future. We need to have a different process. We need better consultation not just between the two Houses and not just between the different parties, but between the Government and their own Back Benchers. Anyone who listened to the formidable speeches delivered by Government Back Benchers yesterday must have been struck by how little Government Front-Bench Members have been listening to their own Members, let alone other Members.

The timing of business is in the Government's hands, and the Government cannot wash their hands of the mess that they have made of this week. If we come back on Monday and Tuesday next week, that will not be down to the House of Lords. It will not be down to anyone in the House except the Government's business managers.

3.7 pm

Mr. Eric Forth (Bromley and Chislehurst): I am grateful to the hon. Member for North Cornwall (Mr. Tyler) for moving the amendment in my name and the names of my colleagues, which relieves me of the need to do so. However, I shall want to speak to it in due course.

First, I shall pick up the theme that the hon. Gentleman has been pursuing: asking, which we must do in terms of the motion, how we have got ourselves into this position. I very much agree with the hon. Gentleman's analysis, which is that this is the culmination of a year of mismanagement by the Government. Indeed, it is worse than that: it is a classic case of the Government attempting to put too much legislation, and too much controversial legislation, into a limited Session.

Here is where I part company with what has been said repeatedly from the Government Benches. The tragedy is that there is no time pressure in this place. Would that it were so. The tragedy of Parliament today is that the Government have so altered our procedures that they have complete control over what happens in this place. As a result, there are no longer any time pressures. That has become increasingly obvious as each year has passed with this Government in control. They have ruthlessly used their enormous numbers and huge majority to change the procedures of this place out of all recognition in such a way that Bills cannot be properly considered in Committee, as we know very much to our cost. All the other stages of consideration are so truncated that there is ample time in the House for almost any number of Bills.

The problem for the Government, as I am happy to acknowledge, lies in the House of Lords. That is excellent for the people of this country. The position is that the House of Lords remains what it is and should be: a constitutional backstop that provides protection against a Government who are abusing their enormous majority in the House of Commons and threatening the constitutional balance that we have cherished for centuries. That is why it is so odd that Labour Members have sought refuge—they have done so today— in the peculiar argument that the House of Lords has no legitimacy. The House of Lords is their House of Lords. It is the House of Lords that the Government have created. It is not the House of Lords that we have known for a very long time, and knew until only a few years ago. It is the Government's creation.

Mr. Gale: Is it not a fact that the other place is not only a House of Lords that the Government created, but a House of Lords that the Prime Minister voted to retain in the face of fierce opposition from Labour Back Benchers and Conservative Members?

Mr. Forth: Yes, it is Blair's Lords— that is what we are talking about. When the Prime Minister's supporters on the Labour Benches criticise the House of Lords, they are criticising the Prime Minister, because the current House of Lords is his creation and he is the one who is sustaining that House in its present form. It is all very well for the hon. Member for Middlesbrough (Mr. Bell) to say that he wants more peers, he wants this and he wants that—

Madam Deputy Speaker: Order. Is the right hon. Gentleman speaking to the motion or the amendment?

Mr. Forth: The right hon. Gentleman is attempting to reply to the debate, which has been running since the Leader of the House initiated it. He covered all these matters, and the hon. Member for Middlesbrough,

whose speech I enjoyed—as, I think, did you, Madam Deputy Speaker—also referred to them repeatedly and frequently. Now I am attempting to reply to the debate—as I hope we still do in the House of Commons—to which the hon. Gentleman contributed so eloquently.

Madam Deputy Speaker: Reference to certain sections of the debate is fine. I just hope that we are not getting into too much detail.

Mr. Forth: Oh, perish the thought, Madam Deputy Speaker. I pride myself on being somewhat of a generalist—I like to sweep the horizon of an issue. Not for me the mundane details of a Bill, even though earlier, if you did not invite me to do so, you certainly gave me permission to explore some of those details, and I might come to that later, if I am pressed. However, because of your guidance, I shall not pursue the matter that I was addressing—I just wanted to touch on the matters that the hon. Member for North Cornwall analysed, and to say how much I support him.

The question that arises from the motion is why the Government felt it necessary at this stage, on this day, which we thought would be the day of Prorogation, to table in a panic this rather ill-thought-out motion to provide the possibility of further sitting days in order to save their legislative programme—I assume that that is the reason behind the motion. We are confronted with the possibility, which I welcome, of the House sitting on Monday and Tuesday next week.

That raises another interesting question. Why have the Government not given us the option of sitting tomorrow—Friday? The Government are afraid of Fridays for some reason. Apart from the excellent Fridays on which we consider private Members' Bills, which I value very highly, Fridays have disappeared from the parliamentary calendar altogether. The question that we have to ask ourselves is, what happened to Friday?

Mr. McLoughlin: I know that, like me, my right hon. Friend welcomed the Leader of the House producing a calendar—an innovation introduced by his predecessor, the right hon. Member for Livingston (Mr. Cook). Is my right hon. Friend aware that the calendar produced a few weeks ago covering the next Session lists tomorrow as a possible sitting day? In that case, why do we not have that option available to us now?

Mr. Forth: I am grateful to my hon. Friend for reminding me of that. In that sense, Friday has doubly disappeared—

Mr. Paul Goodman (Wycombe): Will my right hon. Friend give way on that point?

Mr. Forth: Yes, in a moment, but I am enjoying my Friday and I want to elaborate on it before giving way to my hon. Friend. This mystery has arisen directly from the motion before us today. I believe that the House in its generosity would grant that the Government need more time, given that they have cocked up their legislative programme so badly and got themselves into such conflict with the House of Lords that they now need to make provision for extra time. The question I pose—with direct reference to the motion, Madam Deputy Speaker—is: why not tomorrow?

Mr. David Wilshire (Spelthorne): It is probably an impertinence to ask my right hon. Friend whether he has looked at the Order Paper. The answer to his question, why not tomorrow, lies therein. Under the title "D. Other future business" is listed:

"Friday 21st November . . . DRAFT CONSTITUTIONAL TREATY ON THE FUTURE OF EUROPE (REFERENDUM) BILL: Second Reading.

Member in Charge: Mr Frank Field".

Perhaps that is why the Government do not want us to sit tomorrow.

Mr. Forth: I think that my hon. Friend has hit the nail on the head. That in part shows why the Government are so afraid of Fridays. Fridays, in my memory, were a proper, legitimate, normal parliamentary day in which we conducted parliamentary business, including scrutiny of legislation.

Mr. John Taylor (Solihull): My right hon. Friend will remember how precious Fridays were to me. It was on a Friday that I introduced my High Hedges Bill.

Mr. Forth: Yes, I remember that with great affection. My hon. Friend gives me the opportunity to congratulate him on the fact that the Government sneaked the provisions of his excellent Bill into their Anti-social Behaviour Bill, without hardly anyone except me noticing.

Mr. Goodman: Would my right hon. Friend be prepared at any point in his speech to give way to a Labour Member to allow them to say how much pleasure they would take from being able to come in on a Friday to represent their constituents?

Mr. Forth: Yes, I would be, but I should be astonished if any did so.

Mr. Keith Simpson (Mid-Norfolk): Referring back directly to why Friday has disappeared, does my right hon. Friend think that because the Prime Minister and the President of the United States of America have gone north, rather like a mediaeval court, many Ministers and their hon. Friends will also be in the north tomorrow? Perhaps Parliament could meet up in the north tomorrow.

Mr. Forth: I shall not allow myself to be dragged too far in that direction, because my hon. Friend is an eminent historian. He and I know that in the 13th and 14th centuries, Parliament moved with the monarch. Since our new monarch is to be in Sedgefield, perhaps sitting there would be appropriate. However, I shall not allow myself to be diverted, because I have a great deal to say on the substance of the motion.

I did not think to table another manuscript amendment to insert "Friday" into the motion—in fact, it occurs to me to try to do that after I resume my seat, since it would give the House the proper option of sitting tomorrow. Perhaps one of my hon. Friends will do so—

[Mr. Forth]

I simply make the suggestion. As things stand, we are left with the possibility of the House sitting on Monday and Tuesday next week. That brings us to the substance of the manuscript amendment that stands in my name and the names of my hon. Friends, which I am pleased that Mr. Speaker saw fit to accept and which was so ably moved by the hon. Member for North Cornwall, for whose pledge of support for the amendment I thank him.

Mr. Greg Knight: My right hon. Friend's views on what he calls the wretched Select Committee on Modernisation are well known. Does he appreciate how much it warms our heart to hear him speaking to an amendment on a topical question, which strongly resembles a debate initiated by the Modernisation Committee in September last year?

Mr. Forth: Indeed, urgent questions are one of the very few points on which I find myself in agreement with the work of the so-called Modernisation Committee. One of the many areas in which the Government, having almost killed it off, have absolutely refused to enliven the House of Commons is in respect of urgent questions. It is a great irony, is it not, that their lordships have urgent questions, but the Commons does not. That is one of the many respects in which the House of Lords acts as a far more effective parliamentary Chamber and holds the Government to account sadly much more effectively than does the House of Commons.

Mr. Tyler: Does the right hon. Gentleman agree that if the House accepts the amendment that he and I both support, we might be creating a rather useful convention, given that at short notice we will bring a Secretary of State to the House to answer questions? That is, if I may say so, a highly effective way of ensuring that this House does its proper job of holding Ministers to account.

Mr. Forth: Indeed, and it is one of the arguments that I intended to deploy in the hope of persuading the House to support our amendment, if I can call it that. Accepting the amendment would provide the opportunity for an experiment to determine whether such a degree of immediacy in questioning would work to the benefit of the House. I am sure that it would.

By the way, this is an appropriate time to appeal to hon. Members present and elsewhere to table their questions now for the Home Department on Monday and the Department of Health on Tuesday. We have been given an opportunity and I hope that my hon. Friends will avail themselves of it.

Mr. Wilshire: Is my right hon. Friend aware that it would be remarkably easy to table the questions? As so many written questions are being sent back to Members offering a reply shortly, all hon. Members would have to do is table the mountain of paperwork that the Government have been shunting around the place.

Mr. Forth: That would be one approach. Another would be to bear in mind that few Members will avail themselves of the opportunity that my amendment offers, so the chances of being selected are high. This is a bargain offer, which I hope hon. Members will find irresistible.

Mr. Gale: My right hon. Friend has moved on from Friday. I am reluctant to return to it, but I am perplexed. I recall the Leader of the House complaining bitterly that we were not allowed to sit through the night last night because of the House of Lords. Although technically we cannot sit tomorrow, if the House sits through the night, it can continue to sit through tomorrow. Not for the first time, the House would be in Thursday while the rest of the world was in Friday. So tomorrow is available to us. If the Government were so anxious to sit through last night to complete the business, which we all want on the statute book, why not do it tonight?

Mr. Forth: That raises another interesting matter, which is that Labour Members complain that we were not allowed to continue to sit last night, whereas they have complained for years about late-night sittings. They must make up their minds. I love late-night sittings—

Mr. Keith Simpson: So does Mrs. Forth.

Mr. Forth: My hon. Friend refers to Mrs. Forth. He is on dangerous territory as to whether she approves of me being here late at night. I invite him to discuss that directly with her, and I wish him the best of luck.

Mr. Simpson: I withdraw my comment.

Mr. Forth: Very wise, too.

Labour Members cannot make up their minds. In most weeks in most parliamentary years they are desperate to get out of the building as quickly as possible and scuttle off to wherever it is they go—except for the one time when they think it might help the Government in their difficulties. Suddenly, they are prepared to sit late at night. That strikes me as inconsistent and odd.

Mr. Hawkins: Does my right hon. Friend recognise that many of us think it odd that Labour Members have complained about the House of Lords rising early whereas in fact, thanks to the Government's guillotines and change of hours in our House, the Lords has sat for far more days and for far later than us for the past couple of Sessions?

Mr. Forth: I am grateful to my hon. Friend for raising that matter, because he allows me to speculate—I am sure this is in order—that if the House sits on Monday and Tuesday, as the motion provides, and if we have questions, as my amendment would provide, their lordships presumably would sit at the same time to deal with the business moving between the two Houses. That would allow us to reflect on the pattern of business here and in the other place. It is significant that their lordships sit for more days of the year than we do and for longer hours. Frankly—I get no pleasure in saying this—they do more work than us, and carry it out more effectively than us. That is why I disagree with Labour Members who keep going on about the supremacy of the House of Commons. It is no longer supreme; the

Government in the Commons are supreme—a very different thing altogether. That is why, in parliamentary and constitutional terms, we increasingly look to the House of Lords—it gives me no joy to say this—to hold the Government to account. We are failing because the Government no longer allow us to do that because of changes to our procedures.

Mr. Gale: On a point of order, Madam Deputy Speaker. I am sorry to interrupt my right hon. Friend, but those of us who have been in this place for a while notice Whips scuttling around and realise that there is the possibility of a closure. The amendment, which several of us have tabled, was not moved until about 15 minutes ago. I hope that you will allow a proper debate on it before considering a closure.

Madam Deputy Speaker: I have received no request for a closure. As the hon. Gentleman knows, I was in the Chair when the amendment was moved and know exactly how long it has been debated.

Mr. Forth: We are grateful for that observation, Madam Deputy Speaker.

We have a real prospect of sitting on Monday and Tuesday. That is made more likely by what the hon. and learned Member for Redcar (Vera Baird) brought to our attention in her incisive way. Having been at the other end of the building observing the proceedings in another place, she let us know that the legitimate negotiations that take place at this stage of the Session have broken down due to a complete loss of faith by the Government. In one sense, that is the Government's problem, but in another sense, it is everyone's problem. We are here to deal with such matters and to hold the Government to account. We are watching carefully—this is what the motion is about—what is happening here and in another place while judging how far the provisions of the sittings motion will be required.

That brings me back to another point raised mainly by Labour Members. Why should either House sit indefinitely or all through the night tonight simply to help the Government out of their self-made difficulties? Why not finish at a reasonable hour tonight, here and in another place, and resume our deliberations on Monday, as the motion provides? What is so wrong with that? It would be interesting to hear the preference of the Leader of the House or his deputy. Would the Government prefer us to deal with the matters later and later into the night and go, as my hon. Friend the Member for North Thanet (Mr. Gale) said, into what for everyone else would be tomorrow, but for us would be today? Or would they prefer us to have a cooling-off period over the weekend in which the Commons and their lordships reflect on what has caused the difficulties, where the differences remain and how the negotiations could succeed? That would allow us to return on Monday in a calmer frame of mind, with all our questions tabled as a result of my amendment, which I hope the House will support, to have a proper parliamentary day with relevant questions, proper debate and further deliberations. Surely that would be a civilised way of approaching the problem.

I hope that there are many contributions on the motion and my amendment, because it will be interesting and instructive to hear what colleagues on both sides of the House have to say. I cannot believe that anyone would want to oppose my amendment. It is permissive: it would allow hon. Members to table questions and to turn next Monday and Tuesday into much more lively and relevant parliamentary days than the Government contemplated in their original motion. All those possibilities are before us.

The second provision of the motion is that

"the Speaker shall not adjourn the House until any Message from the Lords has been received and a Committee to draw up Reasons which has been appointed at that sitting has reported."

That part of the motion has been neglected hitherto, but it is worth a sideways glance at this stage.

Reasons Committees are a neglected corner of our parliamentary activities. Once, I took it upon myself to initiate a short, but I thought very relevant, debate on the membership of a Reasons Committee—something to which I hope to return many more times. I have always wondered why the House accepts so meekly and without any discussion the proposed membership of such Committees. They are an important part of our proceedings. They do important and interesting work and yet we usually sit there, assuming that they happen more or less automatically, and allow these people—who ever they may be—to be appointed to the Committee to speak on our behalf.

Mr. Wilshire *rose*—

Mr. Forth: Surely it would be much better if we could appoint a representative Back Bencher to a Reasons Committee so that we could have a voice on it, rather than it being stitched up by the usual channels—talking of which, I shall give way to my hon. Friend.

Mr. Wilshire: Is my right hon. Friend aware of what can happen with a Reasons Committee? The guillotines introduced by this wretched Government mean that certain matters may not even have been discussed. We then vote to reject what the other place has proposed. Subsequently, a Reasons Committee is sent to the room behind the Chair to draw up a reason for rejecting something on which the House has not even expressed an opinion. Does he not find that absolutely extraordinary?

Mr. Forth: I do, but I do not want at this stage—there may be an occasion for it in the future and perhaps my hon. Friend and I could work on that—to query the whole point of Reasons Committees, what they do and what they are supposed to contribute to our parliamentary proceedings, although that would be of real use.

For the purposes of today's debate, and to attempt to keep in order, I accept that the Reasons Committee is a given—for the moment. We are considering the implications if we start to take the Reasons Committee much more seriously, in terms of the motion before us. For example, what might happen if the House decided to take a more direct interest in the Reasons Committee and to have a little debate about its membership—or, perhaps, to move amendments to its membership to satisfy ourselves that we were being properly

[Mr. Forth]

represented on it, instead of it being the usual stitch-up? That could have implications for the terms of the motion, which is,

"the Speaker shall not adjourn the House until any Message from the Lords has been received and any Committee to draw up Reasons which has been appointed"—

I would rather say elected—

"at that sitting has reported."

Potential implications for the timing of the sittings on Monday and Tuesday arise directly from that provision and I do not think that that has been properly considered hitherto.

This debate gives me the opportunity to flag up to colleagues that they may want to pay much closer attention to the Reasons Committee to see whether we can make it a more effective and representative element.

All in all, I hope that we can resolve in a proper and civilised way the outstanding matters with regard to the contentious legislation that is moving back and forward as we speak. I have never accepted the analysis that has been attempted by the Prime Minister today and repeated by the Leader of the House, that if their lordships oppose one key part of a Bill, the entire Bill has to be thrown away. I see no logic in that. It is a crude political play by the Government, but it will not wash. No one out there will believe a word of it. We can have all the good things that have been agreed in both of the Bills in question; it is the Government's decision whether they want to throw everything away for the sake of one element. We are all part of that decision, of course.

I do not believe that the public will accept that part of the analysis that the Prime Minister and his friends have been trying to put forward—"If you won't let me have this part of my Bill, the whole Bill is going to disappear", said in that petulant tone to which we have become used. Let us have none of that. Let us hope that there will be a proper discussion and negotiation to resolve these difficulties. If that cannot be the case, however, I am more than prepared to accept the thrust of the motion—hopefully, with my amendment—so that we can contemplate some valuable sitting time next Monday and Tuesday. I shall draw my comments to a close so that other hon. Members can voice their support for my amendment.

A potential problem lies at the far end of this process. It is possible that if we found ourselves sitting at length next Tuesday, a direct conflict could arise with the Queen's Speech on Wednesday—the state opening of Parliament. I do not know whether anyone has given that much thought. Have the Government devised any way in which to resolve that? We should be told what the Government intend to do if we reach midnight next Tuesday without resolving the matters of conflict between this House and another place. That is a highly relevant consideration. If the Government take the trouble to table a motion to provide for Monday and Tuesday sittings, surely they have thought beyond that and considered what might happen if the Tuesday sitting were prolonged.

Mr. Banks: The right hon. Gentleman presents interesting hypothetical stuff—I am finding it most enjoyable. Would he care for a wager? I should like to wager 25 guineas with him that we will not sit on Monday. What does he say to that?

Mr. Forth: I shall not take the hon. Gentleman's bet—I suspect that he is a much more astute gambler than I shall ever be. I hope and expect that matters will be resolved today. I know that the motion is a threat that the Government are dangling mainly over their Members and supporters, knowing their desperation to get away from this place on almost every occasion. The motion does not frighten my hon. Friends and me—we should love to be here on Monday and Tuesday—but I bet that it scares the hell out of the hon. Gentleman and his hon. Friends.

David Taylor: The right hon. Gentleman has the advantage of us because we have constituencies and constituents who like to see us from time to time. The good people of Bromley and Chislehurst do not give a damn whether they see the right hon. Gentleman.

Mr. Forth: I invite the hon. Gentleman to come with Mrs. Forth and me to Waitrose in Bromley, where we are to be seen every Saturday morning and where I move happily among my constituents, blessing them as I go.

The motion is sensible and I hope that hon. Members agree that the amendment, too, is sensible.

Mr. Burns: My right hon. Friend is wise not to be tempted by the wager of the hon. Member for West Ham (Mr. Banks), who may know a little more than my right hon. Friend. If we sit late today or on Monday or Tuesday, the Criminal Justice Bill is the only measure that we can discuss.

Mr. Forth: I am grateful for that helpful information, which demonstrates that we are likely to resolve such matters today in a proper way and we will not need to take advantage of the motion. Nevertheless, I hope that the House will see fit to approve the motion so that we can do our job properly. I therefore also hope that hon. Members will support the amendment.

3.37 pm

Mr. Crispin Blunt (Reigate): I thank you, Mr. Speaker, for accepting the amendment. Accepting a manuscript amendment an hour after the debate has begun is unusual if not unprecedented. It is an indication of the attitude of the Chair, if I may be impertinent enough to impute an attitude to the Chair, to the Government's conduct and their business management.

I want to speak briefly about the amendment. My hon. Friend the Member for West Chelmsford (Mr. Burns) has made it clear that we are highly unlikely to sit on Monday and Tuesday.

Mr. Hain: As the hon. Gentleman is speaking about the amendment and others have asked questions about the subject, I want to make it clear that the Government will not accept it. The sittings motion provides for the completion of any unfinished business between the Commons and the Lords on Monday and Tuesday if

necessary. If we can complete the business today, we are willing to sit as long as anybody wishes tonight to achieve that. Perhaps that policy will help the hon. Gentleman when he speaks about the amendment.

Mr. Blunt: I am sorry that I gave way. That intervention was extremely disappointing. Given that it was suggested that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) would be unwise to take a bet from the hon. Member for West Ham (Mr. Banks) on the basis that we are unlikely to be here on Monday and Tuesday, the amendment provides a useful opportunity to establish the principle that if the House is likely to sit, it is appropriate in all normal circumstances for questions to be tabled to Departments. I thought that if the House was unlikely to sit, it would in all normal circumstances be appropriate for questions to Government Departments to be tabled. I do not understand the objection, either in principle or in fact. We are here as a Parliament—as a House of Commons—to hold the Government to account, and if the House is to sit, Ministers should be able to come here.

Mr. Greg Knight: Was not the intervention by the Leader of the House disgraceful? He was saying, in effect, that Ministers might be around, but would not be open to scrutiny.

Mr. Blunt: It was both disgraceful and disappointing, and in a sense typical of the way in which the Government have managed their entire business. Everything must be stitched up, down to the last detail, with the least possible opportunity for the House of Commons to hold the Government to account.

We need only look at the motion to see how unusual it is. Next to it, in brackets, appear the words "Until any hour". When I was elected in 1997, that was the norm. It is, perhaps, a sad testimony to the lack of stamina among Labour Members that over the past six and a half years the Government have ensured that "Until any hour" rarely appears on the Order Paper, and that therefore the House of Commons seldom has an opportunity to explore both sides of an issue properly. Nowadays "No debate" is the norm. No doubt the Government would like that to apply to everything, so that there would be no debates on anything and we would simply be Lobby fodder, with no chance of discussing the issues.

Tragically, that is what the House has actually become, because of the Government's total lack of respect for Parliament as an institution. What was so extraordinary about the speech of the hon. Member for Middlesbrough (Mr. Bell) was that he made much of this being a democratic Chamber. In fact it is a cipher, a tool of the Executive. Until Members exercise their responsibilities with the bravery shown by the hon. and learned Member for Redcar (Vera Baird) to stand up for the rights of the House of Commons, and for what we believe in and know to be the truth, the House will remain a cipher—even compared to the House of Lords, with its minimal powers of delay and scrutiny.

Mr. Banks: The hon. Gentleman reminded us that he came here in 1997. I seem to remember making endless speeches rather similar to his between 1983 and 1997, when his party was in Government, and I do not recall a Tory Back-Bench rebellion on the scale of the rebellion we have seen on this occasion. I do not think the hon. Gentleman should point the finger at us and suggest that we are not trying to hold the Executive to account.

Mr. Blunt: The rebellion seemed to be going quite well until there was a possibility of the rebels winning, when it collapsed in short order. We observed the operations of the Labour Whips and others. Had the previous scale of the rebellion been sustained, the legislation on foundation hospitals would have been knocked back.

Mr. Evans: I was elected in 1992, and I am sure that my hon. Friend and other Members will remember the great Bob Cryer, who used to hold the Executive to account nightly. We would discuss into the early hours of the morning a number of subjects that were open to debate, but that opportunity has now been removed.

Mr. Blunt: Of course, one commends hon. Members on exercising their own judgment on issues like foundation hospitals or the right to trial by jury instead of adopting the views of the Executive. However, the real disaster is that Government Members who are not in the Executive have been party to shredding the House's ability to do its job properly, including even scrutinising legislation. I have served on Standing Committees, as have other hon. Members, which are now subject to a guillotine and timetable. If our constituents knew that vast amounts of legislation and dozens of clauses go through without any scrutiny at all they would be astonished. I do not think that they are aware of the fact that we simply do not do our job as a legislature. It is hardly surprising that the only effective and detailed work to hold the Government to account is taking place in the House of Lords. That is a serious reproach to Members who are not part of the Executive, and is also a reproach to the Executive, who are not prepared to open themselves up to scrutiny. They are not even prepared to open themselves up in principle to scrutiny by allowing questions to the Home Office and the Department of Health in the unlikely event that we are here on Monday and Tuesday.

Mr. Gale: Is not one reason why the other place has had to table so many amendments that a great deal of legislation has gone through Committee and, indeed, the House without proper debate? Is that not why many amendments to the Criminal Justice Bill have already had to be accepted by the Government, and is it not the case that we are only talking about two more?

Mr. Blunt: Absolutely. My hon. Friend speaks with enormous authority as a member of the Chairmen's Panel. As a Committee Chairman, he has witnessed Committees being unable to do their job. That should be a serious reproach to us all, and it must change. We simply cannot do our job properly if Bills and other legislation go through the House without any consideration at all.

I do not know whether it is unprecedented for Mr. Speaker to accept a manuscript amendment an hour after a debate has started, but it is certainly highly unusual. However, it was accepted and would establish the principle that there would be questions to the

[Mr. Blunt]

Executive on Monday and Tuesday if the House were sitting. It was utterly symptomatic of the Government's behaviour that the Leader of the House should say that they are not prepared to accept the amendment.

The Deputy Leader of the House of Commons (Mr. Phil Woolas): Does the hon. Gentleman not accept that the inclusion in the sittings of the House motion of a provision for urgent questions is intended to assist the House, as it allows important and urgent questions to be tabled without the obstacle of a three-day notice period, which is required under the usual procedures?

Mr. Blunt: Unless I misunderstood the hon. Gentleman, urgent questions can be allowed in any event by application to Mr. Speaker on the day. We have established that new procedure, and there is no reason why the position should be any different under the amendment. Urgent questions could be taken, just as the Home Secretary was dragged to the House yesterday to answer an urgent question about the breach of security at Buckingham palace—[HON. MEMBERS: "Dragged?] In response to Government Members, the Prime Minister, as usual, was not entirely at one with the truth, the whole truth and nothing but truth, when he was asked about the matter at Prime Minister's questions and said that the Home Secretary would make a statement later. The Home Secretary did not make a statement—he came to the House to answer a question that Mr. Speaker had allowed. That is symptomatic of the way in which the Executive treat the House, as is the way in which the Leader of the House said that there is no question that he will allow questions to the Executive on Monday and Tuesday.

The amendment was carefully tabled, thanks to the assistance of my hon. Friend the Member for Spelthorne (Mr. Wilshire) and the Table Office, to ensure that it identifies the correct Departments—the Home Department on Monday and the Department of Health on Tuesday. By happy coincidence, those are the Departments that are scheduled to answer questions on the next Monday and Tuesday that the House sits, so there would be no disruption to the usual timetable for the tabling of questions. Given the issues at stake, the amendment should be passed on its merits, in the teeth of opposition from the Executive, because it would give hon. Members the opportunity to question the Executive about trial by jury on Monday and foundation hospitals and other health issues on Tuesday.

I want to conclude by replying to the arguments advanced by the hon. Member for Middlesbrough about the role of the House of Lords and the impertinence, as he sees it, of its daring to resist the will of the House of Commons. There is such a thing as a democratic mandate, which comes through the contract that we make with our electorate when we stand for office on the basis of our party's manifesto and, no doubt, our own additional material. I am certain that not one Labour Member was elected on the basis of manifesto commitments to introduce foundation hospitals, which enable some hospitals to gain different access to capital funding from others, or to abolish the right to jury trials.

Mr. Ronnie Campbell (Blyth Valley): When the Tories were in power, they did not put the poll tax in their manifesto, nor the sacking of 30,000 miners.

Mr. Blunt: In fact, the introduction of the community charge was part of the Conservative party's 1987 manifesto. It was already in the process of being delivered in Scotland owing to the difficulty of dealing with its rate revaluation—the reason why the policy was conceived in the first place. It is notable that the Government are encountering similar difficulties as a result of loading such a weight on to the council tax, which is a curious hybrid of rates and the community charge—[HON. MEMBERS: What has that got to with the motion?"]. I am replying to the hon. Member for Blyth Valley (Mr. Campbell). I am sure that if I am not in order, Mr. Speaker will do his job more than adequately—but of course I am grateful for the guidance of Labour Members.

Under the Salisbury convention, which has existed since 1948, the other place does not oppose measures that the governing party puts through on the basis of the manifesto on which it was elected. Now, however, the Government are driving through measures that have come as a total surprise to their supporters and are a matter of enormous controversy within their own party. Moreover, as the hon. and learned Member for Redcar said, we now have the extraordinary business of amendments that were tabled in the name of Baroness Scotland in another place—

Mr. Hain: That is not true.

Mr. Blunt: Will the Leader of the House at least accept that they were agreed between representatives of all the parties?

Mr. Woolas: I want to put on the record that the amendments were not tabled by the Government.

Mr. Blunt: I am very happy to accept that they were not tabled, but they were agreed by representatives of the three parties. Those were the terms of the agreement, but—such is the controversy surrounding the measures—Baroness Scotland, who presumably thought that she was negotiating properly on behalf of the Government, now appears to have had her position vetoed by the Home Secretary. It is my judgment, and a judgment that I have heard being voiced privately by Labour Members, that the Home Secretary is behaving in the most extraordinarily unreasonable fashion—

Mr. Speaker: Order. The hon. Gentleman has quite rightly said that I would be able to help him out if he ever strayed. He is now straying well away from the motion.

Mr. Blunt: I am grateful for your guidance in keeping me on the straight and narrow, Mr. Speaker.

The point that I was attempting to make, in answer to the hon. Member for Middlesbrough, was that the Salisbury convention holds, and that the Government

would not be in this mess of having to table this motion asking us to sit on Monday and Tuesday if they accepted the right of the House of Lords to ask the House of Commons to think again. We are being asked to think again about one very profound legal principle that has sat at the heart of our proceedings as a nation for nearly 1,000 years—the right to a trial by one's peers.

It is not unreasonable for the Government to seek extra time to discuss that issue; nor is it unreasonable for their lordships to go on asking us to think again. We should do so. I support the motion, as amended, and I think that it should be carried to give us the time to think again. We should accept that, given the enormity of the principle at stake—and the fact that the Government have had to table this motion because the measure did not appear in their manifesto, which is why it is being opposed—it is appropriate to allow the House of Lords to ask us to think again. We should not then return to the issue. We have seen all the difficulties involved in tabling this motion.

Hon. Members who are not members of the Executive should certainly consider very carefully the amendment that has been tabled by my right hon. Friend the Member for Bromley and Chislehurst, my hon. Friend the Member for Spelthorne and me. In the unlikely event that we play ping-pong with their lordships until Tuesday, it would be appropriate—

Mr. Andrew Love (Edmonton): I thank the hon. Gentleman for giving way. The original Lords amendment was rejected by the House of Commons by 17 votes. When it came back and we were asked to think again, it was rejected by 41 votes. Assuming that it comes back again and is rejected by an even larger number of votes, should we continue to think again?

Mr. Blunt: The hon. Gentleman has been as badly wrong-footed as the Department of Health by events down the Corridor. It would appear that the Department has sent out a press release saying how regrettable it is that Parliament has rejected foundation hospitals through the vote in the House of Commons being overturned by the vote in their lordships' House. The Department has also given instructions to NHS trusts as to what they should say about that, and asked them to try to gain support for foundation hospitals in the country. I say with some regret, however, that it appears that one party in the other place—

Mr. Tyler: I have had careful guidance on this matter, and, in fact, the opposition from the Conservative peers was withdrawn before any spokesman from the Liberal Democrats made a contribution.

Mr. Blunt: If that is the case, I am happy to accept what the hon. Gentleman says.

Mr. Heald: I do not know whether my hon. Friend noticed that the draft press release sent out by the Department of Health to the trusts says that the Secretary of State could delegate these powers to the trusts anyway. So what have we been doing?

Mr. Blunt: That is a most extraordinary statement. This press release that was put out and then withdrawn will have to bear a serious amount of examination, although it is plainly not the subject of the motion before us.

I urge Labour Members, who will obviously want to support the motion standing in the name of the Leader of the House, to accept also the amendment that has been tabled simply to say that in the unlikely event of us being here on Monday and Tuesday—

Mr. Bob Ainsworth (Coventry, North-East) *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 331, Noes 175.

Division No. 389] **[4:00 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna

Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith *(Leicester E)*
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Wilson, Brian
Winnick, David
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Ms Bridget Prentice and Mr. Nick Ainger

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*

Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Redwood, rh John
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Hugo Swire and
Mr. John Randall

Question accordingly agreed to.

Question put, That the amendment be made:—

The House divided: Ayes 174, Noes 330.

Division No. 390] **[4:15 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Bruce, Malcolm
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Gummer, rh John
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
May, Mrs Theresa
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Rendel, David
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah

Thomas, Simon *(Ceredigion)*
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Crispin Blunt and
Mr. Richard Bacon

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Godsiff, Roger
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McFall, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*

Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith *(Leicester E)*
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Nick Ainger and Ms Bridget Prentice

Question accordingly negatived.

Main Question put and agreed to.

Resolved,

That, at the sittings on Monday 24th and Tuesday 25th November—

(1) notwithstanding the provisions of paragraph (1) of Standing Order No. 21 (Time for taking questions), no Questions shall be taken, provided that, one hour after the commencement of the sitting, the Speaker may interrupt the proceedings in order to permit Questions to be asked which are in his opinion of an urgent character and relate either to matters of public importance or to the arrangement of business, statements to be made by Ministers or personal explanations to be made by Members; and

(2) the Speaker shall not adjourn the House until any Message from the Lords has been received and any Committee to draw up Reasons which has been appointed at that sitting has reported.

Mr. Andrew Lansley (South Cambridgeshire): On a point of order, Mr. Speaker. May I ask you whether you have had any indication from the Secretary of State for Health that he intends to come and tell the House that, in the wake of the decision by the House of Lords not to insist on its amendments to the Health and Social Care Bill—[HON. MEMBERS: "Hear, hear."] Wait for it. Does the Secretary of State intend to tell us about the fact that, none the less, he or his Department, acting on his behalf, had sent to potential foundation trusts a draft press release saying that, even if he were to lose on the legislation, he has powers—*[Interruption.]*

Mr. Speaker: Order. I cannot hear the hon. Gentleman. I must be able to hear him.

Mr. Lansley: The press release said that the Secretary of State had powers that he could give to trusts to provide them with local control and that he had summoned them to a meeting in London next Tuesday. If he has powers that he can give to hospitals for local control without the legislation that this House has just passed, perhaps he should come to the House and tell us in the wake of our debates yesterday what those powers are and when he will provide them.

Mr. Speaker: I say to the hon. Gentleman that I have not had an approach from the Secretary of State for Health. Perhaps that is because I have been busy in the Chamber, so I have been too busy to deal with any other matters.

Mr. Douglas Hogg (Sleaford and North Hykeham): On a point of order, Mr. Speaker. As you know, we are likely to get back detailed proposals on the Criminal Justice Bill. They will deal with two matters, namely jury trials and bad character. Last night, the selection list was so ordered that we were able to deal with jury trials but we could make no reference at all to bad character because of the guillotine. Would it be possible for you to reorder the selection list so that, in any event, we could deal first with bad character and then go on to jury trials; otherwise bad character would not have been discussed today or yesterday?

Mr. Speaker: I have no power to change the order of consideration. Grouping is a matter for the Member in charge of the Bill. Of course, the right hon. and learned Gentleman's remarks will have been heard.

Mr. Hogg: Further to that point of order, Mr. Speaker. Perhaps I may press you a little further. Would it possible for a Member such as myself to table an amendment to the order of consideration so that we could reorder the consideration of amendments?

Mr. Speaker: I say to the right hon. and learned Gentleman that it would not be appropriate to do so at this time. In order to help him, perhaps he should seek advice from the Clerk, who will be able to assist him on procedural matters.

Mr. John Gummer (Suffolk, Coastal): On a point of order, Mr. Speaker. I accept your ruling, of course, but will you bear it in mind that there have been successive points of order to ask for the Chair's help to defend the rights of Back Benchers to discuss parts of Bills—that has become regular? I understand that in this specific case, you have acted entirely as your powers allow. However, it is possible for the Speaker to give the impression to those in charge of the business of the House that there is growing unhappiness among perfectly reasonable people about their inability to discuss large sections of the Bill.

Mr. Speaker: I believe that the House agreed to a programme motion on Tuesday, and I am bound by that.

4.33 pm

Sitting suspended, pursuant to Order [10 November].

6 pm

On resuming—

Mr. Heald: On a point of order, Mr. Deputy Speaker. I understand that the Government have now caved in and agreed to the position adopted by Opposition and other right hon. and hon. Members. How long does it take the Government to come to the House, say sorry and produce the amendments that we need to conclude our business?

Mr. Hain: Further to that point of order, Mr. Deputy Speaker. That is utter rubbish. The truth is that on all the key clauses we have held our ground. We stood our ground in this elected House of Commons against the unelected second Chamber, and the will of the Commons has triumphed. We have stopped jury nobbling; we have a common-sense approach on fraud—

Mr. Deputy Speaker (Sir Michael Lord): Order. We do not want to embark on a whole new debate. Those are hardly points of order for me.

Sir Patrick Cormack (South Staffordshire): On a point of order, Mr. Deputy Speaker. The House is in a quandary—we do not know what is happening. Rather than the Leader of the House making rather partisan points in a most extraordinary manner, may we be told precisely what is happening, how long we will be here and what the outcome will be?

Mr. Deputy Speaker: Perhaps I can help. We will deal with the business motion, which we must now do. After that, the House will suspend in the way that we have recently been doing. Before we meet again, which, all being well, will be in about an hour, the papers will be available and all will be made clear.

Mr. McLoughlin *rose—*

Mr. Deputy Speaker: Order. Does the hon. Gentleman wish to raise a point of order?

Mr. McLoughlin: Yes. On a point of order, Mr. Deputy Speaker. Bearing in mind what the Leader of the House has just told us—that everything is going swimmingly and the Government have everything right—why are we facing this delay?

Mr. Tyler: Further to that point of order, Mr. Deputy Speaker. Surely for the good order of the House, for which we can only look to the Chair, you can give us a clear indication of the precise position. Many hon. Members are anxious to sort this matter out. We are delighted that the Government have given way, and I hope that Ministers will be a little more gracious later this evening than the Leader of the House was just now, but it would be helpful if you gave us some indication of what is to happen, and when.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): Further to that point of order, Mr. Deputy Speaker. I wonder whether you can help the House. I was delighted to see the shadow Home Secretary on television a few moments ago saying exactly what had happened. Should the House not be informed, as well as all the television viewers? I knew what had happened, and I supposed that everyone else did—

Hon. Members: Tell us!

Mr. Deputy Speaker: Order. Let me deal with those points of order. The House is asking me to be helpful and I shall endeavour to do so. When the House suspends in a few moments' time, papers will be made available in the Vote Office that will explain what we will do when the House resumes. The House will resume in approximately one hour—an hour at the most—and by that time papers will be available to all Members that will explain what we are trying to do.

Sir Patrick Cormack: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: No, I think that I have dealt sufficiently with points of order. We must move on.

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Motion in the name of Mr Peter Hain and the consideration of any Lords Messages and Amendments that may be received may be proceeded with, though opposed, until any hour.—*[Derek Twigg.]*

Question agreed to.

6.3 pm

Sitting suspended, pursuant to Order [10 November].

6.35 pm

On resuming—

Criminal Justice Bill

Mr. Speaker: Order. I have to acquaint the House with the fact that a message has been brought from the Lords as follows: the Lords insist on certain of their amendments to the Criminal Justice Bill and disagree to certain Commons amendments, for which insistence on disagreement they assign their reasons. They propose certain further amendments; they agree to certain Commons amendments; they did not insist on certain of their amendments. Under the order of the House of 18 November, any message from the Lords relating to the Criminal Justice Bill will be considered forthwith, without any question being put.

Lords Amendment: No. 32

The Secretary of State for the Home Department (Mr. David Blunkett): I beg to move, That this House does not insist on its disagreement to the Lords amendment.

Mr. Speaker: With this it will convenient to take the following: Lords amendments Nos. 32E to 32L; Lords amendment No.33, Government motion to insist on their disagreement thereto, Government amendments (a) to (j) to words restored and Government consequential amendment (a); Lords amendment No. 34J; Lords amendment No.121, Government motion to insist on their disagreement thereto and Government amendment (a) to the words restored; Lords amendments Nos. 126 and 131H and Government motions relating thereto and Government amendment (a) to the words restored.

Mr. Blunkett: Before addressing the amendments and propositions before us tonight, I reiterate what the Foreign Secretary, the Prime Minister and the President of the United States have said outside the House about the terrible bombings that occurred in Istanbul today. Our hearts go out to the families and friends of the consul general and of all the staff and civilians who were killed. This reiterates the terrible threat that those who are prepared to bomb, kill and maim others are dealing out to innocent people across the world.

Despite the knife-edge nature of the debate on the Criminal Justice Bill, not least over the last 48 hours, we are on the edge of getting a flagship Bill that I think most people in the House would agree has considerable and notable agreement across the parties in terms of the benefit that it will bring in transforming the well-being of people in our constituencies and the respect that they have for the criminal justice system. That can only be a good thing. To protect people from thuggery, organised criminality and the disruption caused to the justice system that we have experienced and debated over the last few months has to be the right thing to do.

We want to provide sentences that match the seriousness of the crime, to ensure that life means life, to avoid the double jeopardy rule which, under new DNA and forensic science, would have allowed criminals to go free even though we could prove that they had committed the most horrendous crimes, to have the new sentencing guidelines council, and the involvement of the public, as well as those engaged in the criminal justice system, in shaping sentencing for the future, involving imaginative new sentences—including intermittent sentences, custody minus and strong community sentences—that underpin more severe sentences for dangerous criminals. I mention all those things because I believe that, despite the acrimony that we experienced on Tuesday and yesterday evening, we shall now have a modernised criminal justice system fit for the 21st century.

More than 98 per cent. of the measures that we put to the House on Second Reading have been agreed, and many changes that have improved the Bill have been agreed without acrimony in the two Houses. Over the last 48 hours, additional amendments have been introduced and have gained consensus. Despite the provocation offered earlier in relation to the shadow Leaders of the House, I do not intend to respond to it. The provisions that have been taken over the last 48 hours in relation to avoiding the intimidation of juries and ensuring that we have clear and understandable procedures for dealing with bad character, and the way in which we shall respond tonight in respect of juveniles, have made the Bill a better measure, and a better vehicle for taking forward the intentions of both Houses of Parliament.

Tonight, I want to take up the challenge of a final agreement, which has been reached between the political parties in the House, and hope that we can take things forward. It is important to have achieved that because, in addition to the measures that I have already enunciated this evening, tackling gun crime head on and dealing with those who misuse vehicles as tools for killing people in circumstances that have horrified Members of the House indicate the significance of reaching such an agreement.

I have consulted with the spokespeople for the two main parties. I have not been able to reach agreement yet with my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews), who forms almost a party of his own on these issues, although I know he has been consulting regularly over the last 48 hours with the Opposition parties, so he will be familiar with the issues that we have been debating. *[Interruption.]* I am sure that, as has rightly been pointed out from a sedentary position, we will secure measures to avoid his intimidation, just as we have with juries.

Sir Patrick Cormack (South Staffordshire): Is the Home Secretary aware that the hon. and learned Member for Medway (Mr. Marshall-Andrews) is a dab hand at the monologue? He will be producing one at a concert in February. The Home Secretary had better look to his laurels.

Mr. Blunkett: I have heard a few monologues in the House, never mind the poetry that always comes from the retiring Liberal Democrat spokesman, the hon. Member for Southwark, North and Bermondsey (Simon Hughes). I thought I had already said au revoir to him, but I say it with great spirit tonight because this is his swan song in the shadow Home Affairs brief.

We secured agreement in relation to bad character on clauses 96 and 93, but we are tonight linking it to securing agreement on clause 101, which relates to juveniles. I am proposing—in the spirit of agreement, I think this is an improvement—that any juvenile who has

[Mr. Blunkett]

committed a crime would not be subject to these amendments and these proposals unless the crime was of a sufficient nature to warrant being reintroduced. In other words, it would have to be an indictable offence, which, by its very nature, would be severe enough for it to be introduced.

On Tuesday afternoon, most people in the House would have gathered from the debate my overwhelming enthusiasm for clause 41. I remember my hon. and learned Friend the Member for Redcar (Vera Baird) questioning me on it. My demeanour and my robust defence must have given her the impression that Lord Justice Auld's enthusiasm for that measure was not entirely shared by those on the Front Bench. In that spirit, I have been prepared to concede that clause to get agreement on the remaining clauses this evening.

In the same spirit, we have also been prepared to discuss clause 42, having secured clauses 43 and 45. Clause 42, as the House will know, dealt with the issue that we debated on Tuesday—serious fraud. People will be aware of the Roskill and Auld proposals. Roskill, of course, preceded the operation of the Serious Fraud Office. We have adduced that it would be very sensible indeed if, given the controversy that has arisen over clause 42, we were able to secure agreement in a way that joined us together in finding a solution for the very, very small number of cases in which there is a major problem in securing a jury, and securing the retention of the jury, as well as in being able to secure the confidence of the SFO that, in taking such cases, it could secure a conviction where one was rightly warranted. It will, in other words, secure justice.

6.45 pm

First, in moving to a single judge sitting alone we are prepared to have to secure the consent of the Lord Chief Justice. Secondly, we are prepared to agree that we will not implement the proposals set out in clause 42, as amended, while we seek an improved way forward that does not rely on a single judge sitting alone.

During the debate, proposals in relation to how specialist advice and support might be offered have been made, including measures drawing on a specialist range of expertise for a jury. On Second Reading and again on Report, I said that I was not against looking at such measures, so I find no difficulty tonight in offering the opportunity to the two main Opposition parties working with the Attorney-General, the Serious Fraud Office and the senior judiciary to take a further look at how that might be taken forward. We are able to look at that in relation to the SFO in a way that Roskill could not. In that light, I will not press for implementation of the clause. I am prepared to offer an affirmative resolution, should that be required.

I am prepared to do that because of two pieces of legislation: the draft corruption Bill, which we have been scrutinising, and a measure in relation to domestic violence, crime and victims that will be in the Queen's Speech next Wednesday. That, together with the measures on multiple offences that we discussed across the Dispatch Box on Tuesday, will give us the opportunity to secure an improved provision that will provide the safeguards that Members have sought without giving way on the principle that we should not undermine the task of the SFO in bringing criminals to book who are engaged in serious crime, which has eluded many past efforts.

Simon Hughes (Southwark, North and Bermondsey): The Home Secretary knows that his statement on this issue is welcome. Some of us have argued for a long time that for serious fraud cases there should be an alternative to the conventional jury, which keeps the principle of jury trial. I seek a public clarification from him, which I have asked for privately. Is the it implication of his remarks that, as a result of the Bill passing into law tonight, there will not be any serious fraud trial by a single judge in England and Wales?

Mr. Blunkett: I am prepared to give that undertaking. It is part of the agreement that we will retain the clause, but move forward towards looking at the alternative solutions that I have mentioned and that could be incorporated in one or other of the two measures that have either been consulted on or will come before the House in the Queen's Speech. That safeguard is appropriate. I give a binding undertaking that we will follow that agreement.

This legislation has been difficult to achieve because of the way in which the two Houses have, rightly, had to scrutinise detailed measures, many of which have been subject to the scrutiny of those whose primary background lies in the law. Many of us whose background does not have been concerned to ensure that we secure for the British public a set of proposals that maintain our commitment to a safer, more secure Britain in which the law seeks truth. Parliament seeks to ensure that justice is done, and we are better equipped to enable the police to do their job, the courts to secure justice and the legal profession to join with us in ensuring that it is truth, not just pyrrhic victory, that is gained in such trials.

Mr. David Cameron (Witney): This is the third time that the Government have attempted to change the jury system. Will the Home Secretary pledge to leave it alone for the rest of the Parliament?

Mr. Blunkett: I have given all the pledges that I am going to give tonight, including a pledge not to leave alone, on clause 42, the question of how we will deal with the jury system. I thought that I had indicated that we are prepared to look positively at the proposals to be brought forward, so I had better not give a commitment that reverses the pledge that I have just given in case I am accused of duplicity. Many Members of the House would disagree with what I say, but my honour remains intact, and I have every intention that it should.

I invite the House to return the Bill to the Lords with the changes that we have proposed; I invite the House of Lords to hold to the agreement that we have reached tonight; and I invite the British public to rejoice, along with those of us who are somewhat exhausted by what has been going on in recent days. I thank the Officers of the House and those who have worked this evening, over the two hours since agreement was reached, to put together the papers. We appreciate what they have done in recent days and in difficult circumstances. I thank,

too, Members of the House for their tolerance and forbearance—even the hon. and learned Member for Harborough (Mr. Garnier), whose interventions on Tuesday rightly earned me a rebuttal and a slap on the knuckles from the sketchwriter in *The Times* for being my usual, irritable self.

Mr. Dominic Grieve (Beaconsfield): I join the Home Secretary in extending our condolences to the family of the consul general and the other members of staff killed in Istanbul in an absolute outrage. All Members of the House will unite with the Home Secretary in extending our thoughts to the Turkish Government and all who have had relatives killed or injured in the incident.

This is, thank goodness, the end of a long process in which it has been a privilege to participate, although I have to say to the Home Secretary that there were one or two occasions in the last 72 hours when I began to think that it had an endless quality to it. There is, of course, much that is good in the Criminal Justice Bill. I remember so well the Home Secretary, in introducing the measure, indicating that what he really wanted was a measure that would stand the test of time and be accepted irrespective of which party was in government. I say to him that it was in that spirit that we participated with the Government and other parties in trying to achieve a workable Bill.

It should come as no surprise that at the end of that process there were outstanding issues that caused serious difficulty, and for the most part I welcome the way in which the Government approached the process of debate and discussion that enabled those matters to be whittled down. That said, I cannot escape the fact, which is perhaps inevitable in these matters, that as one gets closer to the end, so the Moloch of the Government's grinding-down machine starts to come into operation. It is greatly to the credit of my friends in the other place, Lord Kingsland, Lady Anelay and Lord Hunt, that they and others resisted that pressure consistently so that we could arrive at the end at an outcome that protects the principles of jury trial. I very much regret that the Government, perhaps not in the person of the Home Secretary but certainly in the person of the resident of No. 10 Downing street, seemed to be so hellbent on cavalierly undermining those principles.

Mr. John Gummer (Suffolk, Coastal): Does my hon. Friend note that the advantageous alterations about which we heard this evening have arisen because of the detailed discussion of the Bill, clause by clause? Does he agree that the rest of our legislation would be much better served if the same careful consideration were given in this House and the House of Lords, instead of constantly being excluded by guillotined Bills?

Mr. Grieve: I entirely agree with my right hon. Friend. On this Bill, the Government Whip went to great trouble, despite the mischief of the guillotine, to make available adequate time for scrutiny. Inevitably, when we came to the final stages of the Bill, all of that tended to go out of the window. It is only because those in another place can do the job of scrutiny at leisure that we were protected from implementing legislation that would have been extremely harmful.

Mr. Edward Garnier (Harborough): I do not want to be unduly critical because I have already been critical of the Home Secretary, which obviously caused him some upset. Perhaps my hon. Friend misspoke. The House of Lords dealt with the Bill not at leisure, but thoroughly.

Mr. Grieve: The other place has the leisure to deal with legislation thoroughly. The problem in this place is that we are constantly hurried, to the point that amendments were being so rushed today that they appeared in the wrong place on Order Papers and nobody knew whether they had been passed in another place. We should reflect on that.

As the House knows, matters have centred on trial by jury. I am delighted that clause 41, with its dreadful option of giving a defendant an opportunity to apply for trial to be conducted without a jury, so undermining the essence of the jury trial system, has at long last been abandoned by the Government. The credit for that goes to those in all parts of the House who finally persuaded the Home Secretary of the error of his ways. I pay particular tribute to the hon. and learned Members for Redcar (Vera Baird) and for Medway (Mr. Marshall-Andrews), who argued the point so forcefully.

On clause 42, which deals with fraud trial, there has been a bit of an argument, which has gone on a long time. It was the final argument in respect of the Bill. I do not wish to revisit that. I should prefer to go home and remember in my dreams the sotto voce imprecations that I remember hearing from the Home Secretary during the debate earlier this week, some of which were directed at me and some at my hon. Friends and other hon. Members. That will be a good memory.

The Government have had to climb down totally on clause 42, and have come up with a face-saving formula to mask what they had to do. I thank the Home Secretary for applying sufficient pressure on the Prime Minister to allow him to do that, as I am strongly of the view that that is where the mischief came from that prevented us from resolving the issue days ago.

With regard to the double lock mechanism, which means that the measure can never be implemented without an affirmative resolution of both Houses, I have two comments to make to the Home Secretary. I know from my colleagues in another place that they will shortly make it clear that they will not be bound by any constitutional convention whatsoever in respect of the statutory instrument mechanism. In addition, under no circumstances will they allow the measure to pass through the other place unless or until it is part of a total package of reform that is acceptable to this House in exactly the same way as any primary legislation.

7 pm

I also say sincerely to the Home Secretary that we accept that this may be an area that requires detailed scrutiny and examination, and we undertake, if he comes up with proposals, to work with him to examine any representations made by the Serious Fraud Office that justify any departure from current practice. The Home Secretary will be aware that, in Committee and on Report, it was the Opposition who tabled proposals that might allow for specialist juries in such cases. However, one thing is clear. We shall resolutely uphold the principle of jury trial. I said previously and I say it

[Mr. Grieve]

again: I do not wish to live in a country where jury trial is denied to those charged with serious crime, and I will work night and day to prevent that from happening if the Government ever do it again.

I hope very much that in any further examination of these issues the Government will adopt a slightly different approach on consultation from what we had in the Bill. It was unfortunate that the proposals crept in as they did.

We have had to consider other areas, and here I can say much kinder things to the Home Secretary. I want to thank him for the way in which he has approached the whole issue of jury tampering. He knew at the outset that we supported the principle that it was essential that it should be possible to do justice where juries were being tampered with, and I hope very much that we have come to a final conclusion on that which, while there are areas about which I have reservations and anxieties, will prove workable and fair. I thank him and his colleagues in the Home Office for the way in which they have approached that matter, because I always felt that we were able to have a completely constructive dialogue on it. I particularly thank the Under-Secretary of State for the Home Department, the hon. Member for Wythenshawe and Sale, East (Paul Goggins). He has behaved impeccably during the Bill's passage and I have particularly enjoyed negotiating with him.

In respect of the other outstanding matter, which was bad character, we were broadly supportive of what the Government were trying to achieve. I am left with a note of regret that I still do not think that it is as good as it should be. I am constantly reassured by the view of the hon. and learned Member for Medway that it will not make a blind bit of difference because the measure is pretty unworkable and the judiciary will have to sort it out. I am not sure that that is a good way to legislate, but we have a better outcome than I feared at the outset.

May I ask the Home Secretary two specific questions? He knows that the main mischief in this proposal was clause 96, and I should like him to confirm to the House that, despite the inclusionary presumption, it will be for the prosecution to establish that propensity evidence is relevant to the issue in any case. I believe that Baroness Scotland previously did that, but I should like to hear from the Home Secretary that that is indeed what will happen. Secondly, I should like to hear from him a confirmation that the prosecution will be required to give notice that, through any line of questioning to the defendant, they intend to raise an issue under section 96(1)(b).

Mr. Blunkett: I am very happy to give the assurances on both counts, and I am also happy to give the hon. Gentleman the reassurance that our lawyers disagree with my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) and think that the measures will make a substantial difference, and I would not have moved them if I did not think that they would.

Mr. Grieve: I am grateful to the Home Secretary for his comments.

I should like to finish with one other observation. As I said, the Bill has been a long one. I believe that it may do good, but looking to the future, I come back to the basic principle—our desire to see justice done for victims, to prosecute criminals successfully and to punish them properly must never allow us to undermine the principles of fairness that have made our trial system a model of its kind in the world. I hope very much that the Home Secretary, who has constantly said that he believes in the principles of jury trial, will continue not only in what he tells us here, but in what he does in his office, to uphold them.

Mr. Graham Allen (Nottingham, North): I should like to take a couple of minutes of the time of the House to make a couple of points, one of them general and one brief. The general point is to give a strong welcome to the Bill and to recognise the efforts of my right hon. Friend the Home Secretary and his team. The Bill will be deeply welcomed in areas such as mine, where we are attacked daily by antisocial behaviour. Some of the measures that have been introduced are long overdue and I wish to put on record my thanks to him for the way in which the matter has been pursued.

My specific point is to thank all the parties that were involved in the Committee stage of the Bill for their open-minded efforts in trying to secure a sensible sentencing guidelines council—an aspect of the Bill that has not been remarked upon to any great extent. We are in a position in which the judiciary, this House and the Executive almost seem locked in a constant battle as to what the appropriate sentence is for any given offence. I hope that the efforts that people from all parts of the House put into that work to try to get a well-balanced sentencing guidelines council will be taken further. I believe that we are halfway there in getting that broad-based council. It will be a great achievement if all three arms of the constitution are finally represented on it, perhaps next year or the year after, so that decisions on sentencing can achieve a broad-based consensus throughout society.

Madam Deputy Speaker (Sylvia Heal): Order. I remind the hon. Gentleman that we are debating the amendments rather than Third Reading.

Mr. Allen: I welcome the amendments that we are considering, which do not include the question about drug testing at 14, to which I would have referred if it had been in order to do so.

I put it on record for my right hon. Friend the now Secretary of State for International Development and hon. Members from all parts of the Committee that some great progress has been made. I thank the Home Secretary for what he has done today.

Simon Hughes: The Home Secretary was kind enough gently to mention that, possibly to the great relief of the Government, this may be the last Home Office Bill for which I am responsible in the near future on the Liberal Democrat Benches. I have been very happy to have that responsibility for the past four years, and I say sincerely to the Home Secretary, the Under-Secretary of State for the Home Department, the hon. Member for Wythenshawe and Sale, East (Paul Goggins), and their now Cabinet colleague, the Secretary of State for International Development, that there has been a successful method of co-operation throughout the Bill in terms of extreme courtesy and a continuing ability to

have dialogue with Ministers. I pay tribute to them as a team. Of course, we have had differences of view, which have sometimes been very strong, but the Home Secretary and his team, as well as Baroness Scotland and her colleagues in the Lords, have worked hard to ensure that, where there could be maximum agreement, it has been achieved.

I wish to give other inevitable thanks, but I am extremely happy to do so. First, I thank the right hon. Member for West Dorset (Mr. Letwin) and his successor, the right hon. Member for Haltemprice and Howden (David Davis), as well as the hon. Member for Beaconsfield (Mr. Grieve), who has served on the Bill throughout its passage. He and his colleagues in the Lords, whom he has mentioned, together with colleagues such as the hon. Member for Woking (Mr. Malins), who, like me, slaved on the Committee day in, day out, have contributed hugely both from experience and principle to make this a much better Bill.

Last, but absolutely not least, there is my hon. Friend the Member for Somerton and Frome (Mr. Heath) and my four Lords colleagues, who did a huge amount of work—

Madam Deputy Speaker: Order. I hope that the hon. Gentleman will address his remarks to the amendments.

Simon Hughes: Baroness Walmsley, Lord Dholakia, Lord Thomas of Gresford and Lord Roper worked over the past three days, as they worked with us previously—

Madam Deputy Speaker: Order. I have asked the hon. Gentleman to speak to the amendments.

Simon Hughes: My colleagues in the Lords equally worked on the amendments and their drafting and participated in meetings and negotiations in a way that has delivered us with the changes that are before the House.

I shall make a couple of comments on the remaining matters that have occupied us over the past few days and led to the amendments that we are considering. We were left with two substantive matters when the Bill left the Lords on Monday night. We were left first with the question of character and whether any bad character of a defendant could be brought back into play. I tell the Home Secretary that the answers that he gave to the hon. Member for Beaconsfield and the statement on the record in both Houses give us much more reassurance that the principle that a person is presumed innocent until proved guilty will be protected. That must be a fundamental principle of English law because, if changed, it would do away with one of the things that gives people most confidence in the system.

The matter that has occupied us most is whether to keep jury trials. We are grateful to the Home Secretary for accepting that clause 41, which would have meant that people could have elected out of jury trials for serious offences, could go. The clause would have produced a two-tier system. We are grateful that the Home Secretary and his colleagues were able to work with us to ensure that only in exceptional circumstances after jury nobbling could there be a move away from jury trials.

The most difficult measure was the subject of the negotiation that went right up to the wire this evening. We insisted that even in serious fraud cases, there must be a trial before a jury. We hugely welcome the Home Secretary's reassurance that clause 42 will not be implemented, the safeguard of the order subject to the affirmative resolution in both Houses and the prospect of getting a variant of jury trials that will work in such cases.

We have dealt well with the intimidation of juries, but I hope that the amendments will show three other things that will send a message from this place. We have stood by the independence of the judiciary, we have reaffirmed the independence of the magistracy and, above all, we have reaffirmed the primacy of juries. Today has been a good day for Parliament—and both Houses of Parliament—because both Houses have worked to ensure that the amendments that will finally be agreed tonight will uphold those three principles of the English justice system. We have done that part of our work well. We are right to be proud of that and our constituents who go to court in future will be grateful that if their case is serious, they will have a jury to judge them. That principle has stood the test of time for 800 years and this Parliament will uphold it today.

Vera Baird (Redcar): I congratulate my right hon. Friend the Home Secretary on the amendments and the calibre of the Bill, which will fulfil the functions that he set out to make it fulfil and update and toughen up the criminal justice system. He has always said that trial by jury was not under attack by him at all but that he meant always only to strengthen it by ensuring that it was protected from abuse, especially by hardened criminals who would try to tamper with its functioning. Clause 43, when amended, will satisfactorily ensure that it will be better protected than it has been in the past. My right hon. Friend the Home Secretary assured me recently in the House that it would be a last resort to remove a jury from such a trial and the amendments that he is making to the clause will make that position even clearer, so I congratulate him on that.

Clause 41, which will be removed from the Bill, would have allowed an opt-out on jury trials but was never central to my right hon. Friend's purpose, as he perhaps conceded tonight. The greatest and cleverest of us are frequently bedevilled by the law of unintended consequences. It is a great tribute to him, although I am not sure that he accepts them at their fullest, that some of the horror stories that have been put forward as possibly following from the clause are truly realistic. None the less, it is a great tribute to my right hon. Friend that he has acknowledged others' concerns. It has not been his main purpose, but he has been ready to relinquish the clause for the sake of caution and prudence.

7.15 pm

As my right hon. Friend well knows, there were two real concerns. The power to put previous convictions almost automatically into trials was a real worry. That has been well moderated by linking the power more closely to relevance. It will be a more effective provision and a fairer one as a result of the amendments that have been agreed to.

[Vera Baird]

I move on to clause 42 and fraud. I reject entirely any suggestion that there has been any climbdown by those on the Government Benches. The clause remains in the Bill and, in due course, it may come into operation. If there is to be a further examination of it, I hope that my right hon. Friend will not ignore Labour Back-Bench Members who have taken a close interest in the clause.

As one of those who has taken such an interest, and one who combines the role of being a lawyer with being a dutiful and certainly a hard-working Member, I am extremely interested in protecting my constituents from the adverse effects of crime. I say to my right hon. Friend that there is no conflict between those two roles. It is the firm intention of lawyers who are Labour Back-Bench Members to fulfil both roles properly. I congratulate my right hon. Friend. He has shown appropriate resolution with appropriate flexibility. It is now a good Bill.

Mr. Garnier: I had not intended to speak because it is late and people want to go home. However, the Home Secretary mentioned me by name. I am sorry that I irritated him to such an extent that he was put to reading *The Times*, which clearly tickled him.

The shadow Home Secretary in 1993, the current Prime Minister, said during the course of the debate on the Runciman royal commission on matters similar to this:

"Fundamental rights to justice cannot be driven by administrative convenience."

I hope that that is something that sticks with the Labour party to this day. I have had my doubts over the past few months as we have discussed the Bill. However, here we are, and a Bill and an arrangement seem to have been arrived at.

The Home Secretary said that he wanted the Bill to be part of the modernisation of the criminal justice system, and he hopes that it will lead the way to a criminal justice system fit for the 21st century. I leave him with two thoughts. Perhaps we could stop passing Criminal Justice Bills every year and allow the system to bed down a touch. Those of us who have the enjoyable duty of attending Judicial Studies Board courses at regular intervals find ourselves being laughed at by those who are judges but not Members for allowing extraordinary numbers of Bills to go through that alter the system pretty well every other Wednesday. At the same time, we have the tiresome duty of having to learn it all up, which is not everybody's joy.

If the Home Secretary wants to do one thing to modernise the criminal justice system, I ask him to consider, if nothing else, that criminal law legislation needs to be codified as soon as possible. That would do all of us a great deal of good. The right hon. Gentleman might even provide himself with a monument that would be worth looking to.

Lords amendments Nos. 32E to 32L agreed to.

Lords amendment No. 33 disagreed to.

Government amendments (a) to (j) to the words so restored agreed to, and Government consequential amendment (a) agreed to.

Lords amendment No. 34J agreed to.

Lords amendment No. 121 disagreed to.

Government amendment (a) to the words so restored agreed to.

Lords amendment No. 126 disagreed to.

Government amendment (a) to words restored agreed to.

6.19 pm

Sitting suspended, pursuant to Order [10 November].

Royal Assent

9.16 pm

Mr. Speaker: I have to acquaint the House that the House has been to the House of Peers, where a Commission under the Great Seal was read, authorising the Royal Assent to the following Acts:

Water Act 2003

Anti-social Behaviour Act 2003

Courts Act 2003

Ragwort Control Act 2003

Extradition Act 2003

Sexual Offences Act 2003

Health and Social Care (Community Health and Standards) Act 2003

Criminal Justice Act 2003

Transas Group Act 2003

Prorogation

Her Majesty's Most Gracious Speech

Mr. Speaker: I have further to acquaint the House that the Lord High Chancellor, one of the Lord Commissioners, delivered Her Majesty's Most Gracious Speech to both Houses of Parliament, in pursuance of Her Majesty's Command. For greater accuracy, I have obtained a copy and also directed that the terms of the speech be printed in the Journal of the House. Copies are being made available in the Vote Office.

The Gracious Speech was as follows:

My Lords and Members of the House of Commons

My Government has taken action in support of major programmes of reform in the priority areas of crime, health and transport.

My Government is committed to reforming the criminal justice system, to deliver justice for all and to safeguard the interests of victims, witnesses and communities.

An Act has been passed to provide the police and other agencies with effective tools to tackle anti-social behaviour.

Legislation has been passed to reform sentencing arrangements and to modernise criminal procedures to protect the public and reduce re-offending.

An Act has also been passed reforming the courts system. This will allow Magistrates' Courts and the Crown Court to work more effectively together under a single organisation and will reform the system for enforcing fines and other non-custodial penalties.

Legislation has also been passed modernising the laws on sexual offences, strengthening the framework of penalties for sex offenders to protect the public.

In addition, legislation has been passed improving international co-operation in tackling serious crime, including terrorism and modernising the arrangements for international mutual assistance to prosecute criminals.

My Government continues to modernise the delivery of healthcare based on the founding principles of the National Health Service. Legislation has been passed to introduce incentives to ensure that hospital discharges are not delayed and that those needing community care are fully supported.

Legislation has been passed to devolve power and resources to frontline staff, giving greater patient choice and more freedom to successful hospitals while increasing their accountability to local communities and introducing independent health and social care inspectorates.

Legislation has been passed to improve the delivery of local services through better financial management and greater freedom for councils.

An Act has been passed to improve railway and transport safety, establishing a Rail Accident Investigation Body with effective evidence-gathering powers, reforming the body responsible for regulating the railways and introducing alcohol testing on board maritime vessels and in civil aviation.

Draft legislation has been, brought forward on a number of matters including civil contingencies, housing, nuclear liabilities, corruption and mental incapacity.

Members of the House of Commons

I thank you for the provision you have made for the work and dignity of the Crown and for the public service.

My Lords and Members of the House of Commons

My Government continues to work closely with the political parties and the Irish Government to secure the full implementation of the Belfast Agreement. Legislation has been passed which establishes an Independent Monitoring Commission to report on the ongoing commitments connected with the implementation of the Belfast Agreement. An Act has also been passed amending legislation on policing in Northern Ireland.

My Government maintains its commitment to devolution in Scotland and Wales. Legislation has been passed reforming the provision of health services in Wales.

Legislation has been passed providing for the holding of referendums in any English region except London on the establishment of elected regional assemblies and other preparations for the implementation of elected regional government.

In addition, legislation has been passed to create a new regulatory framework for the communications sector to promote competition and investment, establishing a new regulatory body, implementing European Union telecoms directives, and reforming rules on media ownership.

An Act has been passed modernising and streamlining the law governing premises selling alcohol, providing public entertainment and late night refreshment, including important measures for tackling anti-social behaviour.

An Act has been passed allowing the Secretary of State to specify the pay, terms and conditions of the Fire Service and to direct the Fire Service on its use of facilities and assets.

Legislation has been passed improving water management and conservation, establishing an independent Consumer Council for Water, reforming the regulatory system for water and promoting competition in the water industry.

An Act has also been passed providing for the development of a strategy for reducing the amount of biodegradable waste going to landfill and help ensure the UK meets its climate change commitments.

Other important measures have been enacted.

My Lords and Members of the House of Commons

The Duke of Edinburgh and I were pleased to receive the state visit of His Excellency the President of Russia in June. We are pleased to receive the state visit of His Excellency the President of the United States this week.

My Government has played an active role in combating the global threat from terrorism and preventing the development or use of weapons of mass destruction by hostile states. My Government has worked to help publish and implement a Road Map for peace in the Middle East, and to support the rebuilding of Afghanistan.

My Government took part in international action to ensure Iraq's compliance with its obligations under UN resolutions. Iraq is now on its way to a better future, free and at peace with its neighbours. Political and economic reconstruction are proceeding apace and for the first time in Iraq's history it has government institutions which reflect the diversity of its people and uphold human rights and the rule of law.

My Government helped secure the lifting of UN sanctions against Libya following the latter's compliance with the demands of the Security Council, and has supported international negotiations with Iran and North Korea,

My Government was active in ensuring the decision of the European Council last December to issue formal invitations to ten countries to join the European Union in May 2004. Legislation has been enacted to enable the United Kingdom to ratify the Accession Treaty with the new member states.

Through the Convention on the Future of Europe and the subsequent Inter-Governmental Conference, my Government has participated actively in efforts to agree a new Constitutional Treaty for the European Union to equip it for the challenges of enlargement.

My Government published its assessment of the Five Economic Tests on whether to recommend entry into the single European currency.

My Government helped achieve agreement at the NATO Summit last November to invite seven countries to join the Alliance, and has continued to support these countries in their preparations for membership.

My Government was heavily involved in the continuing development of the European Security and Defence Policy, including the conclusion of agreements between the EU and NATO for the use of NATO assets and capabilities for European Security and Defence Policy military operations. My Government supported, and British personnel participated in, the first three European Security and Defence Policy operations: a police mission in Bosnia and military crisis management operations in Macedonia and the Democratic Republic of Congo.

The Millennium Development Goals remained at the forefront of my Government's commitment to global poverty reduction. My Government has worked with partners in the UN, the G8 and other bodies to make progress towards these goals, particularly by ensuring support for developing countries' own plans such as the New Partnership for Africa's Development.

My Lords and Members of the House of Commons

I pray that the blessing of Almighty God may attend you.

A Commission was also read for proroguing this present Parliament, and the Lord Chancellor said:

"My Lords and Members of the House of Commons: by virtue of Her Majesty's Commission which has now been read, we do, in Her Majesty's name, and in obedience to Her Majesty's Commands, prorogue this Parliament to Wednesday the twenty-sixth day of this instant November, to be then here holden, and this Parliament is accordingly prorogued to Wednesday the twenty-sixth day of this instant November."

End of the Second Session (opened on 13 November 2002) of the Fifty-Third Parliament of the United Kingdom of Great Britain and Northern Ireland, in the Fifty-Second Year of the Reign of Her Majesty Queen Elizabeth the Second.

CORRECTION

Official Report, 28 October 2003: in column 218, Division No. 340, in the Ayes, leave out Naysmith, Dr. Doug (Bristol, North-West).

Westminster Hall

Tuesday 11 November 2003

[MR. EDWARD O'HARA *in the Chair*]

GM Science Review

Motion made, and Question proposed, That the sitting be now adjourned.—*[Ms Bridget Prentice.]*

9.30 am

Mr. Deputy Speaker: Before we begin, I should inform right hon. and hon. Members that in accordance with past practice and Mr. Speaker's express wishes, I intend to invite the Chamber to observe a two-minute silence at 11 o'clock.

Joan Ruddock (Lewisham, Deptford): This is a narrow debate. It is focused on the GM science review. As my intention is to get the Government's reactions to that review, I have informed my hon. Friend the Minister for the Environment of the questions that I intend to ask. I hope that I and other Members will be brief, so that the Minister has sufficient time to answer our questions.

The GM debate is all too often characterised in this way: on one side are the scientists who understand the issues, and on the other, non-governmental organisations and the public who are ignorant and unjustifiably alarmed. The Prime Minister has repeatedly said that this issue will be decided on the basis of sound science, but many of us do not accept that science is the only criterion on which to decide about GM.

The position of those who argue for the commercialisation of GM crops in Britain would be greatly strengthened if the science review were comprehensively reassuring about GM foods and crops, but it is not. Importantly, for the first time in a review of GM science the lead was taken from expressed public opinion, and uncertainties and gaps in knowledge were documented. The review demonstrated that in all the areas that it covered, from human health to the environment, scientific knowledge on the potential impacts of GM food and crops is limited and uncertain and that harmful and irreversible effects may occur. When I read the report, I expected that many of my concerns would be seriously challenged and that my arguments would be undermined, but they were not. In every chapter, evidence that gave confidence to the case for GM was soon followed by evidence that a continuing lack of knowledge presented risks.

It is worth recalling a few of the statements in the GM science review that emphasise our lack of knowledge in areas that are not trivial. For example, it states that although existing evidence on animal and human health indicates a lack of adverse effects, there is uncertainty about the extent of any hidden adverse effects that might

"be too mild to detect, have a very low incidence or a long gestation period."

It states:

"It is still largely unknown what happens to Bt toxins in non-target herbivores."

It states:

"It is hard to predict the impacts that GM antifungal/antimicrobial crops might have on soil organisms and processes."

It also declares:

"A large area of uncertainty is the way in which the different factors in determining co-existence will combine at a commercial scale".

On gene flow, it states:

"Although there are uncertainties about the scale and variability of crop to wild relative (and indeed crop to crop) gene flow, the major gaps are in understanding the potential consequences of gene flow."

The science review also reminds us of the unpredictable nature of GM:

"The process of genetic modification theoretically has the potential to create unanticipated alterations in the levels or nature of toxic plant metabolites".

I will now point to some of the uncertainties in greater detail. In a recent parliamentary answer to a question of mine, the Minister with responsibility for public health told me that in research using seven human beings

"to examine the potential for horizontal gene transfer from GM food to gut bacteria ... No intact DNA was shown to be transferred".—[*Official Report*, 6 November 2003; Vol. 412, c. 782W.]

Will my hon. Friend the Minister confirm that the volunteers were fed only one meal of GM soya, and that there was evidence that a part of a transgene was transferred to a micro-organism?

My hon. Friend will know that the science review concluded that there was no difference between the fates of transgenic and natural DNA. Can he point me to any studies that allow us to draw such a conclusion? Can he also tell me what research has been conducted on humans and farm and laboratory animals on the transfer of transgenic DNA from plant material to micro-organisms in the mouth? What evidence of gene transfer was identified, and did the gene construct used affect the outcome?

As I said, the science review acknowledges many uncertainties, yet it is repeatedly reassuring about the GM foods and crops already approved. It states that

"testing the composition of the new crop, food or feed in its entirety in feeding studies"

provides "a double safety check."

Elsewhere, it is stated that such testing

"is done by undertaking typically a sub-chronic 90 day rat feeding study".

That is reassurance until one reads the research, undertaken for the Austrian Government, that reviews 11 GM plant and food dossiers submitted for European approval. That research was not considered by the science review, but has been submitted to the comments website by a group of NGOs—Econexus, the Five Year Freeze Campaign, GeneWatch UK, which has helped me with my research, Greenpeace, Friends of the Earth, and the Soil Association.

[Joan Ruddock]

Although the science review refers to testing new crops, food or feed in its entirety, the Austrian analysis of EU applications concluded:

"Data on the toxicity of the whole GM"

plant

"are not provided in any dossier."

Yet the science review says:

"The stringency and consistency of application of the regulatory evaluation and oversight are essential for securing public health standards and confidence."

Furthermore,

"If the new gene product or endogenous plant metabolites were not as intended they could potentially lead to toxic, allergic or antinutritional effects."

The Austrian report notes that in reality,

"Potentially toxic effects resulting as a secondary effect from the gene insertion are not considered in any case."

We might conclude that those deficiencies in the process have been found too late to deal with food and crops already approved, but the scandal is that only yesterday our Government gave their support for Bt11 sweetcorn—Bt stands for Bacillus thuringiensis—tested under those very procedures. Can my hon. Friend the Minister tell me why, in light of the Austrian study, the Government are minded to give their consent to Bt sweetcorn?

In this short debate, it is not possible to follow through on the fascinating and well-written 250-page science report. I will restrict my comments to one further source of uncertainty. My hon. Friend the Minister recently answered some parliamentary questions of mine on the persistence and invasiveness issues, and rightly pointed me to the science review's deliberations. Perhaps at that time he had not seen the response of English Nature to the review. In that response, English Nature questioned the reliance on a sole set of experiments, the PROSAMO—Planned Release of Selected and Modified Organisms—experiments, which suggest that the current generation of GM crops are unlikely to be invasive.

The conservation bodies point to other work that throws the underlying assumptions into question. What is my hon. Friend's response to that criticism by English Nature? Can he tell me what research has been conducted on the invasiveness of GM herbicide-tolerant and other GM crops inside arable systems that use herbicides and fertilisers?

My hon. Friend will be aware that, throughout the review, great emphasis was placed on a case-by-case analysis. That is obviously highly important in relation to invasiveness. Can he say whether any of the long-term studies of invasiveness involve exactly the same GM crops—the same GM lines—as were tested in the farm-scale evaluations? What does my hon. Friend consider is the significance of the fact that the Canadian authorities have made Roundup Ready canola one of the country's top 10 weeds?

In conclusion, I congratulate the Government on commissioning such an extremely important review. I have asked only a few questions; other hon. Members will have many more. I am certain that the available evidence and its interpretations are still contentious. Questions, such as whether we should proceed with GM food and the commercial growing of GM crops in this country, remain unresolved. The science review does not give a green light to GM food and crops. In particular, it gives no basis for hasty decision making. Why, in the face of such uncertainty, should we place the importance of making a decision about GM foods and crops above getting on with the vital task of pursuing a policy of sustainable agriculture and safe and nutritious food, which has been so well developed by the Government?

9.41 am

Mr. Robert Key (Salisbury): I congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock) on calling for the debate. It is a pleasure to see my hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale) here. I congratulate him on his new position in the unbeatable line up.

The hon. Lady seems to live in a world of certainty, which is one of her problems. She thinks that, when scientists say that matters are hard to predict or that there are areas of uncertainty, it sometimes nullifies all scientific progress. Well, not in my book.

Joan Ruddock: Will the hon. Gentleman give way?

Mr. Key: Good grief, no. Not at this stage.

I find the hon. Lady's attitude to such matters so negative that I think that she is a red flag walking in front of a train. I must draw attention to my entry in the Register of Members' Interests. The way that media and pressure groups have portrayed the various studies that have been produced by the Government does not do justice to those studies. In a year in which the planting of GM crops throughout the world exceeded twice the area of the United Kingdom, we must consider carefully what the studies have meant.

Leading up to the science review, the strategy unit economic review concluded that there were many potential benefits for genetic modification. It said that existing crops that offer cost and convenience advantages to United Kingdom farmers will be available, that future developments in GM crops have the potential to offer more wide-ranging benefits to farmers and consumers and that possibilities included GM crops with agronomic benefits more suited to the UK. The review pointed out that GM crops could deliver direct health benefits and that the overall balance of costs and benefits will depend on public attitudes. We are engaged in a battle for public attitudes.

The strategy unit recognised that, although economic benefits to the United Kingdom are likely to be limited in the short term, that was due mainly to the relatively minor status in the UK of the crops currently being considered and would increase considerably when traits suited specifically for the UK and GM crops, such as wheat, were available. It is worth noting the limitation of benefit that the unit identified was due to the limited market and public perception, not to the fact that the intrinsic economic benefit of the crop was low.

The science review was extremely positive. It concluded that, globally, there have been no observed detrimental health impacts as a result of the introduction of present GM crops and GM foods. The science review was based on a wealth of accumulated

peer-reviewed scientific evidence and nearly 700 publications. It stated that there were no expected or observed detrimental health impacts from the introduction of present GM crops and GM foods. It went on to say that genetic modification, as an option for developing crops, was as predictable and reliable as other crop breeding methods, that DNA—or genes—were a safe, normal component of food regardless of origin and that a case-by-case assessment is essential for GM crops. It said also that there was no evidence that current GM crops would become "super weeds", and concluded that

"they were very unlikely to invade our countryside or become problematic plants."

Finally, the science review concluded that the current herbicide-tolerant crops envisaged for the UK offered increased flexibility and an improved environment profile of weed control.

Mr. David Drew (Stroud): Does the hon. Gentleman accept that the problem of a case-by-case analysis according to scientific evaluation is that it is dangerous to allow particular parts into the food chain until we know the full impact of GM?

Mr. Key: No, I do not accept that view. The report also concluded that the UK and Europe have a very strict science-based regulatory regime, which ensures that today's GM products are at least as safe and nutritious as their non-GM equivalents. Biotechnology companies support such science-based reviews, which lead to a better understanding of the true impact—that is, the risks and benefits—of GM crops within the UK and globally. They welcome the science review's important contribution.

Reports on the "GM Nation?" debate, focused almost entirely on an uncontrolled and self-selecting sample and paid little attention to the check of the focus group survey. That was interesting, especially as Professor Malcolm Grant—the chairman of the Agriculture and Environment Biotechnology Commission—commented publicly that the wider self-selecting arm of "GM Nation?" was not representative of the UK public. We knew that of course and we should not assume that such an organisation is representative of the public.

Although participants had concerns, the more representative focus groups also saw the positive benefits of GM crops in providing cheaper foods, helping British farmers and improving the environment by reducing inputs, such as pesticides and fertilisers. There was also the possibility of significant medical advantages, and that GM could help developing countries. Interestingly, a comparison of samples of people from the focus group with samples of people from the "GM Nation?" debate showed that when it came to helping developing countries only 12 per cent. of people in the debate, as opposed to 55 per cent. of the focus group, thought that that was significant. Only 15 per cent. of those involved in the GM debate, as opposed to 52 per cent. of the focus group, thought reducing inputs was important. When it came to helping poor old British farmers, only 10 per cent. of people in the GM debate, as opposed to 48 per cent. of the focus group, thought that that was important.

When the results of the farm-scale evaluations were added to the above reports, it suggested that none of the reports should be viewed in isolation. The farm-scale evaluations confirmed what industry had long argued: the flexibility of GM crops allows them to be grown in a way that benefits the environment. I have seen that myself. I spent a day at Brooms Barn and saw what was being achieved in the sugar beet experiments. I came to understand the issues, which were different from what I thought they were until I went to see for myself. I subsequently read the scientific review of the Brooms Barn experiment and the reports in the press, but the latter bore little resemblance to what the science suggested in the report itself.

Pressure groups claim that GM crops are, in effect, green concrete and would wipe out wildlife. The farm-scale evaluation results showed that that was scaremongering and not supported by the facts. On the contrary, the evidence reiterates that commercial experience around the world shows that GM crops are more flexible and can enhance biodiversity. It is also important to remember that the farm-scale evaluations were not putting GM on trial. As the statement by the scientific steering committee said:

"The researchers stress that the differences . . . were not a result of the way in which the crops were genetically modified. They arose because these GM crops gave farmers taking part in the trial new options for weed control."

What was significant was not GM versus conventional farming, but different approaches to crop type, herbicide use and management practices. That research highlighted that the impact on biodiversity is all to do with how crops are grown and how farmers control weeds. When a person wants to grow a high-quality, safe, affordable food, they have to control weeds that would otherwise degrade quality, safety and affordability.

After the most intense year of debate and investigation we have expanded proof of the economic benefits and safety of GM crops and there is no evidence of health or environmental risk. There is a good argument, based on the scientific evidence, for moving forward with the responsible, case-by-case introduction of GM crops to the UK under our robust, safe regulatory system. If the Government decided to proceed, they would allow UK farmers and consumers to benefit from the choice and flexibility offered by GM—that is denied them at present.

9.51 am

Mr. Michael Meacher (Oldham, West and Royton): I congratulate my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) on securing the debate, on her wisdom in seeking to direct questions and intelligence to the Minister, and on giving him ample time to reply. I shall also be fairly brief, although I am tempted to reply to various points made by the hon. Member for Salisbury (Mr. Key), who spoke on behalf of the National Agricultural Biotechnology Council.

The science review is an excellent, pretty balanced, wide-ranging report, but it did say this: first, there was no test of the health impacts on humans of eating GM foods; secondly, the environmental testing was limited and the long-term cumulative impacts on the environment were not tested; and thirdly, no coexistence

[Mr. Michael Meacher]

framework existed and it would be irresponsible to proceed to the commercialisation of GM crops until there was one.

I have one or two questions on health and the environment. Replies from the Department of Health to parliamentary questions confirm that it has not commissioned any research to look at horizontal gene transfer from GM to gut bacteria—why not? I take it that the answer to that question is that the Food Standards Agency conducted a small study that found:

"No intact DNA was shown to be transferred to intestinal tract bacteria."

I should like to know why the Government continue to use that evasive FSA formula, which I believe is highly economic and selective and says that

"'transgenic DNA is no different from other DNA consumed as part of the normal diet and it will have a similar fate'."—[*Official Report*, 6 November 2003; Vol. 412, c. 782W.]

I should say that trial data from the Newcastle trial

"clearly show that measurable amounts of the full length transgene survived in the gut demonstrating that food processing and the acidic environment of the stomach were not able to completely destroy food DNA. Additionally the experiment on the digesta samples confirmed that full length and active epsps genes had transferred to gut bacteria. It should be noted that those taking part were fed only ONE meal consisting of a deep fried soya burger and a milk shake—" *[Interruption.]*

I make no apologies for the diet. I simply report what happened. As a result, the experiment

"fails to address possible cumulative effects of antibiotic resistance gene building up in gut bacteria or the effect on the digestive tract of the release of other GM products (e.g Bt toxin)."

My objection is that the FSA responded by saying that that was nothing new and that there was no risk to human health. I believe that both those statements are inaccurate.

Dr. Phyllis Starkey (Milton Keynes, South-West): Is my right hon. Friend suggesting that DNA from transgenic organisms is more likely to transfer to other organisms than non-transgenic DNA?

Mr. Meacher: No, I am not suggesting that it is more likely to—the key point is whether it does transfer. Prior to the Newcastle study, scientists and, I think, the biotech industry, believed that that would not happen. They were amazed when it did. That is why it is so dishonest to pretend, as the FSA did, that there was nothing new about the experiment. It was astonishing, and produced the exact opposite of what was expected. The normal scientific response in such cases is to say, "This may be a freak result. I do not know whether it is. We will replicate it by further extensive testing." That is not what has happened. The result has simply been dismissed and pushed under the carpet. That is wrong.

Furthermore, the trial data also show that

"the CaMV promoter which drives expression of the GM genes is known to be highly active in bacterial hosts. Therefore, if transferred intact to gut bacteria, as has been shown to be possible by the Newcastle study, CaMV-GM genes will function efficiently and release their products into the gut with still unknown immunological and other health consequences".

What conclusion do the Government draw about the implications of that? Additionally, the data show

"no simulations of conditions that compromise normal digestion (e.g. diarrhoea) were tested to determine if GM Antibiotic Resistant Marker gene-containing bacteria could then be released into the environment."

That is a serious issue, which makes it clear that we need much more extensive, direct health testing. Does my hon. Friend the Minister agree?

On the environment, we all know that the environmental testing in the farm-scale evaluation trials, although well executed and undertaken—I have no objection there at all—was limited and confined to herbicide management, as was confirmed by the science review. What action are the Government taking to have further environmental testing on soil residues and bird populations? If farmers in a normal market situation sought to maximise commercial yield and not minimise environmental impact, as happened in those trials, what would be the impact on the environment? That, in particular, is a key issue.

The Government made it clear—I know this because I made it clear when I was in government—that if there were a risk to the environment, they would not license GM crops. Does the Minister accept that the evidence required to meet the Government criteria is absolutely irrefutable with regard to oilseed rape and beet? Do the Government therefore accept that, at least in respect of those two, there is no need for further evidence to reach a decision?

On maize, does my hon. Friend accept that, as has been widely said, the trial has been flawed by the use of atrozine—it has now been banned so it is no longer a valid comparison—by those growing conventional maize? Does he also accept that on the other side of the equation—the GM side of the field—the test was also invalidated by the fact that Bayer CropScience told its farmers that they should spray only once? It no doubt intended more weeds to return, which would be good for wildlife, and the environmental effects to be minimised. Does the Minister accept that in Canada there are never fewer than two sprayings and that sometimes there are three? Again, the result is invalidated. Will he confirm that in the beet trial the bolters were removed every two weeks on the GM side? That is totally contrary to normal commercial practice, in which the bolters might be removed—to reduce cross-pollination—only once in the whole season.

The most recent re[illegible]on GM oilseed rape gene flow indicates that it is inevitable in the case of weedy relatives, such wild cabbage, and is likely to be on a much bigger scale than we thought. Does my hon. Friend believe that if such hybrids become established or become a serious problem, they will be able to be controlled or eradicated? What evidence is there to support claims that hybrids could be controlled?

My next point appeared in the science review and is very significant. In modelled arable systems of two years of winter wheat and one year of winter oilseed rape, with no attempt to control the feral population after the first harvest, it took 16 years after the initial oilseed rape crop for impurity in yield to fall below 1 per cent. Even if there was firm control, it took five years. Would that not have a serious implication for British agriculture if we were to proceed to commercialisation? What research

has been undertaken into the control of oilseed rape volunteers by farmers? In Canada, they are now regarded as one of the top 10 weeds and the Canadians are fearful that if we have GM wheat, things will become worse. What levels exist at present and would the need to control GM volunteers lead to detrimental impacts on wildlife?

I have a host of further questions. Perhaps my hon. Friend will try to answer some of them now and the rest in a letter, which I hope can be put into the public domain so that a fuller understanding of GM science, which is in the interests of all, can be secured.

10.2 am

Mr. Simon Thomas (Ceredigion): I congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock) on securing a debate that focuses on perhaps the most important aspect of decision making on the future of the commercial planting of GM crops in the United Kingdom. I was fortunate to secure a debate on the wider topic of GM food a couple of months ago, so I will confine my remarks to a few questions to the Minister, to which I hope that he will take the opportunity to reply.

I want to pick up where the right hon. Member for Oldham, West and Royton (Mr. Meacher) left off on the scale of the field-scale evaluations. The scientific review is of great importance to decision making. One of the key questions that comes out of the review is whether there have been the sort of results that the Government had in mind—although a different Minister was involved at that stage—when they said that if there was environmental harm from the planting of GM crops, they would not license those crops. The question must be: do the results indicate that sort of environmental harm? We know about the difference in the results, particularly with beet and rape, but the question is whether the Government think that those results are in themselves significant. They have yet to say yes or no to that question and if we can get one thing out of the debate, it should be that.

Two points follow on. What measurements of yields were made during the field-scale evaluations? My understanding is that none whatever were made.

The Minister for the Environment (Mr. Elliot Morley): There are so many questions that I do not know whether I can get through them all in the short time available. I will answer some before they slip my mind. There was a detailed scientific assessment of yield and that has been published as a separate scientific paper. My understanding is that the actual maize crop was managed in normal commercial circumstances.

Mr. Thomas: I thank the Minister for that reply, which leads to my second point. I understand that the herbicide regime will not be legally available. We have been told that the Liberty-atrozine regime will not be the commercial regime for the future.

Mr. Morley: That pesticide has not been approved. An application would have to go through the normal pesticide pathway for approval, which is not happening at present.

Mr. Thomas: I thank the Minister for clarifying those matters from his perspective. There is still the question whether growing maize under the field-scale evaluation regimes is a commercial option. I hope that he will say whether the Government considered environmental harm when they set up those evaluations.

Will future developments occur on a case-by-case basis? We have two options. First, we can say that there are severe doubts about some aspects of some GM crops and that we will not therefore progress with their commercialisation. Secondly, we can say that the results were mixed for maize, beet and rape, and that every single GM crop will go through a field-scale evaluation. I understand that the industry is not desperate to sow many more GM crops in the United Kingdom, but whether that will be done on a case-by-case basis or whether the results are sufficient to take forward the commercial planting of GM crops is a point of principle for both us in the United Kingdom and the European Union.

Mr. Drew: That is one of the crunch points. It is possible that individual companies will go to individual countries within the EU to try to prove that there is every reason to license their crops. What will that do for countries that may not want to license such crops in the EU? In that case, the science would become irrelevant.

Mr. Thomas: The hon. Gentleman makes an important point. The chair of the review body examining the evaluations, Professor Chris Pollock of the Institute of Grassland and Environmental Research in Aberystwyth, said that the results are applicable throughout the European Union. My question to the Minister is how will the Government interact with other European Governments? Do the results mean that maize is okay in the UK and is therefore okay in every other country?

My final question to the Minister is on the European dimension. I do not know whether he knows this but at the end of last week the Welsh Assembly Government joined with 10 other European regions to declare themselves the network of GMO-free regions. Those regions include Wales, Upper Austria, Tuscany, Aquitaine, the Basque country, Limousin, Marche, Salzburg, Schleswig-Holstein and Thrace-Rodopi.

Michael Weir (Angus): Does the hon. Gentleman feel that those regions and nations have enough power to declare themselves GMO free? He mentioned Upper Austria, which is taking legal action against the decision that it cannot declare itself a GMO-free zone.

Mr. Thomas: That is an important point, which I want to put to the Minister. When Franz Fischler came to Wales in the summer to visit the Royal Welsh show, he said that it would be possible for regions to ban GM if there was evidence of harm. Do the field-scale trials provide such evidence? The 10 regions do not include Scotland, but no doubt the issues will be explored there. What will the Government do at a European level to ensure that Wales, and Scotland if it so chooses, can continue its GM-free status? The Welsh Assembly Government's statement was an important statement of principle and of public view, which was based on the precautionary principle. I think that they would say that some of the findings of the evaluation support what they did in that regard.

[Mr. Thomas]

My final question comes down to the nitty-gritty. What will the Government do regarding co-existent regimes, in relation to their own policies and those in Wales? The Welsh Assembly Government and the National Assembly for Wales are very concerned about the impact of GM crops on the organic sector in Wales. We have a bigger organic sector than the rest of the United Kingdom. It is an expanding sector: a new organic plan for Wales is being discussed at this moment and will be launched by the end of the year, which will put Wales at the forefront of organic growing throughout the whole of western Europe.

The planting of GM crops has obvious implications for organic agriculture and the key will be any co-existence regime. I want assurances from the Minister that he will be prepared to bat for Wales based on what the Welsh Assembly Government want from a co-existence regime, and he will ensure that those matters can be implemented in Wales in the way that the Welsh Assembly wants.

The key to the whole debate is how we will be able to work together at a European Union level and how we can use the information from the field-scale evaluations to make some hard decisions based on environmental harm and the precautionary principle. We must ensure that that is done transparently and in a way that does not make the public lose some faith in food safety and the environmental concerns of the Government.

I congratulate the Government on having the evaluations—they were very important—but they have thrown up as many questions as they answered. I want the Government to give at least some of those answers later this morning.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Before I call the next speaker, I remind hon. Members that if the Minister is to be interrupted at two minutes to eleven, it is all the more important that the winding-up speeches start no later than 10.30 am.

10.11 am

Dr. Phyllis Starkey (Milton Keynes, South-West): I want to concentrate on the field trials that feed into the science review and make several general points. First, I welcome the fact that the field trials were completed because they have provided a wealth of information that is being used on both sides of the argument. I hope that those who tried to disrupt the trials are now thoroughly ashamed of themselves and an apology to the public at large would be extremely helpful. For those people to try to prevent evidence from being collected discredited their opposition to GM crops. I am glad that the evidence has been collected, despite their efforts.

The field trials were the largest investigation of farm ecology in the world and as such, they pose some rather interesting questions about British agriculture, which are much bigger and more important than the debate about GM crops. The key data that came out of the field trials showed that the most important issue was not whether a crop was GM or not—although there were significant differences between the GM and non-GM crops. The key issue was that of the crop—whichever it was—and the regime under which it was grown. Where it was grown in the UK seemed to be pretty irrelevant: it did not seem to make much difference. That demonstrates that we should have had such trials before GM came into view because they allow the public to have a clearer view of issues of agricultural practice and the decisions that have to be taken.

The trial clearly demonstrates that to talk of banning or not banning GM crops is to miss the point. The debate has to be conducted on a case-by-case basis because the issues are different with each crop. I will cite some figures to demonstrate that it is the crop that matters, not whether it is GM or not. If one considers beetle numbers—I do not know what sort of beetle was counted—1,707 were collected in a year from conventional sugar beets, whereas 1,576 were collected from the GM crop. That is a significant difference, but it pales into insignificance compared with the counts for conventional and GM maize, which were half that. The differences between maize and beet were hugely greater than the differences between GM and non-GM varieties. One finds similar differences throughout.

The crucial factors are the crop and the herbicide. I regret the fact that the first GM crops to be tested were all genetically modified for herbicide resistance, because those crops are the most contentious. Had the manufacturers had the sense to introduce a GM crop with rather more obvious benefits to the consumer, the debate would have been hugely different and more balanced.

The field trials concentrated on three crops—maize, beet and rape—that are relatively unimportant in the UK anyway, in that they cover only 10 per cent. of UK arable land. The trials did not deal with wheat, which covers 50 per cent. of arable land and, whether GM or not, is almost certainly the most inimical to biodiversity because of the way it is cultivated. The value of the crop is hugely diminished if it contains any weed seeds.

Essentially, the field trials also gave no information on the effect on the environment of crops for which herbicide resistance has been gained by conventional plant breeding methods. I suspect that they are just as inimical to the environment as GM crops. Again, that shows that we are arguing about the wrong thing. We, the British public, ought to be arguing about agricultural practice in the UK and what we are prepared to pay for it. We are not really talking about those crucial questions, which I wish to highlight.

The field trials should help the British public to start a proper debate about agriculture in this country—about whether we want a more biodiverse countryside and if, as taxpayers, we are prepared to compensate farmers so that, essentially, they look after the countryside rather than maximise their financial yield. We must decide whether we are prepared to pay farmers to create and maintain a biodiverse countryside and to compensate them for the fact that they will get a low financial return on crops that have a high weed content. Do we want to pay them to reduce the area under cultivation for crops that of necessity provide a regime that is inimical to biodiversity and wildlife, or to leave greater areas of land uncultivated to create biodiversity?

Those issues are hugely more important than the relatively unproductive debate about GM and non-GM crops. I hope that people will use the interesting field trials results to move on to much bigger questions about the way in which British agriculture operates.

Mr. Deputy Speaker: Order. I correct myself. The Minister will be interrupted a mere 15 seconds before 11 o'clock. None the less, it is still desirable that winding-up speeches begin at 10.30.

10.18 am

Dr. Ian Gibson (Norwich, North): I shall be brief to allow my colleagues to speak. I congratulate my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) on raising the debate and other colleagues on turning up today. This serious subject is really about science, the public and the Government and getting the whole mix together so that we can have a proper debate.

As my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher) was speaking, I was tempted to challenge every conclusion that he made about every experiment, but that would be being a clever Dick. There will be another time and place for tnat. Sound science is an interesting concept. I have no knowledge of sound science, because there is always someone who will argue until the cows come home about how to interpret an experiment. There are usually various interpretations. The phrase "sound science" dribbles off the tongue, as if science gave the ultimate answer. It does not. It gives part of the answer, and that is how we should view the issue.

This debate always has been and will continue to be polarised. Let us consider the link between mobile phones and radiation. I wonder whether mobile phone technology would have been developed had we known about that. We must consider how the public perceive certain technologies at different stages in their development, and how opposition to them is conveyed. There is more evidence against the safety of mobile phones and telecommunications masts than there is against GM in scientific publications.

There has been a lot of hot air from both sides. It is completely untrue to say that because of the anti-GM culture, bioscience people are flooding out of the country to work elsewhere; there are more people entering this country because plant biology is about not only GM but many other things. The Biological and Biotechnological Science Research Council has put £56 million into that area. An institute in Norwich tells me that many bright young people destined to be stars have come over from Australia and the United States.

My hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) said that the debate was the wrong way round and that by focusing on one technology it becomes a lightning rod for a never-ending list of hypothetical concerns. We should start with the overarching problems in the long term and work back to the science and technology. It would bring together all the stakeholders to co-operate rather than produce the inherent dialectic of being for or against a specific technology. We should determine what science and technology could contribute towards a solution and identify the policy needed to facilitate the process.

The major remits ought to be the consideration of what level of photosynthetic production is sustainable in this country and in the world; how much we should share with other species; and how we obtain global food security with a technology-delivery window of 20 or 30 years hence if Australia's harvests are disastrous, eastern Europe has low grain reserves, Africa has a food deficit, global food deficits occur by 2020, there is little new prime land because of spoilage, and global climate change takes effect. We should discuss all that, not only one aspect of it, and then we might not need GM technology because science might develop in other ways. I doubt that it would because a lot of gene technology has developed in biomedicine, and it has been accepted because one can prove the benefits of developing new insulin and new drugs, and that does not worry people.

We should initiate a risk-benefit analysis, which does not exist in GM. It is a difficult concept that cannot be dealt with in this debate. The GM science review seems to suggest such an analysis. Many people on the review took up polarised positions and it was magnificent that they produced that document. It was like a Select Committee report: a minority report could have been produced but it was not. It is a very thoughtful document and it should be taken seriously.

The Science and Technology Committee will reassess the evidence. Tricky decisions must be made and there is a lot of research to undertake, as other Members have mentioned. We should be less vehement in our opposition to each other and we should discuss the wider context. In that way, science and technology will benefit, and it will not lead to an anti-science and technology culture, which sometimes seems to be around the corner.

I welcome the fact that the debate is now enjoined. I have sat on the Royal Society's committee for the public understanding of science and it has been very difficult to talk to the public about the issue. I am not convinced that the people who were consulted could be considered ordinary members of the public; I know who they were and they were drawn from polarised organisations and positions. That is not the way to engage in public debate and we have lots to learn. We should step back and consider the issue in less of a hothouse atmosphere.

10.24 am

Alan Simpson (Nottingham, South): I congratulate my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) on securing the debate. I also congratulate the Government on holding the science review in the first place. It is easy to lose focus on the importance of the UK position, given that we lead the international debate on what science can tell us, what the limits are of what we know and what we do not know. I hope that my hon. Friend the Minister will respond to our questions. We should be admiring and praising the Government for conducting the science review. It has put us way ahead of almost any other country and places us in the unique position of defining the next set of issues that we will have to address nationally and internationally.

The Minister knows that I have raised several issues with him in written form, a couple of which I shall focus on today. I refer to co-existence and what we know about the evaluation techniques in the science of

[Alan Simpson]

unintended consequences. As a benchmark, I want to say that GM is different from commercial plant breeding. It is not simply another form of it. There are risks and downsides in the production of many plants and the over-consumption of different food types. The difference with GM is that, with other conventional plants, we have inherited and accumulated knowledge that has been built up over 1,000 years. We are discussing a revolutionary technology and we do not know the consequences of some of the risks that go hand in hand with that. Will my hon. Friend the Minister say how we are attempting to put in place the benchmarks of a science that is about assessing and evaluating the risks associated with the revolutionary step change in what technology can offer?

Unlike mobile phones or the A-class Mercedes that fell over when it went round corners, it is difficult to identify a product recall mechanism when commercial approvals have been given to the system. I wish to ask the Minister a couple of specific questions about the stage at which the science is now. Has he read the two most recent studies on oilseed rape that were published in the UK during the last month, one of which was undertaken by Warwick et al and the other by Wilkinson et al? Both studies raised extremely important issues about the movement of genes between species. As my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher) made clear, the industry had denied the prospect of horizontal gene flow. We now know that that is not only a prospect, but a reality.

The study carried out by Warwick produced the evidence that transgene escape from oilseed rape to a wild relative from a commercially released crop was a measurable reality. Now that we know that, we need a science that is capable of evaluating where that goes and the risks that it entails.

Dr. Gibson: Does my hon. Friend agree that there is also gene release in more conventional crops? That is how hybrids are achieved in nature.

Alan Simpson: I understand what my hon. Friend is saying. My point is that we have never before experienced a widening of the gene pool that has not been controlled by nature. We have a science that is capable of crossing all the frontiers that nature has set. We need a measuring process that is up to evaluating the risks that that leap forward can carry with it.

I come now to the connected issues raised by Wilkinson et al, which was published in last month's issue of *Science*. It shows that 32,000 hybrids between oilseed rape and the waterside form of wild turnip form each year and that there are 17,000 with the weedy population, primarily wild cabbage. The study showed that, if oilseed rape were grown, genes from bacteria and viruses could be introduced into the gene pool. That is the risk element—the uncertain area—in which we could become involved. We are not denying that nature has itself been responsible for the maintenance and change of the gene pool evolution. We are talking about the risks of a scientific revolution. The issues that we must understand and evaluate relate to the consequences of that revolution for both human and environmental health.

Dr. Starkey: Does my hon. Friend accept that the way nature controls the situation, as he puts it, is through natural selection, which, as it relates to non-genetically modified organisms, operates against genetically modified organisms? If organisms do not have a select advantage in the wild environment, they will be wiped out by natural selection.

Alan Simpson: I am quite fond of nature's ability to control and regulate the planet. I am worried that the science of what can be done technologically is not matched by the scientific evaluation of the consequences for society. We need to know whether we are introducing the risk of new susceptibilities to bacteria and viruses. It worries me that industry has been good at producing scientific breakthroughs and then doing a runner when the cost of the damage becomes clear to society.

Will the Minister carefully consider the comments in the science review on the phrase "no evidence"? Will he take on board the recommendation made last year by the United States National Academy of Sciences that the US Government should not use the term "no evidence" in their environmental assessments? It added:

> "The term 'no evidence' can mean either that no one has looked for evidence or that the evidence provides contrary evidence. Lack of evidence is not typically useful in making regulatory decisions about risk".

Given the Minister's comments about the science of uncertainty about our current knowledge limits, can he tell us what new regulatory framework will be introduced to undertake clear risk assessments before he even contemplates commercial approvals?

10.32 am

Andrew George (St. Ives): I, too, congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock) on securing this debate. She hoped that we would all speak as briefly as possible in order to give the Minister ample time to answer the myriad questions that have been thrown at him, so in the spirit of that request, I shall do my best to keep my remarks brief.

The hon. Lady and the hon. Member for Milton Keynes, South-West (Dr. Starkey) emphasised the distinction between the views of those who are often characterised as anti-GM—people who roll around in fields wearing spacesuits and oxygen masks and take a luddite view—and what today's debate has been about, which is a healthy and responsible scepticism based on the uncertainties that the scientific debate has thrown up thus far. The debate has uncovered the fact that the more that we understand the subject, the more questions and uncertainties arise, and I hope that the Minister will address some of those questions.

When crucial decisions need to be made, I hope that it is recognised that we are far from having an adequate picture, and, in light of the evidence so far, I hope that they can be put off. I do not think that we will ever have the whole scientific picture, but an adequate picture, rather than the current piecemeal approach, will help to advise the Government and the Council of Ministers

when they take their decisions. Yesterday, there was a classic example when the regulatory committee considered Bt11 sweet maize; it could have made a decision yesterday that could have started us down a particular route.

What concerns me and many hon. Members is that there has been insufficient debate in the House. We have had the "GM Nation?" debate in this country, but so far, limited scientific evidence has been brought forward. We might be sleepwalking with small, incremental steps towards making a significant decision, although there has not been adequate opportunity for that decision to be taken on the big stage. Instead, it will have been taken through the back door. That is what worries me. I am pleased that the regulatory committee has put off a decision until at least December; more evidence is required.

Many hon. Members pointed to the significant difference between medicines such as thalidomide, which, having been released into the market place can later be withdrawn, and GMs, where, the decision having been made to release them into the environment, it is largely irreversible, as the Canadian example shows. The fundamental point, which I hope that the Minister will take on board, is that we want reassurance that decisions will be taken only once we have an adequate and full picture of the science, rather than irreversible mini-decisions being made elsewhere.

The hon. Member for Ceredigion (Mr. Thomas) raised questions about GM-free zones. I would be interested in the Minister's response to the fact that in October, following the FSE results, the health and consumer protection commissioner, David Byrne, is reported to have said that

"the threat to biodiversity would be treated as a matter of subsidiarity and therefore individual member states could make their own decisions"

in respect of GM-free areas. Perhaps the Minister would like to reflect and comment on that.

I was interested to find that the GM review threw up a lot of points of uncertainty. For example, it concedes that

"where a GM allergen was not recognised in regulatory screening, and its effects only emerged in the longer term, avoidance of the allergenic protein by the consumer could be difficult, because they would not be able to recognise its presence in the foodstuffs."

It also says that

"the complexity of the safety assessment process"

is "likely to increase" with the development of second-generation GM crops.

The review states:

"Our relative lack of knowledge about ... factors that are important in sensitisation and eliciting an allergic response"

means

"that we should exercise caution when assessing all new ... foods",

including foods and animal feeds derived from GM crops. On the environment, the review says:

"We do not have an exact understanding of what changes in a plant's life history will affect its invasiveness ... there is a need for larger, more agronomically realistic studies to be undertaken to demonstrate absence of harm to non-target organisms."

There are many questions that have been thrown up by the science review. I hope that the Minister will take them on board.

Like other hon. Members, I congratulate the Government on setting up the review panel. I know that, as the hon. Member for Norwich, North (Dr. Gibson) said, there is great polarisation within that panel, and it has done well. At what point does the Minister believe that the Government will be in a position to make strategic decisions, not simply delegate them to the FSA or others, about what they believe? When will they be able to say what safety conclusions they have come to in respect of GMs? It is clear that the science review so far has to take on the FSA results; there are further results to come next year.

At what point will the science review panel, which is perhaps the best that is available, and the best science forum for this debate, and the Government be in a position to make those crucial decisions? Can the Government reassure us that those crucial decisions will not be taken through the back door in Europe, whether through the FSA or otherwise, until that crucial decision is taken?

10.40 am

Mr. John Whittingdale (Maldon and East Chelmsford): I echo the remarks of other hon. Members by congratulating the hon. Member for Lewisham, Deptford (Joan Ruddock) on initiating this debate on a matter of great public importance. I do not wish to sound too carping a note, but it is regrettable that this issue has yet again had to be debated in Westminster Hall, as a result of the initiative of a Back Bencher. That has inevitably meant that there is not as much time as all hon. Members want for the Minister to provide a full response.

There have been a number of excellent contributions and the wide cross-section of opinion that exists on this matter has been demonstrated. Those opinions are not determined along party lines. However, if there is one thing that everybody agrees on it is that, in order to proceed with the development and exploitation of technology of this kind, it is essential that we have as much information as possible. Whether one is an opponent or a supporter of GM, nobody would disagree that things must be done on the basis of scientific analysis, and that that must be made public so that everyone is capable of reaching a judgment. I agree with the hon. Member for Milton Keynes, South-West (Dr. Starkey) in condemning those who have sought to prevent the further investigation of the possible effects of the exploitation of GM by disrupting field trials. That is something that nobody who is serious about this issue should support.

As hon. Members know, my involvement in this subject is relatively recent. It is less than 24 hours since I was debating the future of broadcasting policy.

Dr. Gibson: The hon. Gentleman is an expert.

Mr. Whittingdale: That is very kind but I am, perhaps, not an expert yet, and for that reason, as well as because the Minister needs to be given enough time to speak, I want to offer a very few preliminary thoughts.

The first question, which everyone must address, is whether we need GM crops at all. The answer is that we probably do not. Nevertheless, evidence is emerging that they have the potential to offer genuine economic

[Mr. Whittingdale]

benefits and an improvement in the human condition. My hon. Friend the Member for Salisbury (Mr. Key) set out some of the areas where this technology might offer benefits. It might benefit the environment by leading to herbicides being used less—or certainly being better targeted. It might lead to the benefit of increased yields, and the consequent prospect of cheaper food, which would have benefits for the third world and the alleviation of starvation. There are also other potential benefits to do with pharmaceuticals and general health.

Nevertheless, this is a technology about which we still know very little. I agree with the Members who pointed out that, unlike with many other scientific advances, with this one when the genie is let out of the bottle it will be extremely hard to put it back in. Therefore, we need to proceed with great caution in exploiting it.

For all the assurances that scientists have given, the public still do not believe their statements. The hon. Member for Lewisham, Deptford suggested that science is not the only criterion that is applicable in this debate. I agree. We have to take into account public concern. We must also accept that the assurances of scientists are now viewed with considerable suspicion. I was in No. 10 Downing street when the Government were saying that there was no available evidence that BSE could pass into the human food chain. I was also there when the Secretary of State for Health said, "Well, Prime Minister, at the beginning of the week that statement was true, but I have to tell you that, as from yesterday, it no longer is." It is unsurprising that people are not going to accept the word of scientists when they have been shown to be wrong in past. There is a real problem with the public acceptance of a vast array of technologies including mobile phone masts, nuclear power, electricity distribution and GM technology.

The debate has focused on the science review and that is certainly an excellent contribution that has generally been positive, as my hon. Friend the Member for Salisbury said. The right hon. Member for Oldham, West and Royton (Mr. Meacher) is, however, justified in saying that although the questions dealt with so far have produced relatively reassuring answers, some have not yet been focused on. Although we can continue to deal with matters that have not been properly dealt with, we still need to pause and ask further questions.

I am also slightly concerned about the general approach of adopting a case-by-case analysis. We need to examine bigger questions such as the overall impact, as the hon. Member for Stroud (Mr. Drew) said. There are various other concerns that we have not touched on in the debate and into which I shall not go today. However, we must tackle the potential impact on a growing industry—the production of organic food—and how we can ensure that consumers have properly informed choice through labelling, and legal liability. The bottom line is that the safety of the technology is not in itself a sufficient condition for proceeding, but it is necessary.

The debate has exposed real concerns that still exist. People still have real questions, even after all the answers provided so far, and the Minister has the opportunity to deal with some of the detailed questions. Accordingly, I shall not speak any longer, so that he has the maximum time to do so.

Mr. Deputy Speaker: I remind hon. Members that I intend to invite the House to observe the two-minute silence. It would, of course, be inappropriate for hon. Members to leave the Chamber until the end of those two minutes.

10.46 am

The Minister for the Environment (Mr. Elliot Morley): I congratulate my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) on securing the debate and on the way she made legitimate points with which we need to deal. The Government recognise that—and so do I. I have some technical answers to some of her very technical points. I shall come to those in a moment.

I also welcome the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) to his new post. I look forward to debating with him on many future occasions. He touched on BSE, which is at the root of many of these problems. There was an erosion of public trust and confidence—that is part of the problem that we face today with new technologies, such as GM. The Government are trying to deal with that by putting much of the decision-making process into the hands of independent bodies. We think that setting up the Food Standards Agency and the Advisory Committee on Releases to the Environment, involving the wider public and being open and transparent, is the right way forward.

I lived through BSE—I was on the Opposition Front Bench at the time, on the Ministry of Agriculture, Fisheries and Food team—and I would not blame the scientists. There was a lot of scientific evidence of trans-species transmission, but the implications for humans were not accepted. I do not believe that evidence is being ignored in the GM debate. There is an attempt to take all the evidence into account. That is the idea behind setting up the science review, the role of which is to bring together all the evidence to be properly evaluated and considered.

I accept the point made by my hon. Friend the Member for Norwich, North (Dr. Gibson). This country has a world-class reputation for science, including plant science. It is true that people, institutions and organisations are keen to be based and work in this country because they will be supported in a range of scientific studies looking at the scientific horizons. That is important; we make no apology for it.

It might be worth reminding ourselves of the conclusions in the first report of the science review. I say "first report" because there is, of course, ongoing research. Some of the points that hon. Members mentioned are being considered in terms of the latest research on a whole range of issues—I shall touch on some of the details later. The first report concluded that although there is no scientific case for ruling out all GM crops, they should not be given blanket approval. The report endorses the Government's precautionary approach to regulating each GM crop case by case. The science review is neither a red light nor a green light for GMs. It is a thorough, neutral analysis of the actual

science. The review raised some comprehensive questions. It states that there are gaps in our knowledge, which we must address. It is fair to say that knowledge is never complete. What matters is whether we have sufficient knowledge and understanding of the risks to make decisions on the risk analysis—a point on which Members touched.

Overall, the science review is generally positive, but it is measured. It is very good and has received a wide welcome. As my hon. Friend the Member for Nottingham, South (Alan Simpson) said, it is also true that we are taking an international lead in the thoroughness of our work. Our work has three strands—the scientific review, the economic review and, of course, the farm-scale evaluations. No other country is carrying out such a detailed and thorough review of GMs.

The science review also says that we should not be complacent in either the risk analysis or the regulatory process, which must match advances in science. Going back to BSE, it is always in the back of my mind that we commissioned the Phillips report, which gave sound advice on examining all risks and not ruling out anything. We must examine everything through science-based and risk-based approaches.

I welcome the comments from the hon. Member for Salisbury (Mr. Key), who has spoken about the matter on a number of occasions. My right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher), my hon. Friends the Members for Milton Keynes, South-West (Dr. Starkey), for Lewisham, Deptford, for Norwich, North (Dr. Gibson) and for Nottingham, South, and the hon. Members for Ceredigion (Mr. Thomas) and for St. Ives (Andrew George) are all involved.

We recognise that there are gaps in knowledge, which we must address. That point is recognised in the science review and by the Government. My right hon. Friend was right to say that the experiment carried out with volunteers by the Food Standards Agency involved only one meal, which was indeed soya burgers and soya milk.

On DNA transfer, the science review concluded that the experiments to investigate the transfer of transgenic DNA from GM plants to bacteria have generated consistently negative results with one exception, which we must examine to determine what it means. The balance of evidence points in the opposite direction, however, and the consequences of transfer have been risk assessed.

It was always assumed that DNA transfer could occur. The studies were conducted on the assumption that DNA transfer in the gut will happen. We must consider the potential consequences and whether any known risks have been identified. That has not been the case so far in these studies. The studies go back to 1996, when the Advisory Committee on Novel Foods and Processes, which was concerned by the presence of antibiotic resistant marker genes, conducted one.

A number of research projects were commissioned by the FSA to determine survival in the gastrointestinal tract and to address the potential for gene transfer in bacteria. The research demonstrates that the risk of transfer is extremely low. One can never say never, but I understand that further work has not identified DNA in bacteria. That work continues, but the FSA feels that that research study's findings were not significant. My hon. Friend the Member for Milton Keynes, South-West is right that the findings were entirely consistent with those for non-GM food and that there is no difference in the transfer of DNA. There is nothing special about the findings so far.

In relation to the Bt11 crop, the Austrian research was published in 2002, so it is not new and it has been taken into account in the evaluations and our own scientific research. The Austrian research is known, and it raises a series of questions rather than coming to a conclusion in itself. Those questions are reasonable and need to be addressed in our scientific review, which is based on the international standards for such research. An attempt is being made to create some consistency internationally in the way that that is done.

Only three objections of substance were made in any of the 25 countries in the EU involved with Bt11. There were a range of issues relating to post-market monitoring and traceability. We are also concerned about that and want it in place before there is progress.

Andrew George: Will the Minister reassure us and explain who was delegated at the regulatory committee yesterday to take the decision due to be taken, and what consultations were made with the Government and other agencies before that decision was taken?

Mr. Morley: There has been detailed analysis of the crop. Sweet maize is not for planting in the EU or UK: it is to be imported for animal feed and processing. That was referred to the normal committees, including the Food Standards Agency, which evaluated it and came to the conclusion that there was no evidence of any risk. That was the basis of the guidance that was given in response to that application.

My hon. Friend the Member for Lewisham, Deptford mentioned English Nature. That organisation congratulated the chair and panel of the science review on producing such a "comprehensive review". It agreed that the research should be conducted on a case-by-case basis, and it also agreed with the panel's view that although risks may be associated with growing some GM crops, there may also be significant benefits for the environment. The organisation raised a number of issues; that is absolutely true. I understand that the science review panel is looking into those points and takes them seriously. We would expect that and there is a representative of English Nature on that panel.

My hon. Friend mentioned invasiveness and there has been a great deal of research on invasiveness in relation to crops: "Environmental Risks of Herbicide-Tolerant Oilseed Rape" published in 1999; "Investigation of Feral Oilseed Rape Populations" in February 1999; "Monitoring large scale releases of genetically modified crops, incorporating report on project EPG 1/5/30: monitoring releases of genetically modified crop plants" in December 2002; and "Consequences for agriculture of the introduction of GM crops" in October 2003. A further project investigating aspects of persistence of oilseed rape is currently underway. Entitled "Factors affecting cross-pollination in oilseed rape varieties, particularly of low male fertility, growing under typical UK conditions", it is due to be completed in 2006. A lot of comprehensive work is going on, which relates to the oilseed rape involved in the FSE trial.

[Mr. Morley]

On the question about Canada and what is classified as a weed, the canola is Roundup Ready canola, which has no approval in the UK or the EU, and the findings of the Canadian experience would guide the regulatory process if there were any application in the EU or the UK. We take that particularly seriously.

On the question about soil asked by my right hon. Friend the Member for Oldham, West and Royton, I understand that studies carried out so far have been unable to detect evidence for horizontal gene flow between GM plants and bacteria in soil. That issue has been considered. As for wild birds, it is difficult to put a study together for wild bird populations unless one has very large GM areas in which to measure. Of course, measuring the availability of food—seeds and invertebrates—in the FSEs can be modelled to give an indication of the impact on wild bird populations. My right hon. Friend will be aware that I have some experience in such areas, so I know how that can be done.

There is not much time to go further into the detailed points, and I shall ensure that written answers are provided for the questions that have been asked.

The debate has been very useful. This was not the first on the subject—we have had several—and, because of the interest, there is certainly an argument for more detailed debates in the future. Taking seriously and addressing the relevant and perfectly reasonable points that hon. Members of all parties have raised will be an ongoing process.

11 am

The Chamber observed two minutes' silence.

D-Day Landings

11.2 am

Mr. David Laws (Yeovil): It is a real pleasure and a great honour to be able to raise this subject on this day at this hour, and I thank those who are responsible for arranging such matters for their foresight and consideration. I welcome the Minister and hope that we can have several useful exchanges in the course of this relatively short debate in order to clarify the Government's policy on and their plans to commemorate the 60th anniversary of the D-day landings on 6 June next year.

I raise the issue not only on behalf of the Liberal Democrats or myself, but on behalf of many Normandy veterans, the Normandy Veterans Association, the British Legion and, of course, as many as 200 Members of Parliament who associated themselves with early-day motion 618 on the subject and many members of the public across the country who feel strongly about the matter. I am grateful to my local paper, the *Yeovil Express*, which arranged a petition to highlight the importance of the issue to veterans.

Mr. David Heath (Somerton and Frome): I congratulate my hon. Friend on an appropriate and timely debate. Does he agree that the significance of the 60th anniversary is particularly felt by those who, now in their 80s and 90s, were participants in the D-day landings, many of whom may not be in the position to make a journey to Normandy in 10, 15 or 20 years' time?

Mr. Laws: I am grateful for the comments of my hon. Friend, who anticipates a point that I intended to make later about the importance to many veterans of the 60th anniversary celebrations, particularly as that will probably be the last major anniversary that many of them will be able to attend. I hope that the Minister will respond to that point.

There is no doubt that the D-day landings on 6 June 1944 represented one of the most significant military engagements in British history. In "The Second World War", Churchill described the landings as

"the greatest amphibious operation in history".

In the same journal, he revealed that Stalin had telegraphed him on 11 June of that year to say that

"the history of warfare knows no other like undertaking from the point of view of its scale, its vast conception, and its masterly execution".

That was a tribute indeed coming from a veteran of the terrible conflicts on the eastern front.

On 6 June 1944, an immense armada of some 4,000 ships and many thousands of smaller craft set off from these shores, supported by the allied air forces and by airborne divisions.

Mr. Adrian Sanders (Torbay): Will my hon. Friend pay tribute to the veterans in my constituency who are trying to preserve one of two slipways in Torquay harbour from which more than 15,000 US servicemen took their places on vessels going over on D-day? That ought to be a centre for the anniversary celebrations in south-west England.

Mr. Laws: My hon. Friend makes an important point. Later, I hope to touch on the Government's announcement that the New Opportunities Fund may be used to help to commemorate the D-day landings. My hon. Friend may wish to apply to that fund to see whether he can associate it with his constituency.

There is no doubt that the Normandy landings were a crucial event in the second world war. In a sense, they marked the beginning of the end of Hitler's regime and the single moment in the war on the western front when victory seemed at last attainable and even imminent. Surely, therefore, nobody in the United Kingdom, or among our allies, can doubt the importance of the D-day landings or of marking their 60th anniversary, which is coming up next year, particularly given that, as my hon. Friend the Member for Somerton and Frome (Mr. Heath) pointed out, this will undoubtedly be the last opportunity for many of the veterans to attend a major commemoration of the event.

In the light of that, it is disappointing that the Government did not come forward earlier with more decisive plans to celebrate the 60th anniversary. Instead it seems that, up until now, it has been left to the Normandy veterans, the British Legion and Members of Parliament to press the Government on the issue and urge them to mark the anniversary next year in a more suitable way. We have just seven months left in which to get the details right before next year's commemoration, and I hope that we can engage with the Minister on that today.

I seek four assurances from the Minister. I should be grateful if he would reassure us that the Government understand the importance of the anniversary and will give as much prominence to the 60th anniversary celebrations as they did to the 40th and 50th anniversary commemorations. In an exchange in another place, the Minister for Defence Procurement told the House:

"It is worth remembering that the Normandy landings received large-scale commemorations on both their 40th and 50th anniversaries. A number of significant Second World War anniversaries will fall in the years up to 2005 and it will not be possible financially to mark them all on a large scale."—[*Official Report, House of Lords*, 14 July 2003; Vol. 651, c. 626.]

Is that really the Government's message to the veterans who risked their lives on the Normandy beaches? In that statement, it sounds as if the Government were essentially saying that the Normandy veterans have had their commemoration and that, as there was a limited pot of money to go round and to be spent on such things, their initial intention was that there should be no large-scale commemoration next year. I hope that they have changed their mind and that the Minister present today, who has been praised by some of the Normandy veterans since he was appointed, will be able to clarify matters and report that there has been a change of heart at the Ministry of Defence.

The second issue concerns representation. In 1984 and 1994 both Her Majesty the Queen and the then Prime Ministers attended the D-day commemorations. According to the Minister's letter to Members of Parliament on 7 July 2003, the UK Government will be represented at ministerial and senior armed forces level. With respect, does he understand that the veterans seek Head of State representation? Does he understand that the veterans view with scepticism the point in his letter that attendance by the royal family was a matter for the royal household? The veterans understand that on such occasions it is usual for Ministers to give advice to the royal household, which no doubt it listens to very carefully.

If the Minister advises that it will be a low-key celebration, which will not be on the scale of the 40th and 50th anniversaries, surely it is no surprise that we have had no announcement from the palace about whether Her Majesty the Queen or another member of the royal family will attend. Does he agree that if the President of France or the President of the United States were to attend the commemorations, which is quite possible, it would be inappropriate for us not to be represented in the same way? I appreciate that this is a sensitive matter, but I should be grateful if the Minister would shed more light on the advice that has been given to the palace.

We appreciate some of the practical measures that the Government have introduced in the past few months to help the veterans who wish to attend the commemorations in Normandy. We particularly appreciate the free one-year passports and the concessionary fares from ferry operators, which have been negotiated with the help of the Government. Nevertheless, it is possible that many veterans will not be able to afford to attend the commemorations in France, and I should be grateful if the Minister would say whether the Government are considering any further financial assistance to veterans who would otherwise have difficulties travelling to France.

Will the Minister shed more light on the announcement made at the Labour party conference by the Secretary of State for Culture, Media and Sport that there is a real possibility of money from the New Opportunities Fund being used for commemorative services? Will he clarify whether that could be used for assistance with travel costs, or whether it will be aimed only at commemorative events in this country and in France? In particular, will it be used to help the younger generation to understand the importance of D-day commemorations?

There has been some concern from the Normandy veterans and the British Legion about the practical preparations being made in France next year. I appreciate that that is a matter for the French authorities, and that if the British authorities offered to run the event themselves it would not be entirely welcome, but what practical steps are the Minister and his Department taking to ensure that events run smoothly? I was reassured to hear from the Normandy Veterans Association that a meeting took place last week involving the British project officer, and that good progress was made.

In the course of a short half-hour debate, we will not be able to address all the points that have been made, so will the Minister consider meeting a cross-party delegation and representatives of the British Legion and the Normandy Veterans Association to ensure that any matters that are not adequately dealt with in the debate are followed up? That will ensure that we do not leave any stone unturned and that the commemorative celebrations are of a level and with the organisation that they deserve.

Representatives of one of the veterans' associations told me that since the Minister's appointment earlier this year, the Government's attitude to these matters

[Mr. Laws]

seems to have changed for the better. I hope that that is the case and that he will be able to offer us more encouragement on the points that I have raised. I take his positive facial movements as an indication that he is keen to make that announcement.

Now is the Minister's opportunity to translate what has been a change of tone into real action. Almost 60 years ago in this House, Winston Churchill announced the D-day landings and talked of the "liberating assault" that had fallen on the coast of France. I hope that the Minister can demonstrate today our nation's enduring gratitude to the men at the hard edge of that liberating assault, not only in words and fine phrases, but in real action.

11.15 am

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I am amazed that the hon. Member for Yeovil (Mr. Laws) wanted to have this debate at this time—it is the worst type of political gesturing from the Liberal Democrats. I have no doubt that his predecessor would not have countenanced such a gesture. It is important that we have the debate, but it was not necessary to use the 11th hour of the 11th month. The debate could have occurred at any time on any day. Of course, as the Minister who represents veterans' interests, I am always happy to debate such important policy areas, but perhaps the hon. Gentleman should consider whether veterans groups might have preferred me to have been at the Cenotaph at 11 am today or in Hyde park, where I am pleased to say that Her Majesty, accompanied by the Prime Minister and the Prime Minister of Australia, unveiled a memorial to the 101,000 young Australians who gave their lives for the Commonwealth and this country in the two world wars.

Mr. Heath: On a point of order, Mr. Deputy Speaker. Will you confirm that the timing of debates is chosen by the Speaker and not by the applicant for the debate?

Mr. Deputy Speaker: That is factually correct.

Mr. Caplin: Last night, Prime Minister Howard gave an excellent lecture at the Australian high commission on the importance of the veteran community to Australia and the United Kingdom.

Mr. Laws: Will the Minister give way on that point?

Mr. Caplin: No, I shall not give way.

I am not sure what more the hon. Gentleman expects to gain from the debate when I have provided the House with regular progress reports in my answers to hon. Members' questions and letters. I am aware that the veteran community, fired by widespread and unsubstantiated rumour and misinformation—which the hon. Gentleman has repeated to some extent this morning—still feels that the Government, and the Ministry of Defence in particular, are not doing enough to assist in what many veterans feel will be their last opportunity to take part in D-day commemorations.

I wonder whether the hon. Gentleman has read the letter sent to all Members of both Houses on 7 July. I know that he quoted from it, but did he read it? I explained what my Department would do to support the events in France. However, I made it clear that some aspects of planning were still at an early stage. There have been some developments, to which the hon. Gentleman referred and which I will come to later, but in many areas planning is still at an early stage. I cannot and will not make promises that I cannot be certain the Government can keep, but matters are progressing and I will continue to keep the House informed when there is something to say.

Mr. Laws: I am grateful to the Minister for giving way, but not for the tone of his speech, which seems remarkably cheap. Will he acknowledge that not only many Members of this House but the British Legion and the Normandy veterans welcome the debate? It is their concerns that I am raising. They are not entirely satisfied by the Minister's letter, which I have certainly read.

Mr. Caplin: Let me make it clear that the Government endorse the importance of remembrance and commemoration, and I am well aware of the veterans organisations' views on those matters. I spoke to them about those matters at a recent meeting of the Veterans Forum.

The D-day landings in June 1944 were a significant time in our history. They were the largest international combined forces amphibious assault that the world has ever seen. The huge number of people involved, the planning, the logistics, the co-ordination, were unimaginable. The task of concealing that immense operation from the German occupying forces in France, just a few miles away, was a phenomenal project. Most importantly, the bravery, courage, nerve, resilience and audacity of the heroes who had to implement the plans that were drawn up in secret over so many months was remarkable. It is one thing to read about such momentous events or to sit passively and watch wartime film footage, post-war documentaries and Hollywood re-enactments but, regardless of how realistically they are staged, to have participated in them is another matter entirely.

To have actually taken part in an assault on land, sea and air against a well-armed, professional, battle-hardened and competent enemy is something that the majority of us will never have experienced—and, hopefully, will never have to. Such courage in the face of the enemy must never be forgotten, regardless of whether it was shown in the mud of the Somme in 1916, on the beaches of Normandy in 1944 or in the sands of Iraq in 2003. We owe those who put their lives at risk in these ways this country's eternal gratitude.

Dr. Julian Lewis (New Forest, East): This matter was first raised at business questions on 30 October, not out of any party-political interest, but by the Labour hon. Member for Mansfield (Mr. Meale), and by me for the Conservatives. We all feel that the hon. Member for Yeovil (Mr. Laws) has done veterans a service by raising it.

I was slightly late for this debate because a gentleman outside was overcome with emotion at 11 o'clock. He was wearing a chestful of medals, including the France

and Germany star. We should not underestimate what these commemorations mean to the people whom the Minister has so eloquently been describing.

Mr. Caplin: I agree with the hon. Gentleman. I have seen his contribution to business questions and I will shortly write to him and my hon. Friend the Member for Mansfield (Mr. Meale) about the matter. As we are talking about medals, 900 Suez medals were dispatched by Remembrance Sunday, following my comments in the House on 8 September, and we hope very shortly to complete those for which we have already had applications.

The Department has already provided assistance for a number of 60th anniversaries of the second world war. Between now and 2005 there are a succession of anniversaries of significant actions, and the Ministry of Defence cannot organise commemorations for all of them. It was therefore agreed with the services and veterans organisations that we would fund a commemoration of one representative battle for each of the services, with a tri-service commemoration of the 60th anniversary of the end of the second world war. The actions chosen by the services were the battle of the Atlantic for the Royal Navy, the battle of El Alamein for the Army and the battle of Britain for the Royal Air Force. Those anniversaries were commemorated in 2003, 2002 and 2000, respectively.

It was also agreed that other major anniversaries would be marked where possible by the presence of Ministers or senior officers at events organised by the veterans. This level of assistance and support does not mean that the 60th anniversary will be treated with any less respect than is due to these brave men and women.

Mr. Laws: Will the Minister give way?

Mr. Caplin: I am sorry, but I will not.

Some questions that I am asked are easy to answer, though the message does not seem to be getting through, judging by some of the hon. Gentleman's comments. The participation of members of the royal family and members of the British Government is a matter that is often raised. Veterans have referred to stories that President Bush and other Heads of State will attend, but the attendance of Heads of State and Heads of Government is pure speculation at present.

I checked on this yesterday, and the French authorities have not yet issued any invitations to any of the events of 5 to 7 June 2004. However, I can tell the House that the royal family and the Government will be properly represented at all the major events that will take place on that weekend next June. That is acknowledged in today's *Daily Express*, which states:

"France, the United States of America and Canada are considering requests for their heads of state to take part in ceremonies."

No country has taken any sort of final decision yet, and I reject the accusation that the UK—either the royal family or the Government—are dragging their feet on this issue. Nothing could be further from reality.

It has also been suggested that the Government could provide financial assistance to veterans for their transport and accommodation expenses. It would not be possible—neither would it be fair—to be seen to provide assistance for one anniversary or group of veterans and not another. However, to ease the financial burden for veterans travelling to Normandy, I announced in a written ministerial statement to the House on 17 September that the Ministry of Defence had obtained a 50 per cent. discount on P&O Ferries fares for veterans groups travelling to commemorate the 60th anniversary of the D-day landings.

Further details are provided in a handout that I will place in the Library today. I wish to place on record how delighted we are that P&O made such a concession available. The leaflet also contains the required information on the concessionary passports scheme, which was announced by the Home Office on 4 June. That initiative offers a free one-year passport to veterans who wish to attend commemorative events in 2004 and 2005.

My Department has approached the Normandy Veterans Association and offered assistance, if it is required, at their service of remembrance and thanksgiving, which will be held at St. Paul's cathedral on 20 October 2004. The hon. Gentleman also asked me about the New Opportunities Fund, a lottery distributor that awards grants to education, health and environmental projects in the United Kingdom. It focuses particularly on those in society who are most disadvantaged. It recently announced its intention of helping war veteran groups to mark the 60th anniversary of the final period of the second world war.

My right hon. Friend the Secretary of State for Culture, Media and Sport and I are investigating the way in which her Department, the Ministry of Defence and the New Opportunities Fund can work together to bring such support to bear. We are mindful of the need to involve today's younger generation in our history, remembrance and commemorative affairs. Officials from my veteran affairs secretariat have been arranging a cross-Government education project jointly with the Department for Culture, Media and Sport and the Department for Education and Skills, working alongside the Commonwealth War Graves Commission, the Royal British Legion, the Imperial War museum and single service museums. The first stage of the initiative will be to encourage secondary schools to participate in a national schools competition, as part of their research for their citizenship project work. They will gather testimony from eye witness veterans who took part in the D-day landings. I expect to make further announcements about the project during the rest of this year.

With regard to the traffic problems in Normandy in 1994 when British troops were used to assist with traffic control, it is fair to say that, at the time, the French were taken by surprise at the event. From my discussions in Paris, I understand that the French Government's organising committee is taking on board such issues in its current proceedings. I have said before that we shall be sending two military bands to Normandy. I mentioned earlier that, while invitations from the French Government have yet to be received and accepted, it is likely that the United Kingdom will be represented by members of the royal family, by Ministers including myself and by senior members of the armed forces. It is also likely that there will be other representatives from the three services, but I regret that it is still too early to say who they will be. In recent

[Mr. Caplin]

months, our armed forces have of course been busy throughout the world. Deployments take time to arrange and our resources are not infinite. They must be utilised carefully and sensibly. The Ministry of Defence has many important commitments for many months ahead and we must be careful to achieve the right balance. I will make further announcements to the House when I can do so.

The Government take all the 60th anniversary commemorative events very seriously. However, there is still much work to do in connection with D-day and I am committed to ensuring that it will be done. Let us deal with reality, not speculation. That is what those brave men deserve.

11.29 am

Sitting suspended until Two o'clock.

Health Funding (Cornwall)

2 pm

Matthew Taylor (Truro and St. Austell): I welcome this debate, and we welcome the fact that the Minister has taken a real interest in the health service in Cornwall. It was only in March that I introduced a previous debate on the health service issues facing the Royal Cornwall Hospitals Trust, in particular, so I might repeat some of what I said then. However, today I wish to speak about the wider financial issues facing the health service in the county. I understand that those are reflected throughout much of the rural south of this country, with numerous health providers struggling to overcome deficits at the same time as trying to put in place welcome changes as a result of the Government's attempt to rebuild and improve the national health service, with finances for the NHS that both the Labour party and the Liberal Democrats welcome. We believe that that investment is necessary.

There is no disagreement between our two parties about the fact that over many years, the NHS has been substantially underfunded for the services that we have asked it to provide. That is why the Government have now put up taxes and are making a substantial increase in investment in the NHS throughout the country. We welcome that, but it is important to realise that throughout Britain, NHS service providers have been trying to perform in the context of clear historical underfunding. In different parts of the country that problem has manifested in various ways, such as long waiting times, run-down, old and inadequate buildings and, in many cases, a lack of staff.

All too often, hospitals and health providers have not been able to operate within their budgets, especially when they have been hit by factors outside their control in the short term, such as increasing numbers of people attending accident and emergency departments. Even given what has happened historically, year after year the number is well above projections. Such issues cannot be easily controlled, especially when the health service is short of money to make the investment in alternative long-term health provision that might keep people away from accident and emergency departments.

It is important to explain to the Minister that many people providing health services in the county have an historical record of delivering financial responsibility. For example, until a year ago the Royal Cornwall Hospitals Trust had had nine consecutive years of living within its budget. With the abolition of the old health authority, the organisation that had responsibility for the deficits no longer exists, and the organisations that now have to pay for the consequences of the failure to deal with some issues in past years are the hospital providers and the primary care trusts. Independent views have been commissioned by the health community to examine how funds have been spent. The November 2002 service modernisation and financial plan, for example, said that the history

"was one of comparable efficiency and relatively low unit costs. There is no evidence of serious inefficiency."

It must be said that in the past couple of years, primary care trusts have often been called in by the strategic health authority to be told that things are not right and that they have to tackle the deficit. There is a

real feeling among them that they are doing their best and that, to some extent, they have been saddled with historical problems. If I were to sum up the position, I would say that people are desperately striving to deliver improved health services. Cornwall has a good record of doing that; it is very innovative.

On the subject of ensuring that patients are seen quickly in an emergency, it is a simple fact that the percentage of those seen within four hours at the Royal Cornwall Hospitals Trust has gone up from only 60 per cent. not so long ago to 90 per cent. That meets the Government target. As the Minister well knows, some hospitals met that target simply by calling in extra staff in March, just to get the figures right when they were due to be collected. One hospital not so far away from ours did that—indeed, another Minister said that it had done the right thing, as that is how the rules work.

The Royal Cornwall Hospitals Trust invested in changes to accident and emergency arrangements, and separated people in desperate need of emergency treatment from those with minor injuries, so that those with minor injuries did not wait for ever, but were seen separately by staff dedicated to such cases. The trust did all that it was asked to do, but there are costs involved in doing that properly. Our health authority has also been at the front of the pack in implementing National Institute for Clinical Excellence recommendations, such as those on cancer care and treatment, but there is a cost involved in doing that.

On the other hand, those on the health authority are criticised for not tackling the problem of the historical deficits for which they, individually, are not directly responsible; they did not take the strategic decisions that led to them. They feel that one thing or another has to give; it is not possible to continue making the changes, some of which—particularly those aimed at reducing the increasing numbers going to accident and emergency, and to hospital in general, by giving better care on the ground—will lead to lower costs in the long run. However, there are up-front investment costs involved in doing that, and they cannot be met if the health authority is also being asked to pay off the deficit at the same time.

I emphasise that we recognise the positive news in the investment that the Government are making. There is £5 million for the oncology unit at Royal Cornwall hospital, so at last it is getting proper funding for treatment for cancer. There is to be an extension to the maternity unit at St. Austell community hospital in my constituency. Work is under way on the Knowledge Spa, which should transform our health provision, because not only will it train the people we need for the NHS, but it will do that within the county, and that will improve quality and care for patients. Also, the new-build Bodmin hospital has been completed.

I also emphasise that we can see that patient needs are efficiently handled. The price per patient in Cornwall is much lower than the English average; Cornwall is 14.5 per cent. more efficient in cost terms, despite the high volume—well above the national average—of general and acute activity there.

There is real acceptance that there needs to be a plan to move people out of hospital acute care and into the community, and a lot of work is being done on that. The service modernisation and financial recovery plan is aimed at doing precisely that, and having more cost-effective prescribing programmes is a high priority. As the Minister knows, that is not easy to deliver, because the matter is to a large extent in the hands of private contractors and GPs. However, it is taking place, through getting consultants together with GPs to work through programmes. That has changed some consulting practices.

For example, there is more use of generic drugs within the hospital. That was not always the case in the past. KernoFlex is a nursing recruitment campaign aimed specifically at reducing the high cost of agency nurses by having a system within the health service for the kind of part-time and more flexible working for nurses that avoids those high agency costs. Again, however, there are up-front investment costs. There is the modernisation programme for mental health provision. A lot of extra money is going into mental health support in the county; that is welcome, and in the long run, will reduce the number of patients who have to go back into hospital, or spend time in hospital unnecessarily because eyes are on the other forms of provision and support. At the moment the health authority has to cut back on provision for many of those patients, to deliver the so-called efficiency savings. In the short run, that is likely to mean that we have to fund both the up-front investment, which is trying to change things for the better, and the increasing numbers of people who go to hospital because of lack of community support, so we get the worst of all worlds.

There is an agreement to create what is virtually a single operational management team across the entire community, so that everyone is working in the same direction, including social services through the county council, which is a big step in the right direction.

The Minister of State, Department of Health (Ms Rosie Winterton) *indicated assent.*

Matthew Taylor: The Minister is nodding, but we both know that that has not always happened in the past. However, it is happening now—and it looks rather like the recreation of the Cornwall health authority. I would have preferred a single authority for Cornwall in the first place; I am not sure that three PCTs was ever a great idea. Anyway, all those people are coming together and working to a strategy.

A single referral point for GPs has been developed, to encourage the use of alternatives to acute admissions. Integrated patient management provides a county-wide view of the availability of treatment facilities, so that they are used in the best way and costs are cut. An "acute care at home" model has been developed to minimise readmissions. The West Cornwall hospital pilot will maximise the range of services that can be provided locally, and I hope that that model will not only spread across Cornwall, but be picked up nationally. The Government have shown a lot of interest in that pilot. All those measures demonstrate progress in finding creative solutions, which, in the long run, will improve patient care and reduce costs—particularly by tackling the high levels of hospital admissions. Those are not in anybody's interest if they can be avoided to the benefit of the patient.

[Matthew Taylor]

However, all that is undermined by the county's need to repay those historical debts. That overhang, involving substantial sums—some £13 million still has to be found from ongoing expenditure—is putting its ability to deliver those measures in severe doubt. That is a process point. The debts are historical and non-recurring. If the health authority did not have to wipe out that deficit, it would be in nothing like the same financial pain, although obviously it would still have to address those issues.

We in the Cornish community have made an effort to resolve the problem ourselves. I have touched on the plans in place. I have no doubt about the willingness and eagerness of some of the best people in the country—dedicated members of the health service, both management and staff—to adopt the kind of approach that the Government are looking to for reform. However, they are struggling to achieve a solution.

The final blow came with regard to what had been designed as exactly the kind of innovative solution that the Government have asked for: a financing solution, involving a loan from the county council. Like most local authorities, Cornwall county council holds substantial reserves. It was in a position to make a loan of some £8 million—£4 million a year—to the health community, which would have paid interest, so the loan would have imposed no cost on the council tax payer. The council would simply have been investing in the health service rather than in a bank. It looked as if the loan would meet a substantial proportion of the targets that the health authority was being asked to meet, and help to solve those long-standing financial problems. The historical deficits would have been paid off over a longer period than the Government would otherwise have allowed.

That was done with the encouragement of the strategic health authority, and other strategic health authority moneys, which now seem in doubt, appear to have hinged on its success. The district auditor was happy in principle, but suggested taking legal advice, and the whole thing was scuppered on the grounds that the health community—the PCTs—did not have the legal authority to borrow. Whatever the rights and wrongs are, as I understand it the Minister is in no position to allow the loan to go ahead, because the decision is based on statute.

There was no practical way round that block, with the result that the underpinning of the effort to address the financial deficit was brought to a resounding halt. At that point I applied to secure this Adjournment debate, the community health council wrote to the Secretary of State raising its concerns, and I met the Central Cornwall primary care trust to discuss the financial situation. It said, "We'll try to get rid of this overhang—the historical deficit. That's the order, and that's what we'll do. But we simply don't see how we can do that and maintain the quality of care, let alone the improvements that the Government are looking for."

That brings me back to a fundamental point. The Government are putting increased resources into the NHS because they, like the Liberal Democrats, recognise its historical underfunding. It is no surprise that in parts of the NHS—not just in Cornwall, but in most southern rural areas—the result of that historical underfunding was not just poor service and long waiting lists, but deficits built up in one form or another. It is self-evident that it is counter-productive to demand that the deficits be paid off in short order when it is recognised that they built up partly because of poor service, which is now being addressed.

Although the money that the Government are putting into Cornwall is welcome, it is not sufficient both to pay off the historical deficit and to improve services. Indeed, the amounts are not calculated on that basis; they are calculated to provide the regular annual income needed to run the health service properly today, not to pay off past deficits. There is no allowance in the formula for more money to pay off a deficit, so at some point, patient services are bound to be squeezed.

The Minister would not expect me to finish without asking whether the formula is equitable in addressing the costs of providing health services in rural areas. She will be aware that there is good evidence that throughout rural southern areas—apart from the cities, and separate from the northern areas—there is a consistent pattern of deficits and spending difficulties, although those vary, and I understand that some areas are substantially worse than Cornwall and others are less bad. There does, however, seem to be a pattern, because there are some hidden costs in rural areas that have never been dealt with effectively.

The Minister will be aware that there have been studies in Scotland, Wales and Northern Ireland of the costs of providing rural health care, and in each case money has been allocated to try to redress the balance. Studies of comparable areas suggest that in rural areas there is an additional resource need of between 7.5 per cent. and 30 per cent., depending on the nature of the area in question. Scotland, Wales and Northern Ireland have all taken steps to adjust funding to take account of those additional rural costs, but England remains the exception. The strategic health authority has recognised that there are some outstanding cost factors facing Cornwall, but its attitude is that the budget for the next three years is fixed, so that argument is still some way down the line. None the less, it is important that the Minister is aware that the health authority has recognised the case.

The Royal Cornwall Hospitals Trust report published on Tuesday found that the cost of primary care for a patient in Cornwall was £206 per head—£25 higher than the national average. Having talked about historical deficits that are not the fault of the people now having to crack them, and having addressed the Government's acceptance that there have been financial shortfalls in the NHS as a whole, which are now being dealt with, we should not find such deficits surprising. There are real issues for the health authority to face in the delivery of care in Cornwall. Perhaps we will say to patients that they must travel to get care, and we will not bring it to them. We could, for example, close down all the cottage hospitals. The previous Secretary of State said no to some closures, precisely because people want care delivered locally, but unless there is a serious diminution of services in the county, costs are likely to remain high.

The county's health services are doing all that can be reasonably expected of them to deliver the improvements for which the Government are asking.

They have imaginative ideas for addressing financial problems in the future. They are delivering exactly the kind of innovative solutions on the ground that will deliver a more efficient service and, more importantly, a better service for patients by helping them in their own homes and in the community, rather than allowing them to end up in emergency care in hospital. In the long run that will mean that more people will be better treated, and for less cost.

However, health services are now being asked to make huge savings to pay off a deficit for which they were not responsible, and which reflects historical underfunding, whether specifically in rural areas such as Cornwall or more generally. Now that the loan from the county council has fallen through, they can see no solution. Although the strategic health authority has regularly called them in to tell them that they need to do something, the SHA is at as much of a loss as they are about what they should do. There is no difference of opinion between the SHA and the local health community on the subject of making savings and making plans; the health services are simply told, "You have to find the money from somewhere."

The only person to whom we can look now is the Minister, who could offer some help, at least in spreading the time over which the deficit can be paid off. However, I would say that she might take a hand in this, and accept that there is a reason for the deficit, because there has been historical underfunding. The Government themselves, with the vast unallocated funds that still exist within the money allocated to health over the next few years, could write off those historical deficits.

2.22 pm

Linda Gilroy (Plymouth, Sutton): I congratulate the hon. Member for Truro and St. Austell (Matthew Taylor) on securing this important debate. I recognise the constructive way in which he made the case for Cornwall, and the fact that he acknowledged the Government's significant investments. He would also probably join me in welcoming the increases in service personnel—40,000 nurses nationally and some 1,800 in the south-west peninsula. We are all proud of the Peninsula medical school, which is training about 200 of the extra 1,000 plus doctors whom we desperately need if the health service, not just in the south-west but nationally, is to continue to make progress.

I assure hon. Members that Plymouth is still located on the east bank of the Tamar, and has no aspirations to build an empire in Cornwall; I hope that the same applies vice versa. However, many Cornish constituents look to Plymouth Derriford hospital for acute services, including some 130,000 from the east end of Cornwall. People from throughout Cornwall come to Plymouth for tertiary specialist treatments. As a Plymouth MP, therefore, I take great interest in the impact of Cornish funding on our hospital in Derriford and its many challenges.

Today, my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) is receiving NHS treatment in Cornwall. Some might think it opportune that she is at the front line of the NHS in Cornwall while it is being debated in Westminster; she will have an insider's view of services. Members must be assured, however, that the timing of her appointment depended on the recommendation of the consultant, and is not part of a fact-finding mission for this debate. I spoke to her earlier today, and although she has been experiencing excellent service, the shortage of staff is undoubtedly putting more pressure on existing staff and impacting on services. There has been some freezing of recruitment to try to address the deficit problem in the short term and, as the hon. Member for Truro and St. Austell outlined, that is of concern to the local health service.

The strategic health authority that covers Cornwall and the Isles of Scilly has a challenging three-year programme of reform and redesign of services, which it is working to implement with the health community in Cornwall. That is helped by the significant increase in local funding. As the hon. Member for Truro and St. Austell said, it had a plan to clear its non-recurrent debt of £34 million over the next three years, which would have minimised the impact on the delivery of health care. The recovery and efficiency savings required across Cornwall and the Isles of Scilly during 2003–04 would have been £15.8 million, which represents a 3.5 per cent. saving on the total budget of £453 million. Therefore, the project that is in hand to address the situation is substantial. Everybody has been innovative, and looked in every possible corner to see what can be done.

I understand from my hon. Friend the Member for Falmouth and Camborne that her constituency—which is mainly served by West of Cornwall primary care trust, and partly by Central Cornwall primary care trust—has had its allocations increased by 9.42 per cent. next year, 9.23 per cent. for 2004–05 and 8.93 per cent. for the following year. Those are healthy increases but the historical debt, which the hon. Member for Truro and St. Austell outlined, is the principal problem facing the health community in Cornwall.

Objective 1 funding is an indication of poverty, which, as my hon. Friend the Minister will be aware, is always accompanied by significant health inequalities. I urge her to take that into account in her consideration of the case laid out by the hon. Member for Truro and St. Austell—which will, no doubt, also be made by his colleagues when they speak.

Funding of out-of-area treatment is an issue that other hon. Members may refer to in more detail. I understand that the Royal Cornwall Hospitals Trust is owed £2 million for the treatment of holiday visitors, which has to be claimed in arrears. The number of visitors has been rising in the past two years, and although other counties have a tourist industry, I do not think that any of them are on a greater scale than Cornwall's. Plymouth, too, has experienced increased demand; although numbers are not as high as they are in Cornwall, this year they have been the highest ever, and they were exceptionally high in August. Tourism is a growing part of Plymouth's economy, so this aspect of health funding will be an increasing problem for us, too. I therefore urge my hon. Friend the Minister to consider the way in which that funding is processed to find out whether it can be part of the package that I hope will evolve to address these serious issues in Cornwall.

As I mentioned earlier, the links between Plymouth and the Cornish health community and economy are strong: 60 per cent. of North and East Cornwall PCT patients go to Derriford hospital. Therefore, any

[Linda Gilroy]

pressure on the Cornish health economy will have knock-on effects at Derriford both in terms of commissioning decisions and because of the links that we know exist at the interface between acute and primary care. If there are difficulties, people can end up being admitted to hospital inappropriately and prematurely, and there can be similar problems on discharge.

Derriford already faces significant financial challenges. With some assistance from the strategic health authority, it has been able to get the sums down until the gap was narrow enough for it to break even. That was a considerable achievement, and it was part and parcel of the trust's regaining its two-star status this year. People have worked their socks off to achieve that. However, the position continues to be very difficult, with accident and emergency admissions going up significantly. The hon. Member for Truro and St. Austell mentioned that that had also been the case in Cornwall.

I conclude by asking my hon. Friend the Minister to keep my hon. Friend the Member for Falmouth and Camborne and me fully informed of the steps being taken to ensure that the deficit can be—and is—addressed through genuine efficiencies rather than cuts, and to keep the situation under close scrutiny with regard both to the objective 1 issues, which I have mentioned, and to Plymouth Derriford hospital, for the reasons that I have just outlined.

I am sure that the Minister knows that the strategic health authority is very supportive and is playing a key role in helping our health communities to get best value for money out of the significant extra investment and to meet the challenges in developing and implementing robust delivery plans. In Cornwall and Plymouth, however, the upsurge in accident and emergency work is putting those plans under significant pressure. Spending at Derriford has already increased by 50 per cent. since 1997 and will more than double within the period of the 10-year plan. That is, of course, reflected across health communities the length and breadth not only of our peninsula but of the whole country.

Will the Minister accept that as an objective 1 area, Cornwall faces particular challenges across the range of public service delivery? Health inequalities associated with high levels of deprivation present particular challenges to primary care trusts that take on a backlog of inherited deficits.

2.31 pm

Mr. Paul Tyler (North Cornwall): I am pleased to follow the hon. Member for Plymouth, Sutton (Linda Gilroy). I am sure that all my colleagues in Cornwall will appreciate the trouble that she has taken in examining the issues on both sides of the Tamar. She mentioned that many of my constituents look to Derriford hospital for their tertiary care, and I take to heart her point about the knock-on effect on Derriford. At the north end of my constituency, those living in and around Bude must look to Barnstaple, so the problems cause a knock-on effect in north Devon as well as in Plymouth.

It is a fortunate and happy feature of debates in this Chamber that we often seem to start on a point of agreement, which is a positive advantage of this assembly. As my hon. Friend the Member for Truro and St. Austell (Matthew Taylor) said at the outset, we can agree that the problems originated before 1997; we are not suggesting that the problems suddenly developed under this Government. We are dealing with historical underfunding and the deficits that have developed in Cornwall.

I shall briefly underline some of the important points made by my hon. Friend. The problems in Cornwall are probably endemic to several areas in southern Britain. I hope that the Department of Health and the Secretary of State for Health will take the lessons that we in Cornwall have painfully learned in recent months to heart in examining similar problems across southern Britain.

In a curious way, the issue that we are now addressing has far more to do with accountancy than with medicine. I am no doctor, and certainly no accountant, so I would not profess to be an expert who can advise the Minister. However, I hope that she is receiving good advice. I recall only too well going to see the former Secretary of State for Health, the right hon. Member for Holborn and St. Pancras (Mr. Dobson), with a series of deputations to argue the case for trying to ensure that any new structure in the health service took better account of the need for year-to-year management of budgets and deficits.

The extraordinary regime of strict year-to-year control is ridiculous. It would not be applicable to the private sector, or even to local authorities. It imposes impossible restraints and constraints on the people trying to manage the budgets. Even if we did not have the historical deficit in Cornwall, it would still be an anomaly that the time scale for dealing with any temporary deficit is so short.

My Cornish mother brought me up on the old saying "Penny wise, pound foolish", and it is extraordinary how often in public life we see people trying to make desperate economies so fast that in the long term they spend more money. That point should be addressed very quickly if the national health service is to survive in its current form. Even with new investment, which we all welcome, it is important to get that balance right. In Cornwall, intense efforts are being made to recruit more permanent staff into the NHS and to bring back people who have had broken careers because of family commitments. It is obviously sensible to economise on the otherwise considerable extra costs of agency and bank staff, but, as my hon. Friend the Member for Truro and St. Austell said, the danger is that, as there is a comparatively small outlay in the short term, the deficit is increased, and therefore that policy, which makes such good sense in the longer term, is at risk.

Both hon. Members who have spoken have made it clear that the members of the Cornwall health community have been working hard together in recent months to deal with the historical problems. I know the team that works in the North and East Cornwall primary care trust very well and I know the team in the Central Cornwall PCT, which serves my constituents in and around Newquay. I also work with and talk to a large number of other people in the health community. All the trusts have been working with the strategic health authority to deal with the problems that have

arisen. They were not caught napping by those problems; they have been considering them and trying to deal with them over a substantial period.

I am struck by the substantial work that went into the service modernisation and financial plan—I am sure that the Minister will be well aware of that. One of the factors that comes out strongly is that the risks of taking short-term decisions for short-term deficit management have been carefully identified. Those risks are considerable, and if the Minister cannot do anything else this afternoon, I hope that she will agree that they are real. If she can indicate where cuts can be made without risk to the current level of health provision in Cornwall, I am sure that we will all be extremely grateful. I challenge her. It is extremely difficult to see whether the cuts that are being considered could be made to the extent that would be necessary to achieve the savings required.

There is another subject that concerns many of us: the level of investment in preventive medicine and long-term planning to reduce the expectations on our health service. Across the parties, hon. Members will, and should, be concerned about that. Whatever investment goes into the health service, we cannot simply have an illness service. The service must be concerned with improving the health of the community. It is all too easy to deal only with the immediate reaction to the emergency that we face, and to make short-term savings, but fail to recognise the longer-term problems.

My hon. Friend the Member for Truro and St. Austell and the hon. Member for Plymouth, Sutton have already referred to some of the special features of the demography of Cornwall. As everyone will know, Cornwall has not only an elderly population, but a growing elderly population. That is partly because of the natural climate and the good food, good air and good environment of Cornwall. It is also because people of Cornish blood have a longevity that is renowned throughout the country. My mother lived to over 100—and my wife is scared stiff that I might do the same. The serious issue is that it is difficult to plan for that type of long-term development in the demography of any part of the country, and that is certainly an element of the equation in Cornwall.

As has already been said, it is also difficult to plan for the emergencies that may arise where there is a big summer holiday population. My Newquay experience is appropriate in that context. For a few months of the year, the excellent minor injuries unit in Newquay hospital has a work load for which it is difficult to plan. As we all know, it is a great deal easier to budget for a steady demand for a service, whatever that demand might be, than for a service with ups and downs, particularly if there are dramatic ups for a small part of the year. That is certainly true of the way in which we have to provide health care for our visitors. There is a time lag between the provision of that care and our being paid for it through claims made in arrears.

Both hon. Members who have already spoken have said that Cornwall has been trying to do precisely what it has been asked to do by Government in many areas; I hope that the Minister will agree. There have been innovative, intelligent and imaginative attempts made to meet the particular needs of Government policy and National Institute for Clinical Excellence priorities. In some ways, those attempts have been a model of how best to react to those extra demands and expectations.

We are in a very serious situation, and I hope that the Minister takes that seriously. The morale of staff, who have put in so much during recent months to make those improvements, is being badly hit by the current indecision, and the crisis atmosphere hanging over their work and the service that they provide to the community. In the end, the people who will suffer from that are the patients—the people of Cornwall. I believe that they deserve better, and I hope that the Minister agrees.

2.40 pm

Andrew George (St. Ives): I join others in congratulating my hon. Friend the Member for Truro and St. Austell (Matthew Taylor) on securing this timely and important debate. I shall follow on from the constructive comments made by my hon. Friend and by the hon. Member for Plymouth, Sutton (Linda Gilroy) and my hon. Friend the Member for North Cornwall (Mr. Tyler).

In case we risk being admonished for being ungrateful, for the Minister's sake I shall repeat our gratitude to the Government for the funding of the peninsula's medical schools, the health action zones, the West Cornwall hospital study, to which I shall refer in a moment, and the intervention of the former Secretary of State, the right hon. Member for Holborn and St. Pancras (Mr. Dobson) in 1998. He implicitly accepted that his Department would assist the then Cornwall and Isles of Scilly health authority with its deficit of £5 million inherited from the previous Administration, and the threats to community hospitals in Cornwall that existed at the time.

I have a few comments to make. Some embellish previous points, but they will largely cover new areas. I hope that I shall be sufficiently brief to allow Front-Bench Members to give the Minister ample time to answer the many questions that have been raised during the debate. First, there is the issue of the strategic view. Where is the strategy for the future of Cornwall's health service coming from?

I want to elaborate on a point made by my hon. Friend the Member for Truro and St. Austell. In order to get a strategic view for the Cornish health community under the reformed structure, it is necessary to bring together at least eight chief executives: those of the three primary care trusts, the Cornwall Partnership NHS trust, the acute trust and the ambulance trust, the director of social services—who is essential—and the head of the strategic health authority. Moreover, as the hon. Member for Plymouth, Sutton pointed out, Cornwall does not look to those trusts alone to serve all its needs.

As we well know, those on the eastern frontier of Cornwall have to look to their friends on the western side of England, in Plymouth and Barnstaple, to the north and south of that boundary, for assistance. That brings other trusts and services into our consideration of the approach that should be taken in delivering health services in Cornwall. If we are talking about joined-up government, we have to bear in mind that all the money coming from the Government is originally joined up in

[Andrew George]

the Department of Health, but ends up extremely unjoined-up when it arrives on the ground, for social services and trusts. Although the bodies that deliver services across the whole of Cornwall make herculean efforts, they are drawn into a tremendous bureaucratic process to achieve the agreements that are required. Most of the divisions, particularly the primary care trusts, are largely defined by artificial boundaries, because most services are provided across the boundaries, not within them, so they may not be helpful.

That arrangement represents a challenge, rather than a solution, to the problems that we are discussing today. The challenge exists country-wide, but I want to emphasise its impact to the Minister. Chief executives will not complain publicly about it, but complaints and comments are made in private about the way in which the system operates.

In May I asked some parliamentary questions about inherited debt, to which I received some rather delphic responses. On 19 May, I received an answer to the following question:

"To ask the Secretary of State for Health (1) what advice his Department has given hospital and health trusts, who ended either or both of the last two financial years in debt, on the relative importance of (a) clearing their debts and (b) meeting government performance targets".

The response from the Minister's fellow Minister of State at the Department of Health, the right hon. Member for Barrow and Furness (Mr. Hutton) was:

"All national health service organisations have been asked to plan for and achieve financial balance."

Although non-financial targets are part of the equation, there is no clear indication as to whether the balance should fall in favour of meeting targets or clearing debt. It would be helpful if the Minister told us how that difficult balance, which was well described by my hon. Friend the Member for North Cornwall, is to be achieved. As we understand it, the health community in Cornwall must balance its books by the end of this financial year. It would be helpful to have a clear indication.

Another question, to which I received a response on the same day, was:

"To ask the Secretary of State for Health which PCTs inherited a debt legacy from their predecessor organisations or authority; and of these how many and which PCTs ended their (a) first and (b) second financial years in debt."

The response, from the same Minister, was:

"Information on primary care trusts inherited debt legacy is not collected centrally.

The audited annual accounts for 2000–01 and 2001–02 show no primary care trust reported an overspend against their revenue resource limit."—[*Official Report*, 19 May 2003; Vol. 405, c. 621–22W.]

That is reassuring, but the West of Cornwall primary care trust reported to me that one of its most significant difficulties is inherited debt. It would be helpful to have some clear explanation from the Minister of what assessment her Department has made of the impact of inherited debt on the operation and decision making of PCTs, and on the targets that they can set and achieve.

On formula funding, a subject that has been addressed by all hon. Members so far, I point out to the Minister a legislative solution that I introduced in the autumn of 1997. Under the ten-minute rule, I tabled the National Health Service (Equity of Funding) Bill, which proposed a method by which a more transparent arrangement could be put in place to enable the Government to consult the wider community, both politically and statistically, on the difficult issue of establishing an acceptable formula.

Some measures used to calculate the allocation formula have been identified as inappropriate or inadequate for rural areas. The first is the proportion of unemployed people. That is used as one of the variables on the acute need index, but that fails to recognise the poverty in areas such as Cornwall that is caused by low pay. A perennial feature in Cornwall has been much low-paid, part-time seasonal employment, rather than long-term unemployment.

Car ownership is another part of the formula, and has been used as a measure of affluence, but that fails to recognise that in Cornwall people need private cars. Even if they are driving around in old bangers that struggle to pass their MOTs, access to a car is essential if people are to have any kind of quality of life. I do not know how we could measure the number of old bangers, compared with the number of properly functioning cars.

Thirdly, there is the market forces factor, which captures the low-pay features of rural areas such as Cornwall. We have been at the bottom of the earnings league table pretty much since records began—but the vast bulk of NHS staff are on national pay scales, and that is not properly taken into account.

Additional costs of providing services in areas such as Cornwall are created not only by rurality and the dispersed nature of the population but, particularly in areas such as mine—west Cornwall and the Isles of Scilly—by peninsularity. In the acute emergency services sector, we cannot call on neighbouring authorities to the north, west or south to help us out when a crisis occurs. No account is taken in the funding formula of the extra costs of ensuring, or attempting to ensure, that acute services are provided equally in areas where there are geographical challenges as well as the fundamental problem of rurality.

A further problem concerns economies of scale. To avoid sacrificing accessibility by concentrating resources, rural primary care trusts must develop more numerous smaller units. That was exposed in the debate on community hospitals in Cornwall. Yes, logistically it would be good for health managers to have one or two big hospitals and make everyone go to them, but, for historical and geographical reasons, adequate service provision can be made only by using smaller dispersed units. The provision of a network of community hospitals, which has been mentioned before, presents a challenge. As I have said, there was a successful campaign in 1998, when the Secretary of State said that he would assist. He had withdrawn, and did not support, the health authority's plan to close four community hospitals in Cornwall, which was intended to address the problem of a £5 million debt. The Secretary of State told us covertly that he would assist the health community in Cornwall to overcome the debt problem through other means. Unfortunately, rather than addressing the problem of that debt, we have now inherited further debt.

There are higher travel costs, too, and problems of skills mix, which mean that wage costs in rural and dispersed areas are bound to be higher. The Royal Cornwall Hospitals Trust, reflecting the views of the Cornwall health communities, has campaigned for greater funding to reflect the unique nature of Cornwall in terms of rurality and relative poverty and deprivation. Cornwall argues that if it had been allocated a deprivation ratio in line with other objective 1 regions, as the hon. Member for Plymouth, Sutton implied, it could have attracted an additional £18 million a year on that basis alone. There are significant issues in the formula funding, which must be addressed. I urge the Minister to look seriously at them when responding, and when reflecting on the debate.

There are various impacts. As I said earlier, I am grateful to the Minister and her Department for its assistance in addressing the challenging issue of the future of West Cornwall hospital. I have debated that in this Chamber and on the Floor of the House before. The particular geographical challenges in Cornwall mean that it would be unwise to have only one acute emergency centre there. Leaving aside the historic legacy of the area's geography—such as why the main hospital was established in Truro and not a few miles further east, and why West Cornwall hospital was established in Penzance—if we consider the trolley waiting times and the number of ambulances waiting outside the accident and emergency service at Treliske, the Royal Cornwall Hospitals Trust base in Truro, it is clear that the system cannot manage.

It would be a dangerous folly simply to put all the eggs in one basket, and hope that that basket will manage to provide a service. That is why I am pleased that the Department of Health has put some money into considering how emergency services can be managed using two acute centres. Admittedly, West Cornwall hospital is small, with only 80 beds, but it has a good range of experienced staff, including general surgeons and general medical consultants with wide experience.

West Cornwall hospital has provided a model that allows it to work very closely with the Royal Cornwall Hospitals Trust in Truro, but it faces difficulties. It requires adequate back-up staff, particularly anaesthetists, on site or at least on call, to ensure that it meets the levels of clinical safety that we all want.

The stakeholder steering group of which I am a member has provided an interim report to the Department, and funding will inevitably be an issue. I hope that the Minister and her Department will reflect on the possibility that the West Cornwall hospital initiative might provide an excellent model for use in other remote rural areas. Funding is clearly an issue, and when the pilot scheme produces its proposals late this year or early next year, Andy Black, who has undertaken the work for Durrow Consultancy, will provide a clear idea of what the Department must do. This debate is not about special pleading for Cornwall; rather, it has emphasised an admittedly challenging case that is clearly reflected in other areas.

2.57 pm

Mrs. Patsy Calton (Cheadle): I congratulate my hon. Friend the Member for Truro and St. Austell (Matthew Taylor) on bringing to the attention of the House and the Minister an issue of great importance to Cornwall. I look forward to the Minister's view on how the problem can be solved.

I echo the comments of my hon. Friends about the increased investment in health. It is welcome, and it has been called for by the Liberal Democrats for a long time. However, because the investment in health has come later than we hoped, several historical problems have to be worked through. Cornwall faces particular difficulties, with the £31 million of debt that has been mentioned.

Health service staff are working very hard; they are attempting to introduce innovative measures to solve problems. Cornwall is one of two areas that are using the most Government-recommended National Institute for Clinical Excellence cancer drugs. This means that treatment in Cornwall is likely to be of a higher quality than it is elsewhere.

The funding problem stems partly from £31 million of debt and partly from the annual overspend that the Cornwall health economy has extreme difficulty dealing with. The chairman of Central Cornwall primary care trust said:

"We have to face the facts that Cornwall is probably underfunded."

I shall echo some of the points made by my hon. Friends. The Royal Cornwall Hospitals Trust is reported to expect a £2.2 million overspend this year, although the figure could be between £4 million and £5 million. The overspend is because of clinical issues rather than mismanagement of money. Indeed, an independent review commissioned by the health community showed that the trust is handling its money well.

Some of those problems are caused because the costs of living are high in a tourism area. The cost of employing nurses is great because they need to live in the area and buy homes. It is difficult to recruit nurses. Cornwall has been forced to employ agency nurses, who are more expensive in the long term. Recruitment is becoming increasingly challenging, and it is especially difficult to attract people from outside the county as house prices and the cost of living in Cornwall continue to rise. The overspend on agency nurses at the Royal Cornwall Hospitals Trust is £210,000.

Additional costs are incurred by emergency admissions, which are 11 per cent. greater than the trust is funded for. It has dealt with an extra 2,386 emergency patients above its funded level. Emergency admissions account for an overspend of £850,000.

The number of visitors to Cornwall has increased by 18 per cent. this year. From April to August, out-of-area treatments—treating tourists—increased by 11.4 per cent. The trust has been struggling with the increases for some time. Department of Health rules mean that payments for out-of-area patients are made two years in arrears.

There are other indications that the hospital is struggling to meet targets, such as the Government target for patients to be dealt with within four hours of admission at accident and emergency. We have heard that there are queues of ambulances waiting outside the accident and emergency department. In July, the 90 per cent. target was achieved, but the figure dropped back to 88.3 per cent. in August. The hospital is also struggling to deal with the county's many orthopaedic patients.

[Mrs. Patsy Calton]

It seems to me that the plan to work with Cornwall county council is exactly what the Government want to see. An £8 million loan has been requested, and work has obviously gone into getting the local county council and the health economy to work together, which is exactly the sort of co-operation that one would want between local authorities and health authorities. Because of a legal opinion, which obviously has validity, and the district auditor's belief in that legal opinion, the action has been deemed illegal and has not been allowed to go ahead. That situation must be re-examined. The work was painstaking and was a genuine attempt to sort out the problems caused by the historical debt, but it has not been allowed to progress in spite of what the Government and, indeed, the Liberal Democrats want to see.

My hon. Friend the Member for North Cornwall (Mr. Tyler) mentioned the need for the health economy to get hold of the prevention and public health agenda. It is running to catch up in that area and must be allowed to work on those issues. It will be extremely difficult for it to do so while it must make cuts.

There is a real fear that vital patient services will be cut in this area. It has been reported that the North and East Cornwall PCT has started making cuts, and it is feared that the West of Cornwall and the Central Cornwall PCTs will follow suit. There is particular concern about elderly patients. My hon. Friends mentioned the increase in the numbers of elderly patients in the area, which is a strain on the entire health community.

Matthew Taylor: I, too, wanted to draw the Minister's attention to the large numbers of elderly patients, but did not get the opportunity to do so. A consultant in Cornwall alerted me to the fact that, for understandable reasons, there is a tendency for people with disabilities or people caring for people with disabilities to move to places such as Cornwall because of the quality of its community support. Cornwall also reports much higher than normal numbers of epileptics and patients with learning difficulties, and historically has had high numbers of people with statemented special needs, many of whom moved into the county. There is nothing wrong with that if the county wants to support them, but that may be a less obvious cost than the one incurred by elderly people moving into the county.

Mrs. Calton: I thank my hon. Friend for that intervention. I was about to point out that area rehabilitation centres for patients who have suffered strokes or Parkinson's disease have closed in Liskeard and Saltash in north and east Cornwall. That may be part of a larger plan, but those patients have lost services.

I was brought up in different parts of the country, but my grandparents came from Plymouth. I grew up in the certain knowledge that the Tamar was much more than a river and that Cornwall was considered a different country from the mainland. As hon. Members have said, Cornwall is an objective 1 area with some of the lowest incomes in the UK. It has large numbers of older people and pockets of great deprivation. As the hon. Member for Plymouth, Sutton (Linda Gilroy) said, it would not have objective 1 status if the community were not deprived. However, Cornwall has not been defined as a priority social need area in the health budget. It would receive an extra £18 million a year if it received the same treatment as other objective 1 areas. The low incomes relative to house prices in the area also exacerbate health inequalities.

The lack of rural public transport is key, as other hon. Members have said. Health care closer to home is important for people in rural areas, as they otherwise have to travel long distances to receive out-patient care. Bearing in mind that none of the towns has more than 25,000 inhabitants, the development of diagnostic and treatment centres throughout the county is vital, as it will enable patients to receive better care nearer to where they live.

Rural areas are very different from urban centres, and the targets devised for them often do not make as much sense. There should be more freedom for areas such as Cornwall to innovate locally, which Cornwall has clearly been trying to do through the local authority and the health authority. Cornish people should also have a greater say in how their local services, including their health services, are run. It is well known that the Liberal Democrats want health services to be delivered locally and to be locally accountable. We have had the potential for providing local solutions to local problems, but the county council and the health community have been prevented from supplying them. I look forward to hearing what the Minister can offer to address the justifiable concerns of my hon. Friends who represent Cornish constituencies.

3.9 pm

Dr. Andrew Murrison (Westbury): I congratulate the hon. Member for Truro and St. Austell (Matthew Taylor). I enjoyed reading the contribution that he made earlier this year, and have also enjoyed his remarks today. This morning, I discussed with the Minister how we could address the historical debt that arose in the Bath area and that greatly affects my constituents in west Wiltshire. I suspect that many of the problems that affect the hon. Gentleman's constituents are also relevant to my neck of the woods, so I feel his pain. We can debate how the debt has arisen because the main thesis that we are discussing is health service debt, but addressing that debt is central to the way in which I hope to see health care developing in my area. I appreciated the remarks the Minister made in that context this morning.

I am pleased to be making my Front-Bench debut on the subject of health services in the south-west region. I think that we all share some of the problems that have been related today. I caution against focusing overly on debt, and talking of historical debt as if it arose many years ago. The Labour Government have been in power for six and a half years, and perhaps we have to apportion blame for the arising of that debt within that time as well as in the time of the previous Administration. I shall try to do so, but I find the area extremely complicated. I think that the hon. Member for North Cornwall (Mr. Tyler) remarked that he was neither a doctor nor an accountant. I am a doctor, but it does not help me very much with the accounts.

Trying to define exactly where the debt has arisen, and who is responsible for it, is difficult and probably counter-productive. In many areas of the country, debt relates to financial mismanagement. I accept that that is not the case in Cornwall, but it probably is in my area. The debt has arisen for many reasons, but we need to move on and decide how to move forward. It is very much the case that debt is demoralising to health service managers and the health professionals who see their services being cut and their service planning driven by the need to address debt.

In my area, a number of health professionals have said to me how they regret the need always to think about where the axe will swing. I would say that the axe tends to swing in a disproportionate sort of way. In my experience, it tends to go for primary and intermediate health care services. One of my worries concerns community hospitals. They are very much under the spotlight in my area at the moment as we consider how we can address a health service debt for which we do not really feel responsible. It was arrived at under a previous health authority, and has little to do with the structures currently in place and even less to do with what one might call democratically accountable structures in the area.

There is a feeling that in the not-too-distant future we shall see a threat to primary health care services, intermediate health care and community hospitals that disproportionately affects the elderly and disabled. In that context, it is worth while discussing briefly the particular problems faced in Cornwall where, as in the rest of the south-west region, there has been a considerable loss of care home places, which has affected elderly people in particular.

There have been problems with primary health care, with a number of vacancies in general practice: there are 94 in the south-west peninsula area. I cannot understand why that is the case. I have practised in Plymouth and it is a truly delightful part of the world. I cannot see why GP trainees and people coming into general practice for the first time would not be queueing up to practice in Devon and Cornwall, but there we are. Those vacancies have increased in the region by 31 per cent. since 2002, and the number of applicants has decreased by 61 per cent. since 2000. There is a real problem with primary health care. On top of that, we have the problem of historical debt, which must be addressed. As I have suggested, it will disproportionately affect primary health care.

If I were to make one small criticism of the contribution of the hon. Member for Truro and St. Austell in March, it would be that he perhaps fell into the trap that many Ministers fall into by focusing heavily on the acute sector. Although I am sure that he did not mean to give this impression, he seemed to focus heavily on hospitals rather than on primary health care. That is something of which we as politicians need to be very aware. The Government are right to underscore and underline primary health care in their words, but we sometimes find it very difficult—particularly when health service managers are instinctively centralising—to focus on primary health care, which arguably has a greater capacity for increasing the sum of human happiness than the acute sector.

Another difficulty facing the Government is that they have focused very much on targets, principally in the hospital sector. It is perhaps to be welcomed that we have seen a slight change in emphasis of late away from targets towards more rational measures of health care provision. We must hope that primary care benefits as a result. Several hon. Members have drawn attention to the difficulties of rurality and they were right to do so. Such matters affect my area just as much as they affect Cornwall. Although it pains me to do so, I must say that the Scottish Parliament has perhaps got it right, given how it has reflected the difficulties of the provision of health care in rural areas. Were such matters to be factored into Cornwall, they would wipe out almost half of the debt that we are discussing today.

Rural areas face particular health care funding challenges. Cornwall has problems with the ambulance service, for example, with the handover time of ambulances, which at the Royal Cornwall hospital is 20 minutes compared with 11 minutes at Derriford. We need to find a cause for that considerable difference. I draw attention to the number of delays between one and two hours for the last quarter for which figures are available. There were 151 such delays at the Royal Cornwall hospital compared with 99 at Derriford and 39 at Taunton.

We must ask why there is a problem with the ambulance service. We have heard about more general problems in accident and emergency departments and I am led to conclude that they are owed to difficulties with primary care. Recently, the number of emergency admissions has increased by 10 per cent. in Cornwall, Devon and Somerset compared with an increase of 4 per cent. in ambulance calls described by doctors as urgent. The reason for the difference in the two figures is that the general public has access to emergency ambulances, but not to urgent ambulances. They are probably finding difficulty in accessing primary care and calling out ambulances. That brings me back to my original thesis, which is that the historical debts that we face in many areas throughout the country, especially rural areas, affect us disproportionately in primary health care. In many of those areas, primary health care is already under some pressure.

The hon. Member for Truro and St. Austell was a little generous by not going for the Minister about the drift of moneys towards metropolitan areas. Each week, it seems that a Labour Back Bencher gets to his or her feet and says how grateful he or she is for new investment in hospitals that are principally in metropolitan areas. That undoubtedly impacts on those of us who represent predominantly rural communities. The Prime Minister claimed that his priorities were "schools 'n' hospitals". He should have rephrased that, perhaps more prosaically, and said instead, "schools 'n' health care".

3.17 pm

The Minister of State, Department of Health (Ms Rosie Winterton): I congratulate the hon. Member for Truro and St. Austell (Matthew Taylor) on securing today's debate, which has covered many issues thoroughly. I also congratulate the hon. Member for Westbury (Dr. Murrison) on his new position. He obviously has a wide-ranging knowledge of the health service, and I am sure that that will stand him in good

[Ms Rosie Winterton]

stead in his new role. I congratulate my hon. Friend the Member for Plymouth, Sutton (Linda Gilroy) not only on her contribution to the debate, but on managing to bring in my hon. Friend the Member for Falmouth and Camborne (Ms Atherton), which she did so skilfully. We all know that my hon. Friend the Member for Falmouth and Camborne is a great champion of the health service in Cornwall, and we wish her a speedy recovery.

Specific issues have been raised this afternoon, and I shall try to deal with them all in the time available to me. However, before I do I shall take the opportunity to pay tribute to the good work that has been carried out throughout the south-west peninsula. High-quality services have been delivered by dedicated staff, many of whom I had the good fortune to meet when I visited the area recently.

I was extremely impressed not only by the way in which the health service and the social services were working together, which has been mentioned many times today, but by some of the innovative ideas. For example, with my hon. Friend the Member for Falmouth and Camborne, I launched a "telemedicine contraption", if I may call it that, which links one of the outer centres to the accident and emergency department. That is a very imaginative way of delivering accident and emergency care, to which many hon. Members have referred today.

I have two examples of how performance across the whole region has improved. The Cornwall health community achieved all in-patient and out-patient waiting time targets in 2002–03, and the Royal Cornwall Hospitals Trust has improved from one-star to two-star status. Various people, as well as myself, have talked about the accident and emergency services, but achieving 93.6 per cent. on the four-hour target is a tribute to the hard work and dedication of staff. I know only too well that the targets are not achieved unless there is imaginative thinking and real effort by local front-line staff.

Many hon. Members have acknowledged the Government's increased investment in the national health service: 7.4 per cent. a year above inflation until 2007. That is an increase of £34 billion. Central Cornwall PCT has benefited from that, and received £172 million this year, an increase of 9.4 per cent. Many hon. Members have highlighted the changes that that has brought to service delivery in the area. However, I am also aware of the issue of inherited debts and the general financial position in the Cornish health community, which has been raised by hon. Members.

To backtrack slightly, I should perhaps explain that although the health service has received significant additional resources it is still true that annual expenditure must remain within the resources allocated by Parliament. All NHS organisations must be clear that, having received their fair share of resources, they have a corresponding responsibility to manage them effectively without relying on further help from the centre or from other parts of the NHS. It is now the responsibility of the strategic health authorities both to deliver the overall financial balance for their economies and to ensure that each and every body achieves financial balance.

By shifting the balance of power and devolving to local areas we are trying to ensure that local people find local solutions to local challenges. Some 75 per cent. of the entire NHS budget is now devolved to PCT level. However, where an individual NHS body has a deficit, overspends have to be matched by underspends elsewhere. There is a degree of flexibility in that, as I have said. I do not deny that it is a challenging task in Cornwall, but the local health community, with the support of the strategic health authority, is taking steps to address its financial position. Cornwall and the Isles of Scilly have worked together as a community to produce a service modernisation and finance plan. That is a three-year programme of reform and service redesign, aimed at achieving sustainable services in financial balance, and the delivery of key targets.

Andrew George: Has the Department assessed whether the cause of the debt that the trusts are experiencing is not any failure on their part, but a failure to anticipate the real costs of providing health services in an area such as Cornwall, which has so many geographical and other challenges?

Ms Winterton: Plenty of areas have had similar challenges over the past few years, but they have not necessarily had the same kind of inherited debts as Cornwall. I do not deny that there is a challenge, but the health communities across the south-west peninsula have already supported a package of measures totalling £18 million worth of non-recurrent flexibilities to help offset the one-off debts in the current year. Steady progress was achieved in 2002–03, and further savings in 2003–04 are being considered as part of the three-year plan.

In addition, the health community in Cornwall and across the peninsula will address the £13 million shortfall that still remains in order to achieve financial balance in 2003–04. I stress that a key part of drawing up the recovery plans has been ensuring that there is as small an impact as possible on direct patient services. That has been attempted in a variety of ways, including reducing recruitment and travel costs and considering home treatment as opposed to in-hospital treatment. I reassure hon. Members that my Department and I are working closely with the strategic health authority to ensure that the £13 million debt is considered carefully—with all the reassurances that I have given about the effect on patient care and targets—and I will continue to talk with hon. Members about those issues.

Matthew Taylor: I thank the Minister for her response. Her visit to Cornwall was welcome, and people appreciated her comments. Following this debate, will she ask the strategic health authority what advice it is giving on how Cornwall should tackle the problem, given the unravelling of the financial plan involving the county council? There is a feeling that the strategic health authority is waving a stick, but not making any constructive proposals about what to do.

Ms Winterton: Yes, I certainly undertake to do that.

I will make two more points before I finish. The issue of the funding formula for rural areas has been raised. The new formula takes account of the effects of access, transport and poverty. The allocation that Cornwall

received is some £3.2 million more than the average under the national allocation formula. Finally, I understand what hon. Members have said about out-of-area treatment. Since March 1999, reimbursement for such treatment has been through annual non-recurring payments. However, hon. Members may be aware that the Department is considering ways in which the out-of-area treatment system can be improved. That has recently been consulted on, but I will certainly give careful consideration to the comments that have been made today and take them on board before making any further decision.

I hope that hon. Members will now be reassured that I am aware that there are real challenges ahead for the NHS in Cornwall. However, I am confident that the health community is responding to those challenges and that significant efforts are being made to achieve financial balance. I hope that hon. Members agree that it is necessary to get that financial balance to achieve sustainable services and to deliver key targets. The strategic health authority will continue to offer support and guidance to the community and individual organisations across the health economy during this period of significant reform, and I will keep in touch with hon. Members about the progress that is made.

Housing (Milton Keynes)

3.30 pm

Dr. Phyllis Starkey (Milton Keynes, South-West): The subject of this debate is of enormous importance to my constituents and those of my hon. Friend the Member for Milton Keynes, North-East (Brian White). It is also crucial to an area of Government policy; that is, the Government's desire to increase housing growth in the south-east, particularly in Milton Keynes, which is to have 34,000 extra homes by 2016.

The Government's designation of Milton Keynes as a housing growth area has been largely accepted in Milton Keynes, although specific details about where the housing is to be built are still a matter of some concern. Essentially, that is because people in the area understand that the shortage of housing, particularly affordable housing, is detrimental to those on lower incomes and to young people who are growing up in Milton Keynes and who wish to have homes of their own there.

The housing shortage is also a threat to the continued health and growth of the economy. Many local firms already experience difficulty in recruiting people because it is hard for individuals to find affordable housing in Milton Keynes. Indeed, many commute.

Notwithstanding the general acceptance, there is huge local concern at all levels that extra housing must be underpinned by the parallel provision of infrastructure. Past experience in Milton Keynes does not inspire confidence. Of course, it is true that Milton Keynes is a planned community. Its development plan has been largely rolled out and adhered to, but there have been problems, particularly in the provision of schools and health facilities. In the growth areas in the west and the east, the school population has overtaken school building. The consequence is that children are forced to travel to more distant schools. Even some who actually live right next door to a brand new school do so, because brand new schools are often oversubscribed from the start.

On health provision, the hospital never had the planned phase 3. Despite the generous new build that has been funded by the Labour Government, it will not be until the end of 2004 at the earliest that hospital bed provision in Milton Keynes will reach the size warranted by the current population. As the population is growing all the time, it is somewhat like trying to fill up the bath with the plug out. Everyone in Milton Keynes is well aware of the consequences for national health service care of the undercapacity across the board. Naturally, there is a huge fear that further growth will simply reduce for everyone the quality of the public services.

The Government have assured us that infrastructure will be provided in parallel to housing growth, but the structures and mechanisms to achieve that are not clear. I hope that the Minister will be able to put more flesh on the bones and to reassure me, my colleagues and our constituents in her response.

In her written parliamentary answer of 21 October, the Minister described the Milton Keynes and south midlands inter-regional board, which I will henceforth

[Dr. Phyllis Starkey]

refer to as the inter-regional board. Chaired by her colleague, Lord Rooker, it will

"seek long-term commitment to delivery through high level executive membership from relevant agencies."

She also said that it will

"influence the investment of others, which will include both capital and revenue implications of planned growth."—[*Official Report*, 21 October 2003; Vol. 411, c. 542–3W.]

I encourage the Minister to be more expansive in describing exactly how that would work.

I wish to focus on health and transport, which have been highlighted in the Milton Keynes and south midlands sub-regional strategy. It was drawn up by the three relevant regional assemblies and has been out for public consultation. In that document, transport, health and education were diagnosed as areas that already had an infrastructure deficit.

Past underfunding in the NHS in Milton Keynes meant that in the decade up to 1998 and despite population growth of 2 to 3 per cent. each year in that period, no extra beds were provided at Milton Keynes hospital. That caused huge problems and the diminution of its service.

Despite the generous increase in funding that the NHS has received under this Government, Milton Keynes has been badly hit by two factors. First, the 2001 census underestimated the population of Milton Keynes. The Milton Keynes unitary authority and the primary care trust are involved in continuing correspondence with the Office for National Statistics about that, and following written questions that I have put about the census they will meet soon.

NHS funding is set for a three-year period based on the population in year one. So, even if the population in year one were correct, it would not be by year three. It is very difficult to see how further growth can be accommodated within the normal revenue funding mechanism of the NHS. I am not so worried about capital funding, as it is much easier to see how the NHS executive would respond to increased growth in Milton Keynes through the allocation of capital funding, because that does not depend on a formula. Revenue funding depends on a formula, and it is ill suited to the situation in Milton Keynes.

How will the inter-regional board ensure that the NHS funding system recognises the growth requirements of Milton Keynes, with expanding hospital, GP and community NHS services to meet population growth as it happens, rather than years later? The revenue resources are important, because without them the new capital facilities cannot be opened and staffed.

Transport is the second area of concern. The Milton Keynes and south midlands sub-regional strategy highlighted the weaknesses in east-west road and rail transport links in the region and said that improvements to those links were a priority for supporting and facilitating growth. The east-west rail link from Cambridge to Oxford through Bletchley in the southern part of Milton Keynes has long been supported by an active consortium of local authorities along the route and a virtual all-party parliamentary group, if I can describe it as that, which includes my hon. Friends the Members for Milton Keynes, North-East and for Luton, North (Mr. Hopkins). It is a high priority for all three regional development agencies.

There have been improvements to that route, largely in the eastern section that is already funded by the Strategic Rail Authority. A bid is being discussed between the Strategic Rail Authority and the local authority consortium for the reopening of the Bicester to Bletchley section.

The Minister will be pleased to know that I will not outline the detailed business case for the east-west rail link; I have done so on numerous occasions in letters to Transport Ministers and at an earlier Adjournment debate, as have several other Members. The section from Oxford through Bicester to Bletchley is crucial for growth in Milton Keynes and the south midlands. It is an important alternative commuter route from new houses in western Milton Keynes into Bletchley and Milton Keynes.

Brian White (Milton Keynes, North-East): One of the proposed areas of growth is in the villages of Wavenden and Woburn Sands in my constituency, which rely on the Bedford-Bletchley line, part of the east-west line that is to be upgraded. People are concerned about maintaining those communities. Does my hon. Friend accept that transport links are the key to making sure that the communities of Wavenden and Woburn Sands are retained in any development?

Dr. Starkey: Absolutely. The use of the railway as an alternative commuter link is incredibly important to encourage development to occur in a sustainable way, so that it does not simply consume all the countryside round about, and to provide a more environmentally friendly way for people to travel to and from employment, which would almost certainly be in Bletchley or Milton Keynes. The rail route is extremely important to that.

The Milton Keynes and south midlands growth area study suggested a new station at Newton Longville to service housing growth in that area, which is on the western side. The Bicester to Bletchley line reopening would also link in with a putative branch line to Aylesbury, where further growth is also planned. Again, many people in Aylesbury are likely to work in Milton Keynes.

The Oxford to Cambridge route is a key part of the infrastructure underpinning the Oxford to Cambridge technology arc, which is a project that attempts to exploit the academic research discoveries of Oxford, Cambridge and Cranfield universities, and indeed of the Open university in Milton Keynes, to generate employment. At the moment, Oxford and Cambridge are very constrained in terms of land availability, whereas in the middle section of the arc, around Bedford and Milton Keynes, land is available for firms generated by the academic excellence of those universities. Obviously, the east-west rail link is a crucial part of that concept, and indeed is crucial to the economic regeneration of Bletchley.

The Strategic Rail Authority has its own funding priorities, although I was interested to note that its latest report entitled "Everyone's Railway: The Wider Case for Rail" says that the SRA will need to look at its role in underpinning the Government's sustainable communities strategy.

The latest bid made to the SRA for the Bicester to Bletchley section is said to be being considered as part of that sustainable communities scheme, but it is not clear what that really means. The SRA will be represented on the inter-regional board; again, I want to know what the mechanism is to encourage the SRA to move transport schemes that underpin growth, such as east-west rail, up its priorities. In particular, can the SRA be encouraged to access developer funding to add to its funding for schemes such as east-west rail?

Further pressure on the SRA to rethink its priorities has come from the all-party group on rail's report, which highlights increasing road congestion and the effects that road pricing and other traffic management measures can have in encouraging the transfer of traffic from road to rail. The Milton Keynes and south midlands sub-regional strategy points out that there is particularly high traffic growth in our region, and that public transport improvements are crucial to facilitate growth. That, in my view, must make the east-west rail link even more important.

In conclusion, the provision of infrastructure in parallel with housing growth is absolutely crucial if that housing growth is occur. That was recently reiterated by Lord Rooker at a meeting in Milton Keynes, where he was addressing the business community. He said that private development is needed to fund housing, but that will not come in if the infrastructure is not there. It is recognised that it is crucial for the housing growth to occur, but it is also crucial that we retain the support of the population of Milton Keynes for the growth.

I know that the Government appear to recognise the importance of the issue, but I, my hon. Friend the Member for Milton Keynes, North-East and our constituents need the reassurance that Government can deliver that infrastructure and in particular that the NHS and the SRA can deliver on their part.

3.44 pm

Mr. Kelvin Hopkins (Luton, North): I am grateful for the opportunity to speak in the debate and I congratulate my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) on securing it and on what she said, with which I entirely agree. Some of the housing about which my hon. Friend spoke will stretch as far as my Luton, North constituency and there will be some expansion to the north of it. Even now my constituency is under-provided with infrastructure, particularly transport.

There is another east-west transport link—the proposed relief road going across the north of the Dunstable-Luton conurbation through the A5, the M1, the A6 and the A505. That is fundamentally important now, but there have been suggestions recently that it should start at the A5 and stop at the M1. I ask my hon. Friend the Minister seriously to consider giving a higher priority to that relief road and ensuring that it goes right across to the A505. There will then be another genuine east-west trunk link between the centre and the east of England and people will not be required to travel on inappropriate residential roads in my constituency, as they are now.

If the houses are built without the relief road being built at the same time, serious congestion problems will be caused—even beyond those we have now. I hope that my hon. Friend the Minister will consider that.

3.45 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I congratulate my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) on securing a debate on matter of such importance to her constituents. Milton Keynes is already well established as Britain's fastest growing urban area from the 1970s to the 1990s. Its planning targets require growth of 27,500 dwellings by 2016 and consultation is underway on proposals that would see that target increase to up to 33,900 dwellings. I know that my hon. Friend is a strong advocate for improving the infrastructure in her constituents' area, both currently and in future.

My hon. Friends the Members for Milton Keynes, North-East (Brian White) and for Luton, North (Mr. Hopkins) have also been strongly engaged in that debate. They are right to argue that as we expand growth in the housing supply—including affordable housing—and support growth in the area, it must be underpinned by the necessary critical infrastructure for those communities and the communities of the future.

I should like to talk briefly about the background to the growth area proposals and the recent update, before responding directly to some of the points made by my hon. Friends. Following the identification in 2001 of the Milton Keynes and south-midlands area as one of the four growth areas in the south-east, independent studies have highlighted the considerable potential for further growth there. My hon. Friends are right to point out that that is critical to the local economy in Milton Keynes and the general area, and to the supply of affordable housing. It also has an impact on the needs of the economy and housing requirements of the south-east and London as a whole. That is why the sustainable communities plan published earlier this year, and the progress report released in July, set out a substantial programme for providing the additional housing and infrastructure required to create sustainable communities. That programme included the allocation of £136 million in funding to pump prime the delivery of growth. Milton Keynes has had a history of considerable success in urban development, but we must also recognise that there have been difficulties in the past and learn from those as we expand growth in the area in future.

The level of growth for the area is the subject of an extensive consultation process. As my hon. Friend the Member for Milton Keynes, South-West said, the three regional assemblies are taking forward the growth proposals. The draft alterations they have prepared propose that the Milton Keynes area should seek to deliver up to 33,900 dwellings between 2001 and 2016. Under the proposal, new development would be delivered through the completion of developments that are already planned, urban intensification, and the creation of new sustainable urban extensions, which will need to be integrated with the provision of new and enhanced public transport systems and interchanges. The consultation document also sets out what local partners consider to be the key elements of local transport infrastructure that require enhancing and upgrading by 2016 in order to facilitate the growth. That will need to be examined through the regional planning guidance process.

[Yvette Cooper]

The planning consultation document has already gone through an initial period of public consultation—including public consultation events. I understand that more than 1,600 submissions were received during the first phase of the consultation. The next phase will be the public examination run by an independent panel, which will be held in March 2004. That panel will scrutinise all the proposals, including those at Milton Keynes, and the wider transport infrastructure required to go with the proposals. Further public consultation on the proposed changes will be undertaken later in 2004, before the alterations are finalised towards the end of 2004. The consultation process has some way to go.

My hon. Friend the Member for Luton, North mentioned the transport issues affecting his constituency. I will discuss that further with my noble Friend Lord Rooker, who is closely involved in the Milton Keynes growth area, but I also point my hon. Friend the Member for Luton, North towards the public consultation process, which will give considerable opportunity to consider transport infrastructure issues in more detail.

Sustainable communities are not just about housing. This cannot simply be about building dormitories; it must be about building sustainable communities. That is why we need to look at issues around jobs and economic infrastructure, and around transport and public services, including access to good schools and health facilities.

A number of initiatives are in place, including the additional Government funding to pump prime the delivery of growth, which has already been provided to the Milton Keynes and south midlands growth area. The announcement that was made in July allocated £136 million for specific projects across the three growth areas over the next three years. Part of that money has been used to fund a study of the strategic primary and social health care provision in the Milton Keynes and south midlands growth area. That is crucial for anticipating the kinds of problems that my hon. Friend the Member for Milton Keynes, South-West raised with regard to the health care needs of the existing community, and the community in future as growth occurs. There are additional resources to fund similar projects, which we expect to announce shortly.

Transport issues have been addressed. I welcome the fact that my right hon. Friend the Secretary of State for Transport has announced a package of improvements worth £2.2 billion for the growth areas. They include improving and widening the M1 motorway south of Milton Keynes, the Dunstable northern bypass, and the dualling of the A421 between Bedford and junction 13 of the M1. In addition, there is the Stoke Hammond and Linslade bypass to help improve road links between Aylesbury and Milton Keynes. The Strategic Rail Authority has committed to local upgrades as part of the west coast main line improvements, which will assist Milton Keynes with its north-south links.

I recognise the point that was made by my hon. Friend the Member for Milton Keynes, South-West and strongly reinforced by my hon. Friend the Member for Milton Keynes, North-East about the need for east-west public transport links. It is therefore welcome that the SRA is examining the business case for rail services on the western section of this line between Oxford and Bedford, and working closely with the East West Rail Consortium, comprising local authorities and key stakeholders. This is clearly an important issue that will need to be addressed further over the coming months and years as part of the programme to support growth around Milton Keynes.

We have also been working closely with colleagues in the Department of Health and the Department for Education and Skills to ensure that health care provision and education facilities in the growth areas properly recognise the impact of growth and anticipate it. Those discussions are also under way at ministerial level.

I come now to the important questions raised my hon. Friend the Member for Milton Keynes, South-West about local delivery vehicles and the nature of the inter-regional board. As hon. Members know, we have said that we will establish an urban regeneration area for Milton Keynes to be led by English Partnerships and the local authority and in which local partners must play a key role. We have said that new delivery arrangements must involve working in close partnership with Milton Keynes council, the local strategic partnership and the local business community. They also need to facilitate a strong input from those who represent potential private investors and professional bodies concerned with growth and development.

Successful growth across the Milton Keynes and south midlands growth area requires engagement at regional level and a wide variety of local and regional partners. To ensure that that occurs, the proposal is to establish an inter-regional board, to be chaired by my noble Friend Lord Rooker. The function of the board is to support growth, and to influence and encourage integration between the different organisations. The board will not supplant the operations of existing agencies or delivery vehicles. Normally, it would not have its own funds to allocate, and it will focus on high-level executive intervention. We expect it to involve senior representatives from strategic health authorities, regional development agencies, regional planning bodies, the Strategic Rail Authority, water companies and other utilities, the Highways Agency, the Housing Corporation, county councils and unitaries, the Confederation of British Industry, the House Builders Federation and others.

It is critical that my noble Friend Lord Rooker will chair that board. That recognises our strong ministerial commitment to making the board work effectively and engaging the different agencies that need to be involved at a sufficiently senior level. We expect proper senior representation from the organisations, and for them to work closely with each other and my noble Friend Lord Rooker to ensure that infrastructure issues are anticipated early enough. We will continue to raise issues with individual Departments and have discussions across Whitehall and at regional and inter-regional level. We expect to establish the membership shortly. The hope is that the board will hold its first meeting in the new year, and will begin to anticipate its programme of work over the next few months.

Dr. Starkey: Can the Minister assure me that when the members are appointed their names will be made public, and preferably that the MPs affected will be given first notice, so that we can report our concerns directly to those individuals?

Yvette Cooper: I see no reason why that should not happen. I shall raise that point with Lord Rooker. We recognise the important role that the contributions of MPs play in this process.

Milton Keynes council has made clear representations to the Government about its unique circumstances and the way in which funding for the council has lagged behind growth. In recognition of that, my noble Friend Lord Rooker has given approval for English Partnerships to contribute additional funding for the council towards the cost of providing amenities for the town. English Partnerships is working closely with Milton Keynes council to define how best to apply the funding of up to £2 million a year over the next three years.

There is a real opportunity to plan for sustainable growth for the benefit of Milton Keynes. The Government are keen to do everything they can to assist in providing the infrastructure to go with growth, and to enable Milton Keynes to continue to prosper and reform.

The ethos of the sustainable communities plan is that we should support the entire community, and that we should invest in the infrastructure needed. We are not simply discussing the bricks and mortar of houses, but crucial community infrastructure, so that such areas can thrive in future. I note the points made by hon. Members from the area. I assure them that we strongly agree with the points that they made about the need to ensure that that growth occurs in a sustainable way.

Post Office Closures (Central Manchester)

Mr. Deputy Speaker (Mr. Edward O'Hara): In the absence of the Minister, the debate may commence, but there must be a quorum of three, including the initiator of the debate and myself.

4 pm

Tony Lloyd (Manchester, Central): This takes me back to the days of the Conservative Government when, even though Ministers were present, it was almost pointless them being there. In this case, I have no Minister to talk to, unless perhaps, in the absence of her ministerial colleague, the Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper) will officiate. I trust that he will come, because although I am happy to make my speech for the record, it would be a shame if I were not able to address my remarks to the right Minister. I imagine that, even as we speak, efforts are being made to raise him.

The debate is about post office closures in central Manchester, a matter that I have wanted to bring to the attention of the House for some time. It is widely accepted that the post office is a vital part of the infrastructure of our fragile inner-city areas. That has been recognised by the Government—every Minister who speaks about post offices makes the case that they are part of that infrastructure, and that there is a social case as well as a business case for them. Indeed, the Government have accepted that inner-city case to the extent that local government wards in the bottom 10 per cent. of the most deprived wards are given extra consideration—the normal rule that post office branches should not close unless there is another post office within a mile has been reduced to half a mile. That is an important addition.

The whole of my constituency is inner city: every ward falls into that bottom 10 per cent., and seven of the eight wards fall into the bottom 1 per cent. I shall illustrate the scale of the problem with reference to one of the wards, Moss Side, where one of the branches to which I shall refer was located. Moss Side is very much at the worst end of the social ladder. Some 70 per cent. of its population have no access to the motor car; and bus use is 2.6 times greater than normal. In the case that I shall discuss, the direct bus services to alternative post offices are bad. Unemployment is 2.8 times the national average, and there are 3.9 times the number of single parents, as well as many elderly people who have great difficulty with mobility and in accessing the normal facilities.

It is in that context that I want to raise the fact that the Post Office has broken its own and the Government's commitment to maintain a proper and adequate framework of sub-post offices. In particular, I shall judge the Post Office against the words of David Mills, the then chief executive, who wrote to me a year ago in October 2002. He stated:

> "We have a commitment to our branches within deprived urban areas, especially those with no other branch within ½ mile, but you will appreciate that this commitment is impossible to achieve without the goodwill of landlords."

[Tony Lloyd]

He also stated:

"We cannot afford to keep failing branches open since Post Office Ltd suffered a loss of £163 million in the last financial year."

That is fine, but I assume from that comment about failing branches that if branches are successful they should remain open. I also want to raise the issue of whether the Post Office adequately consults the public. The Post Office miserably fails the half-mile test, the viable business test and the consultation test, and it has a robotic approach to post office closures.

Seven post offices have closed in my constituency, but I will refer to only five. I will not mention the closures on Sackville street, which is in a prosperous area of my constituency, or in Rusholme in the constituency of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman).

I will refer first to the post office in West Gorton, which closed in 2001 when the sub-postmaster retired. When he left, the Post Office promised that it intended to fill that sub-post office with another sub-postmaster, but that promise has never materialised. The Post Office has not found an alternative sub-postmaster, and a proper search for a replacement has never been considered. What is more galling is that I put it to the Post Office that a local shopkeeper was prepared to upgrade his property to act as a sub-post office, but that offer was treated with absolute contempt, with no reasons given for refusing the offer. Many elderly people live on the estate, and the nearest post office is about 1.5 miles away. That is way beyond the half-mile limit that the Post Office uses in that area, and even beyond the one-mile limit that it uses in non-deprived urban areas. West Gorton seems to have disappeared from the post office list. It has never been formally announced to me that the post office is closed; it is simply no longer open.

The Post Office originally claimed that the post office on Lower Oldham road was within half a mile of other post offices. I arranged to test that and, when somebody walked to the nearest post office with a pedometer, the distance was 0.7 of a mile. Despite the fact that we proved beyond reasonable doubt—walking the distance is a reasonable way of assessing the distance that elderly people must travel—the Post Office insisted that it was right and the sub-post office was less than half a mile from the nearest post office. I do not know what we have to do to prove that to the Post Office. Does consultation mean that, if it is demonstrated that the Post Office's rules are being broken, it stubbornly maintains its decision to close? People local to Lower Oldham road still feel a sense of injustice, particularly the elderly who find it difficult to walk the longer distance.

The Post Office originally claimed that the nearest post office to Clayton Bridge post office was within half a mile. I pointed out that the nearest post office was 0.6 of a mile away and in the end it accepted that. However, there was no good grace in its recognition. A Post Office representative wrote to me about the decision regarding the future of the branch. The letter read:

"I have received a number of comments from customers and local representatives . . . These centred on how such a permanent closure would affect the community and local businesses. Concern was also expressed that the disabled and pensioners would find the alternative branches too far away."

The letter continued:

"Although I believe that other branches nearby are suitably located, offering the right services to meet the needs of the local community, I have carefully reconsidered my original decision".

There was no recognition that the Post Office had simply got the distance wrong, or an apology. It even reaffirmed that other branches were suitably located when clearly, by the standards that the Government asked the Post Office to put into practice, they were not.

I welcomed with good grace what I saw as a reprieve for the Clayton Bridge post office. However, in the months following, the Post Office did little to find new premises. It finally wrote to me saying that it intended to close Clayton Bridge permanently, as it had advertised the vacancy but no alternative was available. As a vacancy for a new property could only be advertised locally, I asked if local people knew about it, but they told me they were unaware of it. Once again, by its own test, the Post Office badly let down the community of Clayton Bridge.

The Post Office wrote to me about the university precinct post office, saying that its proposal to relocate that office had been made to secure the long-term provision of the post office services in a new outlet. The Post Office told me that as it was a relocation, not the closure of a post office, the rules about distance no longer applied. It said:

"The assurances that had been given to ensure, wherever possible, that we will not close any post offices in urban deprived areas unless there is another branch within half a mile were given as part of the commitment to our Network Reinvention programme. However, our proposal to relocate University Precinct is not part of that programme but is part of our day-to-day management of our nationwide network of offices."

In other words, as long as the Post Office says that it is not a closure, but another kind of restructuring, it can ignore all the rules that the Government asked it to abide by and close post offices willy-nilly, despite the fact that many elderly people cannot travel the 0.7 miles to the relocated post office.

What makes the situation even more annoying is that the existing owner of the property that had housed the sub-post office wanted to continue to offer the Post Office a lease, but it refused to continue negotiations with the landlord, and in doing so seriously disadvantaged the traditional users of the post office.

However, perhaps the most perplexing decision was that concerning the Moss Side post office. The story is almost bizarre: local rumour said that the post office was due to close. I contacted the Post Office; I will not mention the names of those involved, although the names of some of the senior officials should be in the public domain, so that when they are put in the stocks with dunces' caps on their heads they can be properly pilloried. I give thanks to my colleagues who have been so supportive of me in this Chamber.

The Post Office originally denied that it had any intention to close the Moss Side branch, saying that the rumours about its closure were false. Later that day, when my office queried what the Post Office said, because local people insisted that the branch was to

close, it said, "Yes, there is a temporary closure." That seemed to be all right; as I had complained about its failure to get its act together, the Post Office wrote to me saying that it was not such a big deal. It said:

"We are working hard to explore ways to restore normal services."

It said that there were a number of branches within a mile of that sub-post office, but once again, the constant reference to a mile denies the fact that all the sub-post offices in my constituency should be measured by the half-mile test, which the Minister agreed with the Post Office and which the Post Office so cavalierly ignored, as shown in my earlier examples.

I was delighted to receive a letter from the Post Office on 3 July saying,

"We are currently developing a proposal for the future of this branch and hope to take this to public consultation in the near future."

That delighted local people, as it gave them great heart. They thought that the post office had been closed only temporarily and was on its way back. However, three weeks later the Post Office wrote to me saying that its proposal for the future was to close the branch. I replied, complaining bitterly and accusing the Post Office of extreme bad faith and dishonesty, because, de facto, it allowed the public to be deceived. I think that that is lying, in the parlance of the outside world. I can say that about the Post Office and its senior managers because, I am afraid, that was the reaction induced in me. That decision was very unfair. I then received a letter from a senior Post Office manager, who said:

"The phrase 'currently developing a proposal for the future of this branch' could, I accept, easily be interpreted to mean that we were committed to keeping the branch open. Although we were open-minded in our approach to the issue, closure was always one of the options."

Of course closure was always one of the options, because in every case in which the Post Office has consulted in my constituency, it has ended up closing the branch that it originally targeted, although it has temporarily wavered.

In the Moss Side case, there has been a slight reprieve. The Post Office wrote to me on 29 September saying that

"the proposal to close this branch will be deferred until the implementation of the plan in this area",

which takes place in April next year. It omitted to say that it was keeping that post office temporarily closed, so the fact that the branch had been given the reprieve made no practical difference. It made no difference whatever to the elderly people, or to the 85 per cent. of that post office's customers who use it to claim benefits.

In summary, I am extremely frustrated by the robotic and inconsiderate way in which the Post Office is closing branches in my area. No test of financial viability—as in Moss Side or in other areas where sub-postmasters are willing to take on the business—seems to make any difference to the Post Office. Given an excuse to close, it closes. It goes through a formal consultation process, but that makes no difference to the result. The half-mile test that the Minister negotiated with the Post Office is cavalierly and regularly ignored. In the end, the many people who depend on the Post Office, both as a business and in its role as a part of the social fabric—a role that the Government recognised in the negotiations—are ignored by that very Post Office. People of the inner cities are treated with enormous contempt.

I raise the matter today because I would like some retrospective justice and a review of some of those Post Office decisions. I know that traditionally the Government take an arm's-length view, but the Minister is responsible for policy on the Post Office and he ought to ask it to justify the examples that I have given, rather than simply to comment on them. It needs to justify those examples properly because next year, when my constituency, like all other constituencies, is faced with the reinvention programme, the Minister will have—I assure him of this—pressure from me once more if the Post Office handles the issues in the same contemptuous way.

I hope that the Minister will contemplate what I have said. Perhaps he could write to me on the detail that we have had to race through today. I hope that he can give me some comfort that next year the process will be handled in a way that is satisfactory for my constituents.

4.17 pm

The Minister for Energy, E-Commerce and Postal Services (Mr. Stephen Timms): I congratulate my hon. Friend the Member for Manchester, Central (Tony Lloyd) on securing the debate. I apologise to him for my delayed arrival. I am grateful to the Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), who remained longer than she might otherwise have done.

My hon. Friend the Member for Manchester, Central made some important points and he has shown a lot of interest in this subject over a long period. He has raised his concerns with me on a number of occasions, and I agree with the points that he made about the importance of the post office network to communities in constituencies such as his—in some ways similar to my constituency—as well as those in rural areas, where there has sometimes been more focus on such matters. The Post Office plays an important role in inner-city areas as well. I completely agree with the point that he made on that.

That is the background to our determination to maintain a viable nationwide network of post offices—they are so important as a focal point for their communities, particularly for elderly customers and for people who are less mobile than others. I will pick up some of the specific points that he made about the branches in his constituency. However, it is worth setting out the background to the changes happening in the post office network.

In 2000, the performance and innovation unit produced a report that was widely welcomed and that has formed the basis for the Government's policy on the post office network since then. We accepted all its recommendations. It was also widely welcomed by the National Federation of Sub-Postmasters and others. Among its recommendations was that, if the Post Office decided that fewer offices were needed in some urban areas because of there being less business for the post office network than in the past for a variety of reasons,

[Mr. Stephen Timms]

the Government should consider providing funding to ensure that affected sub-postmasters could be compensated adequately for the loss of their business.

Last November, following parliamentary approval of the funding, Post Office Ltd. initiated its urban network reinvention programme, which will be taken forward in Manchester by the exercise to which my hon. Friend referred. The closures that he mentioned in the debate are mainly outside that process. The pattern for the whole area will be set out in a proposal by the Post Office before long.

I wish to pick up particularly on the half-mile issue to which my hon. Friend referred. At present, there are 17,000 branches of the Post Office throughout the country. That is more than all of the banks and building societies put together. More than 1,000 urban sub-post offices have at least 10 other post offices within a mile. That is reflected in the difficulties in my hon. Friend's constituency. Sub-postmasters have been finding it increasingly difficult to earn a reasonable income from their business and they have been leaving the network.

If action had not been taken under the reinvention programme and had the Post Office not taken it forward in the way that it has, there would be an unmanaged decline in the network and many serious gaps would open up. The examples to which my hon. Friend referred are illustrations of that starting to happen. I regard the urban reinvention programme as an alternative to that. It is a properly managed process that recognises that there is no longer the volume of business going through the post office network that there was in the past. I recognise equally that we must ensure maintenance of a network of post offices that serves each part of the country.

Some two thirds of the urban population live within half a mile of two or more post offices. Many of those offices have been struggling to survive. My hon. Friend knows that the Post Office must make decisions about the operational matters of its own account, a policy that has been established for a long time. The closures that have been mentioned in the debate have happened for various reasons, but it is important that we protect and safeguard the network throughout the country.

We asked the company to make sure that, other than in exceptional circumstances, its urban reinvention proposals should not include offices within the 10 per cent. most deprived urban wards in the country where there is no other post office within half a mile. The deprived urban post office fund has been established to help offices in urban, deprived areas thought to be at risk of unplanned closure. However, the Post Office is not in a position in which it can guarantee that it will not close offices in urban, deprived areas or, for that matter, in any other part of the network, for reasons that are outside its control, such as where there have been contractual problems or a sub-postmaster has retired and the company has not been able to find a suitable replacement. I understand that that has happened in several offices to which my hon. Friend referred.

Tony Lloyd: Of course the Post Office says that it is right. The problem is that there is no evidence to that effect. In one case, no one knows where the Post Office has looked for alternative property. In another case, when I was prepared to introduce those involved to a viable local business undertaking another activity, which was willing to take on the post office business, it simply dismissed that out of hand. The test of viability, especially in the latter case where the next post office is one and a half miles away, should have kicked in, but the Post Office did not want to know.

Mr. Timms: I am concerned to hear those points, but I was pleased to hear my hon. Friend say that the Post Office has deferred the decision on Moss Side and that that branch will be considered when the Post Office announces its area plan for Manchester, Central next May or June. He said that he took that as a positive sign.

I shall comment a little on the other branches that my hon. Friend mentioned. I am told that in West Gorton the sub-postmaster simply wanted to leave, following a number of armed attacks on that branch. I am assured that a good deal of effort was made to find a replacement there, although I take my hon. Friend's point that one simply has to accept the Post Office's word for that. I gather that there were a number of contractual difficulties at the Clayton Bridge branch on Holyrood street and that, again, the Post Office was unable to find a suitable replacement. In the case of the university precinct branch, there were some accounting irregularities, and the lease expired. For some time, the branch had been run by a temporary sub-postmaster, but the company formed the view that it was becoming increasingly commercially unviable. It opened a new outlet at Wilmslow Park, which I understand is some way away—about three quarters of a mile—but has much better facilities.

The exercise through which we are now going is partly aimed at the goal, which the PIU report set out, of bigger, brighter, better Post Offices with improved facilities, where there has been serious investment, often for the first time in a long time, to make them more welcoming and attractive places where people will want to go. Increasingly, we want to see the Post Office providing banking services in communities such as those that my hon. Friend and I represent. We have invested £500 million in the technology needed for the Post office network to offer its customers banking services, which, among other things, will contribute towards tackling financial exclusion.

I shall say a little on how we see the process of urban reinvention unfolding between now and the end of next year, when it should be complete for the whole country. Proposals were initially focused on single offices known to be most at risk because of poor viability. That was to minimise the incidence of unplanned closures of the kind that have caused such great difficulties in my hon. Friend's constituency. However, the Post Office accepted that much uncertainty about the future shape of the network arose from that approach, so it has now undertaken to produce its proposals on an area-by-area basis using each parliamentary constituency or groups of constituencies. My hon. Friend will agree that that approach is better, because we can all see where that process is leading, rather than simply having one branch considered at a time. In its recently published report on the post office network, Postcomm has commended the

Post Office for that response to the concerns raised. The Select Committee on Trade and Industry also welcomed the different approach.

I understand that other than for the Moss Side branch that we have discussed, there have not yet been any proposals under the programme to close branches in my hon. Friend's constituency. It is proposed to introduce next May or June the area plan for Manchester, Central, along with those for Manchester, Blackley; Manchester, Gorton; and Manchester, Withington. Producing an area-wide plan in that way will bring the benefit of providing a clear view of the level and location of service provision at the end of the urban reinvention programme in a given area, while also providing the opportunity to understand the views of hon. Members and local authorities on those wider plans. That will be an important tool in ensuring that the offices in my hon. Friend's constituency are viable, will be there for the long term and are in the right locations for his constituents. It will also help to reassure sub-postmasters about their prospects. I hope that it will also guard against the kind of unplanned closures to which my hon. Friend referred. I entirely understand his concerns about those.

Question put and agreed to.

Adjourned accordingly at half-past Four o'clock.

Westminster Hall

Wednesday 12 November 2003

[MR. JOHN MCWILLIAM *in the Chair*]

Child Support Agency

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Jim Murphy.]*

9.30 am

Mr. Robert Syms (Poole): I was pleased, Mr. Deputy Speaker, to see you arrive in the nick of time for such an important debate. The Child Support Agency is 10 years old. I have been a Member of Parliament for only six of those years, but my predecessor has told me of his massive work load, and says that things have now tailed off. However, in recent months more people have been coming to my surgery and wanting to get on to the agency's new system. I have the feeling that the issue is moving up the political agenda for many of our constituents.

It would be wrong to pretend that everything is going well for the agency. We heard that it had arrears of £2.8 billion. The National Audit Office calculated that 76 per cent. of the agency's calculations were wrong—that is three out of every four cases, a substantial figure. Nevertheless, I shall speak first about the computer problems that seem to be preventing people from getting on to the new system.

Originally, we were promised that the new system would be in use by October 2001. We were then told that it would be by April 2002, but the date was put back again. The system eventually went live for new cases on 3 March 2003. Although the figures may have changed a little in recent weeks, in the region of 132,000 cases have gone on to the new system since March, of which about 23,000 have been assessed. However, 1 million people remain on the old system, and many people are coming to my surgery—most are old cases, but some are new—because they cannot go on to the new system until the migration of cases has taken place.

I read the evidence given to the Work and Pensions Committee a few weeks ago, and it is clear that the process is at least 11 months behind schedule. Despite the efforts of EDS, the computer company, to make the system work properly, the software necessary to ensure the migration of old cases is delayed. The Committee was originally told that it would happen in the summer of 2003, and then that it would happen at the end of the year, with the migration taking place in the spring of 2004. Will the Minister update us on the installation of the new software, and does he have a more accurate date than spring next year?

The computer project is large. The original contract was for £427 million, and the latest estimates are that it will cost £456 million, but it was supposed to reduce the cost of processing cases by 20 per cent. Because of the problems, the agency has suffered a fall in productivity of between 20 and 30 per cent., and evidence suggests that the cost of processing cases is now 20 per cent. higher. I hope that that change is not permanent. We know that the agency plans to reduce the number of employees from 12,000 to 8,000 in order to make savings, but delays in moving to the new system because it does not operate correctly will have major financial implications for the agency's viability.

The chief executive of the CSA stated clearly to the Work and Pensions Committee that the computer system has not failed. I accept that glitches and difficulties will always occur when introducing new computer systems, particularly with projects that cost more than £400 million. However, many of our constituents, particularly the 1 million who were told that they would move to the new system, may feel that they are not getting the deal that they expected when they expected it.

The question of whether compensation should be paid has been raised, because some are paying more under the old system than they would under the new. I understand that the agency has discussed whether some of those 1 million cases should be given priority. I understand also that the CSA intends to recalculate the payments of those 1 million people, to have a vesting day and to try to deal with them together. I am not sure whether that would be a good or a bad thing, but given the problems, I wonder whether the agency ought to do it in bite-sized chunks, to get on with it and to prioritise.

In the last Work and Pensions questions the Minister was asked about dates. He took the line that the agency wants to get it right, and will not rush things. However, people are looking for dates and, now that things have slipped so much, for some reassurance about when they will move on to the new system, and when they will be able to enjoy the simpler, more transparent and more understandable formula for which they have been waiting quite a long time.

I hope that others will be able to make their points, and I am glad to see so many hon. Members present to debate an agency that has an impact on all our surgeries. People want more definite answers from the Minister and the CSA about where matters are going and what dates will need to be met. One million people need to be migrated, and although some would be worse off, many would be better off. That means 1,200, 1,300 or 1,400 people per constituency—not an insubstantial number of people. It is not unreasonable for them to want to be reassured about when the new system will be delivered.

I want to consider some of the people who regularly come to my surgeries. They are principally non-resident parents, predominately men, who still feel that the system does not treat them well. Dr. Nick Paré, of Oakdale in my constituency, comes in fairly regularly. His main complaint is that he feels like a second-class citizen and that, although we all understand that the interests of children are paramount, many people are bruised by the experience of being dealt with by the Child Support Agency. He has discussed the matter with other non-resident parents in my constituency. Many feel that they are not given the same amount of information or the same degree of support as the parent with care, and that the system does not listen to their concerns. I have a long list of examples, but I will not go into them all.

Even when such parents take up complaints with the agency, they feel like they are dealing with jelly. That is because, I have been told, officers mysteriously disappear, names seem never to have existed, and the

[Mr. Robert Syms]

parents feel that they are not given a fair deal by the CSA. One perennial complaint crops up when the parent with care is wealthier and in a relationship. They sometimes use the CSA and the system to put the non-resident parent into a situation of financial disadvantage, so that they cannot visit the children. That is particularly a problem when they have moved away, and such situations have caused difficulties.

When the non-resident parent is poor, disabled, blind and so on, legislation does them no favours. The new system may provide a better outcome, certainly in those categories, but many people are still bruised. The principal complaint that I receive is that the system makes people become single parents by making reconciliation difficult, and that injecting the CSA into people's lives makes their relationship with their former partners, and sometimes their children, very difficult.

There are still many bruised people out there, and many who feel that they are not treated well. We should take into account the fact that there are two sides to the coin. Children need to be looked after and the parent with care needs a decent service in terms of money from the CSA, but many people still feel that they are persecuted—that may be too strong a word, but a lot of people would use it to describe their position.

Several hon. Members wish to speak, so I will not go on much longer. My principal purpose today is to get some answers about the migration of the computer system. One million people want answers about when that will occur, so that they can plan their lives. We need to understand that, having been promised a new formula and looked forward to it, they do not want to hear more excuses. They want action and delivery.

9.39 am

Mr. Mark Todd (South Derbyshire): I shall touch briefly on three points, as many Members want to speak.

First, as those who have assiduously followed debates on the administrative process of introducing the new system will know, I asked a series of parliamentary questions about the robustness of the computer system throughout its development, but the Government declined several times to provide information, as they regard it as commercially sensitive. If one rings up the Child Support Agency, as I do on behalf of constituents, and talks to those who handle cases, it is quite evident that the computer system has not functioned adequately for some time. I have been told numerous times, "Well, I'm afraid the system is down, so I can't obtain the information that you're after. Please give me your phone number and I'll call you back."

One of the reasons I take up cases is that it is useful to learn at first hand about the administrative problems that our constituents face. I have a background in IT and took considerable interest in, and was extremely sceptical about, the system. To say that I have been disappointed by its implementation and performance is an understatement.

Secondly, there was particular confusion about handling cases, which tells me that there is a massive administrative overload with which the CSA is not competent to deal. I cite as an example the case of Mrs. W. I am sure she would not mind if I gave all the details, but I will not do so as the other party is also a constituent, and I am sure that he would not want their affairs to be discussed openly in Parliament. Mrs. W first applied in December 2002. In May 2003, she was told that there was no trace of her application. In June, she applied again by phone, which a new system allows our constituents to do, and was told a few weeks later that there was no trace of that application, either. At the end of June, she applied for the third time by post.

Apparently, the case was first taken up at Dudley. Dudley is one of the centres that deal with cases from my constituency, although they are sometimes dealt with in Belfast. In July, the case was, apparently, passed to Stockport. The staff there thought it had been sent to Long Benton, although I cannot imagine why they thought that. It transpires that the case was actually sent to Plymouth. Despite several phone calls made by my staff and me, no one checked where it had got to until I persistently rang a number at Long Benton. The person who answered was clearly surprised to hear from me. They told me that they did not have the case, but promised to track it down. To give them their due, they set about the task with determination and located it in Plymouth. I believe that it is now being processed. It is hard to understand why these cases are shuttled around the country without a proper log of where they have gone.

Thirdly, there is the question of how cases closed under the old system are handled. A case can be closed for several reasons. Sometimes, the two parties agree not to proceed with the CSA, and there are no benefit implications. That is the happy part, although it can be temporary because people may, and sometimes do, change their minds. A case can be closed because someone's assessment is zeroed, as I understand it, by the fact that their costs are too high to merit a payment. Again, the person involved has sometimes chosen not to pursue the sums involved.

My constituent, Mr. H, was paying arrears under the old system at about £5 a week, but the case was formally treated by the CSA as having been closed in 1999. His ex-partner, having carefully examined the rules of new system, decided that it was an opportune moment to reactivate the case. Much to his surprise, my constituent was contacted by the CSA and told that he was now likely to pay not £5 a week in arrears, but £41 a week, which was the correct assessment for two children, with a factoring in of one child from his second relationship.

Strangely, if the case had been open and my constituent had continued to pay £5 a week under a normal assessment, not only would it have been impossible to pass him to the new system, but he would have received phasing-in assistance for the transition between the payment that he was making and the payment for which he was now being asked. Instead, he faces a huge change in his personal circumstances that I am sure will prompt a review of his position.

A conversation with a third constituent demonstrated that the rules on closed cases are becoming known in the CSA community, and we all recognise that there is a network in the community that passes on information that may be advantageous to others. It is also clear that a perverse incentive is being built in—I see a nod from the hon. Member for Northavon (Mr. Webb)—for people to cease work, for example, since one needs to be out of work only for a while to get the case closed for a

time and then reopened as a new case, which cannot be advantageous in any circumstances. I have asked the Government before to consider how closed cases will be handled in the transition to the new system, and I hope that they will take the opportunity to do so today.

9.46 am

Mr. Simon Thomas (Ceredigion): I shall concentrate my remarks on the case of a constituent, of which I have given the Minister notice. It shows a number of the CSA's failings. It is perhaps not a useful case, but I hope that hon. Members will find it interesting.

The case goes back almost exactly four years to 10 November 1999, so I congratulate the hon. Member for Poole (Mr. Syms) on his good timing in almost hitting the anniversary. It concerns Mrs. Carolyn Gowman, who lives in Aberporth. On 10 November 1999 she won an appeal against her ex-husband Mr. Bruce and was granted maintenance of £147.38 a week. However, the CSA made no liability order against Mr. Bruce until February 2002, more than two years later, when the arrears stood at more than £40,000. That was the CSA's first failing.

There is no doubt that Mr. Bruce was playing the system—those in the CSA community know how to do so, as the hon. Member for South Derbyshire (Mr. Todd) said. For instance, Mr. Bruce was claiming a benefit during some of that period, yet Mrs. Gowman was awarded a departure on 3 April 2000 on the grounds that his lifestyle was not compatible with his claimed income. I am sure that that example will strike a chord with other hon. Members. The icing on the cake was that Mr. Bruce was a solicitor, so not only should he have been able to afford the payments, but he knew how to screw the system.

When the CSA made the initial liability order, it compounded the two-year hiatus by failing to locate Mr. Bruce and pay Mrs. Gowman the money that she was and still is owed. In fact, the only money that she has received from the CSA in four years is £170 in compensation for delays, inaction and poor service, although I regret to say that it took my intervention even to get that. I have other constituency cases that relate to the CSA, but Mrs. Gowman's is the worst, because it shows such a history of inaction, desk-bound lethargy and failure. She and I have both been fobbed off, which does not make me feel very happy towards the CSA as an agency.

I shall give an example of the CSA's lethargy and its unsympathetic approach. Using her contact, Mrs. Gowman found a likely address for Mr. Bruce in August 2002 and she immediately gave it to the CSA. By then I was also involved in her case. On 8 April 2003 I received a letter from the chief executive of the CSA, Doug Smith, stating that

"to date, written and telephone contact has proved unsuccessful. We have arranged for a visit to be made to the address she gave."

An address was given to the CSA in August 2002, and I received a letter in April 2003 saying that a visit to that address had been arranged. Mr. Bruce has a history of working the system and avoiding his responsibilities, yet all the CSA had done by then was send letters to the address and make telephone calls. That is utterly pathetic and incompetent. I do not even know that anything has been done now, because, after promising to keep me informed, the CSA promptly ignored both Mrs. Gowman and me. That is why I am pleased to able to raise the matter in the House today.

It took more effort to get another letter on 15 July 2003. The CSA completely ignored questions about whether it had ever properly investigated the address—I suspect that Mr. Bruce has long since flown the nest—and lamely said that it would deal with enforcement when it had a confirmed address. It missed every opportunity to confirm the address and to make certain, through the Inland Revenue checks, that it had the right person. This has had a profound effect on Mrs. Gowman and her family. One can imagine what impact losing £150 a week has had on her income stream. She became disabled in 2002, and retired from work on the grounds of ill health. On Monday, the current outstanding arrears stood at £60,274.25, accruing at £187.53 per week, or £1.75 per hour and a half of debate in Westminster Hall. I made that calculation while listening to the hon. Member for Poole.

I have contacted my constituent throughout the week. Every time she or I contact the CSA we are told that a trace action will be instigated that very day. Mrs. Gowman was told that on 20 October. On 10 November, she was informed that there was a different trace action from the previous one. I do not know how many trace actions can be put in train. I understand that a trace action goes through the Inland Revenue, and that it is only possible to have one of them. Is it the same trace action that I was promised on 15 July? Three trace actions have been mentioned, but the problem is the CSA's inactivity and the fact that it has been fobbing us off, to use the technical term.

I have written to the Minister's colleague in the House of Lords about this case. I hope that the Minister will say something today or write to me about it. More importantly, I hope that he will address the wider issue. How can so many people be left sick, unable to work and owed £60,000 and more, with the CSA doing nothing to get that income to them? It does not matter whether it is the woman or the man who has been left behind; it is the principle. The CSA was established because so many people—particularly men it has to be said—were leaving marriages and not providing for their children. The CSA is perpetuating that problem. Indeed, it is exacerbating it in the case of Mrs. Gowman. I hope that the debate will enable the Minister to reply to the concerns of hon. Members, and to give a considerable push into a certain part of the CSA's anatomy.

9.53 pm

Mr. Bill Tynan (Hamilton, South): I am delighted to have the opportunity to raise a couple of cases that I have been involved with in the past few years.

When discussing the weaknesses of the CSA, we should consider also some of the changes that have taken place. Whenever a marriage or partnership breaks up, it is important that the children are protected as much as possible. I should like to share with hon. Members my knowledge of how cases are processed and how calculations are made. Delays are caused because of the time taken by the agency caused by the apparent failure of the computer system. We are still awaiting the migration of old cases to the new system. That should be done as quickly as possible.

[Mr. Bill Tynan]

The agency often relies on clerical calculations. I have discussed cases with the parent with care, and they are often told that the computer system has broken down. Only after my intervention as a Member of Parliament has the agency been prepared to make a manual calculation. Some people are seriously in need of the finances that the system should produce for them, yet many suffer in silence—they feel unfairly disadvantaged—because the revision of a manual calculation is not available.

I shall concentrate on three cases. The first is an individual in a neighbouring village to my constituency. Her partner is a chief engineer working for Shell who earns £4,000 a month tax-free. According to the CSA, he does not have residency in this country. Every three months, he comes to Scotland and has the children for the weekend. We know that he has an address in the local village and that he stays with his partner, but the CSA was reluctant to become involved.

When the case was raised in 2002, we had to get as much information as possible. We spoke to Shell, and were told that the man was based on the Isle of Man but works out of Singapore. The company said that it could do nothing. The CSA originally rejected jurisdiction, because the man had no habitual residence in the UK. Only when the parent with care went to an appeal tribunal was the agency's decision overturned. She pursued the case herself, and the appeal decision was made on 24 June this year.

An interim assessment of £214 per week was made, and it was carried out in October 2002. Investigations subsequent to the appeal decision have taken a long time. Constituency workers in my office did all the ground work. The investigation team was proactive; it provided full bank details, the registration number and the make and model of his car, and details of the collection and dropping off of the children. We argued that the CSA had the opportunity to serve papers, but the agency dismissed our case.

The agency is now putting together an investigation team, but because all the ideas that were put to the CSA investigation team came from my office and the parent with care, I feel extremely frustrated that it will not give us feedback on the case, and will not tell us whether it is likely to bring it to a successful conclusion. It is important that the CSA works to its maximum to ensure that a parent who is not living up to his responsibilities and not paying money is brought into the system and made to pay.

Maladministration was a major problem in a case that involved the loss of an application form submitted in February 2001. My constituent was getting no response, and only after my intervention was a clerical calculation made. For gross inconvenience over a three-month period, £85 was awarded. The financial loss has yet to be calculated; that will be done at some time in the future. The CSA has accepted responsibility for the loss of the paperwork, but £85 was a derisory payment. It is important that we move forward when dealing with such cases.

There are weaknesses in the phone line for MPs. It fails to integrate with the public phone lines, so the two are not tying up. After an MP has intervened in a case and it has been passed on, the constituent can get progress updates only through the MP's office. That aspect of the system is bad and must be rectified. It must either be resolved or constituents must be updated by the CSA, because the situation is causing frustration.

I know of other cases in which there is apparent insufficient recognition of hardship. People can suffer dramatically while waiting for payments. When lost cases and correspondence delay payment of maintenance, that should be properly reflected in the payment made. There is concern that a non-resident parent may be sent several letters requesting details of income and not respond. In that case, fewer letters would suffice and the threat of further action could be more swiftly invoked leading to earlier payment and a shorter delay in the resident parent receiving the money.

We must recognise that the CSA is a service provided for those who need it. All too often, absent parents in my constituency complain that they have become an easy target. They complain that the CSA concentrates not on difficult cases but on cases that are easily resolved. We have to change the culture of the CSA.

I apologise that I must leave at 10.30, but I congratulate the hon. Member for Poole (Mr. Syms) on giving us the opportunity to debate the CSA. I hope that we can resolve the weaknesses in the system and, if we do so, we are doing our job.

10.1 am

Bob Russell (Colchester): I congratulate the hon. Member for Poole (Mr. Syms) on initiating the debate. So far, nobody has spoken in support of the Child Support Agency, and I suspect that that will continue. I do not envy the Minister, who must try to defend the indefensible.

I am sure the Minister has been advised that I have asked numerous questions, both written and oral, about the Child Support Agency. From what we have heard today, it is clear that I am not alone in feeling grave disquiet, and I could echo the cases mentioned by every hon. Member so far. I am in such regular correspondence with the chief executive that I can recite his name and address, including the postcode. The CSA dominates my advice bureau and postbag, and from what I have heard today, that is matched across the country.

I shall not cite individual cases by name, but I endorse the comment that the CSA picks cases that are sitting ducks and easy targets. Those are usually fathers, but sometimes mothers, who have no way of escaping from the system. It may be going too far to say that they are harassed and pilloried, but that is how many feel.

I shall concentrate on the other end of the spectrum, as highlighted by the hon. Member for Ceredigion (Mr. Thomas), and on people who know how to abuse the system to avoid paying what they should. Generally, those people can afford to pay substantial sums for their offspring. How any man—it is mostly men, but sometimes women—can choose not to provide for his flesh and blood mystifies me. There are evil people out there who will do everything they can to avoid payment, whereas the person on the factory floor, in a controlled working environment, is driven for every penny that can be sucked from him.

The Child Support Agency knows of the three cases that I shall cite. I shall not mention the cases by name as that would be inappropriate. One is the case of a prominent member of the community who overlooked disclosing the £40,000 that he had received from a public source. Clearly, there is a breakdown in communications when a sum of that magnitude paid to a member of the community from one public purse is not declared on his statement to the CSA. However, even when evidence of that is produced for the CSA, action does not follow. I congratulate the former wife on her immense detective work. She did all the work that the CSA did not, and the evidence was given to the CSA on a plate, but still nothing happened.

The other two cases also involved ex-wives going to extraordinary lengths to do detective work to obtain evidence of where the errant father/husband had gone and of their lifestyles. That evidence was given to the CSA on a plate, but again there were failures in the system all the way along the line. In both cases, I begged the CSA to look at the houses and lifestyles of the rich fathers who, according to the system, were penniless. One of the hard-up fathers employed an accountant to prove how poor he was. One does not have to be Sherlock Holmes to work out that something somewhere is not right. A four-year-old could see that the lifestyle was such that those fathers could afford to pay for their children.

Dr. Jenny Tonge (Richmond Park): My hon. Friend has touched on something that, in the cases I have seen, concerns me greatly. Because of the Child Support Agency's deficiencies, the aggrieved parent of whichever sex has to concentrate on, and becomes possessed and obsessed with, chasing their ex-partner. That is to the detriment of the children in the family. It worries me terribly that children who are trying to cope with their parents' broken marriage and not having both their parents are neglected because the CSA does not do its job.

Bob Russell: I endorse those comments. It is fair to say that the CSA is not part of the healing process. Indeed, it adds considerably to the trauma of many thousands of families. If the CSA cannot get its act together, perhaps it should go.

10.7 am

Mr. Wayne David (Caerphilly): Like other hon. Members, I have come across numerous examples in my constituency office and surgery of cases that clearly demonstrate the failure of the CSA. At the risk of boring hon. Members, I, too, shall give an example of a case that caused a great deal of grief for the parties involved and on which my office expended a great deal of time and effort.

I shall call the individual Ms A, of Nelson, near Caerphilly. She waited nine months for the CSA to calculate her ex-partner's liability, and the calculation was achieved after many letters and telephone calls from her. However, she contacted my office because there seemed to be a logjam in the system at that point. My office staff made numerous telephone calls to Birkenhead, but were passed from pillar to post, and little progress was made. In frustration, they referred the case to me and I intervened through the hotline for MPs.

Initially, some progress seemed to be made. The evaluation took place and the father truthfully informed me and his ex-partner that a standing order had been set up. Although the CSA accepted that a standing order had been set up and payments were being made, it could not find the money that had been transferred to it. Eventually, after some weeks, the CSA accepted that the money was somewhere in the system and it promised to ensure that the money was passed on to the gentleman's ex-partner. I was then informed that there were difficulties with—guess what?—the computer system.

As Baroness Hollis wrote to me:

"Regrettably problems with the Agency's new computer system made it impossible to set up the accounts necessary in Ms A's case, and initially prevented the payments from being sent to her."

That is a frank admission of the situation. I intervened and tried to persuade the CSA to circumvent the computer system and issue manual cheques. That was problematic because certain procedures had to be followed, but eventually money was transferred to my constituent and she received everything that was due to her. To the credit of the CSA, a not inconsiderable compensation payment, £1,219.50, was made to Ms A for

"redress for loss of child maintenance, a contribution towards her costs in contacting the Agency and a consolatory payment for inconvenience caused to her."

I welcome that. I urge those who have encountered similar situations to press hard for compensation for their constituents. That situation ended satisfactorily, but I cite it because it is by no means unique; such cases occur frequently. That is why I tabled early-day motion 1786. It is straightforward and I urge all hon. Members to sign it to reflect the difficulties that constituents have brought to them.

What concerns me above all else is the position of children. As has been said, such situations cause a great deal of stress in an already-collapsed relationship. When money is not available, children suffer materially. Ms A from Nelson had no other significant support for her child, and 10 months passed before she received a penny. That is unacceptable. I know that the Government are aware of the situation. They have taken it seriously and reforms are being introduced. However, I urge the Minister not to back off, but to ensure that the reforms are pushed through so that we can have a system of which we are proud. The good intention is there but, sadly, delivery is not.

Mr Deputy Speaker: I call Sir Robert Smith.

10.12 am

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): I am flattered, Mr. Deputy Speaker, at being confused with my hon. Friend the Member for West Aberdeenshire and Kincardine (Sir Robert Smith).

I echo the final comments of the hon. Member for Caerphilly (Mr. David) [illegible] children are the ones who lose out. Although I do [illegible] blame the CSA for the fact that the system has a u[illegible] talent for further dividing families that are already in serious difficulties, I should like to focus on the impact that that has on second families, particularly the pressures and divisions that it

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forces on them. For that and other reasons, I am grateful to the hon. Member for Poole (Mr. Syms) for having secured this timely debate.

Almost all my casework to do with the CSA relates to non-resident parents. Most of the cases that we deal with concern exceptions to the rule, or serious inconsistencies. My caseworker, Margaret Gray, who has become something of an expert—I suspect that the caseworkers of all hon. Members do—continues to be baffled by the range of new inconsistencies that pile upon the old inconsistencies that we have not yet sorted out. If we can pray for anything in the new system, it should be clarity, transparency and a better understanding of what is going on.

Mr. David Drew (Stroud): I apologise for not having been present at the start of the debate—I was stuck on an underground train. It has been an interesting morning. Does the hon. Gentleman agree that we must address the issue of confidentiality? That is a great bone of contention. Often, when the parent without care remarries or goes into a new relationship, they are subject to an open search by the Child Support Agency, unlike the parent with care. There is a lack of clarity in that respect and it is an issue that causes more aggravation than most.

Mr. Moore: The hon. Gentleman has hit the nail on the head. It encapsulates all the frustration that my constituents express with this one-sided system, and hon. Members who have spoken in the debate set out the problems involved. I hope that the Minister will give us some comfort and address that one-sidedness.

I shall put some of the inconsistencies on the record. The first relates to second family's child benefit. On 21 June, I received a letter from the chief executive of the CSA, which stated that in calculating my constituent's liability,

"We have only used his net pay and his partner's child benefit."

When I tried to clarify why on earth child benefit came into the calculation, the Secretary of State wrote to me:

"Many forms of income are taken into account in working out assessable income, but basic child benefit is ignored."

The CSA "Guide to Child Maintenance" states:

"If the non-resident parent lives with a new partner and they have a child of their own living with them, an allowance for this child is included in exempt income."

Does that mean that for those purposes child benefit is exempt, or is it included? I can get no nearer the truth despite having consulted three different sources of wisdom on the subject.

Many families do not know where they stand because of the guide book issued by the CSA, which states that the agency "may" do this, it "can" do that, or a rule "may" apply. In examples from some of my correspondence, the CSA said:

"We will probably take action against you."

How are constituents expected to get on with their lives if they do not know where they stand?

It is especially worrying when people receive a letter that states,

"We will probably give your employer a Deduction-from-Earnings order."

I think the deduction-from-earnings order system is a scandal. I had a constituent who was given such an order for the total sum of 1p. How that got through the system I will never know, and we still await an apology for it.

The hon. Member for Stroud (Mr. Drew) spoke about confidentiality, which is an important issue. I should be intrigued to know how the Data Protection Act 1998 might apply, especially to non-resident parents. One of my constituents informed me that staff at the Falkirk CSA office approached his mortgage lender for information, without reference to him. Is the CSA allowed to do that? Is the Minister comfortable with it? It appears very wrong to me.

The same constituent informed me that his new wife, who is now in receipt of working tax credit, was aware that the CSA must have access to personal details about her on the tax credit system, because it had details of her salary, which she had never supplied to the CSA. The Inland Revenue says that that could not possibly have happened, but it did. How did the CSA obtain details of her salary? What confidence can we have in the system as a result?

Debts that are incurred during the first marriage and are subsequently paid off by the non-resident parent are, as far as I am aware, not added to the assessment for maintenance. That can be crippling for many non-resident parents. I hope the Minister will be able to tell me that that has been addressed under the new system.

I appeal for clarity and efficiency in the CSA system. There have been too many examples of constituents who have received as many as four letters in one week from the CSA quoting different amounts of assessment. Telephone numbers of the CSA staff are hard to come by, and the same person never deals with a case on two consecutive occasions. The Minister has a great deal to tackle, and he will say that the new system is wonderful. However, it has a lot of catching up to do.

Mr. John MacDougall (Central Fife) *rose*

Mr. John Lyons (Strathkelvin and Bearsden) *rose*

Mr. Deputy Speaker: Order. I can fit both hon. Members in if they take only five minutes each; otherwise, only one of them will be able to speak.

10.20 am

Mr. John MacDougall (Central Fife): As always, Mr. Deputy Speaker, I shall follow your good advice. I congratulate the hon. Member for Poole (Mr. Syms) on securing this debate. It is a welcome opportunity to debate the CSA. Many hon. Members have offered the hon. Gentleman our congratulations, but have also offered sympathy to the Minister, who inherited a major problem, albeit not one of the Government's making.

After the parents split up, they move on in their lives, and the child is left behind. Every child has the right to a decent start in life, whether or not the parents live together. Children are entitled to care and support and to their parents taking sensible responsibility for them.

The initial legislation, although well intended, has resulted in the major problems that have been highlighted today.

The situation is not all doom and gloom—the Government have made many improvements to the initial legislation. The number of non-resident parents paying all that they owe has almost doubled, while the overall case load has also nearly doubled, to 1 million. The number of no-payers has been almost halved, ensuring that more children are getting the money that they deserve. It used to be the case that poor families—nearly 40 per cent. of the CSA case load—had 100 per cent. of any maintenance collected knocked off their benefit. Once the reforms take hold, such families will be able to keep up to £10 per week.

Another great benefit is that the time taken to get the money to the child has been reduced. The research that I carried out has shown that processing times have been cut by around two thirds, from an average of 20 weeks to six to eight weeks. However, it has been made clear today that the CSA still has its problems and that those must be tackled. In the summer, I had worthwhile and serious discussions with Baroness Hollis, and I appreciate the moves that the Government have made to try to correct many of those problems.

In my constituency, Central Fife, the CSA has had major failures in dealing with certain problems, of which I shall highlight one or two, while keeping within my five-minute limit. One case concerned a grandmother who was the carer of three children and was receiving no financial support from her daughter or son-in-law. Another concerned a lady with learning difficulties whose father deals with her correspondence. The situation was further complicated by the fact that the child's father was not earning. Several of my constituents have ex-partners who have moved from job to job faster than the CSA could catch up with them, both north and south of the border. The CSA has particular difficulty in dealing with that issue. Although I would not defend any form of incompetence, I appreciate the difficulties that CSA staff face in trying to achieve the standards that many of them would wish to accomplish.

Another case was that of a lady whose ex-partner kept giving false information to the CSA. I suggest that not everyone tells the truth when they are pursued by the CSA. A few hon. Members have highlighted individual cases concerning regular payments. My main concern is the time taken to complete some cases. Hon. Members have also made the point that the agency concentrates on cases that are easy to resolve and leaves more difficult cases behind. That creates serious problems for those cases, and affects children. The main union for CSA staff admits that the CSA has fallen behind in making payments. The National Audit Office says that there remains a

"continuing high level of errors in maintenance assessments".

There have been cases recently where the court ruled that women and their children had not been offered the level of financial support that they deserved because of self-assessment for the self-employed. Problems have arisen from a system that was well intended when it was introduced, but unless we continue to make improvements to it, children will suffer from that lack of attention. I hope that the Minister will listen carefully to what has been said in the debate. I appreciate the Government's efforts, but hope that we can make improvements.

10.26 am

Mr. John Lyons (Strathkelvin and Bearsden): I join others in congratulating the hon. Member for Poole (Mr. Syms) on securing this important and timely debate. We need better management of case loads. Hardware and software systems are crucial to concluding cases, and we need proper systems to assist staff and to ensure that the problems that have been raised today do not continue. I shall not raise individual cases; I shall refer them to the Minister and hope for a proper response.

When I visited Falkirk, I was struck by the staff's commitment to their work. The problem is that there has been a huge turnover of staff, so there is little continuity or experience in dealing with case loads. We need to do something to retain staff, and to ensure that they can conclude our constituents' cases. My hon. Friend the Member for Hamilton, South (Mr. Tynan) mentioned the helpline. I welcome it and use it often, but it should not be an excuse for the CSA failing to keep people updated or informed once an MP has intervened. Our intervention should be complementary and supplementary to a constituent's case, and should not be an excuse not to inform people.

The issues of deliberate unemployment and self-employment have been raised. Those issues need special consideration, and I appeal to the Minister to speak to the agency about a new approach to them. The situation is not good enough, and we need to keep up the pressure.

It has been suggested that our constituents could train staff at the CSA in how to track people down. That might provide additional work for our constituents, who are far better at it and get results quicker. We should listen to their criticisms, as they have first-hand experience of how to do that successfully.

We cannot allow the transfer of old cases to the new system to drag on much longer. People have suffered quietly, but it is never-ending. I appeal to the Minister to make that a priority. People should feel confident that they will be treated as a priority in the new system.

I am happy with interim assessments, but they should not excuse a lack of vigilance thereafter. They should not mean that people are no longer treated as a priority, nor should they ever be an excuse for not maintaining pressure to settle cases properly. We need a vigilant approach to conclude matters.

In the cases that I have dealt with, I have found that people criticised, rightly, a lack of reporting back about progress or lack of progress. People need to be updated regularly. There should be a recall system in which cases are systematically brought up, for example after four, five or six weeks, when it is clearly time to respond.

If we can tackle the issues that have been mentioned and the failings that have rightly been criticised today, we can collectively make a major improvement in the CSA and thereafter in the lives of our constituents who deal with the agency.

10.30 am

Mr. Steve Webb (Northavon): I congratulate the hon. Member for Poole (Mr. Syms) on securing the debate and on his well researched contribution. More than 10 Members have spoken or intervened in the debate, and I am sure that they would want to thank him for being so unselfish and concise at the start. That has enabled so many of us to reflect our concerns about the system, and the Chamber is grateful to him.

At the outset, the hon. Member for Poole raised the issue that particularly concerned him—the delay in implementation of the new computer. As was mentioned briefly by the hon. Member for Central Fife (Mr. MacDougall), that has an important practical consequence, which is that lone parents on income support on the old system are still having pounds of maintenance taken off them and cannot keep the £10. Lone parents on the new system are allowed to keep that £10, so why can that not be changed immediately? Why should a lone parent on the new system get 10 quid, while the woman living next door, whom the CSA has not managed to deal with yet, does not?

That is a gross injustice, and every week that the computer system is delayed is another week that another woman misses out on £10 for her children. That cannot be right. The Government will say that the change is part of a package, but it is not. It is entirely separate and could be implemented tomorrow if they wanted to, but they simply want to save the money. The Government should stop holding on to that money, which should be for the welfare of children.

A wide range of issues has been raised. The MPs' hotline was mentioned, and I want to put on record my appreciation of its staff, especially in Plymouth. I deal with them most frequently and am now on first-name terms. Many of them are old friends who do a good job, but, in the nicest possible way, I want to see them made redundant. I want the public to receive a service that means that they do not need to approach any of us to resolve problems. Perhaps one day that will happen.

The hon. Member for South Derbyshire (Mr. Todd) raised the important issue of people whose cases are closed and who then come back on to the new system, with no phasing and a big hike in maintenance. I have raised that point more than once with the Secretary of State during oral questions, and only last week I raised it with the Minister during a Statutory Instrument Committee on the Child Support Agency. I was given a patronising brush-off, as the hon. Member for South Derbyshire no doubt had, as he said that he had raised the point with the Department but been fobbed off. I hope that we are not fobbed off today.

The fact that several hon. Members are raising the matter should make the Department reconsider whether that is happening, how much it is happening and whether people are fixing the system. We have heard that many people know how to get round the system, so I hope that the Minister will open his eyes to what is really happening, not just what is written in his brief.

We have heard about some terrible cases. The hon. Member for Ceredigion (Mr. Thomas) mentioned £60,000 arrears, and it is breathtaking that the situation could get to that stage and that the agency took nine months to visit someone when the parent with care had already provided information. There were several themes in today's contributions, and one was that the CSA is turning many mothers into private detectives, which cannot be right. It is not in the interests or welfare of children or mothers. As my hon. Friend the Member for Colchester (Bob Russell) said, the CSA is certainly not part of the healing process.

When it is given information, the CSA should be proactive, rather than telling people to do the work for it and, after six or nine months, perhaps acting on it. It is simply not good enough. The idea of the hon. Member for Strathkelvin and Bearsden (Mr. Lyons) of a routine prodding of cases that have gone quiet is an interesting one. I hope the Minister will consider how it could be applied in practice.

The hon. Member for Hamilton, South (Mr. Tynan), who had to leave, mentioned forms that are lost and letters that are simply ignored. I am struck by the fact that the CSA sends a letter and, if nothing happens, it sends another one. How long does that go on for? The CSA must be more proactive, rather than sitting and waiting for someone to push. When we intervene, cases go to the top of the pile, but it should not have to be like that.

My hon. Friend the Member for Colchester, to his credit, has been a persistent critic of the CSA and its failure to recognise that many people are working the system and not providing accurate information. The hon. Member for Caerphilly (Mr. David) said that money went into the CSA, but the CSA could not find it. That is not rocket science, and it should be straightforward to put proper procedures in place.

Is the company that provided the computer system paying substantial penalty sums to the Government for its abject failure? The theory behind the private finance initiative and the reason for contracting out all these computer systems was that the lean, mean private sector would deliver, on time and to budget, a quality service that the stale old public sector could not. Well, it ain't happening. We want to know whether these companies are taking the taxpayer for a ride. I understand that the Treasury has decided not to outsource any more Government IT projects because they have all been such abject failures. Will the Minister think again when the contract comes up for renewal, and tell us whether EDS has done a good enough job to deserve a new contract involving a great deal of taxpayers' money?

My hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) rightly pointed out how the CSA can divide families, and how people can receive confusing and inconsistent information. All of us know of cases in which people received four letters a day, let alone a week, with different maintenance assessments, yet we are told, "It's the computer." All I can say is that that computer has a lot to answer for.

We often ring the MPs' hotline, and are told that the computer is down. Does the Minister know why the computer is always down? If so, will he tell us? What is going on? On one occasion when we rang the MPs' hotline, we said that one of our constituents wanted a face-to-face encounter with someone who would talk through the situation with them, and we received a letter from the CSA saying that staff were so busy trying to sort out the computer that they were cutting back on seeing real people face to face. This is not a triumphant new system that has been introduced effectively, but a shambles.

I am not sure what the parliamentary equivalent is of the sentiment expressed by the hon. Member for Ceredigion at the end of his speech, but are the Government putting real pressure on the CSA and on the computer company to get them to perform? They have let down parents as well as the taxpayer.

It is important that the Minister has plenty of time to respond to the wide range of criticisms that we have heard today, so I shall conclude my remarks. We have heard some important statements about how the CSA needs to be proactive and needs not to divide families, but to do the work that enables new families to get started and to have a secure source of income so that the children in particular benefit, not just the parents. I hope the Minister is throwing his weight around, especially with the computer company, so that the situation is sorted out. It is about time that it was.

10.37 am

Mr. Paul Goodman (Wycombe): I, too, congratulate my hon. Friend the Member for Poole (Mr. Syms) on his introductory remarks, which were brief but covered a wide range of issues. The debate has been extremely useful. With the exception of the hon. Member for Colchester (Bob Russell), who made a broader speech reflecting his long-held interest in the workings of the Child Support Agency, hon. Members understandably tended to concentrate on human stories of difficulty, grief and heartache, to which the Minister will doubtless want to respond.

I echo the remarks made by the hon. Members for Northavon (Mr. Webb) and for Strathkelvin and Bearsden (Mr. Lyons) by paying tribute to the CSA staff, who are working very hard in difficult circumstances. I believe they have the highest rates of sickness of any staff group working under the general umbrella of the Department for Work and Pensions.

Like other hon. Members, I could cite specific constituency cases—naturally, I brought a file with me. However, I want to stand back from all the grief, heartache and difficulties that hon. Members have rightly described, and probe the Minister about the current state of affairs at the CSA. I hope to leave him with a little time to reply. I also want to ask him some questions, and would be grateful if he could confirm that he will respond in writing to any questions that he does not have time to answer in debate. I see the Minister nodding.

We all acknowledge that the CSA has a long history of difficulties, not all of which can be blamed on the present Government and the Minister. However, a general theme has arisen from the debate. Many of our constituents, and certainly many hon. Members, are asking whether the CSA runs the computers that deliver the service, or whether we have reached the point where the computers are running the CSA, which is not delivering the service that all of us, including the Minister, would like. As the Chairman of the Select Committee on Work and Pensions, the hon. Member for Roxburgh and Berwickshire (Sir Archy Kirkwood), put it to Doug Smith, the chief executive of the CSA, when he gave evidence last July:

"What frustrates us a lot . . . is how we try to understand what is really going on. Huge sums of public money are involved. Ministers blame computer engineers; engineers blame Ministers and civil servants; project directors come and go and the problems continue . . . The departmental evidence that we received in advance of this session tells a completely different story from that which comes from the trade union."

My hon. Friend the Member for Poole took us through the history of the implementation of the new system, so I shall not go over that again. We know that 1.1 million cases are awaiting transfer from the old rules to the new scheme, so I shall first ask the Minister about uncollected maintenance owed to resident parents—some £2.7 billion in total. Of that, £398 million is described as collectable, so by what date does the Minister believe that the money will be collected and parents will be paid? The sum of £384 million is described as possibly uncollectable. I have never been sure what possible means in this context, but how much of that debt does the Minister believe will be collected, and by when? The bulk of the £2.7 billion—£1.9 billion—is described as probably uncollectable. Again, I am unsure of the difference between probable and possible in this context, but how much of that debt will be collected, by when, and when will parents be paid?

On 2 July, Mr. Smith told the Select Committee:

"The software required for bulk migration of cases from the old system to the new system was intended to be delivered . . . by EDS during the summer of this year. It is now clear that that will not be delivered . . . until the end of this year. The software . . . needed to do bulk conversions of existing assessments . . . was intended to be available . . . around the autumn of this year. It is now clear that that will not be available until the spring of next year."

Is the software for bulk migration on target for the revised delivery timetable, and if not, when will it be delivered? Is delivery of the software for bulk conversions on target for next spring, and if not, when will it be delivered?

In short, when will old cases be transferred to the new scheme? That has been a common theme of the debate. Can the Minister explain—there is some confusion—on what basis the 1.1 million old cases will be prioritised? In what order will they be dealt with?

The Minister is aware that the Public and Commercial Services Union paints a grim picture of the computer problems to which hon. Members referred. It says that the electronic management system is not reliable. Members of staff processing cases sometimes see them disappear from the screen and do not know when they will be back. There are difficulties with the telephone system and so on.

When Doug Smith gave evidence to the Select Committee, the Chairman asked him whether it was the case that in the previous month—June—the CSA had carried out maintenance calculations on only 20 per cent. of its case load. Mr. Smith confirmed that that was correct. What is the figure for the months since July? The Minister knows that many hon. Members have claimed that it now costs the CSA 20 per cent. more to process each claim. Is that correct? If not, what is the figure and how long does it take to process each case?

Let us assume that the CSA carries out maintenance calculations on only 20 per cent. of its case load each month, and that it costs the CSA roughly 20 per cent. more to process each claim. As I understand it, the

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CSA plans a 20 per cent. reduction in costs as a consequence of moving to the new system, partly by reducing its head count by 1,600. I further note that Doug Smith told the Select Committee:

"I do not pretend that we do not have an increasing workload in hand."

He used a double negative, but what he meant is pretty clear. How does the CSA reconcile reducing a 20 per cent. or so loss of productivity—indeed, it is trying to make productivity gains—at a time when the work load is increasing, with simultaneously reducing the number of staff? What will the productivity gains be, and by when will they be made?

Can the Minister guarantee that there will be no reduction in the number of staff working on enforcement? If there is an increase in the number of such staff, how large will it be, and by when will it be delivered? On enforcement, can the Minister confirm that only two driving licences have been removed from non-paying parents as a result of action by the CSA? If not two, what is the new figure? If, as I believe, this form of enforcement is so effective that in nine out of 11 cases that went to court, non-paying parents actually paid, why have not more people been prosecuted? To allow the Minister time to answer all these points, I conclude by quoting Doug Smith, who said on 2 July that

"there is a big difference between a failed computer system and a computer system that has more teething problems than we expected. I accept that this may be seen as a piece of sophistry."

Those who feel that they are victims of the continuing problems at the CSA will, doubtless, want the Minister to reply to all these points in the time that he has, or in writing.

10.45 am

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): I thank the hon. Member for Wycombe (Mr. Goodman) and others for their contributions to the debate, and congratulate the hon. Member for Poole (Mr. Syms) on securing it as the subject is important to the lives of so many parents and children. The interest of the hon. Member for Poole in this subject is newly found as, only two weeks ago, he had an opportunity to discuss the matter but rushed in and told the relevant Committee:

"Conservative Members have other things on our minds today, which is why the Front-Bench spokesman is absent."—[*Official Report, Fourth Standing Committee on Delegated Legislation*, 29 October 2003; c. 6.]

He then left the Committee—we were discussing improvements to the child support system—and dashed out of the room. What was so important that the hon. Gentleman and his colleagues had to discuss? On that Wednesday two weeks ago, their concerns were not with PWCs, NRPs or the CSA, but with another three letters: IDS.

I congratulate the hon. Gentleman on his new appointment and on raising the issue. We will take every opportunity to discuss how to ensure that children get the support that they deserve and need. That is why we are trying to ensure that the child support system works properly. We have had a good and worthwhile debate, with contributions from many hon. Members, some of whom introduced constituency cases. I understand the concerns that have been expressed, and have also had to argue cases on behalf of my constituents.

However, I should like to remind the Committee how far we have come in changing the child support system. When we took office in 1997, we inherited a system that most people agreed was failing and inadequate. At that time, the taxpayer was supporting 1.8 million children, 70 per cent. of lone parents on income support were seeking to avoid a child maintenance application, and a third of all child support assessments took more than six months to make. The following year, we issued the Green Paper "Children First: a new approach to child support" and, after extensive consultation, we concluded that the only way to deliver child support effectively was a totally radical change in the system. We decided that we needed not just legislative change but change to IT support in the CSA and to the agency's culture.

I am not going to pretend that I am satisfied with the progress made so far—neither are ministerial colleagues. We shall continue to press for improvements in the delivery of child support, especially in the way that the computer system operates. That is such an integral part of the system. Its failures frustrate not only our constituents and hon. Members but the people who work hard within the CSA. There have been improvements in the delivery of child support, even under the old system. From 3 March 2003, we have started to migrate new and linked cases on to the new and much simpler system of assessment. Since then, owing to problems with the computer system, the service that we have given to some agency clients has still fallen well short of what they are entitled to receive, and for that I should like to offer my unreserved apologies.

It is perhaps difficult, however, for hon. Members to recognise the speed with which the improvements are being made. It is a fact of life that constituents rarely come to us to tell us when things are going well, but there is good news. The hon. Member for Colchester (Bob Russell) and others claimed that the system is irreparable and suggested that we should perhaps return to the old court system, but many hon. Members will remember how much of a lottery that system of providing maintenance was. I ask the hon. Gentleman and others to recognise that the system is now clearing thousands of cases each week. Just over 45,500 new scheme maintenance calculations have already been made, around 10,500 non-resident parents have started to pay maintenance and around 6,000 parents with care have started to get the child maintenance premium income disregard in their benefit.

I should like to answer the allegation that the hon. Member for Northavon (Mr. Webb) made and say that the decision not to move all parents with care on to the child maintenance premium immediately is nothing to do with an intention to save money. It is impossible for us administratively to make that change in isolation from the overall changes in the system. For the first time, parents with care are seeing improvements in both the level of maintenance and how it is paid. The CSA is already beginning to make a significant contribution to our important target, which is central to everything that the Government are doing, first to reduce and then to eliminate child poverty in this country.

If I do not have an opportunity in the few minutes available to me to answer each of the points that hon. Members have raised, I shall be happy to write to them. Similarly, it is difficult in a debate such as this to respond to constituency cases that have been raised, but if hon. Members write to me, I shall ensure that they get a reply to their concerns.

The hon. Member for Colchester suggested that dissatisfaction with the system is such that we should perhaps return to another system altogether—not use the new child support system and not go back to the old child support, but sweep it all away and go back to the courts. As I said, that would create such hardship, anxiety and heartache for parents with care and non-resident parents that what we have heard in this morning's debate would seem as nothing in comparison.

The hon. Member for Poole raised his concerns about the computer system, as did other hon. Members. However, we must recognise that the system is new and has a considerable job to do, which is to translate the old cases into the new system. It also has to deal with 2 million cases overall—non-resident parents and parents with care. Inevitably, making the system work effectively is a massive task, but it is not doing so to our satisfaction now. To ensure that the system improves, we are working closely with EDS, which has introduced new management structures and made new investment. The hon. Member for Northavon asked whether penalties were built into the system. The answer is yes, penalties are built in: we have the power in the contracts to withhold payments and we are doing so to ensure that the system operates in a way we would all like.

The hon. Member for Poole and others asked about the timing for transferring people to the new system. My right hon. Friend the Secretary of State previously made it clear that we cannot and will not transfer the old cases on to the new system until we are certain that the computer system and the IT are working effectively, and I reiterate that now. If we were to do that, we would be letting down both the parents with care of their children and the non-resident parents. We must be certain that the system is working properly before we make that change.

As hon. Members will know, there is a set of transitional arrangements to ensure that as we migrate people from the old system to the new one both parents have the opportunity to plan their arrangements, and to take account of the changes in their responsibilities.

The hon. Member for Poole also referred to an assumption that the CSA treats non-resident parents as "second-class citizens". The hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) also suggested that the agency operated in a one-sided way. I reassure hon. Members that the agency works in an even-handed way. In everything that it does, it recognises that it has a responsibility both to the non-resident parent and to the parent with care. If there are circumstances in which hon. Members feel that that is not the case, I hope that they will write to me about them, so that I can investigate any allegations of anything less than even-handedness.

My hon. Friend the Member for South Derbyshire (Mr. Todd) expressed disappointment about how the system has operated so far. Ministers share that disappointment. He raised issues about particular cases in his constituency, and I hope that we can meet, in the not-too-distant future, to discuss some of them. He also made the point, as did other hon. Members, that there have been teething problems with the telephony and computer systems. We recognise that those problems exist, and in trying to iron them out have ensured that they are dealt with at the highest levels in BT Syntegra and EDS.

The hon. Member for Ceredigion (Mr. Thomas) raised a case to which he kindly drew my attention in advance of the debate. In such cases as that, in which non-resident parents attempt to evade their financial responsibility by moving employment or address frequently, it is difficult for the agency to trace them. However, I reassure the hon. Gentleman that I will stress to the agency the necessity of continuing the tracing process, not only in that case but in other cases raised by hon. Members.

My hon. Friend the Member for Hamilton, South (Mr. Tynan) raised the issue of a person who was residing outside the UK. If a person is genuinely resident outside the UK, the CSA has no jurisdiction. However, there will be cases—I think he was suggesting that that was one—in which there is uncertainty about whether the person resides in the UK. We will follow up that particular case.

Several hon. Members raised the general issue of self-employed non-resident parents. We recognise, as do hon. Members, that it is difficult for the agency to enforce responsibilities on individuals who are self-employed. My hon. Friend the Member for Strathkelvin and Bearsden (Mr. Lyons) highlighted that issue. To put it in context, the latest estimates show that around 6 per cent. of all child support non-resident parents are self-employed, and that compliance by self-employed non-resident parents is 67 per cent. However, we keep that issue under review.

In the time available, it is not possible for me to respond to every point raised by hon. Members in this good and worthwhile debate. I know that we all raise the issues because of concern for our constituents, but also to make sure that children receive the support they deserve and need. We are doing everything we can to improve the way in which the CSA operates. I pay tribute to the staff of the CSA, as other hon. Members have, for the way in which they show commitment and professionalism to make the system work. Our main focus, and that of hon. Members who have spoken today, is the children, who deserve the highest priority.

Mr. Deputy Speaker: Order. Before I call the next debate, I congratulate all hon. Members on being so succinct and to the point during the debate, which enabled everybody to contribute.

Cancer Centre (Kent and Canterbury Hospital)

11 am

Mr. Julian Brazier (Canterbury): I am delighted to have the opportunity to raise the issue of the future of the cancer centre at the Kent and Canterbury hospital, and I am delighted to see the Minister in her place. I furnished her with an advance copy of my speech, because I do not want to be adversarial and hope that the debate will be constructive.

The recent review by the independent review panel, on which the Secretary of State ruled in July, was based on proposals in which cancer was confined to an appendix. Those proposals were put forward by the East Kent hospitals trust, which is responsible for all other acute services in east Kent. However, the responsibility for cancer lies with the Maidstone and Tunbridge Wells NHS trust, which was not even a signatory to the proposals.

The rest of the conclusions arrived at by the independent review panel and the Government seem to form the basis of a sensible consultation exercise. Although I oppose all cuts, they have the makings of a working compromise. Unfortunately, no such consultation process has been launched by the Maidstone and Tunbridge Wells trust over the future of the cancer centre. Certain issues connected with cancer were dealt with in the East Kent hospitals trust consultation—breast surgery and haemophilia, for example. At the same time, the Kent and Medway health authority has launched a separate review into interventional radiology.

However, nobody is consulting on the overall issue of cancer treatment in east Kent. In its report, the independent review panel was deeply critical of the poor relationship between management in the Maidstone and Tunbridge Wells trust and the consultants at Canterbury who deliver the service. Those consultants do so in an exemplary fashion, well ahead of the national average.

The cancer consultants have made it clear to me, to Professor James and now to the public that the trust's proposals for cancer services are inconsistent and unsafe. They are also largely unpublished. They follow a model that is untested in the UK, which will worsen access for many of the sickest patients and will throw up a whole mass of anomalies. For example, haematology is to be centralised at the Kent and Canterbury hospital for in-patients, yet all in-patient work for solid cancers is to move to Maidstone. Haematology is at least as complicated when it comes to the treatment and supporting services that it requires as solid cancer treatments.

The partial and incomplete proposals on cancer, provided in the annexe to the original proposals for the future of acute hospitals in east Kent, were sketched on the basis of a large-scale run-down of the Kent and Canterbury hospital. Fortunately, that has now been abandoned for a much better model. The proposals had to take account of the fact that the necessary supporting facilities were likely to disappear. We now know that they will still be in place.

As most of the crucial ancillary facilities are to remain at Canterbury, under the Secretary of State's ruling, there is no reason why the East Kent hospitals trust should not retain its cancer centre. Following the recent review, Maidstone and Tunbridge Wells trust is planning to close in-patient beds for cancer patients at the Kent and Canterbury hospital. It is alleged that those beds will be transferred to Maidstone hospital, so that patients receiving complex cancer treatment will be treated there. That means the loss of the cancer centre at Canterbury. For the first time in more than two generations, east Kent patients will no longer have a cancer centre.

The definition of a cancer centre is very clear. It is a general hospital with medical, surgical, diagnostic and intensive care support, radiotherapy and in and out-patient chemotherapy across the range of complex chemotherapies. Canterbury has been a cancer centre on that definition for more than 50 years.

The loss of the in-patient beds will mean that east Kent will have an out-patient radiotherapy facility operated on an ambulatory model. That model has not been tested anywhere in the United Kingdom, and exists only in America in private medical facilities. Time prevents me from going into detail, but I am happy to discuss that with the Minister afterwards. As it happens, Dr. Coltart has studied the American model and is very familiar with it. It is completely different from the way in which cancer is handled in this country, and trying to impose it on one small area of Britain in this way is outrageous.

No mention is made of who will look after the cancer in-patients in east Kent, but it will not be a cancer specialist. More than 1,000 patients were treated in the Mountbatten five-day in-patient unit and almost 600 in-patients were admitted for a longer duration, amounting to 5,500 bed nights last year. In future, patients are likely to be under general physicians and surgeons with no specialist cancer knowledge, if they have not been sent to Maidstone. It is not always possible to do so. They may come under the care of a physician with an interest in stroke medicine.

Thanet, Dover, and Deal are between 45 and 50 miles from Maidstone hospital. Patients from those areas will therefore be further away from a cancer centre than patients in any other part of England and in most parts of Wales. That loss of access represents a serious deterioration of the service that all east Kent patients have hitherto enjoyed at Canterbury. It seems perverse and distinctly unfair that new centres have been opened or expanded in other parts of the country, such as Truro in Cornwall, Preston in north Lancashire and Bangor in north Wales, yet we are to lose ours.

Professor James has repeatedly said off the record that the east Kent cancer department is too small. A comparison of new patient referrals with other centres is revealing: Canterbury had 2,200, whereas Colchester had 2,100, Ipswich had 1,500 and Dundee 1,200. No one suggests closing any of those and centring them elsewhere. I should like to give two genuine case histories to illustrate how patient care will be damaged by these changes.

Mrs A comes from Folkestone. She has had breast cancer, which has spread to the bones. For two years, this has been controlled by tablet treatment. In the past two weeks she has had increasing pain and has been feeling very unwell. She was seen urgently by the cancer specialist in the Kent and Canterbury hospital. Her

cancer had progressed causing high calcium levels in the blood, which was making her feel very ill. She was admitted immediately from the clinic, started on appropriate specialist treatment and within 48 hours began chemotherapy to control her cancer. Throughout her admission, she was under the care of a consultant oncologist and his specialist team.

If there had been no cancer centre at Canterbury—if the proposals outlined in the letters that I have received from the Minister's colleagues in the Department had been implemented—she could have been seen in the clinic by the consultant cancer specialist, but would have been admitted to Maidstone hospital for specialist treatment. The cancer specialist would visit the Kent and Canterbury for one or two days a week, so there would have been a delay in her seeing him and receiving chemotherapy. One alternative would have been for her to be admitted to the Kent and Canterbury hospital's on-call medical team, but they are not skilled in dealing with oncological emergencies.

The second case involves Mr. B, who is 58 and lives in Ramsgate. His wife is unwell with diabetes and he has been her main carer. Recently he was found to have cancer of the throat, which requires six or seven weeks of daily radiotherapy and chemotherapy. That treatment makes his throat extremely sore, making him feel unwell. Are we really asking him to make the 110-mile round trip every day? Of course not. He will have to stay in Maidstone hospital for seven weeks as an in-patient in order to complete the treatment. It is short of beds. His wife has to rely on friends to take her to visit her husband in hospital, which she can manage only once a week.

It would normally be possible to have that treatment as an out-patient of the Kent and Canterbury hospital on a daily basis—it is close enough for the round trip, being one third of the distance. With the closure of in-patient facilities for cancer patients at the Kent and Canterbury hospital, the Government are closing a cancer centre. Let us be clear about that. That is unprecedented, unjust and will worsen access for the poorest residents of east Kent, which, unlike the rest of south-east England, is home to large poor communities. The decision is perverse, particularly as cancer centres have been expanded in other parts of the country.

With the reconfiguration of Kent and Canterbury hospital, there is no reason for beds to transfer to Maidstone other than to fulfil the empire-building desires of Professor James, whose relationship with the consultants at Canterbury is so bad that even the independent review panel knows of it. Having dealt with him during the consultation, I understand that. It would be perfectly possible to have a centralised haematology and oncology in-patient cancer unit at Canterbury with the supporting services that are to be kept under the otherwise sensible settlement for the rest of the hospital.

Professor James recently said that he wished cancer treatment to be localised as close to patients' homes as possible. The plans to move in-patients and complex treatment would seem to have the opposite effect. One of the great successes of the national health service—of which the Government claim to be so much in favour and into which they pour more and more money to precious little effect—is bringing good quality care as close to the patient as possible. This plan reverses that principle.

I suspect that NHS planners wish to uncouple cancer services from the Kent and Canterbury hospital. We have a new linear accelerator, but when that and the other one come to the end of their lives, I imagine that the cancer service will slowly fade over the next five years as staff retire. I doubt that the radiotherapy machines will be replaced again. It will then be easier to close the remaining cancer services at the Kent and Canterbury hospital.

I have just heard that there is a plan to move the little centre of excellence for treating gynaecological cancer at Queen Elizabeth the Queen Mother hospital from Margate to Maidstone—my source is a leak from the minutes of the trust, which I believe to be true. Gradually, all specialist cancer work is moving to Maidstone, which is deeply inaccessible to people in much of east Kent. The political objectives for tomorrow's health care will be achieved, but at the cost of the patients of east Kent. I urge the minister to do what has already been done by the Secretary of State for the rest of the east Kent hospital trust's services—apart from cancer.

The Department should do a proper review of cancer services and talk to the consultants. They have played no role in the angry campaigning about the rest of the hospital. They are deeply professional, as are the rest of the consultants at the hospital, but they have kept their heads down and worked hard at their subject, assuming that all would come right. They have had enough. They have made it absolutely clear that this is a line in the sand; they will not go along with a manifestly half-baked attempt to impose on east Kent what is not the American model but a copy of something that Professor James claims is the American model. It is completely untested in England. I am most grateful to Dr Stewart Coltart for providing most of the briefing for this speech. I know one of his two colleagues extremely well and his views are the same, and I have a letter from the other colleague, from which it is clear that they all take the same view.

The Government gripped the rest of the situation in east Kent and, although I am not happy with all aspects of the conclusions—I am against any cuts in east Kent—at least a workable compromise has been established and the rest of the hospital service is working towards it. I urge the Minister to have the cancer proposals properly considered by an outside body, and to try to work towards a similar compromise in that area.

11.14 am

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): I congratulate the hon. Member for Canterbury (Mr. Brazier) on what is the third debate that he has secured on the subject, the previous one being in April. Cancer services are obviously and understandably of great concern to east Kent residents, and the Kent cancer network provides cancer services for 1.8 million people. The two main sites are at the Kent and Canterbury hospital and Maidstone hospital, which see about 6,000 new patients a year. In the Kent cancer network, waiting times and performance have improved, and we want that to continue. Therefore, I want to make it clear that there is no doubt about the important role that the Kent and

[Miss Melanie Johnson]

Canterbury hospital plays as a base for providing cancer services, and there are no plans to close it. That commitment has been made time and again, but I would like to reiterate it in light of the hon. Gentleman's remarks.

The vision and the long-term strategy for cancer services were developed in 1998 during the original consultation on the future of health services in east Kent. Following that consultation, the former Secretary of State, my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), confirmed:

"Specialist cancer services at Canterbury have a firm future".

That remains the case.

In 2001, a consultation contained a clear statement on the role of the hospital in the Kent cancer network, and the provision of cancer services was given careful consideration by the independent reconfiguration panel in its investigation. Its recommendation was that the Kent cancer plan is in the interests of local people and patients, and should continue to be implemented through the Kent cancer network.

I shall now address the hon. Gentleman's points on the independent review panel's report and the consultation. Having been thoroughly examined in court, both points he raised were rejected during a judicial review process last year, and it would be difficult for me to disagree with the court.

Mr. Brazier: The court did not produce a medical ruling; all it said was that the hospital trust had not broken the law. I am sure that the Minister has read the original document and the incredibly sketchy, conditional and vaguely written appendix on cancer. She must realise that it is not a proper representation. The independent review panel says that the relationship between Professor James and the consultants at Canterbury is so bad that it is damaging to patients' interests. Unless we get a grip of the situation at Canterbury – it cannot be gripped only from one end – the rosy picture that she described will not continue.

Miss Johnson: The hon. Gentleman made a point about the nature of the consultation, and I will discuss the model in more detail in a moment. However, the Maidstone and Tunbridge Wells NHS trust was fully involved in contributing to the consultation document, and the process behind the document has been tested by judicial review.

The original public consultation set out the long-term strategy, and in 2001 there was consultation on modernising hospital services, which I have already mentioned. Since then, there has been no change in the proposals for the provision of cancer services in Kent. The independent reconfiguration panel considered the cancer centre, and recommended that the Kent cancer plan is in the interests of local people and patients, and should continue to be implemented through the Kent cancer network. Primary care trusts in Kent are consulting on interventional radiology, along with renal and vascular services, but that is because all other aspects of cancer services have already been the subject of consultation and have been agreed.

The model supports and fits in with the national cancer plan. The plans for the location of specific services are necessitated by the need to improve the five-year survival rates for people with cancer. I am glad that the hon. Gentleman said that the health service in Kent was doing well on those fronts, but I am sure he would like improved survival rates, as we all would. The national cancer plan makes it clear that specialist work must be delivered from fewer places. Patients with more common cancers will still receive care at a local hospital. The proposed ambulatory model has already been tested, and is the model by which the majority of patients starting primary treatment for common cancers receive care. The 10 oncologists at Maidstone and Tunbridge Wells supported that model, and the national cancer director also gave his support to the model at a meeting in May 2002, which I think the hon. Member for Canterbury attended.

A review of other cancer centres across the country points to less than 5 per cent. of patients requiring admission as an in-patient. New cancer treatments mean that, increasingly, radiotherapy and chemotherapy are given on an out-patient basis. The model of care reflects that trend, while recognising that from time to time unwell patients need in-patient treatment. Consistent support needs to be available throughout east Kent from non-cancer services, as well as from specialist cancer nurses.

Mr. Brazier: The Minister made two statements. First, she said that the ambulatory model has been tested elsewhere. Leaving aside the general points, where has that model been tested in the United Kingdom? At every meeting, including that with the national cancer director, the only example given, apart from the experiment that was abandoned in Cornwall, was of the private sector in the United States of America. Can the Minister tell us the location of the health authority involved?

Secondly, the Minister said that the consultants at the Maidstone and Tunbridge Wells NHS trust supported the model, which Roger James claimed in a letter. However, three of the consultants – a third of the total – work in Canterbury and they are vehemently opposed to it, as they made clear after Roger James wrote the letter. Will the Minister put the record straight?

Miss Johnson: My advice is that 10 oncologists supported the model. If the hon. Gentleman has a different view, it is obviously difficult for us to square the matter during this debate.

Many cancer services are provided on a similar, if not exactly the same, model. The hon. Gentleman asked what other places were involved, and I shall be happy to write to him after the debate. As he knows, if patients require in-patient care, it will be provided in Maidstone.

On the closure of the cancer centre and the hon. Gentleman's allegation that east Kent patients will no longer have a cancer centre, as I said, there is no doubt about the important role of the Kent and Canterbury hospital as a base for providing cancer services and there are no plans to close it. The Kent and Canterbury hospital has a firm future. Under the newly developed hospitals reconfiguration plan, the hospital gains a

number of acute services and will remain viable as an acute site, able to support a successful local emergency centre. There will also be other developments, including a new child health ambulatory centre, a paediatric assessment unit and a centralised aseptic unit. All those service improvements have been backed by £7 million of extra investment at the hospital.

It has been stated that the east Kent cancer department is small. I am grateful to the hon. Gentleman for sharing that information with me, but I do not recognise the figures that he used. However, if he tells me his source, I will ask my officials to look into the matter.

The hon. Gentleman said that the centre of excellence for treating gynaecological cancer was being moved from the Queen Elizabeth the Queen Mother hospital in Margate to Maidstone. Such statements worry families and communities. There are no plans to move the service from Margate. Indeed, external reviewers have praised the service at Margate for its high standards. Although the hon. Gentleman located the source for his comments, I am advised that there is no reason for such a statement.

The Department is not in a position to commission a proper co-ordinated review because the IRP looked into the issue fully and its recommendation is clear: the Kent cancer plan is in the interests of local people and patients and should continue to be implemented through the Kent cancer network. Although the Department will continue to work with the strategic health authority rigorously to manage the performance of the local delivery plan, the responsibility for taking the work forward now rests with the local national health service.

There is a clear model for cancer services in east Kent. There is a substantial work programme, which will deliver real benefits to patients and mean that the majority of cancer patients receive their cancer care as close to their homes as possible. There has been thorough consultation, much debate and an independent review of the proposals, and it is now time to deliver the changes so that local people can benefit from a high-quality and modernised service.

I also want to comment on the hon. Gentleman's remarks about the controversy among staff. When people disagree locally it is unconstructive for the future of local services. It is important that people come together to support the service developments that are taking place. I do not want to get involved in the local controversy or comment on the rightness either way, but it is important that people come together to support local communities. I am sure that he would want that, too.

Under the plans for east Kent, there will be much greater use of all local hospitals for routine cancer treatment. Radiotherapy and chemotherapy will continue to be provided at the Kent and Canterbury hospital. The hon. Gentleman mentioned in-patient issues. Increasingly, few patients receiving radiotherapy or chemotherapy will be in-patients, and only a few will require in-patient stays. The model that is being used recognises that.

The hon. Gentleman referred to rarer forms of cancer and patients having to be referred to specialist centres in London and Maidstone, and I want to touch on what the IRP said about that in its report. Everyone to whom the panel talked agreed it was right for the rarer forms of cancer to be treated in specialist centres in London and Maidstone, in accordance with national guidance. We obviously want people to get better treatment and live longer, and it is often important that patients with some of the rarer cancers receive treatment in specialist centres, which see more of those cases and are better geared to give the best possible treatment.

Cancer services have been kick-started after decades of neglect and under-investment, and are now moving forward. There are still problems, but progress is well under way.

Mr. Brazier: The fact remains that in a country that has a massive shortage of oncologists—my sister-in-law is an oncologist—plans cannot work if those who are supposed to implement them have no confidence in them. All three of the consultants based in Canterbury have made it clear that that is how they feel.

Miss Johnson: The hon. Gentleman and I are left trading oncologists—his three for my 10, as it were—and I can only reiterate my previous point.

Three years after the start of the national cancer plan, it is delivering faster treatment, higher standards and a better patient experience. In east Kent, there is a clear model for cancer services and a substantial work programme that will deliver real benefits to patients and mean that the majority of cancer patients receive their cancer care as close to their homes as possible and, in many cases, in their local hospital. There has already been thorough consultation, and it is now time to deliver the changes so that local people can benefit from a high-quality, modernised service.

11.28 am

Sitting suspended until Two o'clock.

Regional Government (North-east)

2.5 pm

Mr. Deputy Speaker (Mr. John McWilliam): We have had to start late because of the Division in the House and I understand that there may be another shortly. If so, I will suspend the sitting for 15 minutes. That, however, is injury time—it will not eat into the debate, but will be added on at the end.

Joyce Quin (Gateshead, East and Washington, West): It is a pleasure to see you in the Chair, Mr. Deputy Speaker, as you are my constituency neighbour. I welcome the opportunity to introduce the debate, which is timely given last week's launch by the Deputy Prime Minister of the Government's information campaign on regional government. Given that referendums on the question of establishing elected regional government are to be held next year in the three northern regions of England—the great north vote, as it is aptly described—it is important that the issue is widely debated in Parliament and outside. By the time people vote, they should feel that they have been provided with the information and detailed arguments to help them make their judgment.

Referendums such as these are about giving people a choice on the proposed changes to our government and constitution. Those changes could have political and economic effects. When such policies are proposed, it is right that people have their say, and one of the disappointments of Conservatives' reaction in opposing the referendums is that they seek to deny people that choice.

Mr. Geoffrey Clifton-Brown (Cotswold): Will the right hon. Lady comment on the issue of choice? If all the people who live in the unitary authorities voted, they would be able to outvote those who live in the two county council areas. Those county councils might then be abolished against the wishes of those who live in those areas. Is that choice?

Joyce Quin: I welcome the fact that the Government gave people in the existing two-tier areas a choice about which form of unitary local government they would prefer. That means they will not be overridden by those living in the already unitary areas, as they would have been before the amendment of the Regional Assemblies (Preparation) Act 2003. However, I believe that regional government is different from local government and, although I strongly support a move to unitary local government, I wish that the two issues had not been confused with each other.

Mr. Clifton-Brown: The problem is that there will be a huge debate over the restructuring of local government and little debate about the plans for the regional assembly. Questions about what resources and structure the regional assembly will have will be overshadowed by the reorganisation of local government—the real debate will not take place.

Joyce Quin: I do not accept that. In areas such as the north-east, where 70 per cent. of people already live in unitary government areas, the issue of whether people want regional government is already clear. Many in the north-east are strongly attached to their regional identity and are well aware of regional issues. I do not believe that they will be unable to see those regional issues clearly when the referendum is held.

Matthew Green (Ludlow): The hon. Lady is making a strong and cogent case. Perhaps she will confirm that a Liberal Democrat amendment led to the second question being on the ballot paper.

Joyce Quin: I am happy to confirm that, but the hon. Gentleman will find that I proposed tabling such an amendment on Second Reading before it was mentioned by any Liberal Democrat Member. I am grateful to him for allowing me to place that on the record.

Mr. Deputy Speaker: Order. I must tell the hon. Gentleman that my constituency neighbour is a right hon. Lady.

Joyce Quin: Thank you, Mr. Deputy Speaker. I stress that the debate is about elected regional government, because there is already a form of regional government in the English regions, but it does not involve the people—the electorate, who are our constituents—and few people are very much aware of it. I am referring to the Government offices for the regions and the many regional bodies and quangos, which, although they do important work, operate largely behind closed doors and away from the public gaze and public scrutiny.

Far from being about creating more bureaucracy, as opponents of regional government frequently claim, the proposal is to democratise an existing bureaucracy and give the north-east as well as other regions a public and democratically accountable voice and therefore a public focus on the economic, political, environmental and cultural challenges that confront us.

I was interested to see the media reaction to the Government's information campaign, which was launched last week. In many cases, it was disappointing if not surprising. Many national newspapers seemed to fail to understand that there is a sense of regional identity in an area such as the north-east, and simply decried the proposed regions as artificial. That charge is impossible to substantiate for the north-east. Indeed, many people who might oppose the proposal for a regional assembly in the north-east would none the less concede that there is a strong sense of identity in the region. There is a strong shared cultural heritage, which goes back many centuries to the days of the kingdom of Northumbria. That region was a centre of learning and civilisation, and it was epitomised in the dazzling Lindisfarne gospels, which, unhappily, are not housed permanently in our region, although many of us would like to see them housed there.

There is also a strong shared industrial heritage, which goes from Tweedside in the north to Teesside in the south and which was built around the industrial revolution and the important industries of coal, steel, shipbuilding and heavy engineering. Today, that heritage brings together economic actors throughout the north-east, which are all concerned about the future of the region's economy.

It is good that the past inspires important cultural and economic initiatives today. I was interested to see a report in the press today on the drive to make St. Bede's, and the sites associated with the Venerable Bede, the third of the north-east's world heritage sites. It is significant that Tyneside and Wearside, which are not always allies, have joined together in a determined bid to promote that site, which is based around Jarrow and the Bede church in Monkwearmouth in Sunderland.

There are strong feelings of regional identity in England, particularly in the north-east, so it is depressing that the national media sometimes fail to recognise that. However, I also argue, perhaps more controversially, that regional identity is not always necessary for effective regional government. Let us consider the history of Germany after the second world war. Whereas some regions had strong historical identities, others did not, yet some that did not have been economically successful at devising regional strategies and making the various parts of their regions work together on, for example, technology transfer in Baden-Württemberg or on adapting and moving away from older industries, as in North Rhine-Westphalia.

Another press claim was that we would not be talking about regional government, even in the north-east, were it not for the existence of the Scottish Parliament. Again, I beg to differ. Forms of regional government were being suggested as long as 100 years ago, and perhaps the Liberal Democrat spokesman will confirm that Gladstone was also committed to the idea. I know from reading historical records of the Labour party in the north-east that there has been interest in the idea of regional government for many years long before the Scottish Parliament came into effect. In the past, it was not easy to obtain central Government support for regional government, which is the key difference between then and now. Happily, we now have a Government who are committed to devolution and decentralisation, which can make all the difference.

Another red herring in the regional government debate, which surfaced many times in the press during the Deputy Prime Minister's information campaign launch last week, is that what we really want is effective local government. Of course we do, but we are not talking about a choice between effective local government and effective regional government. There are many cases in which one should have both. I certainly want that for our country.

It has also been said that what we really want is for central Government to have an effective regional policy at national level. This is a false choice because, in reality, we need both. Happily, we have a Government who are strongly committed to the regions and to regional policy, but it is also true that regional government works successfully in countries where it is backed up by an effective policy at national level. In no way does the establishment of a regional assembly absolve national Government from also pursuing policies to help the regions.

I welcome the report published in July by the Select Committee on the Office of the Deputy Prime Minister, which contained many useful recommendations on how the Government might reduce regional inequalities. It is important for Government policies to mainstream regional issues so that the Government can examine the need to reduce regional inequalities and consider what the effect of their policies will be on those inequalities.

The ODPM Committee's report also referred to the funding formula—the Barnett formula—and called for a review of total funding allocations as well as a review of the formula itself. The debate is not primarily about the Barnett formula, but I strongly believe that it is indefensible to voters in the north-east of England in its current form. I also believe that we need a formula that can be reviewed regularly and that takes into account the changing nature of the economic performances of the nation and the regions of the UK. It should also include elements such as the sparsity criterion, which is particularly important in Scotland. I urge the Government to consider this formula, because it is much easier to produce such a formula when economic times are good but much harder to do so when they are difficult.

Mr. Clifton-Brown: The right hon. Lady has been very generous in giving way and is making a cogent case, although I do not agree with it. If she agrees that the Barnett formula needs revising, does she therefore agree that the people of Scotland, the north-east, the north-west and Yorkshire should all receive the same amount per head?

Joyce Quin: Certainly not. The Government need to consider the different economic situations of different regions, as Germany does in its regular funding reviews. Germany has an equalisation mechanism to help regions that are in the greatest difficulty. The matter is quite complicated and needs a great deal of thought. The approach suggested by the hon. Gentleman would not work at all, as the question is much more profound that his proposal seems to indicate.

The ODPM Committee report also referred to other regional disparities. An area that worries me, which also worries the CBI in the north-east of England, is the public sector spending on research and development. As the ODPM Committee report stated:

> "If public sector investment in research and development in the UK as a whole is low, then the North East's share is pitiful".

The statistics bear that out.

The devolution process introduced by the Government has so far benefited Scotland and Wales and led to policies being adopted in those countries that their people feel suit their needs. I welcome that. However, when I asked Scottish and Welsh colleagues about the benefits of devolution, I was struck by the fact that, rather than talk about policies or powers, often the first thing that they mentioned was the way that it had allowed a public and democratic focus on the needs and opportunities of those territories and the challenges facing them. That argument applies just as much to the Government's proposed regional assemblies in England as it does to Scotland and Wales.

I know that the Government propose to introduce a draft powers Bill on regional government in England. I urge them to consider strengthening the powers in certain areas, particularly learning and skills, and transport, both of which are crucial to a region's economic development. We know that devolution is a process, and the Government recognise that in their

[Joyce Quin]

White Paper. Indeed, in Wales, the Assembly's powers are already being reviewed. This is a process, but the Government's proposals are an important step along an important road for the regions of England.

I am glad that economic development is at the heart of the proposals and I believe that the single pot of money will help the region to prioritise and spend on what it believes is most important. The north-east of England has a distinct economy. We are more heavily reliant on the manufacturing sector and exports to the European Union market than anywhere else in the UK. In schools, we have a lower staying-on rate, which needs to be addressed, and a lower start-up rate for small businesses. We also have particular skills needs. All those areas of distinction cry out for a regional focus, regional strategies and regional solutions.

I am glad that the press in different parts of the north-east have recognised that. This Monday's *Northern Echo* editorial states that

"only by working for a future together can the region start to redress the balance between bad news and good news on the jobs front."

The press have recognised that regional strategies are about jobs, industry and the health and future of the economy. The influence that the regional assemblies will have on regional appointments and the ability to focus on matters publicly will be important in getting public support and creating an awareness, which the present system is unable to do.

Will the Minister respond positively to concerns that have been raised by business in the north-east? He was present at the launch in Durham a week ago, so he knows that there was a positive response to the proposals from the business men who were present. However, they had concerns, many of which have been produced in 10-point programme, that are worthy of serious consideration and can provide the basis for a constructive dialogue with industry.

Aspects of devolution in Scotland and Wales have not received the warmest publicity, and although we can learn from the positive aspects of what has happened elsewhere, we do not need to do everything in the same way. For example, I do not see any justification for new, expensive buildings in the north-east, particularly given the modest size of the proposed assembly. We must also be sensitive over the location of any assembly—I am glad that the Yes campaign for the north-east has established its headquarters in Durham and that the Deputy Prime Minister held the launch there last week.

There are worries that need to be addressed, and although other hon. Members here can better comment on those in the south of the region than I can, I believe that there is a great sense of unity in the north-east. The fact that the Teesside and Tyneside chambers of commerce joined to form the North East chamber of commerce is a good example of how people feel the need to operate regionally in the north-east. Those areas in the region that look south as well as north know that if a regional government is established in Yorkshire and the Humber, the two regions will be able to co-operate on many issues. The idea is to co-operate, rather than imprison people in geographical confines in which they feel uncomfortable, and to introduce an enabling, empowering structure that will stand the regions in good stead.

There are also worries in the rural areas, so I welcome many of Lord Haskins' proposals, which are very much along the lines of devolution and will effectively integrate the rural and urban areas in a common cause for the well-being of the region. I am particularly exercised on this point, as I was a Minister in the Ministry for Agriculture, Fisheries and Food. I also have a lot of contacts with the rural world and I know of the concerns there about marginalisation if the structures are not right.

I shall bring my comments to a close, because a number of hon. Members wish to contribute. Regional government can mean huge gains for the north-east, but it would be foolish to say that it will solve all problems. In the modern world, the economy of a region can be greatly affected by economic events thousands of miles away and we must recognise the national, European and international contexts in which we work. However, regional government is the missing link in our democracy and in our system of economic management—in that sense, it can add real value. I am convinced that if anywhere in England can make a success of devolution, it is the north-east. We are being given a once-in-a-lifetime opportunity to give regions a powerful voice in our nation's affairs, to address regional needs and priorities, and to allow regions such as the north-east, with its pioneering industrial past, to pioneer a new form of democracy for England.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. Before I call Mr. Atkinson, I tell the Chamber that because of the disorganisation caused by the timing of the vote in the House, on this occasion I shall not take lateness into account as a factor in deciding whether to call an hon. Member.

2.27 pm

Mr. Peter Atkinson (Hexham): I am grateful for that, Mr. Deputy Speaker. Unfortunately, I missed the start of the speech by the right hon. Member for Gateshead, East and Washington, West (Joyce Quin), because I was voting in support of a ten-minute Bill that would give the British people the power to have a referendum on such an important issue as the European constitution. I suspect that quite a lot of Labour Members who intend to call for a referendum on regional government were trooped through the No Lobby to vote against the Bill. However, I shall not intrude on the Labour party's private grief.

The right hon. Lady and I agree on many things. For instance, I entirely share her view on the importance of a regional focus and regional identity, and I fully support what she said about getting the Lindisfarne gospels back to the north-east. However, I disagree fundamentally that we need an expensive and costly elected bureaucracy to do that, and that is where the difference lies. We are sceptical about whether a regional assembly will do what is claimed of it, and whether it will be a minimalist organisation. As it turns out, we think that a regional assembly will be extremely costly.

I refer those who argue that an assembly will solve all the problems of the north-east to what Lord Rooker said in the House of Lords: "No more power, no more

resources." People who actually believe that setting up a regional assembly will produce more money and power for the north-east of England are living in cloud cuckoo land.

The North East chamber of commerce reflected such a view in its recent session on the subject. It said that among its members, who are from the business community in the north-east, views on regional government range from scepticism to hostility. If the right hon. Lady and her supporters of regional government are to convince those people, they will have to answer some tough questions. So far, those questions have not been answered.

By promoting the idea of a Geordie parliament, its supporters are appealing to people through their sense of regional identity. It is an emotional appeal. However, we do not have the answers to the hard questions that need to be asked and answered so that the people of the north-east can make a proper decision when they come to vote.

Ms Dari Taylor (Stockton, South): I hope that the hon. Gentleman will take back the unfortunate statement that he just made to the House, claiming that it will be some kind of Geordie parliament. There are Teessiders here, and we do not want to be deprecated or left out.

Mr. Atkinson: The hon. Lady makes my point about one of the problems with the regional assembly. We talk about the Geordie parliament, because where we come from, on Tyneside, people refer to it as that. That is where the problem lies. We will have one part of the region against the other, and the hon. Lady makes my case perfectly.

Vera Baird (Redcar): I am terrified about the hon. Gentleman's geography, as he clearly thinks that Hexham is on Tyneside.

The appalling history of the Conservative Government was to starve our region, particularly the sub-region of Teesside, of any resources. If the hon. Gentleman is so opposed to the idea, what alternatives does he advocate to the large resources that are available and their democratic control?

Mr. Atkinson: I get cross when Members from the north-east say, "What has the Conservative party done for the north-east of England?" I will tell the hon. and learned Lady what it has done. She should visit the quayside at Newcastle and the developments at Teesside that Mrs. Thatcher and Michael Heseltine started. Over the years, the Conservative Government committed millions of pounds to the region when they hardly had a single north-east MP – only four MPs. Now we have a fistful of Cabinet Ministers from the north-east, and the region has less investment than during those days.

I shall not take any lectures from north-east Members about the Conservative record. I am proud of the Conservative party's record, and when I walk along the quayside at Newcastle, I say, "This is what a Conservative Government have done for the region."

Mr. Kevan Jones (North Durham): The hon. Gentleman should remember what the Conservative Government did to my constituency, North Durham. They decimated the coal industry and closed down the shipbuilding industry on Teesside, Sunderland, Wearside and Tyneside. I must also correct the hon. Gentleman – the Tyne and Wear development corporation squandered millions of pounds on schemes that did not come through. Today's regeneration of the quayside is actually down to the tenacity of Gateshead and Newcastle city councils.

Mr. Atkinson: I do not think that we would agree with that. As for the history of the Durham coalfields, I suspect that a gentleman named Wedgwood Benn closed most of the pits. The hon. Gentleman is probably too young to remember that.

However, I do not want to go on about the past – this is becoming a bit like Prime Minister's Question Time. We should look towards the future, and deal with the concerns that we and the people of the north-east have about the regional assembly. We do not have the detailed answers that we need to our questions.

People in the north-east should look to the example of the London Assembly. That is the nearest equivalent that we have to a regional assembly. We were told that the regional assembly for London would do wonders, and would be an economic organisation that would stamp a true London identity on the city. The right hon. Member for Gateshead, East and Washington, West will know that the cost of the Greater London Authority on the London boroughs has risen by 29 per cent. this year, and that Ken Livingstone – who I believe may be the Labour mayoral candidate, or not – moved into brand new headquarters on the Thames, in a building of fine architectural quality. Within a few months, it seems that there is not enough room for the staff, which has expanded to a greater extent than anticipated. That is a warning to the people of the north-east.

The right hon. Lady mentioned the Scottish Parliament, the cost of which is up from £40 million to £400 million. If the people of Scotland were asked to vote again on whether they wanted devolution I doubt that there would be overwhelming support. That certainly would not apply in Wales.

The people of the north-east deserve some honest answers. The Deputy Prime Minister came to Durham last week to launch the referendum road show. It seemed merely a propaganda vehicle for the Yes campaign. I asked the Office of the Deputy Prime Minister about the cost of the campaign. The people of the north-east should know that that launch last week cost £25,000. It could have been done for £200. The budget for this information campaign until the end of this financial year is £500 million. I warn the people of the north-east that this is where the regional assembly is going. If you want an assembly, you should watch your pockets and count your silver spoons.

Several hon. Members *rose*

Mr. Deputy Speaker: Order. When the hon. Member for Hexham (Mr. Atkinson) says "you" he is referring to me. As I am in the Chair I have no view on the matter.

2.36 pm

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): I congratulate my right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) on securing the debate. This is a good moment to hold it because, as she said, last week the Deputy Prime Minister launched the campaign to raise awareness and generate debate about Labour's plans for elected regional assemblies in the north-east, the north-west, and Yorkshire and Humberside.

I want to say a few words about what regional devolution will mean for Teesside and how the new assembly can make a difference to the people of the north-east. I intend to show that we have a different perspective from the picture of doom and gloom painted by the hon. Member for Hexham (Mr. Atkinson). The north-east is the furthest English region from the centres of power in Westminster, the ministerial offices in Whitehall and the large institutions that shape our lives such as the City of London, the finance industry, the national media and the permanent secretaries of the civil service. The north-east is all too often ruled by quangos and career civil servants. That is not a wilful criticism of those who run public affairs in the north-east.

Mr. Kevan Jones: The hon. Member for Hexham mentioned the Tyne and Wear development corporation. Does my hon. Friend agree that two institutions [illegible] needed public accountability and exposure were the Teesside and the Tyneside development corporations set up by the last Tory Government?

Dr. Kumar: My hon. Friend is absolutely right. As hon. Members are aware, the Teesside development corporation finished up before the Public Accounts Committee because some £8 million was missing. The hon. Member for Hexham and his Government failed to provide the necessary accountability.

Those who run public affairs in the north-east have the interest of the region at heart, and believe strongly that we need to modernise our regional institutions and to iron out regional inequalities. However, they are all directly appointed by Whitehall, and their final accountability has to be to the people who appointed them. That is wrong. I am proud to say that our Government recognised this from day one.

My right hon. Friend the Member for Gateshead, East and Washington, West mentioned devolution in Scotland and Wales and the Scottish Parliament and the Welsh Assembly. I agree with her that they are now part and parcel of our everyday institutions. I recall that the Conservative party opposed both those institutions until they were set up. They were wrong then, and they are wrong to oppose them now.

Institutions need dreams. Labour Members have a dream for an assembly in the north-east. A regional assembly would give the people of the north-east the power to set their own priorities, and the ability to take decisions to solve the problems that they want solving. I have been amazed at how strongly the people of the north-east identify with their region. My right hon. Friend mentioned the solidarity and support that have existed for a long time.

I want to turn to the role of Teesside in a new regional assembly. Teesside is still the industrial powerhouse of the region. It is one of the UK's—indeed Europe's—biggest producers of chemicals, including products that are a staple part of our everyday life in our homes, our clothes, our cars, our food and our medicines. Many of the greatest chemical companies in the world, such as BASF, Amoco, Huntsman, Du Pont and BP, are found in Teesside. Their managers are experienced in working in a global environment that has Teesside at its heart.

Teesside also has a great steel-making tradition going back 160 years. It has Britain's second biggest port by volume of cargo handled, with all the transport and infrastructure needed to support it in place along the river. Those key industries are supported by many small, local firms with strong sectoral strengths. Teesside is home to one of the UK's biggest concentrations of process industry technology, and marine and offshore engineering. Such strengths mean that Teesside must be central to the economic development policies of a regional assembly.

A good regional economic strategy will bring great benefits to Teesside. It will help Teesside airport to become the international airport that we need to cater for business people from all over the world who have made Teesside their manufacturing home. It will help us to work with the port authority to develop Teesport into one of the UK's great maritime centres for the new markets and trade patterns that will follow the accession of countries such as Poland and the Baltic states to the European Community. It will allow the new centres of excellence within the chemical sector to flourish, permitting a move from relatively low-value bulk chemicals to higher-value intermediate and finished goods. I strongly believe that it will act to help an iron and steel-making company such as Corus realise its ambition to make the Redcar and Lackenby steel complex Europe's largest and best supplier of bulk steel products.

However, in common with the whole of the north-east, Teesside has needs as well as achievements of which to be proud. It must ensure that people are fully trained to take part in the new skills revolution that is transforming work. It needs to improve further the performance of our schools. It has to build on the existing strengths of our regional universities and colleges, including the university of Teesside and the new Stockton campus of the university of Durham. It must improve its infrastructure; I have mentioned the airport, but road and rail improvements are still needed. We should build a new mass transit system for the Tees valley—that is now a lot closer, following the recent announcement of a possible start in Middlesbrough.

In short, Teesside needs a renaissance, and a regional assembly could be the focus for it to achieve that. However, a regional assembly can do more—not just for Teesside, but for the north-east.

Despite the efforts of the Chancellor and the Deputy Prime Minister, we still live in a country that is economically unbalanced. Of all the regions and nations that make up the UK, only the south-east is wealthier than the current European Union regional average. The problems of the south-east are of overdevelopment and overheating, whereas those of the north-east are of

relative underdevelopment and spare capacity, both physical and human. The economic deficit is but one result of a long history of an over-centralised state.

There is also a democratic deficit. An over-centralised state is prone to fall into the trap of making decisions inappropriate to regions such as the north-east, because it tries to square the circle by making the same rules apply to both the south-east and the north-east. Such a one-size-fits-all approach can make the regional disparities wider. Great disparities still exist, despite the Government's good work over the past six years, of which I am proud.

The Minister may have seen the Institute for Public Policy Research report, which stated that, since 1992, the economic prosperity gap between the south-east and the north-east has widened from around 30 per cent. to nearly 60 per cent. That is alarming, and I hope that the Minister will comment on it.

We in the north-east still have too many wards in the top 10 per cent. of the index of multiple deprivation. Although only 8.8 per cent. of people of working age in the south-east are claiming state benefit, the equivalent figure for the north-east is 20.3 per cent. In 2002, 31 per cent.—almost a third—of workers in the south-east had a degree, whereas only 19 per cent. of the north-east's work force possessed a similar level of qualification.

We also need to examine the levels of employment in the north-east. We still have a long way to go. The figures from some of our travel-to-work areas show that the numbers in work are low compared with the national average. In my local Middlesbrough and Stockton travel-to-work area, only 66.4 per cent. of people are in work; in Sunderland and Durham it is 67.2 per cent.; and in Newcastle, the figure for Tyneside is 69.3 per cent. Those figures should be seen against the national average of 74.6 per cent., and the European Union Lisbon treaty floor target of 70 per cent.

I said that much has been done since 1 May 1997 to reverse that trend. The work of my right hon. Friend the Deputy Prime Minister in tackling regional issues by setting up the regional development agencies is a credit to him. I hope that the next comprehensive spending review will carry on building on that programme of work. I also hope that the Government will examine the possibility of setting targets to reduce economic and social disparities and inequalities, and will seek to put flesh on the bones of the idea of dispersing Whitehall departments and agencies to the regions of England.

As well as looking to the structured programmes to replace European regional development funding which, as a result of the accession of the new nations to the Community, will taper off from 2006, we want to go one step further. Good deeds in Whitehall are one thing, but we want the ability to make our own future. We want autonomy and the ability to manage our own affairs. We need management by the people of the north-east for the people of the north-east. A regional assembly will give us that power.

That is why I, with all my regional colleagues, will be campaigning next year for a resounding yes vote in the north-east. I want the people of the region—from Berwick to Boulby—to show that we are proud, talented and ambitious. A regional chamber will give voice to our people and expression to that pride, talent and ambition.

In conclusion, I shall quote the Deputy Prime Minister because the project is his baby, he has championed it for a long time, and I think that he has got it right. He said:

> "People in the north have a great opportunity to establish a new form of government that brings choice, democracy and opportunity to their region."

I concur with him wholeheartedly.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. There is little time remaining for speeches from Back-Bench Members, but if hon. Members are brief, I shall do my best to call them all.

2.50 pm

Mr. Derek Foster (Bishop Auckland): First, I congratulate my right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) on securing the debate, and I pay tribute to her campaigning skills, both for a regional development agency and for regional government. I also pay tribute to the Deputy Prime Minister. I first worked with him on these issues in 1980, and over the intervening years he has maintained his vision and determination, and has persistently pursued the objective. We would not be having this debate without his work.

I was first persuaded that we needed a regional development agency and regional government in 1974, when I was the chairman of the North of England Development Council, which was the job-hunting agency, and we were competing against the Scots and the Welsh. That was 1974 and they already had a powerful RDA, a Secretary of State in the Cabinet and their own Question Time. They already had a Grand Committee and were later to have a Select Committee. Those were all superb vehicles for focusing the minds of busy Ministers and officials on the problems of Scotland and Wales. As a young MP, the first thing that I noticed was that we had no research or body of authoritative opinion at our disposal to pursue Ministers and officials as the Scots and the Welsh could.

My political life, regionally and nationally, stretches over 30 years. Most of my experience has confirmed my view that the man or woman in Whitehall does not know best. Despite some of their superb qualities, they need to create a learning organisation, which should be a partnership with regions such as our own, to draw from our experience, abilities, commitment and knowledge of regional problems. That is where an RDA and regional government can help.

It was kind of you, Mr. Deputy Speaker, to call me. I wanted to say much more, but I will give my other colleagues the opportunity to speak.

2.52 pm

Mr. Hilton Dawson (Lancaster and Wyre): I will be similarly brief. It is a great pleasure to take part in the debate, albeit from the perspective of someone who has moved 150 miles from where he was born. I congratulate my right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) on securing the debate, and on the way that she has led it.

[Mr. Hilton Dawson]

When I leave Parliament at the next general election, "gaan hyem" to Northumberland, I trust, hope and believe that the people of the north-east will have overwhelmingly voted yes to an elected regional assembly. The north-east has an identity and the commitment of its people. The region has a passion, which is often expressed in the rivalries of the football teams. I always want Newcastle to do well, as long as Sunderland beat them in the cup final and they come second to us when we get back into the premier league.

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman is not trying to draw me into that controversy.

Mr. Dawson: I will quickly steer away from that subject, but we need to ensure that that passion is diverted to the interests of the whole region. I believe that the people of the north-east will choose an elected regional assembly, because they know exactly what the north-east needs—democracy. It needs the people of the region to be empowered and involved in the huge decisions that a regional assembly will make on the issues that are fundamental to their lives—such as jobs, major land use issues and transport—and on how the whole region is run and, in particular, regenerated. An elected assembly will provide a tremendous opportunity for the people of the north-east to play a much bigger part in the regeneration of the United Kingdom, and for the north-east to develop its own solutions to its problems, rather than being merely a supplicant to the national Government and a power base located a long way away.

An elected assembly will engage all the people and communities of a diverse and interesting region in the new future of the north-east. It provides an opportunity to throw off the old clichés and persuade young people born in the north-east that they have a future there. I am part of a generation of people who left the north-east because there was not enough for them there. For many people, there was nothing in that region. An assembly will provide an opportunity to convince young people coming to the region—to some of the excellent higher education institutions, for instance—that they have a future and a life there if they will only stay.

An elected assembly will provide an opportunity for the region to build links with the other regions of Europe—across, for instance, a North sea community—and to create a wider community than that of the European Union. I hope that it provides an opportunity for the north-east region to work properly with a devolved assembly in the north-west and in Yorkshire and Humberside on a renaissance of the north. This is the tremendous opportunity that we have.

I am delighted to hear about the prospect of an elected regional assembly being based in Durham. The great historic cities of the north have a remarkable part to play in the future. Durham, York and Lancaster are the right centres for devolved regional assemblies—a modern idea in an ancient and historic setting. This is the future. It is one of enterprise, imagination and a new energy that can be brought into the north-east and all the regions of northern England. I hope that many people, seeing the opportunity of a devolved regional assembly and a new future for the north-east, will, like me, decide that it is time to go home.

2.58 pm

Vera Baird (Redcar): I have about two and a half minutes to speak, so I will cut out all the fancy bits and cut to the chase—not that there was ever anything very fancy in my speech.

People will be well aware that the five boroughs of the Tees valley have a combined population of about 650,000, and our larger and, as we have perceived it, more prosperous neighbour, Tyne and Wear, has a population of about 1 million. Historically, the Tyne has seen stronger economic growth because of its larger population and bigger cities, such as Newcastle, which is an established cultural and arts centre. The Tyne's voice has sometimes been—or been believed to be, from a Teesside vantage point—stronger than our own.

A concern voiced in the Tees valley is whether a regional assembly for the north-east will represent the whole region. Clearly, there will be proper democratic representation, but people remain a little apprehensive. I shall briefly say why I think that that argument is completely wrong and why I will be out canvassing for the great north vote, as our great north Deputy Prime Minister calls it, and especially campaigning for a regional assembly for the north-east.

What is key is that there is more in common between the twin riverside conurbations of the Tyne and the Tees than there are differences between them. Those twins, if not identical, have had pretty near identical problems historically, and certainly the same general profile. The current generations on both the Tees and the Tyne have, after all, been brought up in the same environment: economic decline, a reduction in labour-intensive industry, dependence on the manufacturing sector which vacillates, unemployment, inner urban deprivation, and living in the midst of tracts of derelict land. That hard rearing has also brought to those twin riverside conurbations similar cultural outlooks. They are a little shocked at the economic blows of the past; inherited skills and ways of life are less valued, and they are not always confident and enterprising.

However, nurturing from this Government's regional policies in the last six years has made a cataclysmic difference to those attitudes. The regional development agencies have increased budgets and the single-pot concept is removing the earmarking of funds and freeing them to be applied locally and wisely. Under that nurturing, both twins are starting to realise their potential, and as a person who has lived in Tyneside and in Teesside I can sense powerfully what a success our regional policy has been so far. It has been a huge focus for this Government, and I will say again, even though the hon. Member for Hexham (Mr. Atkinson) is not present, that this Government's focus is in rank contrast to the total neglect, especially of Teesside, by the last Government. This Government have started to bring new investment, to persuade people to take up new skills and to revive this pair of very similar economies.

I am truncating my speech, as I am aware of the time, but it is very important at this stage to be aware of the sensible decision that has already been taken to have the regional capital in Durham. Otherwise, the worry in Teesside, which is a real one, is that we would lag just that little bit behind, as Newcastle benefits now from being, de facto, the regional capital. It has the RDA, One NorthEast, the Government office for the north-east, the Pension Service headquarters, the Highways Agency and all the other regional trappings of government. The same argument was used to advocate regional devolution, with which I agree, in the first place. London-based power means that significant aspects of national policy function as unacknowledged regional policies for the south-east. The same applies to the impact of a regional capital.

As long as Teessiders can be shown that that is a major reason why Tyneside has appeared to be more dominant than it truly is, and as long as Teessiders can easily understand the prospect of a capital for the new region being elsewhere, they will vote in droves for regional devolution, because they have already seen the huge benefits of locating the RDA, with its large budget, in the region. One NorthEast was the first RDA to devolve much of its funding to sub-regional purses—even closer to the ground—so that people have been able to make judgments and to invest and attract industry that is entirely fitting to the needs of the region. Teessiders are able to understand that, and the more they see, first of the RDA then of the sub-regional partnership, and the closer to the people the investment and decisions become, the more they will understand that making the process democratic will increase the region's power even further. I think that the days when Teesside hesitated about this are long past.

I am grateful to the hon. Members who have yet to speak for allowing me to encroach into their time by a few minutes.

3.4 pm

Matthew Green (Ludlow): Although I suspect that I will shortly be interrupted by the Division Bell, I congratulate the right hon. Member for Gateshead, East and Washington, West (Joyce Quin) on securing this timely debate, which has been good, although perhaps marred a little by the disparaging remarks from the hon. Member for Hexham (Mr. Atkinson) on the strong case for the north-east having a regional assembly. However, we heard excellent speeches from the hon. Member for Middlesbrough, South and Cleveland, East (Dr. Kumar), the right hon. Member for Bishop Auckland (Mr. Foster), the hon. Member for Lancaster and Wyre (Mr. Dawson) and the hon. and learned Member for Redcar (Vera Baird). Indeed, I was intrigued that the hon. Member for Lancaster and Wyre was able to put in a bid for Lancaster to host the north-west regional assembly.

I want to make it clear from the outset that the Liberal Democrats have long believed in regional government and that we are fully behind the yes vote for the north-east. My right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), who unfortunately cannot be here today, summed it up when he said that the north-east already has a large proportion of such a tier of government in the shape of various unelected officials and government agencies that make decisions that people cannot influence. Those unelected bodies should be replaced by elected representatives. He added that

"key decisions that affect us can be made in the North, by the North for the North."

My right hon. Friend put the case better than I could.

3.5 pm

Sitting suspended for a Division in the House.

3.21 pm

On resuming—

Matthew Green: I was saying that the Liberal Democrats are fully behind the Yes campaign in the north-east and that one of the reasons why the regional assembly will prove so popular in the north-east is that the area has a strong sense of regional identity. That was clear from the consultation exercise. The reason why the three northern regions are going ahead is that they have the greatest sense of regional identity. When the Government consider the possibility of referendums in other areas, they may have to change the boundaries of some other regions to achieve the sense of regional identity that exists in the north-east.

I am delighted to say that we were able to get the second question on to the ballot paper, thanks to the Liberal Democrats in the House of Lords. This matter was raised on Second Reading by my hon. Friend the Member for Kingston and Surbiton (Mr. Davey) and, I agree, by the right hon. Member for Gateshead, East and Washington, West. Unfortunately, the Government were not persuaded in Committee, but our persuasive powers were slightly more successful in the House of Lords. The second question removes the problem, which would have existed, of constituents of the single-tier areas being able to decide local government change in two-tier areas. They now have the choice of at least two forms of unitary authority, which we are very glad about.

I want to talk about the powers of the regional assembly because in many ways, although we are firm believers in regional government and will be fully behind a yes vote, this is not the full loaf. I shall be kind—it is three quarters of a loaf.

Mr. Edward Davey (Kingston and Surbiton): Half a loaf.

Matthew Green: I was being generous and keeping to the spirit of cross-party co-operation on the yes vote. A major reason for our support is that the proposal becomes a vehicle for adding greater powers. However, the Government have the opportunity to add greater powers at an earlier stage, because they have not yet published the draft powers Bill. When they do so, they will have the opportunity to consider several ways of increasing powers. I want to talk about a few, one of which relates to transport.

The regional assembly will have the power to decide regional priorities, but the Secretary of State will still decide which priorities are funded. In effect, therefore, this is not a real power, as it is one of persuasion rather than of decision. The Government still have the

[Matthew Green]

opportunity to hand that power down to regional government to allow it to make real choices in the north-east about the transport arrangements affecting, say, the A1 or other major transport infrastructure developments in the region.

Secondly, the Government seriously need to consider the role of the learning and skills councils. If the regional assemblies are to deliver on anything, they should deliver on jobs and the economy. Learning and skills councils are a vehicle for delivering funds for skills, which are key to jobs and the local economy. Decisions about funding should be democratically accountable and should be taken in the north-east. The Government still have the time and the opportunity to make that change and to make the learning and skills councils regional and accountable to the north-east regional assembly.

Thirdly, regional development agencies are still not accountable enough to the regional assembly, which the Government could do more to address. They could give more power to locally elected people who are responsible to their local electorates, rather than still appointing the boards of RDAs. There has been a step forward and we support it, but there is still more to do.

I am baffled by the Conservatives' opposition to the referendums. This is about giving the public a choice. The Conservatives want a referendum on the European constitution, as we do, but they do not want a referendum on whether there should be an elected regional government in the north-east. That is very strange. There will be a referendum and the Conservatives' arguments will be seen to be as weak as they have made them.

Mr. Atkinson: I believe that I made it clear in my opening remarks that I am fully behind the idea of a referendum to give people the choice. I voted against the Bill as I believe that the whole thing is a waste of money, but I have no objection to people in the north-east having a choice.

Matthew Green: I am glad that the hon. Gentleman has made it clear that he does not agree with his party's Front-Bench spokesman on the matter. Once again, the show of unity among the Tories has lasted less than a week.

Another concern is taxation. Regional assemblies will have the power to impose a precept on council tax, which we support. We support their ability to raise money, but not, however, through council tax. The Government may decide in their balance of funding review to consider other forms of taxation such as local income tax, which are based on ability to pay. I realise that the Minister will not promise anything that the Prime Minister has already ruled out, which is unfortunate for his colleagues in the Office of the Deputy Prime Minister as they are clearly considering such a form of taxation in the balance of funding review. Will he confirm, however, that any changes made to the method of local government will be extended to regional government, and that if a local income tax is imposed it will be extended to the regional level and will replace council tax throughout? We would certainly welcome that as a way forward.

We will be fully behind the yes campaign. As the right hon. Member for Gateshead, East and Washington, West said, there has been long-standing demand for a regional assembly in the north-east from the Labour party and from the Liberal Democrats. I know that my right hon. Friend the Member for Berwick-upon-Tweed will be closely involved in the entire campaign.

3.28 pm

Mr. Geoffrey Clifton-Brown (Cotswold): This has been a good-tempered and moderately constructive debate. I hope that the Minister will be able to answer some of my questions, because it has become a custom in this Chamber for Ministers to answer the soft questions from their own side and none from the Opposition. That is an especially unfortunate trend. I congratulate the right hon. Member for Gateshead, East and Washington, West (Joyce Quin) on securing the debate and welcome the Minister to his new post. His two predecessors, however, fell into the category that I have just described.

I start on a discordant note, because although I hope that this will remain a good-tempered debate, I must disagree with most of the speeches that we have heard today, with the exception of the excellent contribution of my hon. Friend the Member for Hexham (Mr. Atkinson).

The hon. Member for Ludlow (Matthew Green) always tries deliberately to mislead the Chamber about what Conservative Members say, and I want to clarify one point. It is untrue that the Conservatives are opposed to a referendum on the matter. We are democrats and believe in referendums; it is just that we will campaign strongly for a no vote.

Matthew Green: Will the hon. Gentleman give way?

Mr. Clifton-Brown: The hon. Gentleman would only cause mischief, so I will not.

Joyce Quin *rose—*

Mr. Clifton-Brown: I happily give way to the right hon. Lady.

Joyce Quin: Is it true that the Conservatives voted and argued against the legislation to allow regional referendums?

Mr. Clifton-Brown: As my hon. Friend the Member for Hexham ably explained, we do not believe in regional assemblies. We believe that they are undemocratic and, as I will demonstrate in a minute, will take power away from local people, rather than empowering them.

The Deputy Prime Minister made a little visit up north on 3 November. He made some extraordinary statements, and I will quote one of the most extraordinary:

> "At the moment, people come in a delegation to London and make a case to a minister but what difference does it make?"

He is admitting that his own friends, MPs and councillors can go to see him, but it will not make any difference. If he does not listen to them now, how do Labour Members expect a regional assembly to help them any further?

I quote *The Journal* report on 5 November by the excellent Paul Linford and David Higgerson, his colleague who is sadly not here:

"Mr. Prescott is known to privately favour the scrapping of the Barnett Formula"—

I intervened on the right hon. Member for Gateshead, East and Washington, West, and she said the same—

"which awards Scotland £537 per head more than the north-east, £938 per head more than the north-west, and £1,166 more than Yorkshire."

If the right hon. Lady is in favour of scrapping the Barnett formula, that automatically means that she is in favour of giving less money to the Scottish people and more to those in the north-east. However, the soon-to-become-Labour Mayor of London is in favour of more money being kept in London and less going to the north. If northern Members think that they are going to get more resources, they are in for a great surprise.

Matthew Green: Will the hon. Gentleman give way?

Mr. Clifton-Brown: In a minute. The hon. Gentleman is trying hard, and I will give him a little opportunity to decide whether to be mischievous.

A key caveat in the new Labour manifesto was that regional government would happen only if the total cost to the public purse of local and regional government would not increase as a result. My hon. Friend the Member for Hexham quoted Lord Rooker, who said exactly the same thing. If people in the north-east think that they are going to get a huge pot of money from this venture, they are in for a sad surprise.

The hon. and learned Member for Redcar (Vera Baird) said that huge resources had gone into the north-east regional development agency. Of course they have, but who set up the north-east RDA? The last Conservative Government, and a great deal of money is going into the north already.

Vera Baird *rose—*

Mr. Clifton-Brown: Sorry. I have been corrected by my hon. Friend the Member for Hexham. The north-east development corporation was set up by the last Conservative Government. I apologise to Members, as that was a slip of the tongue.

The last Conservative Government secured a great deal of inward investment for the north-east, and that is another key point. Toyota went to Washington, Tyne and Wear, and created a huge number of jobs.

Vera Baird *rose—*

Mr. Clifton-Brown: It was Nissan. I am glad that I have my tutor beside me. There are problems when one speaks in a debate outside one's area.

Mr. Deputy Speaker: Order. It is just as well the hon. Gentleman has a tutor, because otherwise I might have to do that job.

Mr. Clifton-Brown: Thank you, Mr. Deputy Speaker. At least we are keeping up the humour. Nevertheless, the principle is correct. I suggest that the only way to increase prosperity in the north-east is to encourage inward investment. If we break up this country into strong regions, do the people of the north-east honestly think that the south-east, the south-west, the west midlands and the east midlands will not fight as hard, or possibly harder, for the scarce inward investment that is likely to come to the country? Instead of a national Government looking at the whole of the United Kingdom, one region will compete with another and waste a huge amount of resources.

Several hon. Members *rose—*

Mr. Clifton-Brown: I shall give way first to the Liberal Democrat spokesman and then to the right hon. Member for Bishop Auckland (Mr. Foster).

Mr. Deputy Speaker: Order. The hon. Gentleman can give way to only one person at a time, and must say something in between speakers.

Mr. Clifton-Brown: I am busy trying to say something, but Labour Members are trying hard to silence me. They will not succeed.

A great deal of money will be squandered not only in setting up regional assemblies, but afterwards. Let us consider the Scottish example. My hon. Friend the Member for Hexham has said that the Scottish Parliament building was originally to cost £40 million; today, it will cost £400 million. I suspect that each region will want an expensive building and staff in Brussels so that they can try to get European funds directly.

Mr. Dawson: Will the hon. Gentleman give way?

Mr. Clifton-Brown: No. I am in danger of straying out of order.

Matthew Green *rose—*

Mr. Clifton-Brown: I give way to the Liberal Democrat spokesman.

Matthew Green: I thank the hon. Gentleman. At the risk of encouraging him to dig his hole a little deeper, can he say whether the Conservatives want to review the Barnett formula? Would they keep it the same or change it? If they changed it, who would gain and who would lose?

Mr. Clifton-Brown: I knew that the Liberal spokesman was going to cause difficulties. He knows perfectly well that we have just had a successful reshuffle. We now have a perfectly good spokesman for Scotland who can stand up and ask that question in a Scottish debate. I shall not answer a question on behalf of one of my colleagues, as that lies outside my responsibilities. If the Liberal spokesman thinks that I am that green, he should look again.

Mr. Derek Foster: Are we now clear about the fact that the only regional policy of a possible Tory Government would be to increase inward investment within the regions? How does the hon. Gentleman answer the problem of international inward investment

[Mr. Derek Foster]

reducing for all regions and of the northern region being a good deal less competitive now that Yorkshire and Humberside includes a region with objective 1 status?

Mr. Clifton-Brown: Between the mirth, the right hon. Gentleman might have missed what I said. I chose my words carefully, and referred to the minimal amount of inward investment. He is right to say that that inward investment is shrinking in this country, largely because of this Government's policies. Increasing the prosperity of the north-east is not our only policy—one need only look at our major cities to see what the former Member for Henley did for many of our inner cities. The centres of Glasgow and Leeds as well as docklands have seen innovative urban regeneration schemes, which the last Conservative Government came up with.

I have 10 questions for the Minister from the North East chamber of commerce. I would be grateful if he responded to some if not all, but if he cannot perhaps he will write to us. What will the remit of the north-east regional assembly be? Fears exist among voters that they are buying a pig in a poke because they will not have the detailed Bill until after the referendum. Perhaps the Minister could exemplify the point raised by the right hon. Member for Bishop Auckland: how will the regional assembly strengthen economic performance? The regional assembly must demonstrate how it can improve economic performance; we need details.

How will the Minister ensure that a business-led regional development agency prospers in the future? What say will the north-east regional assembly have over the RDA's spending of its money? Will an RDA be required if the referendum goes in favour of an assembly?

Will the Minister say something about the cost of the whole venture? What will it cost to set up an assembly? My hon. Friend the Member for Hexham has already said that the campaign has cost £25,000, and we know that £500,000 has been allocated up to April. By the time we get to next autumn, perhaps the Minister will be able to tell us the total cost of the campaign. Is the "Your Say" campaign really an information campaign or is it propaganda? Are the Government or the Labour party paying for it?

Perhaps the Minister could also say something about the effectiveness of expenditure. The running of the new regional assembly will be costly. How will it be paid for? How much will it cost? It is no good the Deputy Prime Minister saying that it will be paid for by the abolition of the county councils, because he is prejudging the vote of the people on whether they want to abolish their county councils.

I wish something to be said about the speed of decision making because Ministers have trumpeted throughout the land the fact that this system will be more locally democratic. It is going to take powers away from local people, however, and before some Member on the Labour Benches intervenes, I will demonstrate how. What if there is no new money coming into this assembly? We already know that considerable powers are being taken away from the unitary councils by the planning and housing Bills. Those are now to be regional functions. What used to be local functions have already been taken away. The Government have demonstrated that they are happy to take powers away from the unitary authorities, but are they going to give any real powers back, or is this regional assembly going to be another tier of bureaucracy taking decision making away from local people?

How will business be engaged? What will the partnership approach be? Business is the main agent of wealth creation in the region. Ultimately, the only way that the region will prosper is by generating its own money and wealth. It cannot prosper indefinitely on huge handouts from the national Government.

What will be the support for, and legitimacy of, the regional assembly? The Government have said that they will look carefully at the result if there is a derisory turnout. What do they regard as a derisory turnout? If there is a 25 per cent. turnout and the winning margin is one vote, will that be satisfactory? If there is only a 20 per cent. turnout and the margin of victory is 200 votes, will that also be satisfactory?

The Government might tell us that there is no potential disadvantage. However, there is a danger that the Government could devolve more powers and duties to the regions without providing the necessary budget. We have seen that with a vengeance with this Government and the powers that they have given to local authorities—powers over recycling are not properly paid for, and there are numerous other such powers.

Mr. Deputy Speaker: Order. I suggest that the hon. Gentleman give his questions to the Minister in writing. The Minister now has only nine minutes.

Mr. Clifton-Brown: I am happy with that as I have asked my last question. I wanted to get it on the record and I have done so. I hope that the Minister does his best to answer my points.

3.41 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): This has been an inspiring debate. It has been a privilege to be present with so many north-east Members of Parliament standing up proudly to proclaim the attributes of the north-east and to support the "Your Say" campaign. Many of them support a yes vote in the referendums.

I congratulate my right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) on the powerful case that she put. We have had a parade of talent from the north-east this afternoon. As well as my right hon. Friend, we have had, either present in the Chamber or contributing, my right hon. Friends the Members for Hartlepool (Mr. Mandelson) and for Bishop Auckland (Mr. Foster), my hon. and learned Friend the Member for Redcar (Vera Baird), and my hon. Friends the Members for North Durham (Mr. Jones), for Middlesbrough, South and Cleveland, East (Dr. Kumar), for Stockton, South (Ms Taylor), for Tynemouth (Mr. Campbell) and for Blaydon (Mr. McWilliam)—which is you, of course, Mr. Deputy Speaker. Although I know that you cannot take part in the debate, I did not want you to feel left out. It has also been good to see Members from other regions joining the debate: my hon. Friend the Member for Lancaster

and Wyre (Mr. Dawson) even got in a crafty bid for the regional assembly for his area—the north-west—to be in his constituency. I congratulate him on that. The hon. Member for Hexham (Mr. Atkinson) was a brave and lonely voice from the north-east opposing the proposal, and I will say more about that later.

The Government are rightly committed to a far-reaching and radical programme of constitutional change and devolution. We are transforming this country, which was one of the most centralised in the western world in 1997. We have devolved power to Scotland and Wales, we have restored city-wide government to London and now we are offering the chance to devolve power to the English regions—we are meeting our manifesto commitment to allow referendums on establishing regional elected assemblies in the regions that want them.

This is about choice. We are not imposing our views: we are allowing the people in each region to decide. We have listened to their views in selecting the regions that should move to a referendum first—the north-east, the north-west and Yorkshire and the Humber—and the people will decide the result of those referendums.

When we asked the north-east if it wanted a referendum on an elected assembly, the responses reflected the views of thousands of people and the answer was yes. We are now beginning the process of allowing them that referendum. As was remarked earlier, the Conservatives opposed devolution in Scotland, Wales and London, and they even opposed regional development agencies, as hon. Members recalled. They got it wrong, and now they support the Scottish Parliament and the Welsh Assembly. During an Adjournment debate a few weeks ago, I discovered that they now support RDAs. We know what is going to happen. When we have run the campaign, when the votes come in and the regional assemblies are created, we will see another somersault by the Conservatives this time in support of regional assemblies. We will ensure that the people in the north-east know what an assembly will mean for them.

Last week, I was with the Deputy Prime Minister in Durham. It was good to be with some of my hon. and right hon. Friends at the launch of the "Your Say" publications. The hon. Member for Cotswold (Mr. Clifton-Brown) asked what would be the powers and responsibilities of the new regional assemblies. Without wishing to ask him to do too much work, perhaps he could just read the leaflet, in which we spell out in detail what regional assemblies will mean for the north-east, north-west and Yorkshire and Humberside. This is an information campaign to raise awareness about the referendum, all the powers the assembly will have and the future structure of local government in Durham and Northumberland.

The contributions of hon. Members from the north-east and north-west, and from the Liberal Democrats—the hon. Member for Ludlow (Matthew Green)—were positive, upbeat and inspirational. However, the contributions of the two Conservatives, including the Front-Bench spokesman, were negative, mealy-mouthed, scaremongering, confused, misunderstood—it was more of the old Tory democratic centralism that we have come to know. The best we got was a contrast based on whether we should have a referendum on the European constitution—they are in favour of one taking place. They are not, however, in favour of a referendum for the local people of the north-east to decide on local decision making.

Having voted against our Regional Assemblies (Preparations) Bill, the right hon. Member for Skipton and Ripon (Mr. Curry)—the new boss of the hon. Member for Cotswold—described it as little more than

"mewling, puking, piddling ... milk-and-water". —[*Official Report*, 26 November 2002; Vol. 395, c. 219.]

That sums up the Tories' attitude to the people of the north and tells us everything we want to know about their attitudes to giving local people a local choice. Instead of asking questions of detail, which I am prepared to answer—although I must do so later, because I do not have the time now—perhaps Opposition Members could start to realise that regional assemblies are about jobs and prosperity, pride and a voice, and democracy and local decision making for local people in the north-east. Instead, the Conservative party tells us about disinvestment.

I saw wry smiles and heard groans from hon. Members from the north-east when a Conservative Member of Parliament described the benefits for the north-east of a Tory Government in the 1980s. That took my breath away. It is beyond me how anybody could make such points. We know the pain, suffering, misery, despair and hopelessness that the people in the north-east experienced under the Tories. We are bringing back hope and opportunity for the north-east through the new elected regional assemblies.

The Tories do not stand for jobs—they stand for disinvestment; they do not stand for a voice for and pride in the north-east—they stand for running it down at every opportunity. They do not want to give people the chance to have their say. They opposed the referendum and they will vote no to an assembly that will give people a local voice and local democratic decision making over local powers.

Many hon. Members focused on the importance of economic development, jobs and investment.

Mr. Clifton-Brown: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: No point of order is available. The Minister is not giving way—that is his choice.

Mr. Clifton-Brown: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: There is no point of order available.

Phil Hope: This is about jobs and the economy. We can see from the quality of the debate that rather than focus on the future and what is important to those in the north-east, people end up making procedural points and points of order, which undermine the ability of those in the north-east to capture, hold and take forward their ambitions.

We see a positive future for the north-east. The referendums and the "Your Say" awareness campaign will let people know that our proposal is about jobs and prosperity as well as pride and a voice

[Phil Hope]

in the north-east—it is about ensuring that investment comes its way. It is also about democracy, with local people having not just control and a say over £350 million of direct Government spend through quangos, but influence over some £1 billion of investment and opportunity. That is a prize worth fighting for and we are giving people that opportunity, so I say to them, "Go out there and campaign for what you believe in—support for the north-east."

Mr. Deputy Speaker: Order. May I make a few remarks to the Chamber? The Standing Order is quite plain on the matter: if Members, whether Ministers or not, are not prepared to give way they do not have to, regardless of whether the other hon. Member does not like it.

May I ask hon. Members who do not wish to stay for the next debate to leave quickly and quietly please?

Mr. Clifton-Brown: On a point of order, Mr. Deputy Speaker. Would you please explain the rules on whether it is permissible to make a point of order in Westminster Hall?

Mr. Deputy Speaker: The rules are that it is perfectly permissible to make a point of order, except that the Chair has a view as to what the point of order could be about. As the Minister was not giving way, the only possible point of order was that the Minister was not giving way.

Mr. Clifton-Brown: Further to that point of order, Mr. Deputy Speaker. You did not hear my point of order, so you did not know what it was going to be.

Mr. Deputy Speaker: The Chair does not have to explain its rulings, but on this occasion, as I was listening to the debate, the only thing that could have driven the hon. Gentleman to his feet was the Minister not giving way. Therefore, there was no point of order. However, the matter is now finished.

HIV/AIDS

3.50 pm

Dr. Gavin Strang (Edinburgh, East and Musselburgh): It is now more than 20 years since AIDS first appeared in this country. In those early days we had a particular problem in Edinburgh, mainly associated with intravenous drug users. It was because of that problem that I first acquired an interest in the subject, and went on to introduce successfully a private Member's Bill in 1986, which became the AIDS (Control) Act 1987.

Much has happened since then, and in the last few years there have been some key developments in policy. In July 2001, after some considerable delay, the Department of Health published the first ever national strategy for sexual health and HIV, which was followed up by tool kits and new recommended standards for HIV services. Those developments have been scrutinised by my colleagues in the Select Committee on Health. In June, the Committee published its report on sexual health, and in September the Government published their response.

My hon. Friend the Minister does not have responsibility for this area of policy in Scotland, but it is worth pointing out that in December 1999 her counterpart in the Scottish Parliament, Susan Deacon, who was then Scottish Health Minister, announced that the Scottish Executive would introduce a sexual health strategy. Earlier today, the draft sexual health strategy for Scotland was published and the Scottish Health Minister, Malcolm Chisholm, has launched a wide-ranging consultation on its recommendations. The Welsh Assembly has published a strategic framework for promoting sexual health in Wales and a post-consultation action plan, while in Northern Ireland work on a comprehensive sexual health strategy was due to start this year.

So much for the history of policy. What has been happening in the real world? Perhaps the most important development of the past 10 years has been the introduction of a cocktail of antiretroviral drugs that has revolutionised the expectations of people with HIV. When HIV first appeared in my constituency, the norm was for people, usually young people, to die within a few years. Although resistance to drugs is an increasing problem, we learned last month that the vast majority of people on highly active antiretroviral therapy were alive more than 10 years after diagnosis.

The causes of the disease have changed greatly. Last year saw a record number of new HIV diagnoses in the UK—some 5,542 people were diagnosed with the virus, which, adjusted for reporting delays, is slightly more than 6,500 new diagnoses. The most common way of acquiring HIV in the UK is via sex between men. The number of such cases is not declining. Indeed, a small but noticeable contribution to the increase in the total number of new HIV cases in Scotland last year was made by an increase in the number of diagnoses among gay men.

The number of people newly diagnosed with HIV in the UK via heterosexual sex has increased dramatically in recent years, from 835 in 1996 to 3,152 last year. As has been the case over the years, the vast majority of those infections were acquired abroad, although the

Public Health Laboratory Service, which is now the Health Protection Agency, expects that the number of people infected heterosexually in the UK will gradually increase in the years ahead. A huge increase in heterosexually transmitted cases last year resulted in Greater Glasgow overtaking Lothian as the Scottish region with the highest number of new diagnoses for the first time since testing began.

The number of cases transmitted through intravenous drug use has declined, and in Scotland the domestic epidemic has altered unrecognisably. In the years up to and including 1997, 73 per cent. of HIV diagnoses in Scotland were among intravenous drug misusers. Last year, the figure was 4 per cent. That is a real success story. Only 10 infections through drug use were diagnosed in Scotland last year—the lowest since records began. However, we must not let our guard down. The Scottish drug misuse database shows that in 2002-03, 36 per cent. of users asked had shared a needle or syringe in the previous month.

Although effective intervention can prevent babies from contracting HIV from their mothers, there were 99 cases of mother-to-baby transmissions in the UK last year. Routine antenatal testing has been in place in England for a few years now, and has been introduced in the whole of Scotland this year. We must hope that effective implementation of antenatal testing policies will help to prevent more transmission of HIV to infants.

It is not just the unborn and new born who benefit from HIV testing. As a result of huge advances in treatment, the sooner someone knows that they are HIV positive, the better. However, about a quarter of people in the UK who have acquired HIV through sex between men, and nearly half the people who have acquired the virus through heterosexual sex, are thought to remain undiagnosed.

I have spent a little time setting out the challenge. What now must be the response? I shall touch on three key areas. First, I believe that we must reprioritise HIV and sexual health. In the past, they were given key priority status, but in recent years they have lost that designation in England. Of course there has to be a limit to how many priorities the health service has, or the term becomes meaningless. However, HIV is increasing at a rate that outstrips the rate of all other priorities in the health service. HIV is designated by the Health Protection Agency as one of the most important communicable diseases in the UK. The number of cases of other sexually transmitted diseases is soaring. There was a 900 per cent. increase in syphilis diagnoses in England between 1996 and 2002, and about one in 10 sexually active young women have chlamydia. Despite that, the evidence is that, in many areas, genito-urinary medicine services are creaking at the seams. The Terrence Higgins Trust's latest study into the effects of the NHS changes on the sector found that the Government's wish that HIV and sexual health be considered a priority was not filtering through to strategic health authority and primary care trust level.

My hon. Friend the Minister will have studied the report of the Health Committee, and will have seen the consensus among those who gave evidence that HIV and sexual health must be urgently prioritised. Several means of doing that were proposed, including prioritisation through the strategic health authorities' planning and priorities framework and through local delivery plans, or through a dedicated national service framework, which the Committee recommends is the best way.

The Government ruled out a national service framework, and felt that it would be too disruptive to reopen local delivery plans or the planning and priorities framework this time around. However, they promised to consider what could be done to raise the priority of sexual health and HIV services.

Last month, the Medical Foundation for AIDS and Sexual Health published the new standards for HIV services in England, which have been widely welcomed. However, the standards do not have the force of a Department of Health guidance note and MEDFASH executive director Ruth Lowbury stated that service standards will require active monitoring to ensure that they are up to the mark. She also observed that no money has yet been allocated to audit the compliance of NHS trusts with the new standards. If the Government are to raise the priority of sexual health and HIV, those standards should be properly supervised. I should be grateful if my hon. Friend would outline how the Government intend to enable active monitoring of service standards. The Department of Health has been reviewing the operation of the AIDS (Control) Act 1987. Can the Minister give us any results from that review?

Secondly, we must ensure continued and increased funding to tackle HIV and sexual health matters. The written evidence of the National AIDS Trust to the Health Committee put matters starkly:

"NAT welcomed the publication of the National Strategy but we are disappointed with delays in its implementation and the failure to accord adequate resources to support implementation."

In its written evidence, MEDFASH said that

"the allocated sum of £47.5 million over the first two years to implement the whole strategy is inadequate given the scale of the task in the short-term, and a commitment to continuing resources over the ten years of the strategy is also needed."

There is also a worry that the mainstreaming of HIV services will reduce investment.

The Health Committee estimated that an additional revenue commitment of £22 million to £30 million per annum was required and the Government, to their credit, responded with an extra £11 million. However, Baroness Gould, the chair of the Government's independent advisory group on sexual health, must be right in saying that, while the funds were welcome,

"investment in these services needs to be increased and consistent in future years if it is to improve facilities and services."

My third point of focus is HIV prevention. It is mainly agreed that we in the UK started off well in the 1980s, but in the past few years it seems that our attention has been distracted from the necessity of prevention work, perhaps by the laudable work that is being done to make HIV treatment available to those who need it. We should be driving down to rock bottom the number of infections caught in the UK. We know how HIV is transmitted and we know how to prevent it. It is a tragedy that so many hundreds of people still become infected with HIV in the UK each year. Two years ago, in the debate on sexual health that I initiated in Westminster Hall, I and other hon. Members urged the Government not to abolish the earmarked HIV

[Dr. Gavin Strang]

prevention money for England. To the disappointment of many, on that occasion, Ministers did not take advantage of that advice.

However, hon. Members may be aware that the Scottish Executive still have ring-fenced money for the prevention of HIV and other blood-borne viruses. I am pleased that the draft sexual health strategy for Scotland that was launched today recommends that the Scottish Executive keep the ring-fencing of HIV money to health boards and assess the sufficiency of the funding against the need to respond to the increasing HIV trends in Scotland.

In England, the ring fence has been abolished and, given the changes in the NHS, much HIV prevention work is now localised. My hon. Friend the Minister will be aware of the great concern that that will threaten the existence of specialist health promotion that often operates across primary care trust boundaries, and will exacerbate the historic under-investment in HIV prevention. I welcome the Government's reassuring words in their response to the Health Committee on the need to reprioritise sexual health and HIV. Will my hon. Friend say how the Government plan to follow up their words with concrete action?

In the context of prevention, as well as caring for people with HIV, we want to encourage the maximum number of people to come forward for testing. However, like the Health Committee and the all-party groups on AIDS and refugees, I am not persuaded that mandatory testing for HIV of asylum seekers and other visitors to the UK is the way to do that. It is vital to destigmatise HIV, to encourage people in the UK to come forward for testing and to encourage other countries throughout the globe to adopt humane policies towards people with HIV.

It is clear that much more work has to be facilitated in the African communities in the UK. People from those communities are often diagnosed very late in the course of the disease. Sigma Research found that about a third of people were diagnosed when they were an in-patient in hospital after emergency admission. Nick Partridge from the Terrence Higgins Trust outlined in his evidence to the Health Committee the contrast between the consistent and resourced targeted prevention work for gay men and the insufficient work being done for our African communities. Dr. Barry Evans, of the then Public Health Laboratory Service, said to the Health Committee that

"we have grossly under-estimated the investment required in African community-based organisations to bring them up to speed and to give them the capacity to deal effectively with HIV. They face all of the same challenges that existing HIV community organisations face but they are doubly disadvantaged by the fact that they are often completely underfunded."

I have concentrated my remarks on the prevalence of HIV in the UK, but of course a tragic global epidemic concerns us all. In sub-Saharan Africa, more than 30 million people are living with HIV/AIDS. In little more than 10 years, life expectancy has plummeted in some countries in the region from 62 to only 47 years. Fifty years of progress in raising life expectancy has been wiped out.

We need to build on the momentum generated by the Prime Minister and President Chirac's joint call for the EU to pledge up to $1 billion from EU countries annually for the global fund for AIDS, TB and malaraia. My hon. Friend the Minister will be aware that non-governmental organisations estimate that a fair contribution from the UK to the fund according to our wealth would be £107 million in 2004.

HIV/AIDS can be tackled here and overseas. I urge my hon. Friend to do all in his power to encourage the Government to rise to the challenge.

4.4 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): It is a convention to congratulate the hon. Member who has won the Adjournment debate on his great interest in the subject, even if that interest only started when his name came up in the ballot the previous week. In this case, it really is a pleasure to congratulate my right hon. Friend the Member for Edinburgh, East and Musselburgh (Dr. Strang) on securing this debate and on his continued interest in a subject for which he has been a leading campaigner for more than 20 years. He and his constituents can be justly proud of that record.

As my right hon. Friend stressed, HIV and AIDS present a massive tragedy on a global scale. An estimated 42 million people were living with HIV at the end of 2002. During 2002, an estimated 5 million people were newly infected with HIV, of whom 800,000 were children. In the same year, 3.1 million deaths were attributed to HIV. Sub-Saharan Africa continues to bear the brunt of the global pandemic, but eastern Europe and central Asian republics are experiencing the world's fastest growing epidemics.

The UK is not immune from the global epidemic. Recent rises in new diagnoses among heterosexuals are linked to the tragedy that has been unfolding in sub-Saharan Africa. In 2002, almost 2,500 new diagnoses of HIV were attributed to heterosexual exposure in Africa in people probably infected before coming to live in the UK, and there were over 5,700 new HIV diagnoses, which was more than in any year since the start of the epidemic. That is a cause for concern. However, it also reflects our increased efforts to reduce undiagnosed HIV, as early diagnosis and access to treatment can prolong the lifespan of many.

Two national initiatives in support of prevention efforts will have added to the number of new diagnoses in recent years. First, we are now reaping the benefits of changes made in 1999 to our HIV testing policy for pregnant women. Routinely offering and recommending HIV testing to all pregnant women prevented around 100 babies from becoming infected in 2001. Secondly, offering an HIV test to all genito-urinary medicine attendees on first screening for sexually transmitted infections should accrue benefits for the future by reducing onward transmission.

The impact of immigration on the UK HIV epidemic is evident from the statistics. I am aware that there is great concern about this issue. There is concern that the NHS is struggling to deal with the increasing cost of treating and caring for those living with HIV, but there is also concern, expressed by my right hon. Friend, that the Government should not respond to the problem with draconian measures that contravene our international human rights commitments.

That is one of the reasons why the Cabinet Office is currently co-ordinating work between the relevant Government Departments, including the Department of Health, to review immigration and infectious diseases. The review aims to establish the facts about the impact of immigration on public health and NHS expenditure, and to propose solutions should action be required. The review is ongoing and no decisions have yet been reached.

The driving factor behind the Government's work to tackle HIV is the first ever national strategy for sexual health and HIV. Backed by an initial investment of £47.5 million, with a further commitment of £51.4 million over the next two years, four of the strategy's five aims relate to HIV. They include reducing the transmission of HIV and the prevalence of undiagnosed HIV; improving health and social care for people living with HIV and reducing the stigma associated with HIV. Those are all issues identified by my right hon. Friend.

Earlier this year, we announced the membership of the sexual health independent advisory group. Under the able chairmanship of Baroness Gould, the group will advise the Government on the implementation of the strategy and monitor progress. Members include representatives of the key HIV organisations and HIV service users, who will contribute their wealth of experience and detailed knowledge of the real concerns and problems that face those living with HIV and AIDS. Their valuable contribution will help to steer the strategy implementation that will best achieve our objectives.

The implementation of the strategy is taking place against the background of major change in the NHS. Shifting the balance of power has resulted in the creation of new structures, and primary care trusts are now in the forefront of the fight against HIV and AIDS. PCTs now have the flexibility to allocate money to sexual health in order to meet local needs, just as they now do for other health areas such as cancer. HIV funding is now rightly part of the main NHS allocations. However, those are weighted to take account of variations in the distribution of HIV locally. I shall return later to some of my right hon. Friend's concerns about the potential impact of those changes.

The Department of Health no longer dictates how local services should be provided, but supports the local work by providing guidance and by disseminating best practice. As part of that, the Department supports and endorses the new recommended standards for NHS services for HIV and AIDS launched last month. They were produced by the Medical Foundation for AIDS and Sexual Health, in partnership with HIV clinicians, service users and key stakeholders. We believe that those standards will help to drive up the quality of treatment and care throughout the country. The Department of Health has also issued tool kits of practical guidance and good practice for those commissioning local HIV services, and also for those undertaking HIV prevention and health promotion.

That decentralisation of decision making will not mean that action on HIV will go unmonitored. The AIDS (Control) Act 1987 provides a valuable reporting tool for gathering data. I pay tribute to my right hon. Friend, who steered the legislation through in the form of a private Member's Bill. It is just as relevant today as it was then. As part of our implementation of the sexual health strategy, the Department of Health, with other stakeholders, has reviewed the information collected under schedule 1 of the 1987 Act. That will be implemented shortly and will take account of the strategy, the new NHS and the Department's commitment to streamlining central returns. Combined with our world-class HIV surveillance system operated by the Health Protection Agency, that will give us a complete picture of the epidemic.

Strategic health authorities are now well placed to monitor HIV prevention and treatment within their areas, and will be able to address problems and facilitate networking and consortium arrangements between primary care trusts. The chief medical officer is now actively engaging with strategic health authorities to ensure that sexual health and HIV are sufficiently prioritised at local level within the current planning and priorities framework.

A sample survey of high and low HIV prevalence areas undertaken in May 2002 showed that PCTs were maintaining their funding levels for HIV prevention, treatment and care, and we will consider repeating that survey if necessary. Despite an increasing rate of HIV diagnosis, a survey in April 2003 under the British HIV Association treatment guidelines showed little evidence that costs were affecting the prescription of optimum antiviral treatments for those with clinical need. I hope that my right hon. Friend is reassured by that.

Inevitably, increasing rates of HIV and sexually transmitted infections are putting pressure on services, particularly genito-urinary medicine clinics. That fact was highlighted in the Health Committee's recent report on sexual health, mentioned by my right hon. Friend. The Government agree that additional resources are needed to tackle the long waiting times and backlogs in some areas of the country. Of the original £47.5 million invested in the strategy, £15 million has been used to improve GUM services. That includes £2 million to fund pilots in certain areas to evaluate new improved models of working. We have prioritised spending on GUM services from the sexual health strategy budget and, in response to the Health Committee's recommendations, have invested an additional £5 million to pump-prime service improvements. An additional £0.4 million will be used to expand national HIV prevention initiatives.

We recognise and share the deep concerns expressed by the Health Committee and others about the poor state of sexual health, and we are committed to improving sexual health through the sexual health and HIV strategy. We have provided an additional £11.4 million this year to access services and tackle sexually transmitted infections. Again, I hope that my right hon. Friend is at least partly reassured by those steps.

There is no cure for HIV, and we are still some years away from an effective vaccine. New drug treatments have improved the quality of life and life expectancy of many, but antiretroviral treatments do not suit everyone. The drugs can have unpleasant side effects, and their effectiveness depends on rigid adherence to often complex treatment regimens. Poor adherence can lead to the development of resistance to the drugs. We are developing surveillance to track the emergence of that important problem. For all those reasons, prevention is still the cornerstone in our fight against HIV.

[Dr. Stephen Ladyman]

The challenge for HIV health promotion is to develop and deliver sophisticated interventions that engage target audiences, whatever their experience of HIV. Interventions must be relevant and based on research into people's behaviour that accurately reflects how they live their lives in relation to HIV.

Rates of HIV diagnoses among gay men have remained relatively stable for a number of years, but we are concerned by the recent increase in HIV diagnoses in gay men. However, that is in the context of a growing pool of infection, due in part to new transmissions but also to the success of treatments in keeping people alive longer.

We are continuing to fund the Terrence Higgins Trust to lead a partnership of organisations throughout England to deliver a community HIV/AIDS prevention strategy. It is an evidence-based programme that provides information in a style that is credible with the gay community. It is gaining an international reputation for its health promotion literature, and its strategic framework has been adopted in parts of the United States and Australia. We are currently considering the most effective way to use the additional £400,000 announced this year for national HIV prevention.

For African communities, the focus is on culturally appropriate information as well as capacity building for the voluntary and community-based sector, which is best placed to undertake HIV health promotion. For 2003–04, the Department is funding the African HIV policy network to manage and develop a programme of national work aimed at increasing awareness of preventing HIV.

For the wider population, our sex lottery campaign—launched last year—is aimed at increasing awareness of sexually transmitted infections, including HIV. The campaign was extensively pre-tested with its target 18 to 30-year-old audience, and reflects research findings of what works best with that group. It uses radio, adverts in magazines, washroom posters, beer mats, scratch cards and a website to get the message across. It is an ongoing campaign, which will be thoroughly evaluated. We are also developing a specific HIV information resource under the sex lottery brand, to raise awareness among the general population.

HIV is all too often accompanied by a unique type of stigmatisation, which is rooted in ignorance and often compounded by other forms of discrimination such as homophobia or racism. That can increase the risk of HIV transmission, cause or aggravate health problems and create a barrier to treatment, care and services. There are, therefore, very real reasons for tackling stigma. That is why the sexual health and HIV strategy includes a reduction in stigma as one of its main aims. We are working with stakeholders and people living with HIV to develop a detailed action plan to address stigma and discrimination.

Since the start of the epidemic, the voluntary sector has played a key role in providing patient-focused services. The Government believe that the role of the voluntary sector and community organisations is an important element of service delivery. Such organisations are often the first point of contact for many affected by HIV. The voluntary sector is under pressure from the growing epidemic, and its contribution is changing, but still remains invaluable. We shall continue to support it and work in partnership to achieve our strategy's aims.

With regard to the global fight against HIV, the UK recognises that the global fund to fight AIDS, tuberculosis and malaria needs predictable, long-term funding to be effective. Since the fund was set up in 2001, the UK has committed $280 million through to 2008. Additional funding will be subject to the fund reflecting a clear poverty focus, and achieving a better financing system. In addition, its activities must be more effectively integrated into national programmes and it must meet agreed benchmarks for monitoring its effectiveness.

Improving HIV services and changing sexual behaviour are long-term challenges, but I am confident that the strategy will make a difference to all those affected by HIV. However, the Government will not achieve that alone, but will rely on the essential contribution of the voluntary sector, health professionals and service users themselves.

I hope that I have dealt, broadly at least, with my right hon. Friend's points. I repeat my congratulations on his long-term interest in the subject, and promise to ensure that we will study the official record after the debate, and if we have not covered any of the points that he raised, I will make sure that we write to him.

Eurofighter Typhoon

4.20 pm

Miss Anne McIntosh (Vale of York): I am delighted to have secured this debate on the programme for the jet fighter, known as the Typhoon. It is my first in this Chamber, so it is a great honour to present the case in favour of the programme this afternoon.

May I declare a modest interest, in that I have a personal equity plan in British Aerospace? I also have a local constituency interest, as there are two RAF bases in the area, RAF Leeming and RAF Linton-on-Ouse, as well as Allenbrook barracks at Topcliffe and Dishforth airfield. I would like to record once again not only the phenomenal service that the military provide to the country, but the mark that they have made in the Vale of York and their contribution to the conflict with Iraq.

RAF Leeming is one of three bases that expect to receive the Typhoon over the longer term. We have two squadrons of Tornado F3s, 11 squadron and 25 squadron, numbering 16 aircraft in total, with 40 aircrew in each squadron. The Tornado F3 is a variant of the Tornado GR1 ground attack aircraft, and first flew in 1979. One hundred aircraft have recently been upgraded to incorporate new weapons systems. I am sure that the Minister will confirm—I do not think that it is subject to argument—that it is widely recognised that the Tornado F3s are reaching the end of their service lives. The aircraft is expected to remain in service until 2007. They still have no full use of the AMRAAM long-range missiles, and use of the new ASRAAM short-range missile is hindered by the fact that the aircraft is not fitted with the recommended helmet mounted sights.

The Jaguar aircraft is a ground attack aircraft, 38 of which are based at RAF Coltishall and eight at RAF Lossiemouth in Scotland. It first entered service in 1973. My understanding is that it was originally planned that the Typhoon frontline would comprise seven squadrons, of which four would be primarily air defence, two swing role and one offensive support covering a wide range of combat operations. The Minister will be aware of my interest, as I have raised the subject on a number of occasions in the House.

I wish to put on record my enthusiasm for the Eurofighter, which will come as no surprise to you, Mr. Deputy Speaker. I believe that it is an excellent project and its capabilities still have a lot to offer. I am seeking a commitment from the Minister on when the total tranche is expected. I would like to repeat some of the contradictory messages to him. Perhaps, not being very bright, I have misunderstood—through no fault of his—the mixed messages given out by the Government.

On 8 September, I had the opportunity to question the Minister's superior, the Secretary of State for Defence, on the date of entry into service of the Eurofighter. I was mildly surprised when he told us:

"Test flying is now under way to establish the safety parameters for RAF pilot training, and we hope to start operational evaluation activities next month."—[*Official Report*, 8 September 2003; Vol. 410, c. 1.]

We learned in October that a number of technical failures regrettably grounded the aircraft. Perhaps the Minister could update the Chamber on where we stand.

I went on to recognise the contribution that this country had made, and asked the Secretary of State for an assurance that the commitment to purchase a total of 232 Typhoon aircraft would be carried out in full and delivered on time. I then asked him when he expected those aircraft to enter into service at RAF Leeming. He replied:

"I give her the assurance that there will be no changes in the Government's plans for procuring Eurofighter Typhoon. We anticipate changes to the way in which those aircraft are configured, but those matters will be set out more clearly in the forthcoming White Paper."—[*Official Report*, 8 September 2003; Vol. 410, c. 2.]

Will the Minister give further clarification on that, and will he give advice on which other partners to the project may seek changes to the configuration of that scheme?

Last Monday, I asked whether the Minister would

"respond to newspaper reports that he is being asked to make a 20 per cent. cut in the budget".

The Minister replied:

"The United Kingdom is party to international arrangements under which we are set to order a total of 232 Typhoons. Of those, 55 aircraft are already on order, and we are working towards an order for the second tranche of 89. The third and final order is not due to be placed before 2007, and we shall keep our requirements under continual review. We are working towards meeting those deadlines."—[*Official Report*, 3 November 2003; Vol. 412, c. 530.]

I seek clarification on the expression

"we shall keep our requirements under continual review."

Every time the Government use such an expression, it normally heralds a change.

Mr. Gerald Howarth (Aldershot): My hon. Friend mentioned the delphic words of the Secretary of State for Defence in answer to her oral question when he said:

"We anticipate changes to the way in which those aircraft are configured"—[*Official Report*, 8 September 2003; Vol. 410, c. 2.]

In the debate on procurement on 23 October, I specifically asked if the second tranche would be converted to the ground attack role. In the article in *The Sunday Telegraph* to which my hon. Friend referred, I read that

"the second tranche of 89 will be capable of undertaking a ground attack role."

Does my hon. Friend hope, as I do, that the Minister will address that when he winds up?

Miss McIntosh: I thank my hon. Friend for that helpful intervention, and I seek further clarification from the Minister on the point he raised. There are now three points that require clarification: whether the second tranche will have a ground attack capability; whether the Secretary of State was right that there would be no plans for procuring Eurofighter Typhoon; or whether the Minister of State is right that they will keep the matter under review.

It is my understanding that Eurofighter Typhoon is a new generation aircraft that will be the most advanced swing role operational fighter in the world, and that it was always envisaged that there would be three distinct tranches. The first tranche is air defence, the second is the air defence and ground attack swing role, and the third is the full multi-sensor air and ground attack role, especially suppression of enemy air defence.

[Miss McIntosh]

Eurofighter is destined to be the RAF's principal fighting system over the next 25 years. Its huge significance to UK jobs and technology, especially the ability to design future military air combat systems, cannot be overstated. There is an obvious correlation between Government support for the programme, and the chances of exporting it. I hope that the Minister will put our minds at rest that the technical difficulties have been overcome and that one particularly important export order in the pipeline will proceed.

Will the Secretary of State for Defence confirm when he anticipates that the Typhoon will come into existence? I understand that two reports are in the public domain. One was a *Financial Times* report, with which I am sure the Minister is more than familiar. It refers to a 20 per cent. cut in the budget for the Typhoon. Where did that story come from and is there any truth in it? Did it emanate from his Department? How can he hope to complete the programme in full by making a 20 per cent. cut? Will the Minister take this opportunity to put my mind at rest and those of the people in the front line—the jet fighter pilots and navigators who are currently at RAF Leeming working on the Tornado? This is a very important point for me, as I represent a base that is very important to the UK defence strategy. Currently, we have two-seater Tornado planes. Presumably the navigators will have to be retrained and requalify to perform other functions, I hope, in the air force, but they will need a lead time. What lead time does the Minister envisage, and how does he expect those people to be deployed?

Could the Minister also put my mind at rest by saying that there is no prospect that the forthcoming White Paper will confirm the 20 per cent. cut? The RAF is expected to receive not the original 232 Typhoons that we were promised, but only 143, given a 20 per cent. cut. I understand that the Ministry of Defence is being asked to make a cut in its budget, as a result of which a third of the aircraft are not in the pipeline.

Will the Minister be good enough to answer the following questions? Deliveries to the customers of Eurofighter tranche 1 should have been 50 per cent. completed by now. Can he confirm that deliveries will be completed as planned, and that continuation of production to Eurofighter tranche 2 is assured? Can he confirm that the RAF will receive the Eurofighter tranche 1 weapon system at the end of 2005, as contractually agreed? The Minister will be aware of concerns among other Eurofighter nations about delays to tranche 2, stemming from the UK. When will the Government approve the order for Eurofighter tranche 2, to ensure delivery of the first tranche 2 aircraft in 2006?

The MOD has ordered a study on Eurofighter, which is currently commissioned by a consulting firm. Will the Minister assure me that that does not jeopardise production continuity, and that the retention of the skills base is secure? There was talk on yesterday's excellent BBC 2 documentary on the Eurofighter that the only reason that the Government secured such a large order—232 aircraft originally—was to secure the skills base. That was a rather cynical allegation, which I hope the Minister will say is unfounded.

Despite the UK's solidarity with the US as an ally, America has not been prepared to grant the UK a specific technology transfer waiver, known as an international traffic in arms regulations waiver, and there is mounting protectionism of defence technology in the US. At such a time, are the Government being careful when making hard choices about programme cuts, so that they do not cut programmes involving UK jobs and technology, while leaving unscathed the programmes that favour US jobs and technology? The Prime Minister may wish to take that up with President Bush.

Following my introductory remarks, can the Minister tell us how long the Tornado F3 will continue to be in service? What cover and capability will there be from the Tornado F3 and Jaguars until the Typhoon comes into operation? Can he assure us that the final Typhoon that comes into service will be as up to date and capable and in the same numbers as originally envisaged? What is the lead time required to retrain navigators from Tornadoes before Typhoons come into service?

Finally, what message would the Minister like to give, through me, to RAF Leeming about the future of the servicemen and women there, particular the jet fighter pilots and the navigators? There is a lack of clarity about when the Tornado will be phased out and when the Typhoon is expected to come into service. I am sure that he shares the immense pride that we feel in our servicemen and women, particularly those front-line fighter pilots. They deserve the best aircraft, and I hope that the Minister will give a commitment to provide them.

4.34 pm

The Minister of State, Ministry of Defence (Mr. Adam Ingram): I congratulate the hon. Member for Vale of York (Miss McIntosh) on securing the debate. I share the views that she expressed about the role played by the RAF—including, obviously, those servicemen and women from the bases in her constituency—in the recent conflict in Iraq. I take great pride in what they have achieved.

The hon. Lady raised some non-Typhoon issues. I think that I had better write to her on those because, although there is an interrelationship, this debate deals specifically with the Typhoon programme.

The hon. Lady raised fundamental questions about the future of that programme. I am genuinely sorry that she did not find the answer that I gave her last week during Defence questions satisfactory. I hope that this short debate will set her mind at rest. I recognise that it is the Opposition's role—I was in Opposition for 10 years myself—to try to find failure, even where none exists, rather than to identify and applaud success. In some of her remarks she recognised success, but she believes too much in what she reads in the newspapers, and bases her case on that. She asked me whether I would comment on the *Financial Times* article. I will not read the whole article; that would take up all the time available. However, at the end it states:

"The MoD denied both claims. 'There is no question of smokescreening. Neither has the UK over-ordered—we remain committed to the programme.'"

My contribution will deal with the aspects of that programme.

Mr. Lindsay Hoyle (Chorley): Obviously, we share concerns about future orders. Lancashire is the home of the Typhoon, and has a manufacturing base and manufacturing skills. The convincing argument that will be put about the 232 aircraft is welcome, but has the Minister considered whether we could order further aircraft by introducing the sea variant, which can operate from carriers? Thus an opportunity to give that unique plane—which will be a world leader—a dual role will not be missed.

Mr. Ingram: My hon. Friend has raised that issue time and again. I give him credit for continuing to take every opportunity. However, he has already had his answer and I do not want to go down that route. The best answer will be the one already given to him. It may not be one that he likes, but it is the most accurate.

The Typhoon achieved a major landmark in June this year, when all four nations—the United Kingdom, Germany, Italy and Spain—agreed to type acceptance of the aircraft, clearing the way for individual aircraft to be accepted into service. The determination and resolve shown by those European nations in working together to bring that about should not be underestimated. The memorandum of understanding between the four nations covers the purchase of 232 aircraft in three planned production tranches. As part of the first tranche, the United Kingdom has a contractual commitment to purchase 55 aircraft. That contract was let by the four nations in 1998. The second tranche, about which we are currently negotiating, covers 89 aircraft. The third tranche covers 88 aircraft, but a contractual commitment for those is not needed or expected before 2007.

However, teething problems arise and there have been a number of them during the Typhoon programme. That is not surprising, given the technically complex nature of the Typhoon platform. The most recent, to which the hon. Lady referred, relates to the undercarriage, but I am sure that she would accept the need to ensure that our aircrews are provided with airworthy aircraft because safety is paramount and more important than the production needs of industry.

The temporary suspension of flying due to the landing gear problem is delaying deliveries of individual aircraft to the Royal Air Force. The first aircraft was due to be delivered in October. We now expect that flying will recommence later this month and that the first aircraft will be accepted off contract very shortly afterwards. I say that in the context of the complex nature of the platform.

It is important that we keep these issues in perspective. Typhoon is in full-scale production. It is here to stay. The fact that we are identifying and resolving problems as they arise underlines the measured and prudent approach we adopt for introducing new advanced systems into service. Others clearly recognise the aircraft's merits. Austria has ordered 18, and will join the United Kingdom, Germany, Italy and Spain as a member of the Typhoon club. Singapore announced in October that it has included Typhoon on a shortlist of three aircraft to meet its demanding requirement for a future fighter. That is all welcome news, and must be good news for BAE Systems.

I am fully conscious that we are approaching a key milestone in the procurement process. As I mentioned earlier, the four nations have ordered 148 aircraft, including 55 for the Royal Air Force. Their construction is well advanced. Under the four-nation agreement, we are due by the end of the year to place the order for the second tranche, which comprises 236 aircraft, 89 of which are destined for the RAF.

This will be a huge contract by any standards, and I make no apology for the fact that we are determined to get it right. To do otherwise would be wrong for the partner nations, the air forces that will operate Typhoon and the industry. To get it right, we need to reflect on the problems and delays that we have experienced, and consider what smart procurement principles can be brought to bear to minimise the risk of similar difficulties with tranche 2.

Tranche 2 is arguably more important to the RAF than the first tranche of aircraft, because we have deliberately adopted an approach of incremental procurement of capability, with enhancements built in as they are developed and demonstrated. The main development of tranche 2 will be to enhance the aircraft's ground attack capability. In an intervention, the hon. Member for Aldershot (Mr. Howarth) asked about that, as did the hon. Member for Vale of York. It will provide the true multi-role flexibility that is the key to both operational effectiveness and cost effectiveness. Most of the tranche 1 aircraft will be mainly used for training and evaluation purposes, so it is an evolving capability project based on the overriding aspect of cost effectiveness.

The important thing is to be able to plan reliably—I stress that word—by knowing when industry will be able to deliver those aircraft and capabilities.

Miss McIntosh: Will the Minister answer the key question? Was the original order of 232—or 89 for the RAF—made because that was what was required for our military and defence capabilities, or was it to secure the key skills set?

Mr. Ingram: We plan for the future based on the assessment of need. The hon. Lady referred to the answer that I gave her last week, which somehow raised a doubt in her mind.

The point that I was making is that we have to be able to plan as best we can with certainty when industry will be able to deliver those aircraft and capabilities. That embraces a wide range of military planning, including the standing down of existing systems and the significant personnel implications of introducing a new aircraft into service. It also entails the preparation of infrastructure at the RAF stations where Typhoon will be based. The hon. Lady will be aware that, on current planning, RAF Leeming will be the second base to receive Typhoon after RAF Consingsby and before RAF Leuchars. On current plans, the aircraft will arrive there around 2007.

These preparations are complex and they need to be properly orchestrated. From the RAF's perspective, any delay in the delivery schedules or any failure to deliver

[Mr. Ingram]

mature capability can cause significant problems. We can accommodate change, and we develop contingency plans to avoid any gap in our operational capability. If we are to avoid placing unreasonable demands on our people, we need a firm baseline from which to work.

For those reasons, before we place the order for the next tranche of aircraft, we must be satisfied, as must our partner nations, that industry's designs and technologies are likely to be ready, that the aircraft is fit for its purpose and that delivery timetables will be met.

As I have said, the purpose of Typhoon is to provide necessary operational capability; it is not to support industry, although we are naturally proud of what British industry has achieved. Typhoon's purpose is not to provide activity for any one or other RAF station; it is to provide defence capability. Achieving that in a cost-effective and operationally effective manner remains the priority of Defence Ministers. It is a priority that matches the needs of the RAF.

Having said that, delays and unforeseen technical difficulties during production are not in the best interests of industry. The Ministry of Defence recognises that they are expensive for the companies involved, and that is why establishing a firm foundation for tranche 2 must be a priority for all of us. I will not try to predict exactly when we will be ready to order tranche 2. However, all necessary resources are being dedicated to the task and to working with our international and industrial partners.

There will be a gap in production if there are delays before we order tranche 2, and that is clearly not desirable. To mitigate those effects, we have already committed £200 million to early work on the next tranche of aircraft. Our determination to get it right should not be interpreted as any lessening of our commitment to the programme; it is quite the reverse, as we have allocated around 10 per cent. of our procurement expenditure over the next 10 years to Typhoon. That is around £8 billion, which makes it the biggest single procurement in the MOD.

We have learned that it is worth investing time and money now to get the technology, the planning and the contract right. That will be more than repaid in time and money saved later. Careful planning and procurement pay dividends, especially against an order as complex and expensive as the Typhoon.

Contrary to the central charge made by the hon. Lady, it is not the case that delays have been caused by budget constraints. My earlier comments illustrate the complex nature of international relationships and the interrelationship with industry. We are driven by a desire to ensure that we get the project right because, at the end of the day, we are trying to enhance defence capability.

That underscores our commitment to Typhoon and to preserving the battle-winning capability of the RAF. I would have thought that the hon. Lady would have welcomed that.

Question put and agreed to.

Adjourned accordingly at two minutes to Five o'clock.

Westminster Hall

Thursday 13 November 2003

[SIR ALAN HASELHURST *in the Chair*]

Older People

2.30 pm

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. For the convenience of hon. Members, I shall announce the groupings of questions for today. They are as follows: Questions 1 and 2 have been put together, as have Questions 3, 4 and 12, and Questions 5 and 8. We changed the practice on the number of questions to be listed to allow 15, but then there were withdrawals, including one even today, so there are 11. I still appeal for short questions and answers so that we can try to improve the flow. Where possible, I shall allow secondary interventions, but long statements rather than questions will inhibit that considerably.

Oral Answers to Questions

The Government were asked—

Age Discrimination

1. **Mr. James Gray** (North Wiltshire): If the Government will make a statement on the steps they are taking to reduce age discrimination against older people. [137439]

2. **Gregory Barker** (Bexhill and Battle): What proposals the Government have to reduce age discrimination against older people in England. [137440]

The Minister for Pensions (Malcolm Wicks): Age discrimination can be as debilitating to individuals as other forms of discrimination. That is why we are tackling age discrimination in employment through our age positive campaign and through our code of practice on age diversity in employment. Legislation against age discrimination in employment and training will come into force in October 2006. We are tackling age discrimination in other arenas as well. The national service framework for the national health service is designed to outlaw and prevent age discrimination in our hospitals and other health care systems.

Mr. Gray: The Minister's reply echoes the memorable words of the right hon. Member for Makerfield (Mr. McCartney), now the Minister without Portfolio, who said that age discrimination practices

"are unacceptable, and an incoming Labour Government will give priority to ending them by introducing anti-discrimination legislation."—[*Official Report*, 9 February 1996; Vol. 271, c. 619.]

He said that in 1996, but the legislation will not become effective until 2006. Was that another early pledge from the Labour party?

I thought that I would find out what the Government have done as employers, and I learned that one has to retire at 55 in the Ministry of Defence and at 60 in the Foreign Office. What does the Minister intend to do about raising the retirement age for Government employees?

Malcolm Wicks: A lot.

Mr. Gray: About time, too—only 10 years too late.

Mr. Deputy Speaker: Order.

Malcolm Wicks: The hon. Gentleman asked a long question. He may like a concise answer. We are doing a great deal. We have said that, for civil servants, the normal retirement age in the future will be 65, not 60.

I am also pleased that the employment rates—economic activity rates—are improving for those between 50 and the state pension age. We will outlaw discrimination. That is action from a Labour Government. I do not remember that happening during the Conservatives' 18 years.

Gregory Barker: May I commend to the Minister the excellent campaign being run by the *Sunday Mirror* on respect for older people and draw his attention to the many facets of ageism that that campaign has highlighted in a survey of British seniors? May I press him specifically on age discrimination in the national health service? Just a couple of weeks ago, a leading conference organised by Cancer Research UK and Help the Aged highlighted the fact that elderly women over 70 are, because of their age, still being denied potentially life-saving surgery for breast cancer. That is happening two years after Ministers published a national service framework for older people and pledged to stamp it out. Why is it still occurring, and what will Ministers do about it?

Malcolm Wicks: The question is asked at a time when our programme to help those with cancer is moving in the right direction and we are getting some very good results. I reiterate that my colleagues in the Department and all of us in the Government are determined to prevent any form of age discrimination from operating in the health service. If there are individual instances, such as those that the hon. Gentleman mentioned, I am sure that my colleagues in the Department of Health will consider them most carefully.

Mr. John Hayes (South Holland and The Deepings): As housing professionals are increasingly sceptical that the Government's target of bringing all social housing up to a decent level by 2010 will be met, does the Minister agree that the most vulnerable members of society—typically elderly people—will own or occupy a disproportionate number of indecent homes, and that there is no worse form of discrimination against the elderly than condemning them to inappropriate housing, which the Government have no plans to do anything about? Will the Minister state the specific measures that will be put in place for elderly people to ensure the end of that discrimination?

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): The decent homes target, is to have homes up to a decent standard by 2010. It is a very ambitious target, because, in 1997,

[Phil Hope]

we inherited a housing stock that had been decimated by the Conservative party. There had been massive under-investment, and there was an £18 billion backlog of disrepair in the social housing stock.

The Government have released £5 billion of local authority council house sales receipts to spend on improvement of that stock. That will disproportionately benefit elderly people who, as the hon. Gentleman rightly points out, occupy that social housing. The Conservative pledge to sell off social housing in local housing associations will do far more damage to affordable and decent housing for older people than any other single policy of his party.

Mr. Hayes: The Minister stretches our credulity a little far given that the number of social houses built by the Government has fallen by one third, homelessness is at record levels and the number of people in bed-and-breakfast accommodation has risen.

David Cairns (Greenock and Inverclyde): Rubbish.

Mr. Hayes: It is not rubbish; all that can be found in information provided not by the Opposition but by experts in the field who work with people seeking homes and the developers who build them. Will the Minister answer my original question and tell us what specific measures the Government have put in place to help to ensure that the most vulnerable—the elderly—do not live in inadequate housing, and so meet the Government's targets?

Phil Hope: The hon. Gentleman has decided completely to ignore the facts that I stated. The Government have allowed the release of £5 billion of local authority council house sales receipts, which has been specifically identified for improving the quality of social housing. We are well on track to achieve our target of raising to a decent standard every social housing home by 2010. I would like to see the Conservative party make a pledge to match that spending and guarantee that we achieve improvement in social housing over the next five years.

Gregory Barker: I asked a question a moment ago and, given that we are dealing with cross-cutting questions, I was taken aback not to receive a response from the Health Minister who is present. I made a very serious point that women over 70 are being denied health care. That allegation was made by Professor Ian Fentiman of Guy's, King's and St. Thomas' medical school. Will the Health Minister, in his cross-cutting role, provide me with an answer to what the Government are doing and why, when they made a commitment two years ago, nothing has improved?

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I reject that allegation. If the hon. Gentleman can provide evidence of discrimination, we will deal with it. We are committed to removing that sort of discrimination from the service. In support of my contention, surgery for people over 85 with breast cancer has risen by 13 per cent. Our target for seeing people once cancer is first suspected is the same for all groups. All targets are the same for all age groups.

Lady Hermon (North Down): Will the three Ministers reflect on their human rights obligations? They will know that article 3 of the European convention on human rights guarantees to everyone within the jurisdiction of the United Kingdom freedom from degrading treatment. Article 14 prohibits discrimination on the grounds of any status whatever. Can the Ministers put their hands on their hearts and say that the measures, legislation and procedures in practice guarantee freedom for elderly people from discrimination and degrading treatment?

Dr. Ladyman: Yes, we can give that commitment. The Government will not tolerate age discrimination anywhere that we find it. If any Members have evidence of it, bring it to us, and we will deal with it.

Care Home Beds

2. **Mr. Ian Liddell-Grainger** (Bridgwater): How many care home beds for older people were provided by (a) the private sector and (b) local authorities (i) in May 1997 and (ii) on the latest date for which figures are available. [137441]

4. **Simon Hughes** (Southwark, North and Bermondsey): What assessment the Government have made of care home provision in London for older people. [137442]

12. **Alistair Burt** (North-East Bedfordshire): How many care home beds for the elderly provided by (a) the private sector and (b) local authorities have been lost since May 1997. [137453]

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): Overall, the total number of care home places for older people in England fell by 6 per cent. between 1998 and 2001, accounting for about 26,100 places. In local authority homes, the number fell by 21 per cent., or 10,900 places, compared with a fall of 4 per cent., or 15,200 places, in independent care homes. Information for 1997 is not available in a comparative format. The number of care home places in London was 47,430 in March 2001. The Government have encouraged local councils to commission an appropriate range of care services to provide older people with more choice of quality service. In London, more people have received care in their own home, as demonstrated by the 2001 figure of 17.1 households per 1,000 of population aged 65 or over receiving intensive home care, which compares with the average of 9.9 for England.

Mr. Liddell-Grainger: It was so kind of you to mention London. I was going to talk about Somerset—

Mr. Deputy Speaker: Order. May I suggest that the hon. Gentleman uses the correct parliamentary language in this Chamber? I am not involved in that at all.

Mr. Liddell-Grainger: Thank you, Mr. Deputy Speaker.

The loss of care beds in Somerset and throughout the west country corresponds to the figures that the Minister gave, but the same is happening in local authority homes. The situation is getting worse. I am not surprised that neither the figures for 1997 nor the latest figures are available; they would be absolutely horrendous. When will the Minister stop the rot and start to provide beds and care for elderly people? More and more people in areas such as Somerset and the west country have to stay in hospital for longer, be looked after by people who are not qualified or, worse still, be pushed round the countryside by general practitioners to find beds. That is not a happy situation.

Dr. Ladyman: I mentioned London in my answer because the hon. Gentleman's question was linked to the question of the hon. Member for Southwark, North and Bermondsey (Simon Hughes), which specifically relates to London. The hon. Member for Bridgwater (Mr. Liddell-Grainger) mentions Somerset, so I shall point out one other factor that he seems to have overlooked. There are in this country, according to Laing and Buisson's figures, 10,000 more care home beds than are actually needed. The idea that we have a shortage is completely wrong. With regard to Somerset, perhaps the hon. Gentleman would like to ask his council why only about 8 per cent. of people there have an intensive care home package. Most older people tell us that they do not want to be in care homes in the first place.

Simon Hughes: Let me return to London. Does the Minister accept that, according to the National Audit Office report earlier this year, the figures for London and the south-east show that demand there is 12 per cent. above recommended occupancy rates? Speaking from constituency experience, I can say that the reality is that many people do not find homes in the communities where they live. As the report says,

"a severe shortage of care homes in the capital means that London boroughs seek to place their clients outside the capital".

What are the Government doing to ensure that people in the capital city who need care in a care home can find it somewhere near their family, friends and community?

Dr. Ladyman: The hon. Gentleman should give London councils credit for the huge efforts that they are making to maintain people in their own homes. I give them great praise for being far ahead of the rest of the country on that. About 50 per cent. of people who need care in London receive it as an intensive care home package, and that is what most older people want.

Clearly there is a problem if people who have to have a care home place cannot have one locally. However, we have given all councils, including those in London, sufficient resources to start to make interventions in the local marketplace and to pay the local rates needed to obtain care home places local to the people who need them.

Simon Hughes: If I find, as I believe that I easily can, several London local authorities, irrespective of political management, who tell me that they cannot afford to provide in their boroughs the amount of residential care that people need who cannot have care at home—care at home is a good thing—will the Minister agree to see them? Will he explain to them why he says that they have the money to provide the service when they say that they do not? Will he guarantee that the service that they can provide is of the quality that he would want for his parents and I for mine?

Dr. Ladyman: I should be delighted to receive the names of such councils. If I do, I will look out the substantial increase in real terms resources that we have given those councils precisely so that they can deal with those issues. I will provide the hon. Gentleman with those figures so that he is aware that the councils have the money to deal with the issue if they wish to do so.

Sandra Gidley (Romsey): The Minister has obviously seen the Laing and Buisson report, but perhaps he will concede that he is being rather complacent about the fact that there are 10,000 vacancies. Last year there was a drop of 11,800, but all the predictions show that demand will double over the next 50 years and that we have reached a low plateau. What is the Minister doing to increase the number of care home places? It is not enough to consider the current situation: we must provide for the old people of the future.

Dr. Ladyman: I reject the charge that demand for care home places will double over that time. Laing and Buisson is a respected consultant in the field, but it tends to take the view of the care home lobby. Let me put this to the hon. Lady: we have made available to local councils 25 per cent. more funding over and above inflation so that they can take local decisions about care home capacity. We cannot take decisions at the centre about the price that needs to be paid locally or the capacity required locally—that is a job for local government. Were we to take the view proposed by bodies such as Laing and Buisson that there should be a general and compulsory increase in care home rates across the country, it would cost us nearly £400 million. How would the hon. Lady guarantee that that money would get to the care homes when most councils tell us that they do not need to pay it, and where would she get the money from?

Mr. Simon Burns (West Chelmsford): I agree with the Minister that Laing and Buisson is a highly respected independent body, but, whenever we have discussions of this nature, Ministers seem to be in denial. The Minister should be aware that his figures suggest that there has been a loss of just under 40,000 beds. Laing and Buisson's figures for the latest available period show that, between 1997 and 31 July 2003, the number of places in care homes fell from 572,600 to 501,900, which is a drop of 70,700. In his original answer, did the Minister include figures for the voluntary sector, as well as the private and local authority sectors? Can he explain why there is such a glaring discrepancy between his figures and what Laing and Buisson and people in the care home sector, who are at the sharp end of delivering care, believe is happening? Even if the Minister's statistics show that there are 10,000 surplus beds, he must understand that they are in the wrong place. Too many parts of the country have a severe shortage of beds, and people have to move further and further from their communities to find a place in a home.

Dr. Ladyman: Let me start with the last point. Let the hon. Gentleman come to me with authoritative

[Dr. Ladyman]

statements from people who have the figures to demonstrate his case. Over the past month or so, I have had my officials ring around local authorities to ask, "Do you have an absolute shortage of care home beds or is it that the rate that you wish to pay for those beds is lower than the market in your area is demanding?" So far we have not found anywhere where there is an absolute shortage of care home places.

I have had occasion before to remind the hon. Gentleman that he constantly quotes the reduction in care home beds since 1997. Why does he pick that particular date? Why does he not pick the date at which the contraction of the care home market began? The hon. Gentleman knows full well that it began as a result of the implementation of the National Health Service and Community Care Act 1990, which was implemented in the mid-1990s. The peak in care home capacity occurred while the hon. Gentleman was Minister. That is when the contraction of the care home market began.

Mr. Burns: I find that quite staggering. The Minister must know that, after the introduction of the policy in 1990, there was a significant increase in care homes and care home beds in this country. For him to try to suggest that there was a contraction in the number of beds as a result of that policy initiative is just gobbledegook.

Dr. Ladyman: The hon. Gentleman is being economical with the actualité. I think that is the expression. He knows perfectly well that although the legislation was passed in 1990, it was not implemented until several years later.

Mr. Burns: When?

Dr. Ladyman: It was implemented from about 1993. If we use the figures from Laing and Buisson to determine when the peak in care home capacity was reached—and the Act started to kick in—we find that it began in 1995-96, just as the hon. Gentleman took over as Minister.

Mr. Deputy Speaker: Order. May I say to Ministers in the hope that they pass this on to their officials, that it is extremely important when questions are being grouped that hon. Members are given notice of that fact? If someone's question is very low down in the order and is grouped with one higher up, it can be very misleading unless that information is passed on.

Pension Credit

5. **Mr. Bill Tynan** (Hamilton, South): What action is being taken by the local Pension Service to encourage take-up of the pension credit. [137443]

8. **Kevin Brennan** (Cardiff, West): What steps the Government are taking to maximise take-up of the pension credit. [137447]

The Minister for Pensions (Malcolm Wicks): We want every pensioner to take up entitlement to the new pension credit. At the heart of our campaign is a direct mail pack to all pensioner households who have not been converted to pension credit automatically through the old minimum income guarantee scheme. We have already written to 1.7 million households and we will be writing to the remainder by June next year. To support this process, we have a television, radio and press advertising campaign. The Pension Service locally is doing remarkably good work in spreading the word about the new pension credit.

Mr. Tynan: "Give credit where it is due, and would you thank the Government from the bottom of my heart?" So speaks an ex-Conservative voter in Hamilton, South who received £46.20 in pension tax credit. However, there is concern regarding take-up. The Pension Service in Motherwell is in the constituency next door to mine. Would the Minister confirm that we have the resources to ensure that as many people as possible will receive personal information regarding the pension credit? Will he commit himself to ensuring that there are plenty of roadshows in my constituency and throughout the country, and will he ensure that adequate finance is available for that process?

Malcolm Wicks: That is a very important question. We are absolutely determined that those entitled to pension credit should receive it. It is terrible to think that someone who could be better off by £30 or £40 a week will not hear about the pension credit. We all have a role to play.

Despite much irresponsible scaremongering, pension credit has got off to a very good start. We reported to the House earlier this week that already 1.4 million individuals are better off because of pension credit. However, locally through advice surgeries, home visiting and in all sort of other ways—we need the advice of Members of Parliament about where best to locate advice surgeries—we are enabling the message about pension credit to get through. We all have a duty to make it a success. We are talking about some of the poorest and most vulnerable elderly people. They deserve pension credit; I am determined that they should receive it.

Kevin Brennan: May I also commend to the House the campaign by the *Sunday Mirror* for respect for older people? In the implementation of the state pension credit, it is to the Government's credit that the check on the resources of people applying for the state pension credit will take place only every five years. That is an innovative way to show respect for older people while targeting the benefit at those who actually need it. In asking the Minister to make sure that the Government maximise the take-up of pension credit, I want him to minimise its take-up in one small respect by making sure that my constituents who used to work at Allied Steel and Wire and who have lost their pensions are compensated and therefore have no need to apply for it.

Malcolm Wicks: My hon. Friend has led an important campaign for those workers. He knows that we are examining all reasonable ideas, but I must repeat that we cannot make promises because it would be wrong to raise false hopes. I commend his campaign and the skilful way in which he has brought that issue into a question about pensions.

We are determined to maximise the take-up of pension credit. We have got off to a very good start and are on course to meet our target of 3 million people receiving the credit by 2006.

Mr. Nigel Waterson (Eastbourne): Can the Minister confirm that far from getting off to a very good start the figures, that were produced two days ago show that only an extra 93,000 households out of a target of 1.2 million are getting the benefit? At that rate, it will take six and a half years for the Government to hit their modest targets. Can he confirm those figures? I am visiting the Pension Service in Eastbourne tomorrow and shall be keen to see whether the figures are borne out locally.

Malcolm Wicks: I am sure that the hon. Gentleman will have a good visit and I should like to hear his impressions of it. Like many of us, he will be impressed by the Pension Service. When the shadow Secretary of State, who is the new director of policy development for the Conservative party, said how long it would take to reach our target on pension credit take-up, he was, with all due respect, talking nonsense and engaging in irresponsible scaremongering. I am confident that we will hit the target by 2006. It does not do much good if some people pretend that the pension credit is going badly when it is going very well. We all have a duty to try to ensure that people claim it.

Mr. Waterson: The Minister speaks about targets, so can he confirm that it is still a Government target for 1.4 million of the poorest pensioners in this country — more than 2,000 of them live in my constituency — not to get round to claiming or receiving the pension credit?

Malcolm Wicks: No, that is not the case. Some 4 million households are eligible, and our target is for 3 million households to receive the credit by 2006. The target is based on logistics and planning, but we want to go beyond it. My personal target is 100 per cent. take-up, because it is important that everyone who is entitled to the pension credit claims it. My hon. Friend the Member for Cardiff, West (Mr. Brennan) mentioned that the pension credit is 1 million miles away from the old-fashioned means test. The only thing that people must report is changes in their circumstances, and that will occur rarely. Allowing claims to be made over the telephone rather than by filling in a form is a new approach to targeting the poorest.

John Robertson (Glasgow, Anniesland): I, too, congratulate my hon. Friend the Minister, but unlike my hon. Friend the Member for Hamilton, South (Mr. Tynan), I do not have any ex-Conservative voters in my constituency — come to think of it, there are not too many Conservative voters.

I have asked the Minister several times about the simplification of the documentation — the forms and paperwork — that is used after the telephone conversation. I am still waiting for an answer on the documentation relating to the pension credit, which is compiled by a computer. I have read many of the letters, and I am starting to get my head round them. However, does not the documentation make it difficult for the elderly?

Malcolm Wicks: As I have said before, my hon. Friend is a mighty champion for older people in his constituency. I thank him for that. It would probably be helpful if he and I could sit down together to consider the issue in detail. We obviously review the position and want to improve it, but the fact that elderly people do not have to fill in the form themselves — it can be done over the telephone or during a home visit — is a major breakthrough. If there are issues to resolve, however, I hope that my hon. Friend will accept my invitation to discuss them.

Rob Marris (Wolverhampton, South-West): The telephone claim system is a great step forward, backed up by home visits for those who request and need them. Can the Minister give us some idea as to how the telephone system has worked? Sometimes, with private call centres, for example, one has to hang on a long time before the call is answered, and one call is not sufficient. What is happening with the call centres of the Department for Work and Pensions?

Malcolm Wicks: Performance has been good, even during the first week of pension credit when, from memory, we had 160,000 phone calls. We are currently receiving fewer than that, but 95 per cent. of them are answered within 30 seconds. The system is standing up very well. Clearly, if telephony is at the heart of the service, the telephones have to be answered. We monitor the centres carefully, and so far the performance has been excellent. I congratulate the people in our pension centres and in the pension credit application centre on doing a good job in offering that public service.

Mr. James Gray (North Wiltshire): If the use of call centres to apply for pension credit is so good, why did the *Sunday Mirror* — of all newspapers — say:

> "The very fact a senior has to pick up a phone, tell someone in a call centre they are poor, tell them how much money they have and ask 'can I have some more?' is very demeaning and straight out of a Dickens novel."?

That is the *Sunday Mirror*'s verdict on this Government policy.

Malcolm Wicks: The previous Government relied heavily on means-testing, but the old-fashioned sort. It was a weekly means test, and any savings were knocked off the means-tested benefit, pound for pound. Our system is a long way from that. We have a savings credit, and we are not worried about people with £6,000 of savings, and that includes some 85 per cent. of those who are entitled to the pension credit. With all due respect to the hon. Gentleman, how dare he lecture us about means-testing when his Government exercised that old-fashioned regime?

I do not think, from the evidence, that there is anything demeaning about having a 20-minute conversation to apply for pension credit. One of the wonderful things is that people who are eligible for pension credit are hearing for the first time about

[Malcolm Wicks]

housing benefit, attendance allowance and other benefits. It is a success story, whether the hon. Gentleman likes it or not.

Mr. Deputy Speaker: Lady Hermon.

Lady Hermon (North Down): May I ask a question on pension credit, Mr Deputy Speaker, before moving on to my own question?

Mr. Deputy Speaker: Order. I call the hon. Lady to ask Question 7.

Domestic Security

7. **Lady Hermon** (North Down): What resources were made available to provide security at the homes of elderly people in Northern Ireland in the last year for which figures are available. [137446]

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): During 2002–04, the Government supported almost 50 projects under the community safety challenge funding initiative. Of those, 15 included measures related to community safety and older people. The value of those projects was estimated at £55,000. The awards were made to community safety partnerships, including four to Ballymena, three to Banbridge, two to Armagh and one each to Belfast, Fermanagh, Larne, Limavady, Lisburn and Antrim.

In October 2003, the Government launched the lock out crime scheme, which will provide £2.25 million for the installation of security measures in the homes of older people during the next three financial years. Those measures will be available free of charge to those aged over 75 who are in receipt of housing benefit and rate rebate. The security features will include door and window locks, door bars, chains and external security lighting.

Lady Hermon: I am grateful to the Minister for that reply. I welcome his visit to Northern Ireland, and will take him to Limavady, where he will learn how to pronounce that name. It is not in my constituency, so he will have to come to North Down first.

I welcome the Government's initiatives, but want to reflect on the answer, which I was given earlier, that there is no discrimination against elderly people. The Minister just said that the security measures are available only to those over 75 who are receiving housing benefit and who live in designated ward areas. Sadly, a gentleman called Mr. Ted O'Hare died in his home at the weekend as the result of a vicious attack during a burglary. He was 73, and would not have qualified. On Sunday afternoon, I visited two elderly constituents in North Down, both of whom have been burgled, but neither of whom would qualify under the criteria. One of them was intimidated by a young man in a balaclava wielding a gun, who threatened to shoot her dog. What criteria would accommodate such threats to elderly people in Northern Ireland? Will the Minister reflect on the importance of tight criteria and take into account the changes that are needed?

Dr. Ladyman: First, I apologise to the good citizens of Limavady if I did not pronounce the name of their town properly. Northern Ireland is not normally part of my portfolio. I am afraid that that is the only excuse that I can offer.

The hon. Lady is absolutely right. Crime against anyone of any age is awful, but it is even more deplorable against older people. If we were to introduce the same measures for people aged between 60 and 75, it would cost about £25 million. We must draw a line somewhere. The Government believe that we should aim our resources at those aged over 75 because, according to the Northern Ireland crime survey, people over that age are more than two and a half times more likely to suffer from crime. However, I shall certainly pass the hon. Lady's comments on to my colleagues in the Northern Ireland Office and ask them to reflect on her constituents' experiences.

Pensioner Incomes

9. **Tony Cunningham** (Workington): What assessment has been made of the effect of Government policy on the incomes of (a) all pensioners and (b) the poorest pensioners. [137449]

The Minister for Pensions (Malcolm Wicks): At the heart of the Government's policy is our concern to get the appropriate balance between helping all elderly people and focusing extra support on the hard-pressed and the poorest. As a result, pensioner households will be some £1,250 a year better off in real terms compared with 1997, whereas the poorest one third of pensioner households will have gained some £1,600 a year in real terms. I hope that that demonstrates that we are getting the balance right.

Tony Cunningham: I thank the Minister for that reply. I recognise and applaud both the fall in pensioner poverty and the huge sums of money that have been targeted at the poorest pensioners.

A few people have mentioned the *Sunday Mirror* "Respect our Seniors" campaign. Incomes are not the only aspect of respect for our older people. I have lived in Africa, and I have been to many developing countries in which income is not great but there is huge respect for older people, their knowledge and experience. Many of our older people want to remain active but have problems with using buses, cashpoints and supermarkets. What are the Government doing to co-ordinate across Departments to ensure that our senior citizens get the respect that they richly deserve?

Malcolm Wicks: We work closely with other Departments—most obviously with the Department of Health, but with others such as the Department for Education and Skills—to develop a co-ordinated strategy. That is important, and I hope to say more about it in due course.

I, too, welcome the *Sunday Mirror* campaign. The fact that we tend to refer to older people as pensioners is extraordinary in a way. When my wife and I received child benefit, I did not think of myself primarily as a child-benefit recipient. Perhaps language is important. We need to develop the concept of seniors and senior citizens.

Our analysis of need should be about not just dependency and disability but the commitments and contributions of many old people. Many of the younger

elderly are carers—often of the older elderly. Many are active citizens and may be school governors or justices of the peace. At 60 or 65, many want to remain in work, or to take up new training and IT opportunities. We need to develop that vision and match it with concrete policies. We are moving in the right direction, but our society has a long way to go to recognise the challenge of an ageing community in a positive rather than pessimistic way, and to recognise that many 21st century Britons will have retirements lasting 20, 25, 30 or more years. We need a revolution in our attitudes, as my hon. Friend suggested.

Ms Oona King (Bethnal Green and Bow): One of the issues that impacts on the income of pensioners is the uprating of pensions. British pensioners moving abroad may or may not receive an uprating. For example, my mother, moving to France, did receive one, but a former constituent who moved to Australia did not. Pensioners who move to Canada do not receive an uprating either, but those who move to America, Israel or Jamaica do. When the Minister receives my letter on the subject, could he look favourably at extending reciprocal social security agreements to countries such as Australia, so that British pensioners do not have their pensions eroded?

Malcolm Wicks: I always look favourably at my hon. Friend's letters, even though the replies sometimes do not find favour with her. We have agreements on that serious and complex issue with certain countries, and the situation in the European Union is different from elsewhere. Some difficult choices must be made, and this Government and previous Governments have judged that the costs of giving those pension rights in countries such as Australia and Canada are considerable—we are talking about several hundreds of millions of pounds. Notwithstanding those reciprocal agreements, our priority must primarily be to elderly people living in our own country.

Delayed Discharge

10. **Mr. Julian Brazier** (Canterbury): How many elderly were in an NHS hospital as a result of a delayed discharge in the last quarter for which figures are available. [137451]

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): Some 4,710 adult patients remained in an acute hospital bed on any one day as a result of delayed discharge in June 2003, and 3,150 of those patients were aged 75 or over.

Mr. Brazier: Is the Minister really comfortable with the introduction in Kent in January of fines for bed blocking under the Community Care (Delayed Discharges etc.) Act 2003? He knows as a Kent MP that the devastation in the care homes sector wrought by the botched Care Standards Act 2000 has badly affected the county, and he also knows about the rotten local government settlement. Is it fair that Kent county council should be penalised for the bed blocking in NHS hospitals, when central Government have done so much to make finding places for many elderly people impossible?

Dr. Ladyman: I think that the situation in Kent is fair. I have talked about the situation with the director of social services in Kent county council, who vehemently denies the charge that there is a shortage of care homes. He can buy his care home places at a particular price because there is overcapacity in Kent. That is the price that the council deals at, and the director is perfectly happy with the situation. Care home owners may not be happy with it, however, because the market is forcing their prices down.

As for the Community Care (Delayed Discharges etc.) Act, every council in the country has been given a grant to cover their reimbursements. If they do the job efficiently and with a certain measure of good planning, the grant will be sufficient for them to deal with delayed discharges, pay any fines that may result and make a profit.

Mr. Brazier: The Minister must know, as a Kent MP, that what he said is a severe distortion of the facts. Kent elderly people are in nursing homes side by side with people from London who receive funding from central Government that is, in some cases, up to twice as much per capita as that received by Kent. The Minister also knows that Kent runs one of the slimmest operations anywhere in the country in terms of overheads. Is he seriously asking the Chamber to believe that Kent's problems with funding are due to inefficiency, rather than to one of the three worst settlements in the country, which delivered an increase in real terms for every constituency represented by a Cabinet Minister?

Dr. Ladyman: I did not say that Kent would have problems caused by inefficiency. I said that Kent was not going to have problems—it does not need to, because Kent county council is efficiently run. I work closely with Kent and I take great exception to the hon. Gentleman's implication that I am distorting the situation there. I can tell him from my own experience that, at the height of the problems that were caused by bed blocking two or three years ago, eight fully equipped nursing home beds in a nursing home in my constituency stood empty in the middle of winter, because it was not in Kent county council's interest to help to get people out of hospital and into those beds. The situation has changed throughout the country as a result of the Community Care (Delayed Discharges etc.) Act. For the first time, councils have a real financial imperative to work with the NHS to get people out of hospital beds and into the places where they can be properly cared for. That will happen, and it will be a great success.

Alistair Burt (North-East Bedfordshire): Does not the Minister recognise the concern behind the remarks made by my hon. Friend the Member for West Chelmsford (Mr. Burns) that the pressure in respect of delayed discharges is exacerbated by the loss of care home beds, and that it is not relieved by some notion of a national surplus if there is an especially acute problem in a particular local area? Mike Glynn of the Bedfordshire Care Homes Association told me that at a meeting last week. The members said that Bedfordshire care homes were running at a capacity of 95 per cent. or more, which gives them precious little leeway if a problem arises in the coming winter. How does the

[Alistair Burt]

Minister intend to avoid a crisis in delayed discharges during the coming winter if the margin for getting people into care homes is as tight as that?

Dr. Ladyman: First, I apologise to the hon. Gentleman if, inadvertently, we did not tell him that his Question 12 had been grouped with an earlier question. I take full responsibility for that, and I will ensure that the question is dealt with.

We gave substantial sums to local councils. We gave them a capacity-building grant to allow them to start preparing for the delayed discharge grant, so that they ensured that there was sufficient local capacity. This year, we also gave local councils throughout the country a delayed discharge grant of £50 million for six months while the Community Care (Delayed Discharges etc.) Act operates in shadow form. We gave them that money because there will be no reimbursements during that six-month period, and they can use it to build capacity locally. The reimbursements start only from next year.

I believe, and I have no evidence to suggest otherwise, that all councils that undertake proper capacity planning and that are willing to alter the amounts that they sometimes pay, if that is what the local market requires, can prepare for the reimbursement system in such a way that they can avoid paying more money in fines than they have received in grants. I ask the hon. Gentleman to let me know if he has evidence to the contrary, or if there is an absolute shortage anywhere in the country. I will then talk to the local council in that area and find out what they have done with the capacity-building grants that we have given them.

Mr. David Drew (Stroud): Does my hon. Friend accept that considering the care home sector in isolation is the wrong way in which to approach the problem? My local authority, and I am sure that local authorities throughout the country are doing the same, is considering other ways in which to provide care, mainly at home but in another setting if necessary, which includes rehabilitation and respite. The NHS forgot about rehabilitation and respite for a long time, but it is vital that we consider those matters, because locking people into the care home sector, much as it does valuable work, and I have no reason to cast aspersions on it, is not the right solution for everyone. There is a need for greater flexibility, and I hope that my hon. Friend will tell us how that can be achieved.

Dr. Ladyman: My hon. Friend is right: we need to consider the matter with better eyes and focus on more than the care home sector. We have done that. We have, for example, prevented local councils from charging for adaptations to homes, so that people can adapt their homes in order to stay at home if they need to. One reason why I took such exception to the hon. Member for Canterbury (Mr. Brazier) saying that I was accusing Kent county council of inefficiency was that I am working with that council on an innovative scheme that it is leading and that will involve 11 councils throughout the country. They have set themselves the target of preventing 30 per cent. of the admissions of older people into hospital by doing exactly the sort of things that my hon. Friend mentioned.

Only yesterday, I was in Torquay looking at something called the crisis, assessment and rapid reablement intervention for the elderly team, which is a rapid response team. When an older person has an event that would, under normal circumstances, require acute treatment, the CARRIE team moves in quickly, ensuring that the care the person receives enables them to stay at home to deal with it and that they do not need a hospital bed. We must consider admissions, discharges, home care and intermediate care provision in order to build a picture of how to deal with the wider problem.

Council Tax

11. Mr. George Osborne (Tatton): What steps the Government are taking to reduce the council tax burden on pensioners. [137452]

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): We understand the pressures that some pensioners face with their council tax bills, but we believe that we should target help through the benefits system to those in most need. Council tax benefit is paid to nearly 2.5 million pensioners. With the recent introduction of pension credit, almost 1.9 million pensioner households will qualify for more help, or qualify for help for the first time.

Mr. Osborne: I did not really like the Minister's emphasis on the word "some". Many pensioners struggle with council tax bills. Pensioner are often, as the Minister knows, on tight budgets, and a sudden increase affecting one aspect of that budget has a disproportionate impact. Is he aware that some pensioners pay up to 10 per cent. of their income in council tax bills [HON. MEMBERS: "Some?"] and many more pay equally substantive amounts of their income? What does the Minister think would be a fair proportion of a pensioner's income to be spent on council tax?

Phil Hope: The hon. Gentleman raises a key point, which is causing debate across the country. We are aware of it. The amount of council tax that pensioners have to pay is a matter for local councils. They are responsible for it and for its impact. The grant that local authorities have received has increased in real terms by 25 per cent. since 1997—in contrast with a cut of 7 per cent. in real terms during the last four years of the Conservative Government. When it comes to local councils deciding on tax levels, the Conservative party might like to reflect on its record in office and what it achieved—that 7 per cent. cut—compared with the 25 per cent. increase for authorities around the country under this Government.

Mr. Osborne: As I am sure that the Minister knows, the Government's Red Book is already planning for an increase in council taxes of double the rate of inflation: it is not entirely up to local councils to determine the level of council tax. Perhaps I may ask again the question that I put in my first supplementary: what does he think would be a fair proportion of a pensioner's income to be spent on council tax?

Phil Hope: I understand the point that the hon. Gentleman is making. My point is that the answer

depends on local authorities' decisions about council tax. Vale Royal authority, in his constituency, had a grant increase of no less than 12.5 per cent. in this financial year, and the county council of Cheshire had a 7.9 per cent. increase in grant from the Government. When local authorities make decisions about the amount of council tax that pensioners will have to pay, they will take into account the increase that they have received from this Government. We support local authorities. We have given them freedoms and flexibilities, starting from 18 November, to make choices about pension discounts and other ways of giving support to pensioners, if they so wish. The hon. Gentleman must take the matter up with his local authorities.

Rob Marris (Wolverhampton, South-West): One aspect of the issue is the take-up of council tax benefit. Some innovative councils, such as Thameside, have fantastic take-up rates for council tax benefit. What sort of encouragement is his Department bringing to bear on local authorities to run innovative council tax benefit take-up campaigns, which would assist further in sorting out some of the issues?

Phil Hope: My hon. Friend is absolutely right to point to the importance of take-up. Local authorities have a good record. However, in some areas, particularly those where pensioners own their homes, take-up is not as good as it should be—it can be as low as 40 per cent.—and we could do considerably more.

I am pleased to say that the introduction of the pension credit gives us a good opportunity in that regard. It will go up, and the additional money will not be clawed back. We are going to increase pensioners' savings by as much as £14.79 per week for a single pensioner and £19.20 per week for a couple. The combination of pension credit and council tax benefit will make a real difference—it will reinforce the incomes of pensioners, particularly those in most need.

Mr. Deputy Speaker: Order. I am grateful for the co-operation of hon. Members, which has enabled us to be inclusive this afternoon. I shall arrange for more questions to be printed on the Order Paper for the next cross-cutting questions sitting.

3.24 pm

Sitting suspended until half-past Three o'clock.

Housing

Motion made, and Question proposed, That the sitting be now adjourned.—*[Joan Ryan.]*

3.30 pm

The Minister for Housing and Planning (Keith Hill): Allow me to begin by expressing my pleasure that we are holding this debate under your wise chairmanship, Mr. Deputy Speaker. You are aware that I have always been a fan, and I am sure that we shall have a well ordered, if vigorous, debate. While I am in congratulatory mode, I shall anticipate later developments in the debate by welcoming the hon. Member for the wonderfully named constituency of South Holland and The Deepings (Mr. Hayes), to his new portfolio as the shadow Minister with responsibility for housing and planning.

I am delighted to have secured this debate to talk about the Government's determination to give everyone the opportunity to have a decent home in a sustainable community. We clearly set out that aim in the 2000 housing Green Paper and the subsequent policy statement, which together represented the first comprehensive review of housing for nearly a quarter of a century. We are pressing forward with the implementation of the actions set out in those policy documents to deliver quality and choice across all types of housing, owned or rented, private or public.

Our focus on delivery was sharpened when the Deputy Prime Minister set out his vision of sustainable communities in February 2003. That action programme recognises that to develop communities in which people wish to live, improvements in the supply and condition of housing need to be linked to improvement in economies, public services, transport and the environment. The communities plan sets out what the Government need to do to create thriving inclusive communities in all regions, backed by a significant increase in resources of £22 billion—an increase of 40 per cent. over the next three years—together with major reforms of the housing sector.

Hon. Members will be aware that in March 2003 the Government published a draft Housing Bill for pre-legislative scrutiny and public consultation. That was very much the next step in the process. The Select Committee on Housing, Planning and Local Government undertook an inquiry into the draft Bill, and I very much welcome its report. We found both pre-legislative scrutiny and public consultation extremely useful.

We have carefully considered all the Select Committee's recommendations and we published our response to its report earlier this week. We have accepted some recommendations unconditionally, and have undertaken to consider others further. We are using those recommendations to produce a final Bill ready for introduction when Parliamentary time allows. We have not been able to accept all the recommendations, and where that is the case we have set out our reasons clearly. I welcome the opportunity to respond to the Select Committee's report in this debate.

A good supply of decent quality, affordable housing is integral to any sustainable community. Today, I should like to focus on how the Government hope to achieve that goal in future legislation, and how we intend to deliver decent homes and decent places, and protect the most vulnerable in the housing market.

[Keith Hill]

Our proposals in the draft Housing Bill tackle some of the most pressing problems in private sector housing. More than 80 per cent. of housing in England is in the private sector. We intend to give home owners and private sector tenants access to well managed, well maintained houses. That means raising the quality and management of some of the housing that is in the worst condition, tackling bad landlords and antisocial tenants, improving the process of buying and selling homes and, as I have said, protecting the most vulnerable in the housing market. Our proposals are not just about private sector housing; some will cut across all tenures, and others will tackle specific problems faced by the social sector.

More than two thirds of homes are owner-occupied. At some point, most people will buy or sell a property, and many of those people currently find that process fraught with problems, time-consuming, costly and stressful. The key problem is lack of transparency, and the Government are committed to taking action to improve that process. We will, therefore, press ahead with the home information pack provisions in the draft Bill.

The introduction of such packs is a manifesto commitment. They will make home buying and selling easier, more transparent and more successful by making key information available right at the start of the process. Recent survey research has shown that nine out of 10 people are unhappy with the process of buying and selling homes, and the majority believe that the introduction of home information packs could go some way towards easing the buying process. I am delighted that our home information pack reforms have the full support of the Consumers Association.

The Select Committee suggested further trialling of the packs before they are introduced on a compulsory basis. I do not agree. Home information packs are not new. International experience and the success of small-scale schemes in the UK have demonstrated the benefits. There has been a voluntary local pilot in the Bristol area, and we are currently testing home condition reports in different areas and markets. However, voluntary local pilots cannot replicate a compulsory national scheme, and I do not believe that further testing could tell us much more than we already know.

Mr. David Kidney (Stafford): I know that there is a lot of nervousness about the introduction of the pack, but I welcome it as a consumer protection measure. Many people are asking whether the regulations that will determine what must be in the pack and the home condition survey will be available by Second Reading of the Bill. Will that be the case?

Keith Hill: I am grateful to my hon. Friend for his support for the proposed home information pack. We have consulted widely already, and the broad contents of the home information pack are already familiar to Members and practitioners. The home information pack will contain a home condition report, details of local searches, other legal documents and relevant planning consent. In future, after the introduction of European legislation on thermal efficiency, it will also contain information about the energy efficiency of the home up for sale. We have sought to provide as much information as possible by way of draft regulation and guidance, and if such a Bill were introduced, we would endeavour to lay as much information before the House as possible.

Matthew Green (Ludlow): The Minister has said that most of the information is available. Estimates based on the information available suggest that it will cost the average householder about £1,000 to produce the information in the packs. How will that help the Government's other aim of making housing more affordable?

Keith Hill: Unusually, the hon. Gentleman has allowed himself to be misled by the mass media on this occasion. I do not for one moment recognise that figure of £1,000. Our estimate is that the pack will cost about £600, but it is important to remember that most of the elements of the pack are already elements for which the purchaser has to pay in normal circumstances. The only new element in the pack will be the home condition report.

I want to allay the scaremongering that has occurred on the matter. It is worth remembering, while we are on the subject, the extraordinary costs to the economy at large and to individuals that result from the present unsatisfactory nature of the home-buying process. It is estimated that one in three would-be home sales fall through. That costs the economy £1 million a day, as well as the stress, anxiety and, often, despair caused to individuals. Inaction is not an option. On the basis of the evidence from trials and surveys here, and from the experience of implementation of the arrangement in Denmark and Australia, and reassured by the support of the Consumers Association, we are confident that this will prove an extremely popular, helpful and efficient way of contributing to the housing market.

Mr. David Drew (Stroud): Will my right hon. Friend accept that one of the most important elements is to inform buyers of what they are not being informed of at present? I know of countless cases—no doubt my right hon. Friend does as well—of people who bought a property and then found that it was subject to flooding, or subject to some joint access arrangement that they did not understand because their solicitors failed to do a proper search. The packs may not completely remove such problems, but they will substantially reduce them. I hope that my right hon. Friend agrees with that.

Keith Hill: I entirely agree with my hon. Friend, who makes a valid point. He is right to say that all MPs find such cases replicated in their constituency advice surgeries.

There have been calls to make the packs voluntary. Again, I disagree with that. Home information packs will be effective only if they are compulsory. Most transactions involve chains. Just one property marketed without a home information pack would negate the benefits that the packs provide for all the other transactions, as the chain will move at the pace of the slowest. There will always be people who want a free ride. They will look to benefit from others paying for a pack, but will not produce one themselves.

However, I recognise the concerns raised by some in the industry about the readiness of the market. As I have said before, home condition reports will not be introduced until we are satisfied that sufficient numbers of home inspectors and satisfactory insurance arrangements are in place.

The Select Committee had concerns about the impact of packs on low-value properties and low-demand areas. We are considering the results of our consultation on that subject. I recognise the potential merit of a value-based approach to any possible exemption, but I wish to take full account of the consultation exercise before reaching a decision. The House will be aware that in the draft Bill, a power was proposed to make different provision for different areas. That power could be used to deal with the issue. We could also use the power to facilitate a phased introduction of compulsory home information packs as part of a roll-out across England and Wales, if that were found to be practicable and advantageous. I am discussing that possibility with consumer and industry stakeholders.

Most private sector housing is owner-occupied, but some 2 million people live in private rented accommodation. The private rented sector is growing again, and the Government are keen to work with landlords to improve its quality. Mandatory licensing of houses in multiple occupation is also a manifesto commitment, and we intend to set the scope of mandatory licensing in secondary legislation. We expect it to cover properties that have three or more storeys and house five or more people who constitute more than one household.

The Select Committee recommended extending the scope of mandatory licensing. I am not convinced that that would be the best approach. I am keen to limit mandatory licensing to the highest-risk properties to avoid unnecessary regulation and costs for landlords and tenants. The man in Whitehall does not always know best.

However, I fully accept that other HMOs could cause difficulties, and could benefit from licensing. There is scope in the proposed legislation to allow local authorities to apply licensing to problematic HMOs. Local authorities would need to consult those affected about their proposals for additional licensing. The proposals would then be subject to the consent of the Secretary of State. We are working with the Local Government Association to decide how best to operate such a consent scheme.

Introducing licensing will ensure that landlords are fit and proper and that they have adequate management standards in place.

Jon Trickett (Hemsworth): While my right hon. Friend is on that theme, may I remind him of the interrelationship between poor landlordism, antisocial behaviour and decline in demand in areas of low housing demand? In a village in my constituency where there is very poor demand, a good landlord, with the support of the community and myself as the local Member of Parliament, evicted tenants who were guilty of disgraceful behaviour. They were moved four houses up the street to a landlord who does not give a damn about what happens in the community. That has led to a migration of people from the street, abandoned houses, a further spiral of decline and problems with housing demand. Does the Minister accept that that is a problem and that, although we are not necessarily talking about HMOs, selective licensing might help? Next time he tours the north will he consider revisiting my constituency, which he enjoyed visiting in 1996 when he helped me to get elected?

Mr. Deputy Speaker (Sir Nicholas Winterton): Before the Minister replies, I must say that I have allowed what I consider to be rather a long intervention. I am not sure whether the hon. Gentleman will try to catch my eye later, but a number of people want to speak, so I hope that if there are interventions, they will be brief and to the point, and that the Minister will, as ever, deal with them expeditiously.

Keith Hill: I shall certainly that I will stick to your stricture, Mr. Deputy Speaker. I count the election of my hon. Friend in that notable by-election as one of the very few achievements to which I have personally contributed during my period in Parliament. I enjoyed my visit to Hemsworth, and I am always open to offers to return.

My hon. Friend is absolutely right about the devastating impact of poor management and criminality in areas of low demand, and that is why we are introducing a system of selective licensing, about which I will say more shortly. He identifies a problem that is repeated in city after city where there is so-called market failure. The Government are absolutely determined to take action on it as part of our antisocial behaviour agenda. I hope that I was sufficiently brief in my response to that intervention.

We believe that the introduction of HMO licensing will ensure that landlords provide fit and proper management, and have adequate management standards in place. The HMO sector has some of the properties in the worst condition. A licensing regime would operate alongside a new health and safety rating system for housing, aimed at high-risk properties, including HMOs. The new rating system would replace the existing housing fitness standard, and help local authorities to concentrate their attention on the properties in the worst condition, which often house some of the most vulnerable people. The fitness standard dates back 80 years. There was widespread support for moving away from the fitness standard when we first consulted on it in 1998, and again in 2001.

There is a close link between poor housing conditions and health. Our proposed new system would help local authorities target the properties where health and safety hazards present the greatest potential harm to occupants. The Select Committee report detailed some concerns, because we were unable to let the Committee see the detailed guidance for the system when it scrutinised the draft Bill. I revert to my earlier observations in response to my hon. Friend the Member for—

Mr. Deputy Speaker: Stafford.

Keith Hill: How can I forget my ministerial visit to Stafford?

In the event of legislation, there will be two sets of guidance. I would intend to make a draft of the technical and enforcement guidance for the system available in

[Keith Hill]

advance of any parliamentary consideration of the legislation. Final versions of both sets of guidance would be published for the benefit of local authorities in the run-up to any implementation of the system. The new system is more sophisticated than the current fitness standard. It is evidence-based and allows local authorities to consider the actual harm that hazards present to the occupants, rather than the very blunt "fit" or "unfit" categorisation that we have now.

I accept that the guidance material available to local authorities may be over-complicated for landlords who must understand their obligations, but do not need to apply the system. I am therefore committed to producing guidance aimed at landlords, which will be tested and trialled with them to make sure that it is user-friendly and understandable.

I shall now discuss the issues raised by my hon. Friend the Member for Hemsworth (Jon Trickett). Tackling antisocial behaviour and neighbourhood decline is a top priority for the Government. As we have indicated, we intend to give local authorities new powers to license private landlords selectively. The powers will add to local authorities' armoury of measures to tackle neighbourhood decline and antisocial behaviour, particularly in the private rented sector.

I know that the Select Committee argued for licensing to be as wide as possible, and I agree that we must consider further situations in which the power might be used. The draft Bill envisaged that it would be available to tackle low housing demand and other areas where there are problems such as antisocial behaviour and criminality. There may be other scenarios involving, for example, regeneration areas where selective licensing would help to involve private sector landlords in the redevelopment of communities. Again we are working with the Local Government Association to draw up the criteria for designating areas for selective licensing.

Selective licensing is entirely new. If the powers were introduced, local authorities would be required to consult those affected locally and to seek the Secretary of State's consent before designating an area for licensing. I am keen to work with local authorities to see how the power might best be used.

As we set out in our response to the Select Committee report, we want to introduce new provisions to help local authorities tackle antisocial behaviour in the social housing sector. Local authorities will be able to refuse mutual exchanges when tenants have been antisocial, and antisocial tenants could also lose their right to buy.

The draft Bill proposed further modernisation of the right-to-buy scheme. The Select Committee welcomed that but, characteristically, called for more. We have carefully considered the recommendations of both the Committee and the home ownership task force, whose report is published today. I pay tribute on behalf of the House to its work under the able chairmanship of Baroness Dean of Thornton-le-Fylde. In the light of both reports, the Government have decided to introduce at the appropriate time further right-to-buy measures, so that the right to buy can contribute more effectively and more fairly to the supply of affordable housing.

The Government also expect to make changes to the regulatory powers of the Housing Corporation and the National Assembly for Wales, which include allowing payment of grants to organisations other than registered social landlords, such as developers and builders, to develop affordable housing. That should widen opportunities to develop new affordable housing.

During the consultation process on the draft Bill, there have, of course, been calls to add further provisions. Where there is a case for taking immediate action and where we are in a position to legislate, I have been ready to consider the addition of such provisions. However, I have not accepted all the proposed additions. I know that there is significant support for a tenancy deposit scheme and compulsory leasing of empty homes. In both cases, we must consider the issues carefully before acting. We are committed to considering tenancy deposits in the wider context of the Law Commission's proposals on housing tenure published earlier this month.

In introducing the debate, I have been concerned to set out the Government's latest thinking on the draft Housing Bill and how we might advance our proposals. All in all, I believe that the proposals that I have highlighted will make for a more efficient and effective housing market that better protects the most vulnerable people. I now turn with eager anticipation to hearing the views and responses of my hon. Friends and Opposition Members to those important proposals.

Mr. Deputy Speaker: Order. We thank the Minister for introducing the debate.

3.54 pm

Ms Oona King (Bethnal Green and Bow): I commend the Minister on securing this debate on improving housing conditions and making the market work better. Ironically, if we left housing supply to the market, it would cripple the economy. That is because without social housing or the subsidy of private sector housing to those on low incomes, areas of high-value housing such as London would be left with only the very rich. The very rich are very good for some things, but in other areas they are good for nothing. One of those areas is key worker activity. Millionaires never make good nurses, teachers, police officers, bus drivers or dustbin men. However, without those groups, the capital's economy would seize up.

I wish to structure my brief contribution around how to increase the supply of affordable housing and how to make that housing decent. We also need to consider how we are to bring the money into that area, because there is such a large backlog, which we heard about earlier. It stood at £19 billion in 1997. In Tower Hamlets, the council believes—as does PricewaterhouseCoopers, which it commissioned to research the matter—that in its case, of the various options that the Government gave to local authorities to bring their houses up to a decent standard, the only viable one is stock transfer. That is because Tower Hamlets has negative values. Even if we group together some of the good housing, it is so outweighed by housing that is of a poorer quality that we are unable to make the sums add up without extra help and private investment.

The other thing that both the Government and the council are keen to do is to increase local resident involvement. For that reason, Tower Hamlets embarked on housing choice, which was a programme

to allow local residents the chance to decide how they would like the future housing requirements of Tower Hamlets to be met. The majority of residents voted for further inquiries into stock transfer. The problem that we face, and it goes to the heart of this debate—making the market work better—is that the market on its own, and private investment on its own, cannot make our sums in Tower Hamlets add up.

Consider the Government's new decent homes standard: in London, 54 per cent. of council homes fail to meet the decent standard. However, in Tower Hamlets, 76 per cent. of council homes fail to meet it. That is because, historically, Tower Hamlets has had some of the worst housing in Britain, and that is why my constituency in the east end was home to the very first council estate ever built. However, for decades— *[Interruption.]* I hear my hon. Friend the Member for Bradford, North (Mr. Rooney) saying from a sedentary position that it was Bradford. However, I will have him know that the Boundary estate was set up in the very fine constituency of Bethnal Green and Bow. If he would like to challenge me to a duel on the matter, I shall be happy to undertake the challenge.

There has been under-investment for decades. It is not realistic to think that Tower Hamlets can, on its own, make good the lack of investment that has left us with 76 per cent. of council tenants living in homes that do not meet the decent standard. I therefore want to impress upon the Minister the urgency of the situation, because at the moment we have a programme ready to go, but we cannot move forward. There is some disquiet because we were given to understand in the communities plan that some money would be available to help stock transfer, just as money is available to help some of the other options. I have written to my right hon. Friend on that, and I hope to meet him very soon to put some of these concerns to him in much greater detail, but the long and the short of it is that if we do not get gap funding to help stock transfer in Tower Hamlets, we will not be able to meet the Government's decent homes target by 2010. We cannot fudge it. There is no simpler way of putting it than that. We will not be able to meet that standard.

Even sadder than that is the fact that we would lose the momentum that has built up around the current attempts, which have been supported by local residents. For example, I commend Bernie Cameron who has been working very hard with the tenant compact group to get the momentum going so that we are able to move forward with this programme of stock transfer. It is ironic that residents and the local authority in Tower Hamlets are trying to do what the Government are encouraging us to do, but—I am sure for purely technical reasons—we have not yet been able to move forward.

I understand that the Minister is not able to give me a substantial response now, and I would not expect that, but perhaps he can agree to meet constituents, or a group of residents, from Tower Hamlets in the future, after he has met the delegation from Tower Hamlets and heard what an astonishingly good case it has to put forward.

I said that I would be brief, and I shall be. In leaving this subject, I mention two other items, but shall not go into them in detail. The first is the tenancy deposit scheme. I have raised that in the House previously. I seemed to detect from what the Minister said that the Government are perhaps evolving their thinking on the matter. I certainly hope that is the case.

My second point is on overcrowding. The Minister will be aware that my constituency has the worst overcrowding in Britain. I took one of his predecessors to visit an extended family where 16 people were living in two bedrooms. That really is unacceptable. Even stranger is that a family of eight people living in two bedrooms is not statutorily overcrowded under the overcrowding standard introduced in 1935. Obviously, I would appreciate some improvement there.

I just remind the Minister that one of the reasons why the Government are looking at improving housing conditions and making the market work better is that we want to reduce child poverty. That is a Government pledge: halving child poverty and then ending it within a generation. The fact is that in England 48 per cent.—nearly half—of all children who live in poverty live in inner London. For that reason, I urge the Minister to make progress on these issues.

4.3 pm

Mr. David Kidney (Stafford): I shall start by discussing housing conditions, then move on to the need to make the market work better.

I shall start in a very good place: empty homes. Statistics show that 130,000 or so households are without a permanent home of their own, while at any one time 750,000 properties in the country stand empty, and that makes it easy to see why we should be determined to take more effective action on bringing empty homes back into use. I once promoted a ten-minute Bill, the Empty Homes Bill, which was published and had four elements. The first was that every authority should have a strategy for reducing the incidence of empty homes. The second was that data exchange should be available to enable authorities to identify empty homes. The third was that we should do something about the exemptions from paying council tax on properties standing empty, and the fourth was that we should strengthen local authorities' powers of compulsory purchase. I am pleased to say that that Bill obviously had some effect because, since it was published, the Government have taken action on all four matters. The provision to allow data exchange was a welcome recognition by the Government, but action on the other three was not quite as well achieved as I should have liked, so I shall give the Minister seven out of 10 on that subject.

I shall move on from empty homes to the renovation of homes in which people live that could do with being in better condition. There are problems. The Minister mentioned the experience we get from our casework. I have discovered from mine that people who are disabled and would like adaptations to their homes to make them suitable for their disability find that they face huge delays. They either experience delay in getting social services to make an assessment of their home or delay afterwards in getting help from public homes to make the adaptations, even when the disabled facilities grant is mandatory—and that is not to mention the discretionary grants they may also need. I hope that the Minister will pay some attention to that.

Beyond that, some people would simply like to renovate homes rather than build new ones. It seems curious to me that people still pay VAT to renovate

[Mr. David Kidney]

existing properties, but there is no VAT involved in building a brand new house on a greenfield site. It gives a rather curious sense of our values that we allow that to continue, but we do.

The Government deserve a huge pat on the back for their work on market renewal. Last Friday, I was able to attend a briefing for the market renewal pathfinder in north Staffordshire. Although that is not in my constituency, I regard my area as part of the north Staffordshire economy and, after all, Stoke-on-Trent is my home town, so I take a close interest in the matter. I say to the Minister that the pathfinder in Stoke needs close attention and support. There has been terrible neglect in the area, both in its physical fabric and the capacity of the local work force to be able to do the kind of work that is necessary. I hope that the Minister will be sympathetic when he faces requests for help, even in relation to the personnel needed to help with the work of the pathfinder.

I learned from that experience, and I appreciate from the national approach that there has to be a strategic approach both to housing problems that must be faced and met, and to wider community challenges such as infrastructure, jobs and training that go with housing. All those issues need to be addressed, supported, and publicised, so that the schemes—as they are seen to be successful—expand throughout the country.

My main plea concerning conditions of properties is that we should look to the future and make homes more environmentally sustainable. Some elements of sustainability are included in existing building regulations. Part L relates to energy efficiency, and part M relates to life-long standards and disability access, each of which is under some criticism. Part L is already outdated and part M, even though it was effective only from 1999, is already the subject of criticism. I saw some research findings from the Joseph Rowntree Foundation suggesting that there is wholesale ignorance or wilful disregard of part M standards, both by local authorities and developers. That is a worrying piece of research to read.

I hope that the Minister will reassure us that his Department is determined that existing building regulations will be properly enforced. Going beyond those regulations, the Building Research Establishment has done some excellent work in developing eco-homes standards. A good physical example of such eco-homes is the BedZED project, and we are all receiving invites to see it. I am sorry that I have not been yet; I want to go. It would be helpful to develop such schemes throughout the country so that they would be showcases of success. I would like to volunteer my area of the country for a pilot.

I congratulate WWF, which has a campaign promoting sustainable homes. Like myself, it thinks that there should be eco-homes demonstration sites throughout the country. It is trying to interest investors in taking an interest in investing in such developments, and it is looking to launch awards for good practice in that area. Next year, it hopes to sponsor jointly with the Housing Corporation a web-based toolkit of good practice. The urgency for such work is clear from a report produced by WWF, called "One Planet Living in the Thames Gateway". I took notice of the very first sentence:

> "If everyone on the planet were to consume natural resources and pollute the environment as we currently do in the UK, we would need three planets to support us."

That is a pretty frightening statistic. Does the Minister agree that we could update our building regulations to concentrate more on eco-homes standards? Is it right that that requires primary legislation? Is it right that the Minister and his Department want to set up a sustainable buildings task group to sort out the new building regulations, and if so, is it not time that such a task group was established? Having spoken to many people involved on all sides of the industry, I find that there is a great desire for things to move forward quickly, and everywhere I go I am told that people are not doing so because the Government are not acting quickly. Please can the Minister pay some attention to that? It is pretty urgent given that the Government are committed to such a lot of new building in the near future, including in the Thames gateway. It would be nice to think that we could build the next great developments to eco-standards.

I do not want to say more about housing conditions, but there is one point that the Minister did not mention when talking about the items that he rejected for inclusion in the Housing Bill: the situation of people who live in park homes. The subject has been well investigated, and the Government have accepted that existing legislation is inadequate. Retired people put their life savings into buying a park home, which they locate on a site where they must pay a licence fee. Existing legislation does not protect them from harassment, abuse of their rights or overcharging for the utilities that everyone else takes for granted, as long as they pay their bills. It really is time that such people had better protection. My plea is that the Housing Bill is a good opportunity to give them the modern law that is needed.

I want to mention several items in connection with making the market work better. I am concerned about the inability of young people in rural areas to remain in the communities where they grew up. They cannot do so because no affordable homes are left in their villages. My concern is shared by the communities themselves, all the councils—from parishes up to counties—the Country Land and Business Association and the Countryside Agency, representatives of both of which I met recently, and many others. There is a need for more intense effort to deliver more affordable homes and more homes generally in rural areas. I know that the Government have reviewed PPG3 and have recently completed consultation on the exceptions policy and whether to replace it with a new land-use planning designation of social housing. However, I ask the Minister to recognise the urgency of providing ways to deliver more homes in rural areas. With the development of quality town and parish councils, this could be a really good time for a renaissance of power and respect for those councils. If every one of them could be encouraged and required to carry out village appraisals and design statements for their areas, local communities might join in with the spirit of ensuring that there is enough housing in their area.

The appraisal of present options for council housing has just reached Stafford. The council is appraising its four options—or is it really only three? It cannot afford to reach decent home standards for council housing by 2010, and the Government will not say that it can have any extra resources to bridge that gap. Are people really being told that, practically, there is a choice of only three? I am a little worried about that approach. In Stafford, as in some other high-profile cases, the tenants like the council and its housing management enough to vote against a transfer. It would be embarrassing if people were told that they had chosen an option that they could not have. I would like the Government to be a little more sympathetic towards good councils that want to continue their council housing. At the strategic level, council housing is important as part of a diverse housing market and can act as a restraint on house prices rushing ahead. It is a social service for those who cannot afford a home and is popular with some people. I would like it to survive.

The Minister and I exchanged a few words about home information packs. I support the project as a consumer protection measure, but there are warnings about the difficulties. One is that there will not be enough surveyors. It is curious that people seem to want to turn away business. I would have thought that they would want to develop capacity. There are complaints about the cost, but I would have thought that the market would quickly develop to include options for sellers to have the cost added on to their mortgage and paid off when they sell their home. I would be surprised if cost was genuinely an objection.

I met representatives of the Council of Mortgage Lenders last week, and I am concerned about the attitude of lenders towards the surveyor's report. It is clear that they still want their own report to assess the good value of the security for the money that they lend. I like to think that they would be a little more co-operative, ensuring that they take account of the house condition report in the home information pack so that they can reduce or scale back the requirements for their own valuation report.

In the past, a lot of people mistakenly thought that because they paid the lender for a report, they had a report that guaranteed that everything was all right with their property. In fact, all it guaranteed was that the lender had good value for their security. Those people were not necessarily protecting themselves. I found many examples in my casework of people who many years later discovered that something was defective about their property or the area in which they lived, which then could not be put right. That is why I support the measure as a matter of consumer protection.

Several hon. Members *rose*

Mr. Deputy Speaker: Order. I want to help the Chamber. I wish to call the winding-up speakers at 5 o'clock at the latest. I am under the impression that something like four Members want to catch my eye. They can do a simple mathematical sum so that they know how long they each have to speak.

4.15 pm

Siobhain McDonagh (Mitcham and Morden): I did not anticipate that I would be called at this point, but I will be happy to make my points briefly. They may be controversial to some of my hon. Friends, but I have been able to make them personally and directly to my right hon. Friend the Minister.

To make the market work, particularly in my area of south-west London, the Government and public need to expand the possibility for low-cost home ownership, whether outright or through shared ownership. My right hon. Friend the Member for Darlington (Mr. Milburn) made an interesting speech only last weekend. He identified home ownership as something that was not only desired by the majority of people in this country, but was an important force for social mobility. Home ownership leads to a greater likelihood of remaining in one's home for longer, to greater educational opportunities for one's children and even, surprisingly, to a greater likelihood of marriages lasting longer.

Mr. John Hayes (South Holland and The Deepings): I am interested to hear the hon. Lady's comments, and I agree with her. On that basis, she will presumably acknowledge that the right to buy was a staggering success, and that its continuation is imperative in ensuring that home ownership of the kind that she describes, with all its virtues, continues into the future.

Siobhain McDonagh: I have to accept that the right to buy has been a great success, allowing estates to mature and allowing working-class people opportunities that they would never otherwise have had. I am disappointed that the money gained through the sale of homes was not reinvested to provide more homes. That was a major error in the plans.

I do not accept that council tenants and social tenants should be responsible for the housing of people on the lists. We have to increase supply. Figures suggest that one would need an income of at least £54,000 a year to get one of the cheapest homes in London. That is outside the best efforts of most of the people that we know. Last week, I made notes from my weekly advice surgery on the sort of housing problems that were identified. Nearly all involved people who would like to buy a home but cannot afford to. They included a couple with an income of £28,000, and two nursery nurses who work in a local school who, together with their partners, have incomes in the region of £26,000 to £30,000. They cannot take the first step on the ladder.

Although such incomes are not low in relation to the rest of the country, they still leave buying a home outside the scope of buyers in an area of London that is far cheaper than most others. I urge the Government to look at increasing the supply of shared-ownership houses, particularly in outer London and south-west London. Shared ownership offers an option for people who cannot take the first step. Making the first step is what is most important. It allows people to see that their lives will get better, and that they can take the next step. That is important not only for people who live with family or friends, but for people on estates.

I have spoken to the Minister about my constituents who live in housing association homes on large estate and who desperately want to buy their homes and stay there and who want to contribute to the community. They see housing prices going up everywhere else and feel that they are letting their children down by not being able to move off the estate and buy.

[Siobhain McDonagh]

I do not want to let down my constituent Donna Neblett, who runs the south Mitcham community centre on the Phipps Bridge estate, and who is a south London family housing association tenant. She and her husband Trevor desperately want to stay there to continue the voluntary youth work that they do, to bring their children up and to send them to the local schools, but they feel that they have no option but to move out because they cannot buy where they are. I do not want to let down other people on that estate, many of whom work at the immigration and nationality directorate, who find that their options are cut off. Despite working a full week and being on an average salary, home ownership is out of their grasp.

I welcome today's home-ownership report. I am sorry that I have not had the opportunity to read it in detail, but I hope that it contains exciting possibilities for people to get on to the home-ownership ladder.

4.20 pm

Mr. David Drew (Stroud): I am delighted to take part in the debate under your chairmanship, Mr. Deputy Speaker, and with the Minister. I am afraid that my remarks will be brief as I have to leave slightly before the end to catch a train, but it is important that we bring a number of perspectives to the debate.

I was going to argue that housing in rural areas is a fundamentally different issue from that for some of my colleagues here from urban areas, but it is interesting how common themes arise. My hon. Friend the Member for Stafford (Mr. Kidney) spoke with great authority about his area and about the mixed housing issues of some urban areas, not the big urban conurbations, but those areas with a rural hinterland around them. He rightly emphasised some of the issues that I wish to touch on, and my hon. Friend the Member for Bethnal Green and Bow (Ms King) outlined some of the problems that she faces. They are the same problems that we face in rural areas, but on a different scale.

I will start with large-scale voluntary transfer, although I will not spend long on it as that would be improper. We are undergoing a ballot, so it would be most inappropriate to go into the details, but I must say that it has been a most divisive process. It has brought out the worst aspects of how campaigning can get the better of finding the best way forward. There should be genuine choice, but many tenants who have come to me feel that their choice has been at least restricted, if not taken away.

I will take up some of the issues of transparency and openness, because people have felt overwhelmed by the number of arguments. I have brought that point up before, but the way that the issue has been slanted on both sides has not been helpful. I know that I have taken a clear position, but we need to consider the process and get the best outcome rather than the one that has been most heavily weighted in a certain direction.

Jon Trickett: On the question of stock transfers, has my hon. Friend had the same experiences as I have? Elderly people who have no right to buy and who live in allocated houses fear that they will be stampeded by a majority yes vote. Those who vote yes will still retain the right to buy, but elderly people who feel trapped in their homes may then be transferred to a new landlord, whom they voted against, and they will not have the option of the right to buy. That is a particularly difficult problem and, as my hon. Friend just stated, it is very divisive.

Mr. Drew: I will not repeat that I think that the process is divisive, but the arguments that my hon. Friend has advanced are certainly some of those that I have come across. It is all linked to issues such as the right to buy. I was on a council that propagated right to buy before it became the Conservative party's official policy, I have never been agin it, but I am agin the fact that, as my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) said in response to the Conservative spokesman, the money obtained was never reinvested. That is where the scheme went wrong, and in rural areas in particular it has resulted in a form of social exclusion. A small number of council houses used to be available in every community in my constituency, but they have, virtually to a house, gone. That has excluded those communities from an important provision for ever.

My hon. Friend the Member for Stafford touched on a number of issues in the rural domain. My hon. Friend the Member for Bethnal Green and Bow talked about market failure in urban centres, and it is fair to say that there has been a market failure in rural Britain. The affordability index in the Joseph Rowntree Trust's research shows that many people are now completely excluded and cannot move to, let alone live in, rural Britain. That is not acceptable, and with the paucity of rented accommodation, the situation has been made that much worse.

It would take too long to analyse fully such a complex subject, and many people have done it much better than I have. However, the main issues are land availability, the planning process and the funding mechanism to make housing affordable. I am pleased that the Government have grappled with the planning process. My right hon. Friend the Minister put his finger on the problem when he talked about the important consultation on exceptions policy and whether we should move away from that. He covered that point, however, so I shall say no more about it.

There is a problem with the method of funding in rural areas. Much as I welcome the communities plan, I should like my right hon. Friend the Minister to say something about the rural dimension. We feel that we are still at the margins somewhat, which is perhaps inevitable given the scale of the housing problem that the country faces. We need to hear more about how to get affordable housing in rural areas, because the issue is not only about choice, but about providing both a balanced country and, dare I say it, a balanced economy.

The problem that my hon. Friend the Member for Bethnal Green and Bow mentioned is the same in rural areas. People cannot afford to live there. Where do the social workers come from? Where do the police live? They cannot afford to live there and it is not sustainable in the long term for them to travel 50 miles to do the job. We must do something about that.

There is still disappointment that the local authority special housing grant was removed—there was even a delay in the removal. We need clarity on the current

situation. There has been no demand to reinstate the grant, because we accept that we are now part of the communities plan, but we need graduation towards the help that is needed, but that has not been forthcoming. Moira Constable of the Royal housing trust, who is an ally of mine, has sent my right hon. Friend the Minister a letter, although it was not written on my behalf. The trust has done some wonderful work on housing and has called for clarity on where the revenue streams will come from. The answer is not yet clear.

The other issue that needs to be addressed is the link with key worker housing. The price of land has taken us away from how we normally provide housing. I hope that the Government will be innovatory in considering that key problem. As much as I would like the existing choice to be broadened, we must look at some new ideas, one of which must be some form of community land trust. I will not bore hon. Members with the details, but, for those who want to read more, I draw their attention to the fact that, in the last few weeks the New Economics Foundation issued a good report at an event that I was pleased to host, called "Common Ground – for Mutual Home Ownership". It argues that if the land can be owned communally, and if people can be given the opportunity to have a stake in it by paying rent but can also benefit from the value of the appreciation of the land, they can see themselves gaining advantages that they are denied under council home ownership. They are locked into what I like to see – a mutual, co-operative solution that has many merits. It is new to this country, and it can work in urban areas, but we are especially interested in how it can be applied in rural ones.

I am pleased that one of the trial areas is my constituency, which has an acute problem with the affordability of housing. I hope that my right hon. Friend will listen to future lobbying and will read the report to see whether it is applicable. It has merit, but it needs to be properly analysed to see whether it can break through the terrible problem of the high price of land and therefore of housing.

My hon. Friend the Member for Stafford identified park homes as a problem. I totally concur with what he said. I hope that there is a way of dealing with this problem under a new housing Bill, because park home estates are a real difficulty. We all have them in our constituencies, and people want answers. We have given them many promises and told them what needs to be done, and what could be done, but we must now come up with answers.

We are discussing ways in which we can improve housing, and I understand that we cannot discuss everything in such a short debate, but I spend a great deal of time examining one issue that we have not yet touched on. However, the fact that older people tend to live in older properties needs to be addressed. Much of that property is substandard. If we are to overcome the problems faced by older people and do what we can for them, as we discussed during cross-cutting questions, we must ensure that housing is at the centre of health care provision. It is, dare I say it, central to a good quality of life. One of the ways in which we can do that is by ensuring that we invest properly in property for older people.

For more than a decade, I have been proud to be associated with Care and Repair England, which was set up to improve homes. Care and Repair England, along with other organisations, will often carry out the most basic tasks such as replacing plugs, ensuring that light bulbs work and installing smoke detectors. It sometimes does more substantial work by contracting that out to other agencies. We should not underestimate how important all this is, but it will not solve the problems of older people and their care needs on its own. Housing must never come third in the list of priorities, because the issue is often related to why people are readmitted to hospital.

Mr. Hayes: The hon. Gentleman is right. As he will know, I took the opportunity in cross-cutting questions to draw attention to the plight of older people and their housing. Although the solution might not be quite so simple, he was also right to suggest that by assisting elderly people through the sort of services that he mentioned and by adapting their homes, they can often stay in their own homes and retain a dignity and an independence that is not usually allowed them. Does he not agree that we need to be much more ambitious in the ways that he described?

Mr. Drew: I totally agree. That is the only way to avoid the bottomless pit of moneys that will be required if we continue to have only one answer. We must find other ways of allowing people to stay in their own homes if they so wish, but they must be safe. Those ways can include new ideas such as telecare and telemedicine, which are as important in rural areas as they are in urban settings. More important, we must ensure that the strategy is cohesive rather than an ad hoc part of community safety endeavours, which it has tended to be. Again, the Government deserve to be congratulated on driving the agenda.

Many good things are going on, but much more needs to be done. I hope that my right hon. Friend will listen to some of the new ideas, which are desperately needed to crack this highly emotive problem. Housing has moved to the top of the agenda for rural Britain. It has overtaken transport, which was on its own five years ago as the problem we had to crack. It is a political issue but, with the right policies, I am sure that we can do a great deal to solve the problems.

Mr. Deputy Speaker: We have had a good geographical spread of speakers, and I am now delighted to call Dr. Brian Iddon, a Member from the north-west.

4.35 pm

Dr. Brian Iddon (Bolton, South-East): Thank you, Mr. Deputy Speaker. I am pleased that in this Parliament, unlike the last one, housing is high on the agenda. It is not as high on the agenda, nor are the resources for it as great, as some of us would like; nevertheless, it is in the ascendant. I congratulate my right hon. Friend the Minister on his ministerial position. I like a person who smiles a lot, because it radiates hope, and I am hopeful that we will continue to make progress as long as he has that job.

Let me first make a few points about the private sector. I have some fears about the thrust towards owner-occupation. In my town we are absolutely saturated with owner-occupation, which stands at 70

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per cent.: I understand that the national average is 65 to 67 per cent. In some cases, owner-occupation is unsustainable. I congratulate the Government on the present low interest and mortgage rates, which have made a very positive contribution. I hope that they stay low. However, if they do not, I fear that hundreds of thousands of people will be caught out by increased mortgage rates. I have a feeling that people are borrowing well above their capacity, in order to buy a house.

Of course we all aspire to home ownership. I put my hand up, as I too am an owner-occupier—but I can afford to be one. Indeed, my mortgage is paid off, but some people are in a much more difficult position, with mortgages well out of the range for their earnings—or joint earnings, for a couple. That nettle has not been grasped by any Government.

Siobhain McDonagh: Does my hon. Friend agree that other European countries, including Ireland and Holland, as well as others that I cannot recall at the moment, have a substantially higher proportion of owner-occupation? The United States, too, has a higher rate of ownership. The present structure of mortgages and home ownership does not mean that innovative ways cannot be found to make purchasing more possible and home ownership more secure.

Dr. Iddon: My hon. Friend makes a good point. But the history of owner-occupation in this country shows that things have not always been as they are now. We ought to prepare ourselves to enable people to move in and out of tenures much more easily than has been possible in Britain. For example, if owner-occupiers—or perhaps hundreds of thousands of them if there is an economic crisis, which cannot be ruled out, regardless of the party in power—get into difficulty, why can we not persuade building societies, and especially registered social landlords, to take over ownership of the homes but allow the people to stay in them? Surely we could be a bit more radical with housing policy, so that people do not descend into disaster if there is a sudden change in economic circumstances.

I am worried about the saturation point of owner-occupation; and I am also concerned that people buy homes without realising how much the maintenance will cost. That is especially true for older properties, although new properties have their difficulties, too. People who can just about afford the mortgage move into older properties, and then when the roof trusses go and the whole roof has to be replaced, the family faces economic disaster. Building societies and local authorities do not give enough advice to people about what it will actually cost them to pay for not only the utilities, but the maintenance of a home. Owner-occupation is not all plain sailing, although, as I said earlier, we all aspire to it.

Turning to the subject of houses in multiple occupation, I thank the Government, and my right hon. Friend the Minister for helping Bolton when it was in a very difficult situation. A few years ago, the police put a lot of effort into clearing prostitution out of a commercial area; the only trouble was that they drove the prostitution over a main road into a residential area, merely displacing the problem.

The residential area is a lovely place called the Haulgh. Fred Dibnah, the famous steeplejack, is a resident, and he lives in a nice cottage called the cat cottage. It is not a stereotypically run-down area; it contains some very nice properties. In one corner of the Haulgh, there are some very large three and four-storey Victorian houses that have been broken up into flats. Police pressure drove the prostitution and the associated drug taking and antisocial behaviour into those flats.

Bolton council had an innovative scheme for enveloping the flats, because they were ready for refurbishment and some were in a terrible condition. The problem was that one landlord who owned a substantial number of flats would not pay his whack, so the scheme was going to fall through. The residents of the Haulgh, Greater Manchester police, Bolton local authority and I all pressed the Government to help us with that difficult problem, and a Government pilot scheme for tackling antisocial behaviour is now in place. With Greater Manchester police, the local authority and, in particular, the efforts of the local the residents association, we are starting to turn that area—or at least, that corner of it—around.

I look forward to seeing the Housing Bill. I hope that it will be in the Queen's Speech on 26 November, and that we can get to grips with some of the issues that we are only flagging up today. I want to license HMOs. Some landlords do not take their responsibilities seriously, although the vast majority are okay. As in any difficult situation, a small minority are spoiling the barrel. Some residents live in very unsatisfactory conditions, with heat escaping through windows. I am a great advocate of energy efficiency and we must put in more work to provide warm homes in the HMO part of the private sector.

In my town we have more than 20,000 unfit owner-occupied houses. Even with increased investment in Bolton, houses are becoming unfit for habitation faster than we can improve them. It is not surprising that in places such as Burnley and in many of the industrial towns on both sides of the Pennines people have been voting with their feet and leaving.

The houses are more than 150 years old, which in terms of Victorian and Georgian buildings does not sound very old, but those houses were not built to last. They were built largely by factory owners, who used the brick-on-end method, with inner and outer skins touching, and common attics that were, and still are, an absolute disaster if fire breaks out. It flashes through the attics and sets the other houses on fire.

I have argued with previous Governments, and the present Government, that the only way to deal with such areas is to free up some green space, introduce the best schools to attract people in, and knock down some of the properties. I am not suggesting that we ruin communities as we did in the 1960s and 1970s. When I joined Bolton housing committee in 1977, the housing clearance programme consisted of 1,000 properties. When I took over as chairman in 1986, I killed the clearance programme, because there was no money for it; now it has returned, but only street by street. In pathfinder areas such as Burnley, and in towns that might have been pathfinder areas, such as Bolton and Blackburn, we need help to clear clapped-out properties

in a sensitive way. If we do not, people will continue to leave those areas and we will not succeed in maintaining communities.

However, this issue is wider than just housing in pathfinder areas. It is about the infrastructure; it is about accessing a dentist, a doctor or a good school. If the infrastructure is not right, even if the houses have been improved, people will continue to leave those areas. I am pleased that the Government have created the pathfinder areas; they are experiments and I hope that they will be successful. I also hope that that success will be extended to similar areas in my town.

I am also in favour of sellers' packs, now known as home information packs. The figure of £600 sounds like a lot of money to assemble one of the packs. In fact, that is a lot higher than the figure given when we discussed the issue in a Standing Committee on a Bill that fell in a previous Session of Parliament, but I still support the idea.

I served on the Committee on the Water Bill, and was amazed to hear from colleagues, especially those from the midlands, that so many private sewers are to be adopted under that Bill. That will cost the Government a lot of money. I commented that I was surprised that the solicitors conducting the searches for people buying the houses had not flagged up the private sewer issue for them. It is important, especially with older housing, that all the information about the history of the house be in the sellers' packs. People should not have to pay again and again to do the same search to find the same information—and in some cases the information is not found, because a poor solicitor has been employed. Sellers' packs are similar to MOTs on cars. We know the history of the car from its MOT, and similarly we will know the history of the house from the seller's pack.

Mr. Kidney: I did not want to interrupt my hon. Friend's flow about home information packs, but I must tell him that the Government have inserted a provision in the Water Bill, so that if they decided that water companies should adopt more private sewers, the legal provision would be there. My hon. Friend said that, through the Bill, the Government are to make those sewers publicly owned, but we have not done that.

Dr. Iddon: I am grateful to my hon. Friend for correcting me. He is right, and I apologise for misleading the Chamber.

I shall talk briefly about tenancy deposit schemes. A strong message must be sent from Parliament to landlords. If landlords continue to rob the poorest members of society of their deposits when they have done nothing wrong in the house, and have not broken anything or missed any rent, they deserve what they get. A small percentage of landlords are ruining things for the rest, but that is what happens when a small number in any group causes problems. We are under pressure to legislate. It would be nice if we did not have to legislate, but if landlords do not behave themselves and do not repay tenancy deposits to people who are eligible to receive them, we will have to do so.

There is another option. Several years ago it came to my attention that many people in Bolton were being asked to pay so-called key deposits. People had to put a deposit down before they could pay their first week's, fortnight's or month's rent, but many poor people do not have that kind of money. Somebody suggested that I, as chairman of the housing committee, should set up a bond board, based on an Australian model. The housing committee still supports the bond board, which has to raise a considerable sum through charitable donations. The bond board pays the landlord a tenancy deposit to secure the property. The tenant does not pay the bond; the bond board pays it.

The bond board also follows the tenant and gives them any help that they may require to maintain the tenancy, but if the tenant leaves the private rented property there is an interest in getting the money back, because if nothing has been broken, it can be recycled. I am a great advocate of bond board schemes, of which there are not enough in Britain. The bond board that I started in Bolton was one of the first in Britain.

I have already mentioned to my right hon. Friend the Minister the Commonhold and Leasehold Reform Act 2002. It contains a section on nominated insurance, which is a common problem in the north-west, and particularly in my town, Bolton. When someone pays ground rent, some deeds give the owner of the ground rent the right to nominate an insurance company with which the property and its contents must be insured.

Many people have complained about companies that graze ground rents—my hon. Friend the Member for Brent, North (Mr. Gardiner) introduced the expression, "ground rent grazing". Such companies buy thousands of ground rents at auction and try to extort money from the people who pay the ground rents. The ground rents are worth about a fiver, but each time such companies write a letter they seem to stick on an administration charge. The main reason why they buy ground rents is to exercise their right to nominate an insurer, from which they get commissions. The insurance company involved used to be AXA, but in my town it is now Norwich Union.

We put a section in the 2002 Act to make that practice illegal, but that happened many months ago. Will my right hon. Friend the Minister examine implementing the 2002 Act, because the constituents whom we have told that that battle has been won cannot understand why they are still being exploited through the nominated insurance wheeze?

4.52 pm

Matthew Green (Ludlow): This has been a good debate, and I shall try to be positive. I usually try to find solutions and outcomes rather than just discussing problems—I leave that to the Tories.

First, I shall consider low-demand housing areas and market renewal. Liverpool is a growing success story. It is classified as a low-demand area, although in parts of Liverpool house prices are rising faster than in any other part of the country. When research was conducted in Liverpool about what people look for when they buy a house, the researchers quickly discovered that the last thing people look for is the house itself. People are far more interested in the area in which a house is located and, more importantly, how close services are. People with children look for a good school while the elderly or

[Matthew Green]

infirm look for local health services—the important factor is the neighbourhood area. The approach in Liverpool has been to recognise that a city is more than just houses; it is a collection of neighbourhoods. One renews housing in a given area by making each neighbourhood fit for purpose, and hon. Members have already touched on that point.

Secondly, the researchers realised that one problem with low-demand housing areas is their image, particularly the image of Liverpool. Considerable work has been done on improving that—successfully, in that the city has been designated European capital of culture 2008. That has contributed to a renewal in the housing market: unwanted houses have been cleared and new neighbourhoods have been set up, with the effect that house prices are increasing faster than the national average.

Both Liverpool and Manchester have set clear targets for expanding their populations, which had been in decline. They look to take 100,000 more people between them in the next 15 years. That is important, because bringing people back into the cities will reduce the pressure on the green belt. That has an impact well beyond the economic well-being of Liverpool and the surrounding areas. When success occurs as a result of vigorous local council activity, particularly that of Councillor Richard Kemp, the lead on housing, who is involved with Local Government Association housing issues as a result of his success there, as well as—I do not deny it—help from the Government, it behoves us all to find out how it can be helped to happen in other parts of the country.

Renovation has been mentioned. When somebody renovates an existing property, he has to pay VAT on the products used, whereas if he builds a house anew, he does not. It would be perfectly possible, under European Union regulations, to equalise the VAT, reducing it for renovations—perhaps to about 6 per cent.—and introducing it for new build. That would not increase the amount taken out of the housing market by VAT, but would remove the disincentive to renovate properties and to reuse them. It would also help to reduce pressure on the green belt, something that many of us would welcome.

The biggest issue for the housing market in many areas is affordability. The problem affects not just London and the south-east, but rural areas, particularly my constituency. Just over a year ago, I became the owner of a small two-and-a-half-bedroom cottage, right at the limit of what I could afford on an MP's salary: in Shropshire, that is an outstandingly good salary; it may not be the case in London, but in Shropshire, an MP is among the highest-paid people in the county. I could just afford to get into the housing market on a maximum mortgage on that cottage. One year later, I could not have afforded that same property. House prices in my constituency are driven by people retiring from London and the south-east, selling properties for £300,000 or £400,000 and saying, "What a lovely cottage, we'll buy it for a quarter of a million pounds." The effect is that local people, for whom £15,000 a year is a good salary, have no chance of getting on to the property ladder.

We need to make houses affordable to live in, by considering building regulations. Much more could be done to ensure that homes are built to zero or near-zero energy standards. We heard about BedZED. I have helped to initiate a similar scheme in my constituency called the Craven Arms sustainable community. It is a live-work scheme and uses near-zero energy. It maximises daylight, just as BedZED does. It also minimises the use of energy, and that which it does use comes from green sources. Much can be done to minimise water usage. I recently opened the show home of the Wintles development in Bishop's Castle; it is an entirely private sector-driven eco-development that I hope will be very successful. The Government should be doing much, such as using building regulations, to make such houses standard. The CASCOM project estimates that building such houses, which look like conventional houses—they do not look odd at all—will cost only £3,000 or £4,000 more for each three-bedroom property than it would cost to build a conventional house. That is without the mass market: if more homes were built to those standards, that cost would come down. The argument against eco-standard housing, which is that it will cost too much, is frankly wrong. I urge the Minister seriously to consider introducing such regulations.

The Minister should talk to other Ministers about putting combined heat and power into properties. There have been improvements in boilers, and new condensing boilers will be introduced in 18 months. We are only a few years away from seeing combined domestic heat and power become commercially viable in properties. That, combined with net metering, would maximise energy use in the 70 per cent. of homes that are on natural gas. In 15 years, we could replace nuclear energy with the electricity produced through domestic combined heat and power by replacing boilers. We should realise that vision. It would have a dramatic impact on the affordability of homes, because it would seriously reduce the cost of heating and lighting homes. If we allowed net metering, we would also make photovoltaics and other forms of green energy more affordable. They are currently not affordable but are made because of a commitment to the cause of green energy. They would be more commercially viable.

We are short of homes to rent because we have not built enough and the right-to-buy scheme decimated housing stocks in areas where demand was highest. They have virtually all gone, not just in London but in rural areas, where there are desirable blocks of four and eight houses. Because of the right to buy, virtually no social homes are left in large parts of my constituency, unless they have registered social landlords. The Government have made some welcome changes, but they should let local councils decide whether there should be subsidy on right to buy. Local councils are best placed to decide what effects right to buy has had in their areas. In some areas, we should encourage right to buy, such as mixed-tenure estates that have not been fully developed. In other areas—not just London and the south-east—the scheme has decimated the housing stock. The Minister should consider making councils' ability to choose where right to buy happens more flexible.

We should get people on the housing ladder. We need to give tenants, either of council properties or registered social landlords, the right to invest. That is the

equivalent of shared equity, which currently happens where a set of properties is developed as such. I recommend that any council tenant or registered social landlord tenant should have the right to buy a proportion of their property—but not the whole lot. They would pay part rent, part equity and when they wanted to move on, they would sell either to the council or the RSL. That would allow them to keep pace with the housing ladder before they get off it without losing such homes from the social sector. Interestingly, the right to invest, which was introduced by the Conservatives in the early 1980s, was dropped because they also introduced the right to buy. Because right to buy was so heavily discounted, everyone took that rather than right to invest. Before the Conservatives start rubbishing it, it is worth remembering it was one of their ideas.

We must also look at producing a sector of housing that people own completely, but which stays affordable. One problem with building more starter homes is that they are affordable for the first person, if they are limited to people who live or work locally, but after that they are lost. When they are sold the second time, the price has raced up to the market values.

The Minister knows about the south Shropshire scheme, because I have discussed it with him before. It used section 106, the so-called golden share scheme, which allows people to own their properties in their entirety but means that when they come to sell, they are price limited. In effect, people purchase the property at its build price, so land is taken out of the equation. When they come to sell, they can do so only at an agreed growth rate. The Minister should look at that, not least because it could be used in the Thames gateway to solve the problems of key workers, particularly if the Government consider moving away from their preferred option of 30 per cent. affordable housing on sites of 19 houses or more towards a 50 per cent. affordable rate on sites of two or more houses, as has been done.

I could say much more. The Government need to look at four areas in the proposed Housing Bill. We will certainly try to bring them in. First, the exemption of student properties or any property containing a student from houses in multiple occupation licensing is unacceptable. Secondly, the Bill provides the ideal opportunity to introduce a tenancy deposit scheme. We will try to do that, but I am glad to hear that the Minister is considering something along those lines. Thirdly, we heard about overcrowding from the hon. Member for Bethnal Green and Bow (Ms King), and the Bill gives us a good opportunity for a better statutory definition of overcrowding. Finally, the Government have not shown sufficient interest in dealing with the issue of park homes. I have attempted to be positive in covering a range of issues, and I hope that the Minister will respond in a similarly positive light.

5.7 pm

Mr. John Hayes (South Holland and The Deepings): I thank the Minister for his kind words when he welcomed me to my new role. He is a diligent Minister and a decent man. I look forward to exchanging some friendly, and some less friendly, comments over the coming weeks and months. I will not rubbish anything that the hon. Member for Ludlow (Matthew Green) said. That would be cruel. Politics is about both the positive and the negative. It is about cut and thrust. It is about opposition, attack and defence. He will learn that as he becomes more experienced in the House.

The issues that we can deal with first are those on which we agree. The Minister was right to say that the protection of housing for vulnerable people must be a key priority for all parties. He was also right to say that a supply of affordable homes is another key priority. He went on to talk about the effect of antisocial behaviour on the quality of life of people living in some of our most deprived areas, and of the Government's determination to deal with that. He talked about raising the quality of the housing stock, and we would all agree that that is essential.

The Minister and other speakers talked about the link between poor housing and poor health. I noted the comments of the hon. Member for Bethnal Green and Bow (Ms King), who made a powerful case. I agreed with her about overcrowding, and I tried to intervene to say so. The most worrying thing is that it is a growing problem in certain areas, and, as she will know, it is concentrated in some of our poorest communities. We are in the ironic position that many large homes in the leafy suburbs are under-populated while crowded homes are concentrated in the poorer areas. The hon. Lady was right to draw attention to that, and I congratulate her on having done so.

It is also right to say, as many hon. Members did, that an appropriate balance has to be struck between landlord and tenant. I particularly noted the comments of the hon. Member for Bolton, South-East (Dr. Iddon), who made that point forcefully. We look forward to hearing what the Government will say about that in the Housing Bill. These are always difficult areas. There is always a tension between the various interests, but it is appropriate to move forward in the kind of spirit that the hon. Gentleman articulated. We will no doubt discuss that at greater length over the coming weeks and months.

Let me start with the negative stuff and then move on to the positive stuff. I do not want to frighten the hon. Member for Ludlow too much, as he is a sensitive soul.

I start by putting the matter into context. Homelessness has soared in England by 12,000 since 1997: those are not my figures; they come from the Office of the Deputy Prime Minister. The latest available Government figures show that the number who are unfortunate enough to be in bed-and-breakfast accommodation has trebled under Labour, and that since this Government came to office, completions of new social houses have fallen by about a third.

The Government admit that their house-building targets, assessed in 2001, are not being achieved, and that house prices have risen beyond the reach of many households, and we must acknowledge that in some respects—I do not want to overstate the case—there is a real crisis. It is exacerbated by regional and local difficulties, some of which have been elucidated in the debate. The picture is not universal, but in some parts of the country there is a massive problem in terms of the balance between supply and demand, the affordability of houses and the decline of the stock.

Against that background, the Government's plans for house building were roundly condemned by the Select Committee. It is worth reminding hon. Members of

[Mr. John Hayes]

some of the comments made in the Select Committee report to which the Minister referred in his opening remarks. It stated:

"The impact of such a housing programme"—

the Government's scheme to build 200,000 houses—

"on the environment could be unsustainable . . . the impact of developing so many homes in the South East, one of the most densely populated regions of Europe, had not been fully assessed."

It continued:

"The additional homes can place excessive demands on the environment leading to the loss of green field sites, excessive pressure on the water supply and other natural resources . . . The Government has yet to estimate the cost of providing the transport links, health care, education and all the other facilities which neighbourhoods require."

I note the comments that were made during the debate about the need to balance the demands of the infrastructure with those of housing provision. The report stated:

"The Government's objective to bring down house prices is unlikely to be achieved."

I could go on, but suffice it to say that the Joseph Rowntree Foundation said:

"If the current situation continues, there will be a property shortfall of more than a million by 2022 . . . We estimate that the difference between housing demand and supply will have widened into a yawning gap of 1.1 million homes in England alone by 2022: most of it in London and the South East."

Housing shortages will most heavily affect the poorest families, who cannot afford to buy houses and have little access to rented accommodation. Since 1997, a sharp increase in the number of homeless households housed in temporary accommodation has become a scandal. Subsidies to providers and consumers of housing have dropped in recent years.

Ms King *rose*—

Mr. Hayes: I am just coming to a point that the hon. Lady made in the debate. I will give way to her in a moment, although I am conscious that time is short. The debate is about both supply and quality, and I am dividing my remarks between those two categories. On the issue of quality, the hon. Lady made an interesting point about her own area, which I noted carefully. She said that 76 per cent. of council houses are not at a decent standard.

Ms King: Will the hon. Gentleman correct his perception that homelessness has grown under this Government? Does he accept that according to most people's definition of the word—people sleeping rough—homelessness has been cut by two-thirds under this Government because we poured huge resources into tackling it that were unfortunately not available under the Conservative Government?

Mr. Hayes: As the hon. Lady knows, homelessness is a complex subject. There is a way of measuring homelessness and a way of measuring priority homelessness. In fact, as she will know from her close reading of the Office of the Deputy Prime Minister's statutory homelessness table of August 2003, priority homelessness has risen, as well as homelessness as a whole. The hon. Lady is right to say that the Government have had some success in some of the detail, such as the rough-sleeping initiatives. However, she will also recognise that ongoing difficulties are associated with the inability of people to get into social housing or affordable housing. That is creating massive problems in providing children, families and some of our most vulnerable citizens with the housing that they need. I know that we will debate that subject further when we have more time.

Ms King *rose*—

Mr. Hayes: Forgive me for not giving way again, Mr. Deputy Speaker. The hon. Lady made some good points, which I acknowledge to some degree, but time is short, and I want to give the Minister the maximum time to deal with the issues that have been raised. I shall therefore summarise, by identifying several key issues.

The key to the market is recognising that high and low demand are two sides of the same coin. Housing markets are dysfunctional in different ways in different areas. As the hon. Members for Stafford (Mr. Kidney) and for Bolton, South-East said, that creates all kinds of social problems and tensions. It is right to say that it is a rural as well as an urban housing issue. I am well aware of that from my own constituency.

The first issue that I wish to raise is that of standards. Have we got the criterion for decency right? I suspect that it is inadequate. I am also concerned about policy coherence: have the Government given enough thought to how local authorities will meet their targets? Moreover, in relation to targeting, it is likely that the houses that will be the most difficult to bring up to a decent standard will be those in the poorest communities—the communities that are currently the worst. I am concerned that the Government's strategy will mean that the people in the greatest need will be the last to get help. The Government's plans are not adequate to tackle housing shortages. The Select Committee and the Government's own figures confirm that.

Earlier, I discussed homelessness—through you, of course, Mr. Deputy Speaker—with the hon. Member for Bethnal Green and Bow. It is a scandal that 750,000 houses in the UK are currently unoccupied, nearly 20 per cent. of them in the public sector. We must draw attention to that and plan to do something about it. The affordability of housing is a massive problem, which must be addressed. That can be done in a variety of ways, and the Minister should take into account some of the interesting remarks made during the debate.

There can be a measure of cross-party agreement on this issue. The concern expressed in this useful debate has been largely non-partisan. The Government have taken some useful steps, but have not yet got us to where we need to be. The Minister, under criticism and scrutiny from me, has another chance, but we will not let him off the hook. To do so would be to fail the House and to fail the people. The Government must do better.

Mr. Deputy Speaker: With the permission of the Chamber, the Minister of State will reply to this debate.

5.18 pm

The Minister for Housing and Planning (Keith Hill): Thank you, Mr. Deputy Speaker. I am grateful that that permission has been granted. This has been a genuinely interesting and good debate; it is perhaps a happier excursion than my initial appearance in this Chamber.

Housing and regeneration, as well as planning, are now genuinely high on the political agenda. Wherever I go, people say that there is a new buzz in the atmosphere, which is a reflection of the new level of resourcing and prioritisation that the Government have given to those areas.

My hon. Friend the Member for Bolton, South-East (Dr. Iddon) remarked upon my smiling visage. I am smiling because this is such a good area in which to be involved. I am sure that he would agree that my smile is more innocent and less sinister than my smile in my previous incarnation as deputy Chief Whip. I hope that I will be able to carry on smiling. I have been reminded again of the great expertise on such matters in this House, especially on the Government Benches. Many issues have been raised, and I shall attempt to deal with as many as I can, as systematically as possible. I give the undertaking that I shall write to my hon. Friends and other hon. Members in response to the specific questions that they have raised, including specific issues of constituency concern.

The hon. Member for South Holland and The Deepings (Mr. Hayes) made some thoughtful points at the end of his speech, which I shall consider carefully—although he was a little more vigorous at the beginning of his speech. I would make the point that homelessness remains considerably lower now that it was in the Tory years of the early 1990s. On the question of families in bed-and-breakfast accommodation, we are now on target to ensure that no family will spend more than six weeks in bed and breakfast by next spring. As my hon. Friend the Member for Bethnal Green and Bow (Ms King) pointed out, we have cut rough sleeping by more than two thirds since 1997.

We had more housing completions in the year 2002 than we did in 1980 or 1990—both of which, if I am not mistaken, were years of Conservative Administration. Indeed, we have had more housing completions in 2002 than in the year 2000. We inherited, as my colleagues pointed out, a colossal £19 billion backlog in arrears for the refurbishment, modernisation and repair of social housing. Already, we have brought 1 million social homes up to the standards of the decent homes target. Another half a million will follow by spring 2004. In an achievement that in 1997 many of us would have thought impossible, we are on target for all homes to meet the decent homes standard by 2010.

Mr. Hayes: I know that the Minister is scrupulous about being accurate with the House, and I have his Department's figures. In the first quarter of 1997, the number of those living in bed-and-breakfast accommodation was 4,100. In the first quarter of 2003, it was 12,200. That seems to me to be a rise by any standards.

Keith Hill: If the hon. Gentleman studies the overall figures for homelessness from the early 1990s onwards, he will find that the figure in this country remains considerably lower now than it was in the Tory years of the early 1990s.

I ought not to dwell on the evidence of the Government's success in this area, but I cannot resist it. In the next three years we shall be spending £5 billion on housing: that is double the level of investment in housing that we inherited from the Conservatives. We shall spend £22 billion on communities and housing during the next three years, which is an increase of 40 per cent. on current figures. I would point out that I have not even mentioned negative equity; I have not breathed a word on the subject. However, if the hon. Gentleman wants to play the numbers game, I am more than happy to join in. I do not suppose that this is the last time we shall dance a tango on this subject.

In the brief time remaining, I shall turn to the issues raised by my hon. Friends and other hon. Members in the course of the debate. My hon. Friend the Member for Bethnal Green and Bow raised the issue of key worker housing. Under the starter homes initiative, 9,000 key workers—such as nurses, teachers and police officers—will own affordable homes by the next spring, and 5,000 already do. We are committing a further £1 billion to that programme during the next two years, and we are working with other Departments to ensure that further large numbers of key workers in our essential services go into home ownership. My hon. Friend also asked about the decent homes target, and I have talked about our performance in general, but as she asked about Tower Hamlets, I shall add that I am aware that Tower Hamlets has placed a bid under ALMO 3—the third round of arm's-length management ownership.

We are investing a further £685 million of new private finance initiative credits to improve local authority housing. In addition to the £760 million already allocated, we are providing almost £2 billion for ALMOs over the next three years, which is a massive increase compared with the £460 million allocated in the 2000 spending review. Our new rate of funding improvements in the management and maintenance of council stock will mean that support will be £500 million higher in 2005 than would have been the case without that additional investment.

Many hon. Members mentioned tenancy deposit schemes. I agree that we cannot ignore that issue, but it needs to be considered in the context of the wider relationship between landlord and tenant. We have just received the Law Commission proposals on housing tenure, and my officials and I are now considering the recommendations in detail. I remain of the view that a tenancy deposit scheme can best be considered as part of the Law Commission's recommendations on a written agreement between landlord and tenant, but we will continue to take the representations of colleagues into consideration.

My hon. Friend the Member for Stafford (Mr. Kidney) raised many issues, including that of empty homes. He spoke about his earlier proposals for data exchange between authorities, and I am aware of the helpful LAWN scheme in London. In various parts of the country, especially London, choice-based lettings are providing a genuinely customer-oriented service to people who want to move within social housing. My hon. Friend mentioned the renovation of private

[Keith Hill]

sector homes, and 200,000 private sector homes will be brought up to the decent homes target by next spring.

I was grateful for my hon. Friend's support for the market renewal of the north Staffordshire pathfinder. Our investment over the next three years in the pathfinders will be £500 million, but he is right that this is not only about the physical regeneration of areas, but about uplift and renewal in skills. My hon. Friend the Member for Bolton, South-East also mentioned pathfinders, and it is worth remembering that the nine pathfinders cover some 50 per cent. of the areas identified as experiencing market failure. The £500 million is already being used for good purposes, and hon. Members will be aware that we recently announced £125 million for the Manchester and Salford pathfinder.

My hon. Friend made an acute point about the character of that regeneration. Last Thursday I visited Liverpool and the Bootle part of the projected Merseyside pathfinder, and people were saying that the scheme was not solely about the demolition of properties, despite the fact that it is easy to imagine that that would be the primary function of dealing with market failure. The Merseyside pathfinder proposes to demolish 20,000 properties, but intends to build 18,000 properties as well. It is about the revitalisation of communities and town centres, and of business opportunities in those places.

My hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) talked about low-cost and shared home ownership, and her concerns about our policy on the right to buy. We have met separately, and I am sympathetic to her proposals. The Government remain wedded to the principle of a right to buy, and we have no intention of revoking that principle. However, we have anxieties about opportunistic and commercial exploitation of that in certain areas. We know that, in London especially, there have recently been many improper purchases under the right to buy, and we are determined to remedy that aspect of the policy.

I shall conclude my remarks at that point and, as I said earlier, I undertake to write to hon. Members on the specific questions and constituency issues that have been raised.

Mr. Deputy Speaker: We are grateful to the Minister of State for his reply, and I repeat that, as he has stated twice, where he was not able to reply to hon. Members' points during the course of the debate, he will write to them.

It being half-past Five o'clock, the Motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Tuesday 18 November 2003

[SIR NICHOLAS WINTERTON *in the Chair*]

Zimbabwe

Motion made, and Question proposed, That the sitting be now adjourned.—*[Derek Twigg.]*

9.30 am

Mr. Deputy Speaker: This is a very topical debate. If Members show self- discipline, I am sure that everybody who wishes to speak will be able to do so. It is my intention to call the first wind-up speaker at 10.30 am.

Mr. Andrew Robathan (Blaby): Mr. Deputy Speaker, I shall show some self-discipline, although I have much to say. I welcome the opportunity, especially this week, to debate Zimbabwe, having discussed it in two forums in the House of Commons last week when we heard from many people, including representatives of the Movement for Democratic Change and the editor of *The Daily News.*

I particularly welcome the Minister. Although I suspect that he and I disagree profoundly about a great many issues, I pay tribute to the fact that he has built a career on the pursuit of justice, and I believe that this debate is about justice. More than two years ago, the Prime Minister said in his conference speech that there would be

"no tolerance of bad governance"

in Africa, including the activities of

"Mr. Mugabe's henchmen in Zimbabwe",

yet the situation goes from bad to worse and people in Zimbabwe are dying of starvation.

When Mugabe was elected nearly a quarter of a century ago, people were both surprised and delighted that he did not pursue the Marxism that ZANU-PF had previously espoused. We did not appreciate how fearful Zimbabweans were of a return to violence, which ZANU-PF had threatened if it did not win that election—perhaps that is why it won. In the early 1980s, we in Europe heard little of the activities in Matabeleland of the notorious Fifth Brigade, which emulated the North Koreans who trained it. It is estimated that about 20,000 Matabele were massacred.

Instead, in Britain and the west, we were pleased that Zimbabwe remained a country in which we could do business, where we could go as a tourist and in which we could hold a Commonwealth conference, as we did in 1991. It was a rich country, exporting food around southern Africa. However, by 1999 the economy was in crisis, and it was obvious to all that the Government of Mugabe was acting like a dictatorship: people were being murdered and farmland was being seized. By 2000, many of us were calling for an end to all aid to the regime. The Prime Minister's speech that I quoted was made in 2001, and the Commonwealth suspended Zimbabwe after disputed elections in March 2002.

Today, Zimbabwe has 70 per cent. unemployment and 460 per cent. inflation—difficult to judge, I would guess—fuel prices have risen six-fold in a year and the majority of the population depends on food aid. There have been 267 politically motivated murders reported this year and nearly 4,000 people reported tortured, but nobody knows the extent of the repression. Rich and fertile farm land lies idle while the security forces run amok and the only source of independent news, *The Daily News*, has been closed down.

Mr. Peter Pike (Burnley): When asked about the land that lies sterile and is not being used, President Mugabe refers to the Lancaster house agreement, and says that he is not getting the money. Is it not a fact that the first tranche of land that he took has still not been redistributed, other than to his cronies, and most of it is not being used at all?

Mr. Robathan: I completely agree with the hon. Gentleman. Indeed, Mugabe's cronies sit on their stolen farms and get ever richer while other people starve. That is partly because the Zimbabwean army is looting diamonds and other minerals in the Congo. Yesterday, Welshman Ncube, the secretary-general of the Movement for Democratic Change, spoke of the militarisation of Zimbabwe. He mentioned particularly the machinery of repression that controls the country.

We are told by Africans that the western world and Europe should keep their noses out of Zimbabwe's affairs. On a recent visit to the House, the Nigerian high commissioner said that the issue is an African problem that needs an African solution. He said that it is a task for South Africa, Nigeria or the African Union, and that quiet diplomacy is needed. President Mbeki has said that the situation needs to be understood in the context of Zimbabwe's hard won liberation from white minority rule, while South Africa's Foreign Minister, Dr. Zuma, has said that she will never condemn Zimbabwe. Sadly, the African National Congress in South Africa believes that it owes ZANU-PF support in exchange for its backing against the apartheid regime.

The Inter-Parliamentary Union was due to meet in March next year in Westminster. Kofi Annan and Nelson Mandela had been invited, and the Queen would have opened the session. However, because the Government, to their credit, would not give some members of the Zimbabwean regime visas to attend, the assembly has been moved to, I understand, Thailand—perhaps a more attractive venue in March. The meeting was moved only because African countries demanded that there be no hindrance to members of the Zimbabwean regime. Indeed, it was only because John Howard of Australia was so forthright in condemning the Zimbabwean elections last year that the other two members of the Commonwealth troika, Nigeria and South Africa, were prevailed upon similarly to condemn the elections. Does anyone really believe that the African Union, founded by Colonel Gaddafi, is likely to press for the restoration of the rule of law and human rights in Zimbabwe?

The Minister has recently returned from South Africa, and a high level South African delegation has just been in London. Will he say what results have been obtained by quiet diplomacy? Will the Minister assure us that the Government will have no part in any deal struck to allow Mugabe to perpetuate the repressive ZANU-PF regime—for instance by retiring, yet nominating his successor without free and fair elections?

[Mr. Robathan]

How do we see Zimbabwe in Britain? It is not a far away land of which we know little—we were the colonial government that ceded power to Mugabe in 1980. There are more than 30,000 Zimbabweans in this country, mostly black, and there are 23,000 British subjects in Zimbabwe, which is exactly half the number of a year ago—partial evidence of the increasingly hostile and deteriorating situation. We have not only an historical but a moral obligation to the people of Zimbabwe. Innumerable individuals and the opposition want Britain to stand up for the crushed Zimbabwean people.

Peter Bottomley (Worthing, West): I hope that the whole country will listen to what my hon. Friend is saying. Will he take it from me that members of the opposition parties in Zimbabwe are not the only ones who want that? Those who 25 years ago were doing much for ZANU-PF, and who were still with it in the first 10 years after full independence, also oppose what is being done in their name. Those who want to work for the people of Zimbabwe should understand that they are fighting for the people, rather than against the regime per se, although that regime must go to allow the people and parties in Zimbabwe to work.

Mr. Robathan: I agree entirely with my hon. Friend. Whatever opinion we may have taken at the time, many who fought for liberation now feel betrayed by the activities of ZANU-PF.

Sadly, too many in the west believe Mugabe's rhetoric. Last week at one of the forums that I mentioned, a representative from a non-governmental organisation talked about the need to dismantle the infrastructure of colonialism. Similarly, the Government seem to fear the accusation that they are acting in a neo-colonialist manner or as an imperialist power. I urge the Government to listen to the people of Zimbabwe, who want Britain and the west to speak up for them. Over the past week I have heard many Zimbabweans who are desperate for support from Britain. To those on the left who suffer from post-colonial guilt, I quote the mayor of Harare, who said in March:

"The world must know this is not a black and white issue. It is an issue of the blacks in Zimbabwe suffering".

The Government have been slow to react to Mugabe's crimes and loth to accept the reality that is Zimbabwe. In a reply to a question from me, the Secretary of State for Defence said that

"the Zimbabwean armed forces . . . have continued to make a stable and mature contribution to Zimbabwean society, which may well have something to do with the training that they have received from British forces. There is therefore good news from Zimbabwe, and it is important to put that in the right context."—[*Official Report*, 4 May 2000; Vol. 349, c. 306.]

Is that an example of the soft bigotry of low expectations? Those very armed forces were then already looting in the Congo and spreading the AIDS pandemic around the Democratic Republic of the Congo. The Government have too often failed to condemn what they would consider intolerable from a European Government.

The use of food aid as a political tool by ZANU-PF is another important issue. That food aid is delivered via the World Food Programme, but paid for in part by the British taxpayer—by our constituents. This year, the Department for International Development expects to spend £29 million on aid to Zimbabwe—double last year's contribution. According to the WFP emergency report of 24 January, there have been

"several reports of theft of WFP . . . commodities in the region".

Besides stealing the aid, ZANU-PF claims credit for the aid programme and pretends that there would be no food aid without ZANU-PF.

At the same time, the WFP and NGOs rely for the distribution of food on information provided by local authorities. That all too often results in the unwitting politicisation of aid, as party officials determine who is deserving and who is not. In effect, no one without a ZANU-PF party card can register for food aid. Vast numbers are excluded from aid distribution because party officials deny their need, and the existing monitoring systems of the WFP and others are failing because they do not show up those who have been excluded from the lists.

Kate Hoey (Vauxhall): Does the hon. Gentleman agree that another problem that has emerged recently, which was made known to us by members of the Movement for Democratic Change who were here this week, is that some of the aid that South Africa is meant to be giving to NGOs and the World Food Programme is being sold direct to the Zimbabwean Government, who then control it under their food programme? That food definitely goes only to ZANU-PF members.

Mr. Robathan: Indeed, the hon. Lady has come up with a good point. The grain marketing board is used as an arm of ZANU-PF—certainly not as an impartial distributor of aid.

Mr. Nigel Evans (Ribble Valley): Does my hon. Friend agree with Peter Takirambudde, executive director of the Africa division of Human Rights Watch? He says:

"Select groups of people are being denied access to food".

He further comments:

"This is a human rights violation as serious as arbitrary imprisonment or torture."

Mr. Robathan: I do agree, and I will quote a report commissioned by Oxfam on the practical implementation of food aid. It is dated 8 April and states:

"Recent field research indicates that practices"—

that is, of impartial delivery of relief—

"are not upheld with consistency in the field . . . food aid furnished by USAID and through the WFP is being manipulated by the Mugabe regime and its supporters, unbeknownst to headquarters in Washington and Rome."

Rome is where the WFP has its headquarters. The report continues:

"World Vision's distribution system plays directly into the hands of the ZANU-PF leadership. Based on WV's own explanation of their distribution process it would appear that local officials have complete control over who receives food aid at local level."

It refers to

"extensive accounts of the inability of members or supporters of opposition parties to access food aid".

I urge the Government to scrutinise and question the system by which British taxpayers—our constituents—are helping the people of Zimbabwe. They need help, but it appears that at the moment we may be, to quote again from the report,

"unwitting partners in preserving political power for the Mugabe regime".

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): Is the hon. Gentleman suggesting that food aid to Zimbabwe should be cut off?

Mr. Robathan: As the Minister will know, I did not say that. The people of Zimbabwe need food aid. However, it must be delivered so that it goes to those who need it, not via the Government, who use it as a political tool.

President Mugabe has more willing partners than those unwitting ones of whom I have spoken: that is, the businessmen who prop up his regime. The EU has a list of 79 individuals whose assets have been frozen and who are banned from travel. By contrast, New Zealand lists 133 individuals on its sanctions list. It is interesting and salutary to note the differences. For instance, Leo Mugabe does not feature on the EU list. Neither do the wife of the Defence Minister or many members of the families of senior ZANU-PF politicians.

Of greater importance are the names of business people that are omitted from the EU sanctions list. Welshman Ncube, secretary general of the MDC, said that the international community will not be shown to be serious about standing up to Mugabe until it freezes the assets of the businessmen who prop up the regime.

I shall give an example from Wiltshire. According to a report from *The Observer* on 24 November last year—the Minister probably reads *The Observer* more widely than I do— British citizen Andrew Smith was named in a UN report for organising bombing raids in the Democratic Republic of the Congo on behalf of President Kabila. He side-stepped EU sanctions by operating through his Zimbabwean registered company, Avient.

John Bredenkamp, one of three Bredenkamps on the New Zealand list, is of greater significance. He has been mentioned in the House on many occasions. As well as many other allegations, it was reported in May 2000 that he provided half the initial capital for a diamonds-for-arms deal that involved the Zimbabwean defence force in the Democratic Republic of the Congo.

The UN panel of experts on the illegal exploitation of natural resources in the Congo uncovered a memorandum of understanding signed by Emmerson Mnangagwa, the Speaker of Zimbabwe, guaranteeing a $1.5 million loan to Oryx Natural Resources from Python Services Ltd., one of Bredenkamp's companies. Bredenkamp is registered in the UK as a director of 11 companies. It is highly likely that Mugabe's personal wealth, and that of other ZANU-PF officials, is held offshore through companies owned in part by Bredenkamp.

Bredenkamp represents Tremalt, a company owned by trusts registered in the British Virgin Islands and the Isle of Wight. Tremalt is believed to procure military equipment and provide cash payments to Zimbabwean and Congolese defence forces. Bredenkamp acts as Tremalt's representative at monthly meetings with Vitalis Zvinavashe, head of the Zimbabwean armed forces. That shows his close personal relationship with ZANU-PF.

Furthermore, according to a report by the same UN panel on 16 October last year, Bredenkamp's Raceview Enterprises supplied the Zimbabwean defence force with $3.5 million-worth of military supplies. Our great ally, the USA, whose President is coming here today, has banned Bredenkamp from entry. However, he is not banned from the UK. Why not?

Does the Minister share my disappointment that, in the latest UN panel report on corruption in the Congo, Bredenkamp somehow succeeded in having his name removed from the list of people recommended for a travel ban and financial restrictions? Apparently, Bredenkamp has also recently met the British high commissioner in Harare. Could the Minister tell us why, without hiding behind some nonsense about the code of practice on access to Government information, as happened with a recent parliamentary question?

The Minister and the Government have it within their power to undermine the backers of the dictatorial regime in Zimbabwe. Many of the same men backed Ian Smith. Why has the Minister not taken action against people who so clearly profit from the evil of Mugabe's regime? Kofi Annan—an African, let us remember—said to the UN Commission on Human Rights in Geneva on 7 April 1999:

"No government has the right to hide behind national sovereignty in order to violate the human rights or fundamental freedoms of its peoples."

It is time that the UN paid attention to that and considered the situation in Zimbabwe. However, the Minister yesterday wrote to me in reply to a parliamentary question to say that

"we would only go to the United Nations Security Council for a resolution when we believed that we would win one. Tabling a resolution on UN sanctions would be certain to fail and would only hand Mugabe a gratuitous victory."

Perhaps the Minister would like to explain how Mugabe would consider it a victory to be condemned by many in the UN? His opponents in Zimbabwe would like to see such public condemnation by the international community, even if it does not lead to a resolution.

Mugabe's knighthood is within our power. In 1994, the previous Government gave Mugabe an honorary knighthood. I do not remember the Labour Opposition protesting. In the Government response to the Eighth Report of the Foreign Affairs Committee in the last Session, they said that they would keep the knighthood under review. They said:

"We may revisit this question in the future."

In reply to my question on 4 November, the Minister said that that was not an immediate priority. Does he accept that that would be a clear signal to all in Zimbabwe that Mugabe no longer merits the respect that ought to be due to a President?

[Mr. Robathan]

The time for prevarication has passed. Quiet diplomacy has failed. I suspect that there is very little disagreement in the Chamber about what I have said. Action should follow words. It discredits this Government that there has still been no Government debate on the crisis in Zimbabwe. On 17 September 2002—almost 11 months ago—my right hon. Friend the Member for Bracknell (Mr. Mackay) said exactly the same in this Chamber.

I have asked many questions this morning, which I hope the Minister will answer directly. I hope especially that he will reassure hon. Members that no taxpayers' money will be spent on food aid that can be used as a political tool by this repressive regime, and that sanctions will be extended to families of members of the regime and to businessmen implicated in its corrupt dealings and shady operations in the Democratic Republic of Congo and elsewhere.

I also hope that he will reassure us that the issue will be raised at the United Nations and kept at the top of the international agenda, and that, contrary to BBC reports yesterday, Zimbabwe will continue to be excluded from next month's Commonwealth summit. Will he also reassure us that Mugabe will be stripped of his knighthood, and that the UK supports free and fair elections? Above all, the international community must ensure that there is no fudge that allows Mugabe to retire and the oppressive regime to continue, led by one of his cronies such as Mnangagwa or Zvinavashe, both of whom are alleged to have been involved in the Matabele massacres.

As I said at the beginning, this is a debate about justice for Zimbabwe. The people of Zimbabwe are crying out for our support, which they deserve. Let us live up to our responsibilities and our moral obligations and ensure that they receive that support and the justice that all people deserve.

9.51 am

Kate Hoey (Vauxhall): I shall be brief, as I know that some of my colleagues want to speak and I had my 20 minutes or so a couple of weeks ago. I, too, congratulate the hon. Member for Blaby (Mr. Robathan) on securing the debate so soon, but it is time that we had a debate in the main Chamber. I mean no disrespect to Westminster Hall, but we should debate this issue during Government time.

Everything that I believe about Zimbabwe was chronicled at length in the last debate, but I have four or five straightforward questions to ask. I support the statement that the Government should go to the United Nations. The fact that we might lose is no reason not to do so. I want an explanation as to why we cannot go the Security Council. If we cannot secure what we want the first time, we might do so the second time, and countries that are prepared to defend Zimbabwe's human rights record would be shamed.

I also support extending sanctions to the families of Ministers and others. We could extend them to many people who can still travel and who use the opportunity to do things such as get money out of the country. I do not see why we cannot do that just because the EU does not want to do it. We are not yet in a European Union in which everything that this country does is controlled by what is said in Brussels, and I hope that we never will be. We have a greater responsibility than any other country.

Yesterday, I asked Welshman Ncube a straight question about Morgan Tsvangirai's comment that we should keep a low profile, which the Minister mentioned in response to my question in the last debate. Welshman Ncube made it quite clear that there was a time when Britain might have needed to keep a low profile, but that people were now very keen to use every opportunity and to do everything possible to move the issue up the international agenda. Whatever the British Government say, Mugabe will not change. It is therefore absolutely right to take the lead and to push for extra sanctions. Some of our European partners, who were represented at yesterday's meetings, seemed to take a much stronger position. Perhaps they are waiting for the United Kingdom to take the lead. I must ask the Minister why we cannot press for sanctions to be tightened.

Food aid should be monitored independently. In a moment, my hon. Friend the Member for Northampton, North (Ms Keeble) will speak about feeding programmes, which she saw in action last week. From what I saw, I can agree with everything that Oxfam said about World Vision. I have no doubt that, in many areas, aid is not getting through to the people who most need it. Holding a ZANU-PF card is still the best way of getting fed. We need an international, independent monitoring group, because no matter how good the World Food Programme is, it does not always monitor how well food gets through on the ground in the case of every agency, and that is crucial.

Finally, will the Minister request an urgent meeting with the England and Wales Cricket Board in order to get it to make a statement that the England cricket team definitely will not go to Zimbabwe next year if Mugabe is still in power?

Mr. Pike: My hon. Friend makes an important point, but does she also believe that we should ask people to consider the freedom of the press in Zimbabwe and the erosion of justice? Such things—freedom of thought, the press and justice—are important in a democracy.

Kate Hoey: I absolutely agree. I recently secured an Adjournment debate on the closure of *The Daily News* in Zimbabwe. Some people from *The Daily News* were here [illegible]t. It is crucial that it is put back on the street, but that will not be done through the law. It will take a long time, as every time a court case is won, it is simply appealed against. So far, there is still no *The Daily News*, but I very much hope that there will be in time for the Commonwealth Heads of Government meeting in Nigeria. There is a good chance that a special issue will be produced for that. I hope that that will help to influence some of our colleagues in the Commonwealth.

Will the Minister meet the ECB? It is clear from what the people from the Movement for Democratic Change said yesterday, and from my contacts in Zimbabwe, that it would be a great morale boost if the ECB said that the England team would not go next year unless there is a change. That would help to ease the pressure a little. It would not instantly change anything, but it would help. It would also clarify our position, so that we did not get

into the same situation as last time. I urge the Minister to answer my questions. I hope that he will have a definite reply about sanctions.

Mr. Deputy Speaker: The Chamber thanks the hon. Lady for her brevity.

9.57 am

Mr. Nigel Evans (Ribble Valley): I hope to be brief, too, Mr. Deputy Speaker. I congratulate my hon. Friend the Member for Blaby (Mr. Robathan) on raising this issue, which is of deep concern to not only Members of Parliament here, but the whole nation.

Whenever I read newspaper stories about Zimbabwe, it makes my blood boil to read about what is happening to a once proud, healthy and vibrant country. It was the food basket for southern Africa, but now has to rely on aid to ensure that its people get food; 14 million people suffer from food insecurity, of whom 7 million desperately need food aid. I endorse everything that has been said about more effective targeting of food aid to ensure that the Government do not continue to use it as a political tool to prop themselves up.

Robert Mugabe talked about economic justice for the black majority, which is his excuse to grab white farmers' lands. Considering what has happened since then, I ask whether there is economic justice for the black majority in Zimbabwe. The answer has to be no. Despite the reasons given for the Government-sponsored land-grab, land that used to be productive now is not. Some of the people on that land are receiving some of the food aid that is being doled out. The livestock have been eaten and the crops simply were not harvested. There is also the AIDS pandemic, which has been mentioned.

Mr. Robathan: Does my hon. Friend accept that it is not just white commercial farmers, many of whom were Zimbabwean, who were driven off their land? Black farmers and their work forces were also driven off their land.

Mr. Evans: Indeed; I agree with my hon. Friend. More than anybody, the black majority in Zimbabwe have suffered by losing their jobs and livelihoods and having no future for themselves and their families. They have been made desperate by that ill thought-through policy, which simply has not worked. On the AIDS front, it was predicted that 130,000 people would die last year. Zimbabwe's future work force is dying year by year, but that is not being properly tackled.

Mr. Richard Spring (West Suffolk): Does my hon. Friend agree that part of the reason for the AIDS pandemic is malnutrition and the inability of people to resist infection? That partly explains why AIDS is such a massive problem.

Mr. Evans: Absolutely. What my hon. Friend mentions, coupled with the fact that the Government are not focused on the problem at all, means that hundreds of thousands of Zimbabweans will be condemned to the fate suffered by others last year. Urgent action is needed.

As a result of the awful and desperate situation in Zimbabwe, the tourist trade that used to flourish there is drying up. People will not go to Zimbabwe, because they fear for their own safety as they read about how white farmers are killed on their own farmland.

Kate Hoey: Does the hon. Gentleman agree that the issue is not only the farms left desolate, but the number of wild animals that have been killed? In the end, there will be no animals to go and look at—none of the wildlife. Some of the terrible things that have happened are almost too difficult even to talk about.

Mr. Evans: I agree with the hon. Lady—I shall call her my hon. Friend—because we have seen a whole industry ravaged and people so desperate that they have resorted to desperate actions. This is a question of whether they live or die, so they have been forced to take desperate actions, which have a ripple effect. There has been a brain drain from Zimbabwe to neighbouring countries and other parts of the world. Of course, there has been a large migration to neighbouring countries such as South Africa and Botswana, which gives them further problems.

Many questions have been asked, but I shall add a few more for the Minister's winding-up speech. The creation of the Zimbabwe Freedom Movement is hitting the headlines. That group of people wishes to remove Robert Mugabe by force. Will the Minister accept that the lack of progress is leading many desperate people to take desperate action themselves? Will he comment on the Zimbabwe Freedom Movement?

There are rumours that Mugabe will attend CHOGM in Abuja in December, which fills me with dread. Even the rumour that that is being discussed must be put to rest. Will the Minister give an assurance that President Mugabe or, indeed, Zimbabwe will not be represented at CHOGM in December? Such an assurance is vital.

I am a big supporter of the Chevening scholarships that we run in Zimbabwe. I hope that the British Council will continue to administer them and to ensure that the future leaders of Zimbabwe have an opportunity and some hope when they come here. I hope that there are no political machinations in Zimbabwe to get some of the key ZANU-PF people on to those scholarships. I want them to be opened up to the people, not to be available only to a small select group.

I was disgusted when I saw that President Mugabe's family were going shopping in Paris. We talk about a common European foreign policy, but we cannot get even this matter right. Does the Minister really believe that smart sanctions are working? Surely they should be much wider and enforced more effectively than they currently are. It looks as if such people are cocking a snook at the whole world every time they—or, indeed, members of their families—break the sanctions or businesses are created to sidestep them. Does the Minister really believe that the quiet diplomacy that we talk about is making any progress whatever? Is not the lack of progress leading to huge frustration in Zimbabwe?

Mr. Pike: The hon. Gentleman talks of economic sanctions. Will he accept that South Africa, which could

[Mr. Pike]

play an important political role, could also play an important economic role, particularly on energy? It is some time since the energy supplied by South Africa has been paid for.

Mr. Evans: South Africa is key, as it is not just what we can do in the European Union, United Kingdom or United States that matters. I hope that it will play a more effective role in the situation. Will the Minister tell us about his discussions with South Africa on ensuring that it plays a more vital role within the community of African countries? It could bring pressure to bear on Zimbabwe in several ways to ensure that its regime is changed. When Nelson Mandela visited London a couple of years ago, he gave a tremendous speech in South Africa house. He said that political leaders should know when to go, and we all know what that was code for.

At the Earth summit in Johannesburg last year, I was in a lift with a representative from Zimbabwe. I saw his pass and asked him what future there was for the people in Zimbabwe. He asked what I meant, and I said, "Well, what with all the starvation and the awful atrocities that are taking place in Zimbabwe." He looked at me and said, "Don't believe everything you read in the newspapers." As he walked away, he turned round and smiled at me. I want to see the smile taken off his face and those of a number of other people in Zimbabwe.

The Zimbabwean delegation had arranged for two busloads of people to travel down from Zimbabwe so that they could protest outside our hotel in favour of Robert Mugabe. They were brought down by coach, fed and then taken back by coach. Such artificial demonstrations mean nothing to me or, I am sure, the South African population. We must do something through the United Nations, and we must be far more effective. Our fear that we may not secure a resolution should not block our attempts; it is the right thing to do. I hope that the Government will listen to what we say today.

10.6 am

Ms Sally Keeble (Northampton, North): I congratulate the hon. Member for Blaby (Mr. Robathan) on securing this debate, and my hon. Friend the Member for Vauxhall (Kate Hoey) on organising yesterday's conference and on her other work. I remind the hon. Member for Blaby that history in Zimbabwe did not start in 1997, and that the saga of UK involvement in Zimbabwe has been problematic for some time.

Mr. Robathan: I did not say that it did.

Ms Keeble: We will return to that later.

I spent last week in Zimbabwe looking into the circumstances of people who are living with HIV/AIDS and drought under their Government's spectacular economic and political mismanagement. In particular, I considered the impact on children. It was part of a wider visit through Lesotho and South Africa as well, but for the avoidance of any doubt, I travelled independently to Zimbabwe. I was self-funded to ensure that I could be impartial in reaching my judgments.

The previous week, there had been a lot of publicity about my hon. Friend the Minister's speech in Cape Town, with headlines of "no political change, no aid". I must say that having seen what is happening inside Zimbabwe, my conclusion is that our approach is wrong. Zimbabwe is collapsing under the combined weight of the crumbling economy, the staggering HIV/AIDS infection rates and hunger. That is destroying the present adult population, but, perhaps worse, it is also creating a time bomb for the next. There are an estimated 1 million orphans, many of whom are HIV positive, and children are homeless, weakened from hunger and sometimes abused.

Of course, to provide assistance or succour to the Zimbabwean Government would be a disaster. However, there is a strong network of non-governmental organisations, both international and local, which is involved in food distribution and building up public services. Those organisations provide care in the community for people living with HIV/AIDS and counselling and support services for orphans and vulnerable children.

I met many people during my visit, and I thank them for their generosity in showing me their work and explaining their experiences. I do not intend to name them, but I met many people with ideas, networks and huge ability. What they lacked, strikingly, were the resources and support to be able to provide services to their communities.

I strongly believe that those networks must be used to increase food aid—especially targeted food services—and to build up services to people with HIV/AIDS, including orphans. At the same time, we must greatly increase pressure on ZANU-PF for a political settlement.

My hon. Friend the Minister will cite the work being done on food and HIV/AIDS, but the food aid being provided is completely inadequate. Many criticisms have been made of the distribution of food provided by the international community, some of which have been repeated this morning. I have gone through the methodology, visited a food distribution centre, and spoken to people at different levels in Zimbabwe, and the basic distribution system has integrity. However, there are problems. Organisations have to compromise with the Government in order to operate. The large organisations carry out the distribution. Mistakes have been made, and I have spoken with the organisations mentioned by the hon. Member for Blaby. Smaller organisations are excluded, but as they can get to some of the most hard-to-reach communities they have an important role.

It is a tribute to the logistical skills of the people involved that food is distributed across the country in difficult circumstances, feeding up to half the population. It is a huge and complex job. The biggest problem is the need for more food. Under the scheme that I saw in operation, the World Food Programme had agreed about six categories of people who qualified for food aid. The categories included those who had no land or no other source of food or income, one-parent households, child-headed households, and the chronically sick—basically, that is those with HIV/AIDS. Previously, 5 per cent. of those qualifying for food aid did not get it, largely due to shortages, whereas now the figure is about 22 per cent. due to the increase

in need and shortages in supply. One in five people judged by the agreed criteria of the World Food Programme will not get food aid. I have been through the figures in detail with the WFP, and they are accurate.

Even people who get food aid do not get enough to live on; they get 70 per cent. of their requirements. One woman told me that they have food aid for three weeks and they borrow for one. Now that no one has any food, they cannot borrow. The level of hunger is appalling, as is the lack of food. One afternoon, I visited a primary school and saw rows of children sitting with their heads on the desks; they had had no lunch and most of them had had no breakfast. In Binga, where there have been problems with food distribution, there have been outbreaks of cholera. I also visited a shelter for street orphans where the children were fed on a bowl of pro-nutro and two biscuits twice a day for a month. They were supposed to get food from the Government supply, not from the international community supply, but had not got it because the food had been sold off elsewhere.

Mr. Bill Tynan (Hamilton, South): Is my hon. Friend saying that there is no control of a great deal of the food being distributed in Zimbabwe?

Ms Keeble: No, I am saying something different. There are different methods of food distribution. The Government control some of the food, and they use it politically. I am talking about the food provided by the international community through the World Food Programme. Some of the organisations recognise the problems, but the biggest problem that I saw is the lack of food. A fifth of the hungry people in the categories recognised by the WFP as needing food will not get anything. Those who do will get only 70 per cent. of their nutritional requirements—in calories not vitamins, which is what chronically ill people need.

Whatever my hon. Friend the Minister may say about all the money that we put into HIV/AIDS, professionals in Zimbabwe confirm that the infection rate is 33 per cent., not the 24 per cent. sometimes claimed, and in some areas it is much higher. I was told by a nurse at one hospital that 80 per cent. of patients admitted were judged to be affected by HIV/AIDS.

Mr. Pike: Are the majority of the people with HIV/AIDS among those who, in normal circumstances, would generate the economic wealth of that country?

Ms Keeble: That is right. It is a catastrophe that I saw also in South Africa and Lesotho. That situation is probably worse in Zimbabwe. There are only 22 testing centres in the whole of that country, with only two serving the second biggest city, Bulawayo. Perversely, there is no incentive for people to get tested, as there is nothing that can be done for those who are found to be HIV positive. They will get no treatment and no extra food. The World Food Programme already gives some supplements to all families, because virtually every family is affected by HIV/AIDS. They will get no medicine unless they can afford to buy it. I saw one shockingly ill victim who could not even afford to buy aspirin as a painkiller.

Mr. Evans: While the hon. Lady was in Zimbabwe did she see anything of the education programme informing people about HIV/AIDS and how to ensure that they do not contract it?

Ms Keeble: There were posters but the Government are in denial. All the incentives are against disclosure. It is extraordinary. In Lesotho one could talk to people fairly openly about what is going on, but there was a complete denial of the problem in Zimbabwe. Indeed, at one of the country's biggest hospitals, when people are found to be HIV positive, "home care only" is written on their medical notes and they are sent home and never admitted to hospital for treatment again, so no one at that hospital dies of AIDS. They are not recorded as being AIDS deaths.

I went around with some home carers to see the work that they do and to talk to some of the people they cared for. They do not have medical kits or supplies as they do in Lesotho, for example. They are really just a home visiting team, but no more. They are looking after thousands and thousands of people. They can give them nothing other than comfort; that is obviously important, but it will not deal with the problem.

There are up to 1 million HIV/AIDS orphans: single orphans, who have lost one parent, double orphans who have lost both and serial orphans who have gone from one carer to the next as AIDS has killed one after the other. Some of them are HIV positive and they are all desperately disadvantaged. Quite apart from their need for food, shelter, someone to care for them and money to pay for school fees and medicines if they are ill, they also need counselling services. We sometimes concentrate so much on the material and physical needs, we forget their social and psychological needs.

One organisation had got these children to do memory books. One little girl came out to show me her memory book, which had a photograph of her with both her parents in a house in Harare with a nice garden. Now she is living in a shack with many other children in a high-density suburb. Her father is dead; her mother is still alive, but a shadow of the plump, beautiful woman in the photograph. The memory book said, "If I die before I am 20, please can someone make sure that this is read to any of my children." These books are heartbreaking.

Those needs are not going to be met by the ZANU-PF Government, because they deny that anything is happening. Yet if the needs are not met the disaster already engulfing Zimbabwe will also take in the next generation. We in the donor communities should support the local NGO community groups and networks to meet the needs of HIV/AIDS patients and orphans, including provision of antiretrovirals on a planned and systematic basis—the point made by my hon. Friend the Member for Burnley (Mr. Pike). What is needed is a working-age population that can function and support the work for children.

Any assumption that reconstructing Zimbabwe can wait until there is political change is mistaken. We need to support the people of Zimbabwe, and use every possible opportunity and every bit of leverage that we have to put pressure for change on the Zimbabwean Government.

[Ms Keeble]

The course on which the ZANU-PF Government have set Zimbabwe has turned it from a middle-income into a low-income country, driving the economy into the sand while looking in the rear view mirror. It is not often that we can see an economy collapse visibly in front of us, but that is what I saw in Zimbabwe last week. There were empty factories that looked very nice from the outside but had nothing inside, and empty shops. One of the more heavily fortified shops that I saw in one town was a bread shop, but it had no bread. Doctors are on strike and there is no food. It is a two-dollar economy: one based on the US dollar for people who have access to hard currency and can live like kings—some of them clearly speculate on commodities and currency and make a vast amount of money—and one based on the Zimbabwean dollar, which is spiralling out of control, leaving tragedies behind. Despite all that, there is no guarantee that the Zimbabwean Government will compromise or change. Some say—it has been repeated this morning and I saw evidence of it—that the Government are becoming increasingly militarised, given how they organise the country and some of the recent Government appointments. They have already stolen one election, so we could not expect them to give democracy back if they lost another election, as they almost certainly would.

The UK, with our historical ties with Zimbabwe, must take a lead in pressing for change in that country, and ensure that the international community takes every possible step to isolate and pressurise the regime. Many suggestions about how to do that have been made in the debate.

I was in Zimbabwe in 1981: I used to live in South Africa. The last time I went there from the UK there was a massacre in Matabeleland, a major drought and pressure on local newspapers. The outside world walked by at that time, buoyed up as we all were by Zimbabwe's liberation, and conscious of the horrors of the apartheid regime to the south. Our failure then to insist on proper observance of human rights and respect for minorities has cost the people of Zimbabwe dear over the years, and has made possible the reign of terror in Matabeleland, which Mugabe has pursued.

We know, too, the impact that bad governance can have on a country. Uganda is still recovering from Amin—its economy is still not back to the state that it was before he came to power—and Kenya is struggling to recover from Moyo. We cannot allow what should have been one of the great levers for progress and change in sub-Saharan Africa to be destroyed by bad governance in the same way as other countries in Africa have been.

We need to increase aid, diversify the channels of delivery and increase pressure, which includes using the United Nations. I am sure that there will be a settlement in Zimbabwe and a change of Government, but we need to ensure as we move forward that there are no compromises on the need for the proper rule of law and respect for human rights in that country.

10.23 am

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): Like other hon. Members, I congratulate the hon. Member for Blaby (Mr. Robathan) on securing the debate and setting out clearly the problems in Zimbabwe. He made some key points to which I hope the Minister will have a direct answer at the end of the debate. As the hon. Gentleman remarked—without prejudging the Minister's response and with that exception—there is probably a great deal of consensus among hon. Members present in the Chamber. I pay tribute to the other speakers in the debate, particularly the hon. Member for Northampton, North (Ms Keeble), who set out clearly and movingly many of the difficulties that Zimbabwe faces. She and the hon. Member for Vauxhall (Kate Hoey) both drew on their own experience.

We return again and again to the question of Zimbabwe. I am in danger of losing count of the number of times, but I would guess that, in recent years, we have debated this subject in Westminster Hall on about 15 occasions. Issues such as United Nations reform have been promoted from discussion in this Chamber to debates in the main Chamber of the House, so we must hope that the Government, despite their difficulties and perhaps even embarrassment about Zimbabwe, will find the time for that to be discussed in the main Chamber.

The content of this debate has been mostly one-way, as was that of its predecessors, but that does not mean that it has been stale. There remains a great deal of anger about what is going on in Zimbabwe. I point to just a few of the statistics about Zimbabwe that grab our attention: 500 per cent. inflation, 80 per cent. unemployment and no foreign reserves. During our discussions, we may offer slightly different figures, but as Welshman Ncube said to us yesterday, the relevance of the economic statistics from Zimbabwe tends to be rather short-lived, although we can always be sure that the figures are getting worse.

We now read that the parlous state of Zimbabwe is such that the Government are raiding tourist locations in a desperate search for foreign currency, while announcing that they are now providing protection for tourists who visit the country. It seems that Zimbabwean officials have no sense of irony.

Some 11 million hectares of land in Zimbabwe are under occupation and are unproductive. In the few remaining areas that are productive, beatings of farm workers continue. That crime is not committed on the basis of colour: white and black alike are subjected to serious violence and abuse.

Moreover, as we have heard eloquently expressed this morning, there is significant political manipulation of the food aid on which the bulk of the population depends. As the hon. Member for Northampton, North said, we have reached the point at which independent monitoring of food provision is needed, and we need to gain a clearer understanding and greater knowledge of its link with the AIDS pandemic, which is a scar on Zimbabwe.

We have often documented how President Mugabe stole the election; the legal challenges to that continue. At the same time he seeks to have his opponent, Morgan Tsvangirai, convicted of treason on two different counts. He is not confident that he has a case—none of us believe that he has even the beginnings of a case—so he continues to undermine the courts and the judiciary. In case they do something that he does not like, despite all his efforts, freedom of speech has almost completely disappeared.

We must hope that *The Daily News*, which has been a beacon of independent thinking and reporting in Zimbabwe, will be able to overcome its current problems. We should admire the courage and determination of the journalists and all those who support that institution. They take great personal risks to try to get independent comment and reporting more widely disseminated in Zimbabwe.

Militias continue to grow. The paramilitary nature of rule in Zimbabwe continues. State-sponsored violence and intimidation is the way of life. Despite that, we are occasionally invited to believe that there are talks about transition—as you understand better than many, Mr. Deputy Speaker—from an unelected or stolen presidency to a proper functioning democracy, or perhaps from one corrupt ruler to another. We should not confuse discussions with solutions. We are still a long way from resolving the situation in Zimbabwe.

The international response to what has happened in Zimbabwe continues to be an embarrassment to us all. It is hard for those of us who are so far away to understand the position taken by South Africa, and its willingness to tolerate the situation despite the evidence. As the hon. Member for Burnley (Mr. Pike) remarked, South Africa holds important economic cards in the region and Zimbabwe is hugely dependent on it.

Mr. Pike: Does the hon. Gentleman accept that one of the problems in South Africa and Nigeria is that they still do not understand that there is almost unanimous condemnation in the United Kingdom for what is happening in Zimbabwe? They do not realise that they have a key role to play in solving the problem.

Mr. Moore: The futility of repeating these comments in Westminster Hall does not stop us doing so. The message to South Africa and its neighbours must be that there is unanimity of purpose, not only in the United Kingdom, but across many parts of Europe and, we hope, in the United States. I do not wish to be cynical, but one of the reasons for the silence of those countries may be the increasing cannibalisation of the Zimbabwean economy, which was forcefully brought to our attention at yesterday's conference organised by the hon. Member for Vauxhall. The fact that so many South African individuals and companies have bought stakes in the Zimbabwean economy at rock bottom prices cannot justify their Government's silence about their terrible neighbour.

As many hon. Members have already remarked, this first test for the rest of Africa and the New Partnership for Africa's Development has been poorly dealt with. How can we take NEPAD seriously and be asked to continue to support it politically, economically and in other ways, when it is failing so spectacularly in the first test of Africa's ability to examine its own governance? It does not have to listen to politicians in the former colonial country; it can ignore us, as those countries have for a long time. However, it must listen to the people of Zimbabwe because they are crying out for change. They are losing their lives, being beaten up, starving and suffering from terrible diseases.

If a similar situation occurred elsewhere in the world, we would expect more from the European Union and the United States of America. Their reluctance to engage in this area is depressing. I hope that, although other foreign policy matters are understandably top of the agenda, the Government will raise the issue of Zimbabwe with the President of the United States while he is in the country. However, other diplomatic efforts are imminent, and it is perhaps more pressing to address the future Commonwealth Heads of Government meeting in Abuja. It has been suggested that there may be attempts to end Zimbabwe's suspension. On what possible grounds could that be allowed? The troika is divided, but those members from Nigeria and South Africa who think that the current policy has failed are surely not serious. Yesterday, President Obasanjo met Mugabe in Harare, and he left the country with mixed signals. I refer to an agency report on the ZWNEWS.com website this morning, which quotes President Obasanjo as saying that he will consult whether Mugabe or Zimbabwean officials should be allowed to attend the meeting. That cannot be allowed to happen, but, if the same source is right, Mugabe is already preparing to pack his bags, saying that

"we look forward to attending"

the Abuja meeting.

Mr. Robathan: Does the hon. Gentleman agree that the situation is so serious that if there is a move to allow Mugabe to attend CHOGM next month, it might lead to the break-up of the Commonwealth?

Mr. Moore: I hope that the hon. Gentleman's analysis is not right, but the issue, which has dragged on for several years, has the potential to wreck the Commonwealth as a meaningful organisation for the future. It would be helpful for the Minister to explain what the attitude of our Prime Minister and Foreign Secretary will be if Mugabe turns up.

We must stop our lowest common denominator foreign policy. As Welshman Ncube urged us yesterday, we must take a lead and set out new measures to tighten the grip on the Zimbabwe regime. Britain should take its rightful place in this proper debate.

10.35 am

Mr. Richard Spring (West Suffolk): I take this opportunity to pay tribute to you, Mr. Deputy Speaker. Not only have you drawn attention to the situation in Zimbabwe recently, but when there have been abuses in the past, yours has been one of the few voices in the House of Commons to bring Members' attention to them. I applaud you for that.

I also warmly congratulate my hon. Friend the Member for Blaby (Mr. Robathan) on his outstanding speech. He summed up the state of affairs and set out clearly both the problems and some possible ways of addressing the tragic situation.

I start by setting out a few facts about the position on the ground, from an economic and humanitarian point of view, and its impact. I pay tribute to the moving speech of the hon. Member for Northampton, North (Ms Keeble), who only last week saw for herself what the tragic situation means in practical terms for the people of Zimbabwe. For example, Botswana has had to build a security fence to keep out refugees because of the heavy flow from Zimbabwe. Some 2 million refugees

[Mr. Richard Spring]

have so far fled Zimbabwe, and one of the consequences is a huge and damaging brain drain. The food situation is dire, with more than 5 million people starving.

It is to that terrifying spectre of starvation that I want to turn first. Last week, my hon. Friend the Member for Meriden (Mrs. Spelman) hosted a forum for international and humanitarian agencies on the deteriorating situation in Zimbabwe. Those who have knowledge of the country's plight recognise that the World Food Programme is doing a good job. However, serious concerns were expressed about controlling the distribution of food aid once it goes to the regions. There remains a lack of transparency about where the food goes once it leaves the hands of the aid agencies. In some areas, ZANU-PF has a grip on local distribution, and has even used that life-giving power to manipulate election results directly.

Some agencies are fighting back. They have taken the painful decision to withhold food aid where there is blatant politicisation. That cannot be an easy decision when the situation is so grim and overall supplies are so inadequate. However, it is clear is that unless there is a more co-ordinated approach, with more systematic checks, food will continue to be used by Mugabe as a political weapon to prolong his hold over the country—a telling point made by my hon. Friend the Member for Ribble Valley (Mr. Evans).

Does the Minister agree that there is a strong case for a full independent audit of the process of food distribution? That point was also made by the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore). Does the Minister believe that that should include monitoring the list of recipients? It is truly horrific that such a tragic situation now obtains in what was once the bread-basket of Africa. Have the Government made an assessment of who is best placed to perform such monitoring, and considered whether that might be the United Nations? The Government have given us numerous reasons why the UN Security Council cannot get involved, but none of them stand up to scrutiny—a point made by the hon. Member for Vauxhall (Kate Hoey).

The impact that conditions in Zimbabwe are having on its neighbours and the region makes a mockery of the claims that the Security Council cannot get involved because the situation in Zimbabwe is an internal matter. There are clear indications that several European countries are feeling increasingly negative about Africa overall because of the inability or unwillingness of African politicians to either publicly criticise Mugabe or, more specifically, take more clear action themselves. That is certainly regrettable.

Yet the Foreign Secretary has apparently ruled out the possibility of a resolution because we might lose it. There is widespread agreement that there are now sufficient grounds to pass a resolution on Zimbabwe in the UN Security Council, even if it only deals with the deploying of UN observers to see that food is properly distributed. Such a move would be welcomed by the Zimbabwean people, so many of whom face either malnutrition or outright starvation. To put it simply, the Government must do more and, if necessary, use a third-party Government to initiate a resolution at the United Nations. Bringing the issue of Zimbabwe before the Security Council would surely send a message to Mugabe that the international community collectively takes the matter most seriously. It would be a most welcome development.

International pressure can also be brought to bear through the Commonwealth. Yesterday President Obasanjo met Mugabe in Harare. One of Mugabe's greatest lies is that his people are somehow the victims of either Commonwealth suspension or EU sanctions. They are not. They are the victims of Mugabe's tyranny. The Government should match the strong message sent by the Australian Prime Minister to South Africa and Nigeria that President Mugabe will not be welcome at the Commonwealth Heads of Government meeting in Abuja in December. We welcome the fact that President Obasanjo has clearly stated that Mugabe will not be welcome. That is a clear illustration that this is not a colonial issue, as Mugabe might attempt to colour it—we must reject that taunt for the grotesque nonsense it is—but a matter of human rights and democracy.

Will the Government consider championing a group of eminent persons within the Commonwealth to take this matter forward once again? Zimbabwe should be an international pariah state. There can be no trimming or shabby deals here. There is a message that the Government must take to our European partners. It is simply not good enough to shelter behind a common EU position while Zimbabwe continues to suffer. We must not shy from unilateral actions by individual EU member states if that is necessary, and again that point was made by the hon. Member for Vauxhall. My hon. Friend the Member for Blaby cited New Zealand as an example.

Sanctions should be extended and strengthened to include those business men who bankroll Mugabe's regime, and they must be rigorously enforced. With that in mind, it is clear that December will be a particularly critical time for Zimbabwe. The world's eyes will be focused on not only CHOGM but, perhaps as importantly, the ZANU-PF party congress. It is worth reminding ourselves that President Mbeki received the backing of President Bush for his policy of quiet diplomacy, which we were led to believe would result in substantial movement by the time of this congress, but it is only a matter of weeks away.

I echo the point made by the hon. Member for Burnley (Mr. Pike): historically, South Africa has played an extremely important role in the affairs of Zimbabwe. A previous South African Government dealt very decisively with the regime of Ian Smith because they considered that to be in its national interests. In the last few years, members of the Conservative party have on numerous occasions urged the South African Government to take much more assertive action. They have told us that they cannot because that would undermine Zimbabwe's economic base and stability. We continually told them, "That's happening anyway. It's going to get worse."

Our South African friends—and they are great friends of this country, and are admirable in so many ways—have made an historic misjudgment. There are many success stories in Africa, but they are being drowned out by the terrible tragedy of Zimbabwe, and the unwillingness of African leaders to act. The fundamental problems of the Southern African Development Community and the New Partnership for

Africa's Development cry out for action. I am a true friend of Africa—I was born there. Many industrialised countries recognise the need to open up their markets and be more generous with African primary producers. However, I believe that good will will be dissipated unless the principles of good governance and peer group review are adhered to and enforced.

Given the apparent failure of President Mbeki's quiet diplomacy and the failure of the talks between the MDC and ZANU-PF, we must set out a road map on how to resolve the matter. We must point out firmly, but in a spirit of friendship, to the neighbouring countries of southern Africa that they must take the lead. We should offer to assist them, in any way that we can, to develop such a road map, including a plan for a post-Mugabe reconstruction of the country; that will be a massive undertaking. We can only hope and pray that the post-Mugabe era ends in a matter of weeks, rather than months. The people of Zimbabwe do not deserve the tragic fate that has befallen them in the past three years.

10.46 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): We have had an extremely good debate, and hon. Members from all parties—particularly my hon. Friend the Member for Northampton, North (Ms Keeble)—have set out graphically the tragic state of affairs in Zimbabwe. I do not need to go over the figures, as they are well known. It is a feature of such debates that hon. Members ask long lists of questions of the Minister, who then has very little time to reply to them, but I shall do my best in the short time available to respond to the points raised. Inevitably, I fear that I shall not be able to address them all, and where I have not been able to, I shall write to the hon. Members concerned.

Hon. Members have raised four main issues: stronger sanctions, which they want; why the Government have chosen not to table a resolution at the UN Security Council; the politicisation of food aid; and why we have not pressed South Africa to do more. I shall address each in turn.

There is no serious disagreement between anyone in this Chamber. We all agree where we want to get to; we have some differences in tactics, but no more than that. The Government's policy is clear and consistent. It aims to isolate the ZANU-PF leadership by maintaining broad international pressure on it. At the same time, we are providing humanitarian assistance to the Zimbabwean people and helping to tackle the HIV/AIDS pandemic. We continue to encourage democracy and civil society in Zimbabwe and speak out against human rights and other abuses. I reiterate our readiness to contribute to Zimbabwe's redevelopment when there is a democratically accountable Government in place, pursuing sustainable development and sensible economic policies.

We believe that the resumption of inter-party dialogue between Zimbabwe's ruling ZANU-PF and the Opposition Movement for Democratic Change is a crucial first step towards meeting such objectives. Unfortunately, the political situation in Zimbabwe is hardly one in which such a dialogue can flourish. Morgan Tsvangirai has two treason charges outstanding against him, and the MDC's legal challenge to the results of the 2002 Presidential election started this month. There have been further attacks by the Zimbabwean Government on civil society and trade unionists and, perhaps most alarmingly, yet another clampdown on the independent media. *The Daily News*, Zimbabwe's only independent daily newspaper, whose courageous editor-in-chief I had the pleasure of meeting recently, was closed in September. Since then, its offices have been raided, its computers confiscated, and its journalists and directors arrested. I am aware of the constant violence and intimidation they face as they go about their business, and I place on record my admiration for their courage in the face of such harassment.

I shall say a word about our response to the desperate situation in Zimbabwe in respect of sanctions. With our EU partners, we imposed targeted sanctions on the ZANU-PF leadership in February 2002 consisting of a travel ban, assets freeze and arms embargo that are to be continued for another year, following a unanimous decision by the EU last February, and they are having an impact.

I am aware of the argument for extending the sanctions to include the children of those on the banned list. We have decided against it as we believe that children should not be made to pay for the sins of their parents, but we would be prepared to consider extending sanctions to those found to be propping up the regime, provided that such sanctions hit the guilty and not the innocent. That always has to be borne in mind when imposing economic sanctions.

Economic or trade sanctions are not the way forward, because they would have a negative impact on the ordinary people of Zimbabwe. As hon. Members have described, they already suffer enough hardship and poverty thanks to the ruinous policies of the ruling party.

As to the possibility of action through the United Nations, several hon. Members called on the Government to table a resolution at the United Nations Security Council. The Foreign Secretary made our position clear in the House on June 10 when he said that we would go to the United Nations Security Council for a resolution only if it had a good chance of being passed. Tabling a resolution now when it would be certain to fail would only hand Mugabe a gratuitous victory.

The EU put forward resolutions this year and last year at the United Nations Commission on Human Rights in Geneva, in which we played a leading part. Regrettably, on both occasions the resolutions fell to no-action motions supported by a large number of African countries.

Mr. Robathan: There is not much difference in the spirit with which we view the matter, but it is not good enough for the Foreign Secretary to say that a motion would certainly fail. We should flush out those in the United Nations who speak in support of Zimbabwe. We should hear what they have to say, and very strongly put the argument against Zimbabwe firmly into the international arena.

Mr. Mullin: As I said, we did that at the Commission on Human Rights in Geneva, and it did flush out those who were opposed to it, but the resolutions fell to no-

[Mr. Mullin]

action motions. It is extremely difficult when the countries immediately surrounding Zimbabwe do not believe it is a matter for the United Nations Security Council. Commonwealth action has proved possible. The Commonwealth responded to the crisis by suspending Zimbabwe from its councils in March 2002 following a presidential election that most international observers judged to be neither free nor fair.

The suspension remains in place and will be discussed at next month's meeting of the Commonwealth Heads of Government in Abuja. I shall be attending the conference with the Prime Minister and the Foreign Secretary, and we hope to have further discussions with Commonwealth leaders about Zimbabwe.

Our position on the issue of Zimbabwe's suspension is the same as that of the Commonwealth Secretary General, who has listed five benchmarks where there would have to be progress before Zimbabwe could be readmitted. The Government of Zimbabwe must first, achieve national reconciliation and dialogue; secondly, repeal legislation that prejudices the freedom of speech, of the press and of peaceful assembly; thirdly, end harassment of opposition parties and civil society groups; fourthly, address the recommendations of two Commonwealth election observer reports; and fifthly, engage the Commonwealth secretariat and the UN Development Programme on a proper land reform programme.

I am sorry to say that there has been little progress towards meeting any of those benchmarks or the Commonwealth's Harare principles for good governance. There has been no formal dialogue between the ruling party and the opposition for more than a year now, and attacks on the opposition, independent media and civil society continue. On that basis we see no justification for readmitting Zimbabwe to the Commonwealth councils, and we shall make that clear in Abuja. I made the same point when I visited South Africa earlier this month.

Mr. Evans: Will the Minister give an assurance that, while Zimbabwe remains suspended from the Commonwealth, it will not go to CHOGM in December in Nigeria?

Mr. Mullin: The Government will oppose Zimbabwe's attendance at CHOGM, and I have no reason to suppose that Mugabe will be there. Indeed, President Obasanjo, who is the host, has made it clear that he will not be invited.

The hon. Member for Blaby (Mr. Robathan) and others said that we should do more to encourage South Africa to speak up. We keep in close touch with the South African Government on the issue, and they want a solution as badly as we do—more so, indeed. They are in the front line, and might have to cope with 2 million Zimbabwean refugees. We listen with respect to what the South Africans have to say. They have the same objectives as we have, and are working hard behind the scenes to achieve a solution. We see no advantage in involving ourselves in a public spat with the South Africans, not least because we are working to the same ends.

The point has been made this morning that there is no use in African Governments signing up to good governance under NEPAD if they bury their heads in the sand the first time a hard case comes along. That is precisely the point that I made publicly when I was in South Africa—it needed to be made there and it was widely reported.

Mr. Spring: Of course we want to enjoy a close relationship with South Africa. Its role is important and we do not want any rancour between our two countries. However, the idea of encouraging informal links between ZANU-PF and the MDC needs to be made more formal if it is to work. South Africa surely has a role to play in that, as does the Southern African Development Community, because unless the process is open and transparent, no movement on that level will be made, if any is to be made at all.

Mr. Mullin: That is perfectly true, and my understanding is that South Africa has been extremely active behind the scenes. The difficulty is that it is unclear whether the Government of Zimbabwe has sent an appropriate response. However, there is no advantage in dividing the Commonwealth along black and white lines, and to do so would only play into Mugabe's hands.

We have responded to the humanitarian crisis by continuing to honour our commitments to provide the Zimbabwean people with assistance. The latest estimate is that 2.5 million Zimbabweans, from a population of around 11 million, are dependent on international food aid, and that figure is expected to rise to around 5.5 million in the coming months. We are the largest European bilateral aid donor to Zimbabwe and second overall, after the United States. On 23 October, our high commissioner in Harare announced a contribution of a further £5 million to the World Food Programme's emergency appeal for food aid, which brings the UK's contribution to humanitarian programmes to £62 million since September 2001. We are doing all we can to ensure that ZANU-PF does not use international food aid for political advantage, as is the WFP. My hon. Friend the Member for Northampton, North observed that the food distribution system in Zimbabwe had integrity, difficult though the climate is, and I take note of that.

The Zimbabwean economy is in a desperate state. The statistics speak for themselves: it is now not only the worst performing in Africa, but the fastest shrinking in the world. The decline of Zimbabwe's economy is not due to bad weather, as Mr. Mugabe would have us believe, but largely to his Government's disastrous economic policies, which have undermined macro-economic stability and destroyed business confidence.

I regret that it is not possible to find much positive to say about the current state of Zimbabwe, but I stress that we stand ready to work with any new Administration that is democratically elected in a transparent, free and fair process. My hope is that when political change comes it will be followed by renewed donor support and re-engagement by the World Bank and the International Monetary Fund. We stand ready to play our part when the time comes.

Mr. Deputy Speaker: We thank the Minister for his reply. I remind hon. Members that he has said that he will write to anyone whose question he has not been able to answer.

Royal Palaces

11 am

Dr. Vincent Cable (Twickenham): I am grateful for the opportunity to introduce an Adjournment debate on an issue that has caused a great deal of stir in my constituency and in my part of London. I shall focus on access and access charges to the ornamental gardens at Hampton Court palace. Anyone listening for the first time to my comments might think that the issue is very narrow and specific, but it is not. It concerns important issues of principle and public policy, with potential for precedent. I know that Ministers have been actively involved in the issue, and that the Minister for Media and Heritage, Lord McIntosh, has been to Hampton Court to discuss the proposals. I am sure that the Minister for the Arts, who is present, is well aware of the substance of the matter.

Although Hampton Court is in my constituency, the issue is not one that is of concern only to people in the Twickenham area. Hampton Court is effectively at the intersection of three parliamentary constituencies. Across the river, over Hampton Court bridge, is the constituency of the hon. Member for Esher and Walton (Mr. Taylor), who has been active in this campaign. Also across the river is the constituency of my hon. Friend the Member for Kingston and Surbiton (Mr. Davey), who has also been actively involved and has been to see the Minister for Media and Heritage about the problem.

We have worked together, across the parties, to represent a common view among our constituents. All three of us are conscious that the matter has stirred up the amenity societies and residents' groups, which in many ways provide much of the social fabric in our communities. In my area, the Hampton Court Association, the Hampton Wick Association, the Hampton Society, the Teddington Society and the Hampton Hill Association have been voluble in their comments on the proposal. I single out Mrs. Spence of the Hampton Court Road environment committee, who has in many ways led and orchestrated residents' representations.

Now that a decision—frankly, a rather regrettable one, which I want to talk about—has been made, I acknowledge that there were some positive features to the process by which it was reached. I acknowledge the role that the Hampton Court authorities, probably prompted by Ministers, played in making things a little easier. I praise the extent and thoroughness of the process of public consultation. Many residents were consulted and a professional MORI poll was conducted of local opinion. I regret that the conclusions of the surveys do not appear to have been listened to in reaching a decision, but none the less the consultation was wide and thorough.

I acknowledge too—again, in a positive spirit—that there have been compromises and concessions to local opinion. First, some elements of the gardens, such as the wilderness and the tiltyard, for example, which will be familiar to people who visit regularly, have been excluded from the charging proposals. There is a proposal for a new access route so that residents can gain access to Home park, the large deer park that accounts for 640 acres of the 700 acre estate. They will not be barred from access and will not have to pay. There will be no charge in winter. I recognise that those moves go a little way to assuage residents' annoyance—or probably anger, in some cases—about what is happening.

There are three headings to my comments on the proposals. One is the principle of access, the second is legality and the third is the economics of the proposal. On the broad principle, I am conscious that I represent an area with a strong sense of history, ranging from Hampton Court at one end to Marble Hill house and park at the other. The constituency is rich in history and people are conscious of their history and the various associated traditions. I grew up in the city of York surrounded by mediaeval and Roman remains, so I know how heritage is valued and how people identify with it if they live in such areas.

A long-standing tradition is that residents have uninhibited free access to the grounds of Hampton Court. In 1834, Queen Victoria decreed that the palace grounds and parklands should be open to the public. Local historians have found that there was access to the gardens long before that—going back two centuries or more.

Some highly symbolic and important battles have been fought in the area on free access to royal estates. One of the large royal deer parks in the Twickenham constituency is Bushy park, which is a few hundred yards from Hampton Court. The park has long been a royal establishment, but is managed by local wardens called rangers. There was a major issue 250 years ago, when the then monarch delegated powers to a ranger, who tried to close off access by the local public. A legal action was raised by a local cobbler, who won the case in court and forced the monarchy, through the rangers, to open the park to local residents so that they could walk across it. That is quite an important principle of local liberty.

A similar thing happened to Richmond park, which is in an adjacent constituency. It was established by Charles I, who tried to enclose it as a royal preserve, but protests were so severe that he was forced to concede the principle of pedestrian access by local residents and, indeed, established walls and little access points so that residents could walk through it.

Under subsequent monarchs, there was an attempt to row back from that commitment. In 1761, there was another legal case when the park manager tried to restrict access by residents. That case was fought in the courts and the public won. We are talking about historic rights that go back hundreds of years and which are remembered and valued, but they are now being set aside.

What concerns many residents and should perhaps concern us all is that, once we concede the principle that the owners or managers of heritage sites can charge for access to gardens, that potentially opens an enormous Pandora's box. I imagine that directors of parks in many local authority areas who currently extensively maintain beautiful ornamental gardens may well lick their lips when they hear of the decision, because many of their financial problems would no doubt be overcome if they could establish a gate and charge local residents for admission to the local park. Clearly, there is

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institutionally a difference between royal palaces and the local parks of local councils, but the principle is the same and I can see a worrying precedent being set.

Secondly, I shall focus on the decision's legality. I am not a lawyer and do not propose to debate and contest the legal opinion that has been given. However, I have been sent copies of a letter in which a summary is given of the Attorney-General's view on the matter, and I will read that because it is important for the record. The Attorney-General concluded that it was permissible to make a charge for admission to the formal gardens, with the proviso that the cost was reasonable, related to the cost of upkeep, and not at a level that in effect restricted public access. That is the Attorney-General's legal opinion, which we must accept.

However, the opinion is being strongly contested by local residents, who have sought an independent legal opinion. It would be desirable if some of the legal reasoning could be published, and I think that the Minister for the Arts has given an assurance on that. I know that the Attorney-General's opinions are never published and I am not asking for that, but there will be a legal commentary explaining why the view sought by local residents is invalid. I believe that an assurance has been given that that will be published. Can the Minister for the Arts confirm that?

I am more concerned about the common-sense aspects of the matter. What is meant by a reasonable charge? The proposed charge for access to the gardens is £4 for an adult and £12 for a family. A season ticket, which would apply to local residents who visited regularly, would be £20 for a single person and £50 for a family. The question arises whether, in a common-sense use of the term, that could be described as "reasonable". Evidence from the various surveys that have been carried out suggests that many local residents would not regard it as reasonable. The report of the royal palaces comments on the surveys. It freely acknowledges that most people are opposed to the change, and that although one third of residents accepted the principle of a charge as being useful and necessary for maintaining the upkeep of the gardens, the average figure that they thought reasonable for a season ticket was £10 – half the proposed price.

The season ticket, which is intended to be a concession to local residents, becomes viable only if people visit the gardens more than five times a year. The evidence from the survey suggests that 62 per cent. of visitors visit the gardens more than once, but do not go there more than five times. For them, that concession will therefore be of no value.

The other key point in the legal ruling is that the charges should not be set at a level that has the effect of restricting public access. However, because of the way in which the charges will be imposed, public access will be restricted. Some 20 per cent. of the people in the palace's service said that they will no longer go to the gardens; their access is being removed for reasons of affordability or issues of principle.

A further point concerns the opening hours of the gardens, and I hope that the Minister may be able to give practical help on that matter. It is proposed that opening hours for the gardens will be restricted to the opening hours of the palace. Those who live in the area will know that one of the great pleasures of Hampton Court is the ability to walk in the gardens in the evening. As I understand the proposal, the gardens will now be closed on summer evenings – the point at which they are most enjoyed by local residents. The day visitors, who come as tourists, presumably will not object to these charges, but the residents who enjoy walking in the gardens in the evening will be faced with the galling sight of the gardens being locked, because they will close at the closing time of the palace. It seems reasonable to ask why the palace authorities cannot open the gates when the palace shuts and let residents walk in the gardens in the evening. There will be no loss of revenue because they will not be charging if the gardens are closed. That small but important gesture would be greatly valued.

My final point about the principle of restricting access is that there is a problem for pensioners. The people who have time and perhaps care most for the ornamental gardens are the elderly. They are being given a concession, but it is not very generous: the standard rate will be £4 per adult, and the concessionary rate will be £3. For a state pensioner who lives locally and is used to visiting the gardens once a week or more, £3 to walk around the gardens will seem rather steep. I am not sure that the palace authorities appreciate the hurt that that will cause. I hope that the question of the concessionary charge for pensioners can be re-examined.

In conclusion, I shall discuss the other legal issue – the question of residents' preference – which has not been properly dealt with in the commentaries that have been made. In June, when I first met Mr. Giddons to discuss the proposals, he said that the palace authorities had no alternative but to charge local residents for visiting the park because of a European Court ruling that it was no longer permissible to discriminate against non-residents. I can understand that it is illegitimate for palaces or other authorities to discriminate against non-British citizens who live in the European Union – the courts have to uphold the single market – and it would be wrong, given that we are part of the European Union, for British citizens to enjoy lower charges than do citizens of other member states.

That is not the issue, however. The question is whether it would be right for the palaces to charge a preferential rate for people who live in the three adjoining boroughs, constituencies, or narrowly-defined postcode areas; we are not talking about Britons as opposed to other members of the European Union. I have never received a clear answer as to whether the Government and Historical Royal Palaces believe that even that kind of preference is now illegal because of the European ruling. That would be a mind-boggling and, for one who broadly supports the European cause, uncomfortable conclusion. If it is illegal, there are enormous implications, as many heritage institutions in Britain offer special discounts to local residents. I would be grateful to have clarification from the Government as to where we stand in that respect.

My final point relates to the economics of the exercise. It would be useful to see a copy of the business case that HRP has put forward for the proposal. Even if it makes sense in its own terms, I am sceptical: the gardens are extensive, and there would be a considerable cost involved in establishing charging points. Economists talk about that boring problem, elasticity of demand:

when the price of something that is not a necessity goes up, people stop using it. The Government know painfully from the experience of museums that once charges are imposed, visitors are lost. I suspect that that will happen in this case. Not having seen the figures, I do not know whether the business case for the charges stacks up. There is a telling sentence in the letter from the Minister to the chairman of HRP:

"I know that in arriving at your decision you will wish to balance the relatively limited financial benefits to HRP against the views of the local people."

I share the view that the benefits are relatively limited. If it is too late to change the decision, I would ask the Minister to consider opening the gardens in the evening when the palaces are closed; publishing some of the background documents, particularly those related to the legal opinion on access; and giving a clear statement about the issue of national versus local residential preference in the light of the European ruling.

11.19 am

The Minister for the Arts (Estelle Morris): First, I congratulate the hon. Member for Twickenham (Dr. Cable) on having secured an Adjournment debate on what must be a burning issue both in his constituency and in neighbouring ones. I do not know the area well, but I can understand that the gardens are an important element of the community's facilities and amenities, and I suspect that many generations will have grown up with a degree of access to them that might not apply this time next year.

While I can understand the hon. Gentleman's case, and imagine the force with which his constituents have made it to him, I also acknowledge the position of Historical Royal Palaces. It became a non-departmental public body in 1998, receiving no grant in aid, yet it was willing to take on the responsibility of raising sufficient funds to run the royal palaces. That is creditable—it is the way it should be—but consequences flow from it. It did not imagine at that time that one of those consequences would be that it would have to charge for areas of ground that are not currently charged for, but much has happened in those four or five years.

I suspect that if visitor numbers had not fallen, we would not be having this debate. The numbers have fallen from 3.5 million in 1998–99, to 2.8 million last year, and a predicted 2.5 million this year. That creates a problem for running the palaces. Fewer people pay to visit the parts of the palaces that require payment, so the income is less but the expenditure has not fallen commensurate with that. The expenditure needed to maintain the gardens is £2 million, and 38 full-time members of staff are employed.

Historical Royal Palaces realises that areas of the gardens have never been charged for but it wants to keep the gardens in good order. I am sure that the hon. Gentleman recognises that it carries out those responsibilities to the highest standard, and none of us wants that to diminish. However, the books do not balance in the face of decreasing visitor numbers. The proposed measures would do no more than balance the books and secure the revenue needed to run the gardens.

There are two opposing aspects of the argument. The first is the historic tradition, which the hon. Gentleman forcibly covered. Local residents feel strongly that the gardens are a valuable part of their community and amenity and do not understand why they should be charged. In the face of that, HRP needs to secure money to maintain the standards, and that is the dilemma that it faces. The hon. Gentleman rightly said that the Government's position is that, having been made a non-departmental public body in 1998, HRP must make the decisions, and I do not want to interfere with its right to run the gardens and palaces as it sees fit. However, changes must be thorough, consulted on and reasonable. They must allow reasonable access and not be set at a disproportionate level that would make it difficult for local people to pay.

The consultation has been thorough, and the results may be that people would say that if they had to pay, they would not visit. That is an exact snapshot of the feelings of people in the hon. Gentleman's constituency and neighbouring constituencies and boroughs. Only time will tell whether those feelings change, but I hope that the hon. Gentleman will acknowledge that the amenity is such that some people who say that they would not pay, in an attempt to influence a decision not to charge, would pay at the end of the day.

I support HRP. I do not think that it is by nature good to charge, but I support it in doing its job. It has to decide whether the money secured might cause fewer people to visit, and is therefore not worth the financial effort. HRP must put its costings and plans into the public domain. I hope that someone from HRP will read this debate, make a decision, and write to the hon. Gentleman. Anyone running an institution must make such a judgment. I am pleased that it has decided to consider the issue for a year, review it and ascertain whether the arrangements needed for charging, and the possible break of relations with the community, are worth the funds that it will secure from it. It has made clear that it will charge from next year, but I am pleased that it will also undertake a review.

I want to clarify that Home park, Barge walk, Hampton Court green, the west front, the rose garden, the tiltyard and the wilderness will remain free of charge. Of the 60 acres of the gardens, we estimate that more than half—36.5 acres—will remain free of charge. I know that that is less than was previously free of charge—only 5.5 acres had to be paid for before the changes. There is no doubt that less of the land is free of charge.

The hon. Gentleman did not mention that the charge will apply for six months of the year during the summer season. During the winter period, which I presume runs from October through Christmas to Easter, in April or thereabouts, it will be free of charge to local residents and anyone who wants to visit. He said that £20 for a season ticket and £10 for a concessionary rate—the Government were very keen that there should be a concessionary rate for people on lower incomes—was not reasonable. We could debate at length the legal basis for what is and is not reasonable, but HRP believes that there comes a point at which the level is so low that it is not worth setting up the mechanisms for charging. It believes that £20 for a season ticket, £10 for a concessionary rate, free access for half the year, and £4 for access to all gardens that charge for entrance—I understand that it £3 at the moment—is reasonable.

I do not want to enter into a debate about charges, but I want to express my satisfaction at there being a concessionary rate. We must leave it to local residents to

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decide whether £20 is reasonable. The Government have no power to intervene, but as the hon. Gentleman said in the meeting that he and his colleagues had with my colleague, and as the letter said that is now in the public domain, we certainly want HRP to take local people's views into account. Following the consultation, it has now done that. As I said, when the year is over, I have no doubt that HRP will consider the extra income that it secured and decide whether it was worth it.

It was the drop in the number of visitors, not from Europe but from further afield, that brought about the changes. In the years to come, I hope that there will be an increase in the visitor numbers from America—the largest drop and the greatest problem for HRP—and from the middle east and far east. I have no doubt that the hon. Gentleman and his constituents will be alert to any increase in visitor numbers and that they will bring them to the attention of HRP for its response.

I am happy to clarify the European position, which I was not aware of until I prepared to answer the hon. Gentleman's question during Department for Culture, Media and Sport questions last week. The judgment was made in January in, I believe, response to an Italian case. His reading is absolutely right: it is illegal not only to differentiate between visitors from the United Kingdom and from other European countries, but for his constituency and neighbouring constituencies and boroughs to discriminate by charging different amounts.

The charging structure relates to state-owned institutions, not to private institutions, which can still charge less for any group of people who live in a neighbouring borough. As the hon. Gentleman said, it appears that institutions in his area and other state-owned institutions have illegally been charging less for local residents for some time. As he might imagine, my right hon. Friend the Secretary of State will need to draw their attention to the fact that they are acting outside European regulations.

I will write to the hon. Gentleman if I am wrong, but I understand that the regulation is not new and that we have been acting outside it ever since it was introduced. That fact was brought to our attention as the result of a court case this January and in response to representations made by Italian institutions or Italian residents. His reading of it is absolutely right. There should be no need for Government, or anyone else, not be absolutely clear about the position. If I have not made it clear and put it on the record, I would be pleased if he could write to me and I will happily do so. We have no doubt about the interpretation of the regulation, and want to put it in the public domain as soon as possible.

I thank the hon. Gentleman for bringing the matter to the attention of the House. This sort of local issue is very important to constituents and to Members of Parliament. It is crucial that such issues are aired in this Chamber and in both Houses of Parliament. I will do all that I can to let HRP know the strength of opinion held by the hon. Gentleman and his constituents, although I say again that I have no powers to intervene in its decision. My hon. Friend and I will watch what happens and see what the response of HRP will be to the charges that it has introduced.

Sitting suspended until Two o'clock.

Aviation

2 pm

Mr. Tony Colman (Putney): Thank you, Mr. Deputy Speaker, for agreeing to my request for a full-length debate on sustainable aviation policy. That subject is close to the hearts of my constituents. For that reason I have returned, with the Speaker's help, to the subject of aviation and its impact on Putney on several occasions, notably in Adjournment debates in October 1997, March 1999 and January 2001. Hon. Members who were present at the 2001 debate will recall that it took place immediately after the meeting of the International Civil Aviation Organisation, the UN agency dealing with the sustainability of aviation. That body will meet again in February 2004.

Again and again, Ministers have told me that the UK Government cannot go it alone on regulating for sustainable aviation and that if they did, it might be not only unenforceable, but disastrous for the UK. I hope that, among other things, we will be able to use this debate to set the UK agenda for the ICAO meeting in 2004 and ensure that the EU agenda is brought alongside. Perhaps it is not beyond our capability to ensure that the Commonwealth is brought on board, and perhaps the world's single superpower—the United States—could also be prevailed upon to embrace the principles of sustainability in aviation, which it failed to embrace at the world summit for sustainable development in Johannesburg in 2002.

I am indebted to many sources in preparing my speech, including HACAN ClearSkies, the Socialist Environment and Resources Association, the aviation environment federation, Wandsworth council and its leader, Edward Lister, who went through a conversion to sustainable aviation in May 1997—I am, however, no less appreciative of his changed views.

I remind hon. Members that there is a meeting today at 6 pm in Committee Room 18, the subject of which is London against the third runway at Heathrow. It is sponsored by HACAN ClearSkies, co-ordinated by the London borough of Hillingdon and hosted by my hon. Friend the Member for Hayes and Harlington (John McDonnell) and the hon. Member for Uxbridge (Mr. Randall)—

Mr. Deputy Speaker (Sir Nicholas Winterton): Order. I have to draw the attention of hon. Members who are concentrating on the debate to the fact that there is a Division in the main Chamber. I look to the co-operation of the House. I should like to resume in precisely 10 minutes if that is agreeable.

2.3 pm

Sitting suspended for a Division in the House.

2.12 pm

On resuming—

Mr. Colman: As I was saying, the meeting this evening will be hosted by my hon. Friend the Member for Hayes and Harlington and by the hon. Members for Uxbridge and for Ruislip-Northwood (Mr. Wilkinson), all of whom are present in the Chamber and may wish to

contribute to the debate. I also draw attention to the new all-party group on sustainable aviation, chaired by Lord Faulkner of Worcester and made up of the hon. Members for East Surrey (Mr. Ainsworth) and for Uxbridge, my hon. Friend the Member for North-West Leicestershire (David Taylor), the hon. Member for Cheadle (Mrs. Calton) and the hon. Member for Hertford and Stortford (Mr. Prisk).

Clearly, there is overlap with other all-party groups, such as the group for Global Legislators Organisation for a Balanced Environment, which does excellent work on parliamentary environmental concerns. However, the new APPG for sustainable aviation has a narrower focus. Its mission statement is

"to inform the UK Government about the range and scale of the local, national and global environment impacts that the air transport industry causes and to participate in the debate on how best to control and reduce them, creating an environmentally sustainable future for those who work in, use, and are affected by the industry's everyday operations."

The Government's definition of sustainable aviation in the consultative paper on air transport policy of December 2000 is wider. The new air transport White Paper should establish a framework that will ensure that the long-term development of aviation in the UK is sustainable. The consultative paper states that aviation has implications at four levels and there are four aspects of sustainable development, the first of which is the maintenance of high and stable levels of economic growth and employment. The UK has a strong aviation industry, including airlines, airports, aerospace manufacturers and supporting industries. They make a significant contribution to the national GDP, as well as to facilitating growth in other industries. The aviation industry also provides many jobs, both directly and indirectly.

The second element of sustainable aviation is that there should be social progress that recognises the needs of everyone. Aviation brings benefits for employment, cultural exchange and opportunities to travel. Foreign travel and holidays are now within the reach of a broad cross section of the population for education, leisure and visiting friends and family.

The third element is the protection of the environment. Aviation affects climate change, local air quality, noise levels, biodiversity, energy use, waste and water. The environmental effects associated with travel to airports and any associated health effects also need to be considered.

The final element is the prudent use of natural resources. Aviation consumes many natural resources, in particular fossil fuels and the raw material necessary for producing aircraft. Airport development can involve significant land use and urbanisation of the surrounding areas.

I regret to say that the response of the Airport Operators Association added two other concepts to the definition of sustainable aviation. One was that we should deliver airport capacity, and that aviation policy should ensure at all time the effective provision and use of airport and airspace capacity in all regions of the UK. It said that that should include a decision on where and when additional runway capacity is provided in the south-east of England.

David Taylor (North-West Leicestershire): Is my hon. Friend disappointed by that addition? Many people who live in airport communities believe that the White Paper is merely an exercise in meeting the ever-exploding demand of the aviation industry while making a token effort to mitigate its environmental impact.

Mr. Colman: I agree strongly with my hon. Friend. I hope that this debate—held in good time before the White Paper is published in some four weeks—allows the Minister to take on board the mood of the House on these issues.

The second aspect that the Airport Operators Association added is that it wants to see a reform of the planning process. It said that aviation policy must be supported by a modern, more effective and swifter system for determining major airport development in the national interest, and must promote an approach characterised by consensus rather than confrontation. I am concerned that those two aspects could drive decisions that would not be sustainable.

Following the AOA's comments, we have had the joint HM Treasury and Department for Transport consultation paper, "Aviation and the Environment", and subsequent commentaries from the UK Sustainable Development Commission, the Transport Committee, the Environmental Audit Committee and the Royal Commission on Environmental Pollution. We await the White Paper on air transport before Christmas, and the decisions on new runways. I hope that we have joined-up government, that the economists are talking to the environmentalists and that both are looking at the impact on the poor and the most marginalised in our communities.

My speech today will be from a west London, Putney viewpoint. I recently received literature by the Manchester airports group entitled, "Supporting Aviation in the Regions". However, the need for sustainable aviation must be the same throughout the United Kingdom. Unless the problem is solved at source, the problems of unsustainability that afflict the south-east will soon hit elsewhere.

I shall now explore the key issues that I would like to underpin the pre-Christmas decision and the United Kingdom's agenda at the meeting of the International Civil Aviation Organisation in February 2004.

I am not a hypocrite. I fly, as do many of my constituents, at least the better-off. We choose to live in Putney in part because of its closeness to Heathrow and other airports. We want to continue flying for our work and holidays. The essence of sustainable aviation is not no aviation or very little aviation, but that which is needed for international competitiveness and that which can be afforded within sustainability.

Airlines and airport facilities employ thousands of local people. That is what makes the impassioned campaigns by hon. Members such as my hon. Friend the Member for Hayes and Harlington and the hon. Member for Richmond Park (Dr. Tonge), who is not able to be here this afternoon but who is very supportive, so important. Our constituents feel that the balance has shifted too far in the wrong direction. We want the jobs and the convenience, but we also want the politicians in charge—Conservatives before 1997, and now Labour Members—to regulate airlines and

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airports, stop night flights, which my earlier debates have shown are not needed for the UK economy's competitiveness, and stop excessive noise and pollution.

Mr. Deputy Speaker: Order. That is an appropriate time to announce that there is another Division in the main Chamber. I ask hon. Members to be back to recommence proceedings at 2.29 pm. I am grateful for their co-operation.

2.19 pm

Sitting suspended for a Division in the House.

2.30 pm

On resuming—

Mr. Colman: Large numbers of people are already employed at Heathrow and at other airports. I do not believe that the concept of sustainable aviation would lead to their losing their jobs. The question is, would the expansion of unsustainable aviation lead to a gain in jobs?

The Department for Transport still refuses to look at the evidence, in the round, on job creation. It places undue reliance on the Oxford Economic Forecasting report, which was largely paid for by the aviation industry. It has downplayed the roads consultation called "Transport and the Economy", produced in 1999 for the Department of the Environment, Transport and the Regions. That authoritative research found that in a developed economy such as that of the UK, transport infrastructure is only important in regional regeneration and job creation if other factors—such as the availability of a suitably trained work force—are in place. It found that those other factors are usually more critical. Professor John Whitelegg published a report for the Campaign to Protect Rural England earlier this year on the effect of expanding Manchester and Liverpool airports on the economy of the north-west. It found that if the money were invested in improved rail links to London and improved surface level transport in the region, that would be more beneficial to the economy. I look forward to hearing hon. Members from that area contribute to the debate.

David Taylor: One of the nonsenses about the balance of transport in the United Kingdom is that such a high proportion of journeys of up to 1,000 km are still made by air rather than by an improved rail network. If those journeys were taken by rail, there would be much less environmental impact and they would take less time.

Mr. Colman: I agree with my hon. Friend and will develop that point later.

A seminar held by sustainable development charity Forum for the Future in June, on the economic benefits of aviation, raised question marks over the methods and assumptions used to calculate those benefits. First, it asked whether the resources and labour used in expanding airport capacity are additional, as the Treasury would define them, or whether that labour and those resources would be bid away from other sectors and provide little or no net economic benefit to the UK economy. Secondly, the seminar asked whether foreign passengers, a significant proportion, would be excluded from any assessment of the benefits of expanding airport capacity to the UK economy and its citizens, as recommended by the Treasury guidance set out in the Green Book. Thirdly, the seminar asked whether the offsetting transfer to UK airlines' profits from the higher passenger fares resulting from constraining capacity would be factored into the calculation of the economic benefits of aviation. Fourthly, it asked whether extra aviation capacity would boost productivity growth elsewhere in the UK economy and, particularly, how important that extra capacity would be for attracting investment, generating knowledge spillovers and allowing the economic specialisation that produces wider economic benefits. Fifthly, the seminar asked whether higher fares resulting from capacity restriction would make any significant difference to the competitiveness of the export and financial sectors. As far as I know, none of those questions has yet been answered.

In the briefing that it sent me for this debate, the London chamber of commerce and industry states that London needs a third runway at Heathrow, at least one more runway at Stansted and further options at Gatwick, London City and Luton airports. There is not a single word in that briefing about sustainability or about the environmental impact that such huge expansion would cause. This time I do not agree with the London chamber of commerce and industry. I hope that the Minister will answer those questions either during the debate or subsequently.

However, the underlying question is whether, if we did not expand capacity, other European airports would and we would lose our role as an international hub for transfers—largely for business men and women. We need to co-operate across the European Union on such policies. The Minister's predecessor, my hon. Friend the Member for Sunderland, South (Mr. Mullin), pursued such a Europe-wide regulatory framework in discussions. Does the Minister appointed in September see a key role for co-ordinating sustainable aviation across the European Union, rather than the "predict and provide no matter what the consequences" that has so bedevilled previous aviation policy? May I also make the case for the development of Eurostar routes, which would make inter-European travel more economic and far less intrusive? So far, the Department for Transport has been dismissive of the potential role of rail as an alternative to many short-haul flights.

There are indications that the Government and the aviation industry are defensive as they are aware that they are vulnerable on this issue. The White Paper examines the role of aviation over 30 years, so it should consider rail alternatives over the same time scale. Some 45 per cent. of the flights made in European-controlled countries are 500 km or less. Germany and France are actively developing high-speed rail as an alternative to internal flights, and I refer the Chamber to early-day motion 1860 on the aviation White Paper and rail travel and to early-day motion 1903 on aviation and rail travel, which reinforce my points.

That brings me to the second issue in the debate on sustainability: social justice. Much has been made of the need to cater for aviation expansion to provide cheap

flights, thus enabling poorer people to fly. Of course, the young and adventurous already use InterRail and cheap, swift buses to move around Europe and, in the past 20 years, the travel industry has opened up the Mediterranean and the world to package holidays. Ryanair and easyJet are, however, in a different league altogether—one that is almost free because of the subsidies from receiving airports, hotels and car hire. However, the facts seem to disprove the idea that current policy supports social justice. It is important to reflect that those on high incomes have benefited most from cheap flights, as they are the ones who fly there most. In a typical year, less than 50 per cent. of the population flies, only 11 per cent. of whom come from social classes D and E. The poorest 10 per cent. hardly ever fly.

Even on budget airlines, people from the top three social classes take more than 75 per cent. of all flights. Only around 45 per cent. of the population of the UK falls into those social classes. People in those top three social classes take four times as many flights a year than those in the bottom three social classes.

Mr. John Wilkinson (Ruislip-Northwood): At the beginning of his speech, the hon. Gentleman rightly referred to aviation and the social progress that ensued. He cited greater mobility for holidays and so on. Does he therefore advocate no further additional taxation on aviation, such as an increase in passenger duty or any application of fuel duties, to ensure that those from the lowest social classes have a greater opportunity to fly?

Mr. Colman: I shall come to that point later. The external costs of aviation should be internalised, as they are in rail and road travel. Aviation should not be made separate.

On current growth rates, an extra 1 million people are likely to have bought a second home overseas by 2012 and could take 12 million flights a year to visit those second homes—the same number of flights that Stansted handled in 2000. Those people are clearly not the poorest in our community.

Between 1984 and 1999, bus fares, which are more important for those on lower incomes, rose by 42 per cent, and rail fares rose by 35 per cent. In the past 10 years, however, air fares fell by 42 per cent. BAA's annual report boasts that 85 per cent. of passengers are high-spending ABC1s, compared with 50 per cent. throughout the UK.

The comments reported in *The Daily Telegraph* today lead one to doubt the importance to the UK economy of expanding airport capacity. Mr. O'Leary, chief executive of Ryanair, is reported as saying:

"We are so crazy, we'll pay people to fly with us."

However, a city spokesman says:

"They still make money on commissions if people book cars or hotels"

where they land.

How does that benefit the UK economy as opposed to Charleroi hoteliers? It is even more extraordinary that Ryanair, an Ireland-based airline, is asking the Secretary of State for Transport to continue to support Ryanair in various European countries, although the same state subsidies enable easyJet, MyTravelLite and Flybe to undermine unsubsidised airlines such as British Airways.

If there are no economic or social justice arguments for unsustainable expansion, what has the industry done to ensure that the environmental impact is contained? In 2000, Hotham school in Putney put on a celebratory play in their playground to honour the millennium. Despite microphones and loudspeakers, which were turned up to the maximum volume, no one in the playground could hear a thing as a plane roared over every 20 seconds, flying so close that one could see the passengers. Why has the industry not developed planes that produce no noise? I raised that issue in 2000. Why was the Airbus A380's design cost of £500 million underwritten by the Government with no requirement for decreased noise or pollution, or for fuel improvement? We learn from Dominic O'Connell in *The Sunday Times* on 16 November that in the production of the Airbus A380:

"There have been hiccups along the way, the biggest of which came in 2000, when the wing had to be completely redesigned. Singapore Airlines, which was lined up as launch customer, decided it would not buy the A380 unless it was quiet enough to use Heathrow airport at any time. Heathrow operates strict night-noise levels, and any aircraft breaking the noise limits faces heavy fines."

I wish there were more fines. The problems meant that an emergency reworking of the A380 took place, particularly

"at the front of the wing, where traditional slats were replaced by a 'droop nose' device that would meet the Heathrow targets. But the solution brought more problems in the shape of extra weight, which meant more exhaustive scrutiny of the rest of the design. Williams"—

that is Tom Williams, Airbus UK's managing director—

"now says that Airbus UK is happy with the weight of the wing. 'Weight is always a challenge, but we are now very pleased with where it is.'"

That is an important example of a situation where what could have been done was not going to be until the purchaser required it. The Government should have insisted that the A380 produced less noise.

On 12 November, I read in the *Financial Times*:

"An ambitious project to design a silent passenger aircraft has been launched by... Cambridge university and the Massachusetts Institute of Technology. If successful, the researchers could solve one of the biggest problems facing policymakers the world over as they struggle to plan for the growth in air travel... Ann Dowling, professor of mechanical engineering at Cambridge and one of the silent aircraft project's leaders said that the aim was for 'a radical change in noise levels so that beyond the perimeter of the airport, the noise of aircraft flying would be imperceptible to the public.'"

Incidentally, the world dominance of Boeing and Airbus means that those two companies could choose simply to provide aeroplanes designed to operate in a sustainable manner. Why did the Government not insist that the work was done years ago? I have asked similar questions in my previous debates, but have still received few answers. I believe that the development of a new generation of aero-engines based on renewable sources, at least when the plane is at cruising altitude, is possible. Is dual fuel a concept for only earthbound vehicles?

Lembit Öpik (Montgomeryshire): On a technical point, the hon. Gentleman will be aware that most noise comes from the engines rather than the airframe. It is traditional for aircraft manufacturers to allow choice of engines, so we shall have to appeal to engine manufacturers, above airframe manufacturers, to deliver noise savings.

Mr. Colman: I fully accept that. However, work has been done on aero-engine design at Cranwell, which I quoted in my previous Adjournment debate, that will deal with the hon. Gentleman's point.

May I now raise some points concerning the Kyoto protocol? I hope that Russia finally signs up to the protocol.

Miss Anne McIntosh (Vale of York): Before the hon. Gentleman leaves the topic of pollution, does he feel that the Government have taken on board the fact that most of the pollution that affects air quality in Heathrow constituencies emanates not from aeroplanes, but from cars accessing and passing Heathrow on the M4?

Mr. Colman: I will address part of the hon. Lady's question as I proceed, but the simple answer is no. I believe that the Mayor of London, who has so far refused to be drawn into the issue of sustainable aviation and the future of Heathrow, should clearly be involved. That is particularly important when it comes to congestion charging, which will be inevitable around Heathrow given its success in dealing with traffic levels in central London and the drop in pollution levels as a result.

Mr. Wilkinson: Is the hon. Gentleman advocating that his Government—or rather the Labour mayoralty—institute congestion charging for access to Heathrow? Could he clarify? That is of great concern, not only to the Londoners who work at the airport, but to the many people who travel there and to visitors, such as tourists, from other countries.

Mr. Colman: Mr. Deputy Speaker, you must tell me whether I stray beyond the point of the debate, which is on sustainable aviation. However, the sustainability of the life chances of the people who live around the airport is clearly impinged on by the high level of people who travel there using private vehicles. They should be encouraged to use public transport more. A lot of people working at the airport are bussed in from outside areas by BAA to restrict the number of vehicles approaching the airport. I should also say that the Mayor of London is currently an independent candidate for that position. He is not the Labour Mayor of London, but that may change.

I now return to the Kyoto protocol. I hope that Russia will finally sign it in the next few days, thereby triggering its coming into force. Aircraft emissions from international flights are outside the protocol, which requires the UK and other developing countries to cut their CO_2 emissions. The UK has voluntarily included those emissions within its target on CO_2 emissions. However, I must make a point about the Kyoto protocol. It is often prayed in aid of arguments over food miles and the sustainability of flying vegetables or flowers to the UK from countries such as Kenya. Kenya is a developing country and does not have the same CO_2 restraints. We should fly in its produce in the name of sustainable development. It is also worth noting that the amount of CO_2 used in Europe to heat greenhouses or polytunnels to provide such vegetables or flowers is higher than that emitted by flying the produce in from Kenya. Sustainability is attained when using aeroplanes for short-shelf-life produce.

As I said, the UK includes its airspace emissions in relation to the Kyoto protocol, but very few countries do. Such a world move would lead engine manufacturers to move, as with Singapore Airlines and the A380 wing. Financial instruments can make aviation sustainable. However, emissions from domestic aviation are included. The Government should act now.

The dumping, combustion and venting of fuel, which gives rise to pollutants and other obnoxious substances, is not simply a Kyoto protocol issue. It directly affects my constituents' health. Nitrogen oxide levels around airports are a problem, with local people in danger of being exposed to levels that are above the European Union legal limits, even before expansion. That led to the BBC story last week about the third runway for Heathrow being abandoned. I read in *The Sunday Times* that Rod Eddington of British Airways, Richard Branson of Virgin and Michael Bishop of BMI are appealing directly to the Prime Minister, over the Minister's head. I do not expect the Minister to comment on that.

I note from an article in the *Financial Times* on 8 November that BAA is running a shadow pricing scheme at Heathrow airport to test ways of encouraging airlines to operate less-polluting aircraft. The article states that BAA operates a scheme of landing charges at Heathrow that penalises airlines for flying noisier aircraft and that it hopes that a similar scheme could help to reduce emissions. A crucial factor in the Government's consideration of where to site new runways in the overcrowded south-east of England is whether Heathrow can meet tougher European Union air quality standards by the end of the decade. The chief executive of BAA, Mike Clasper, said that there were technically feasible runway options at Heathrow, Stansted and Gatwick. He added that air quality is important at Heathrow but that there are ways of solving the problem. I hope that that does not mean moving people out of the area. I would not wish a further runway on Heathrow, Stansted or Gatwick.

In autumn 2002, the Department for Transport was asked to rerun its sketch-planning analysis spreadsheet model—known as SPASM—a demand model of the need for airport expansion in the south-east with externalised costs internalised and tax exemptions removed. The CPRE, the Aviation Environment Federation and Friends of the Earth requested that the model should be rerun using the following assumptions: that aviation fuel should be taxed at the same rate as motor fuel; that air travel should be subject to VAT at 17.5 per cent.; and that duty-free on all flights should be abolished. It was also assumed that air passenger duty would be abolished and that those changes would be phased in gradually between 2005 and 2025. The total value of those tax measures was £9.2 billion at 2002 levels. The Department agreed to rerun the model using

those assumptions and the results were produced in February 2003. The results show that the total number of passengers using United Kingdom airports would increase at a much slower rate, from 200 million in 2000 to 315 million in 2030, compared with the official forecast of 501 million. Crucially, there would be no need for any new runway in the UK in the period to 2030.

The Royal Society for the Protection of Birds, the largest non-governmental organisation in the United Kingdom, supports the view that the rerun demonstrates that demand management could be made to work without causing a massive hike in ticket costs. Thus there could be no new runways, no effect on the economy and no impact on poorer members of the community. I look forward to the same conclusions being reached in the White Paper next month.

I return to where I started: the Deputy Prime Minister and my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher) led the world in setting sustainable development policies and negotiating the Kyoto protocol in 1997. I ask the Secretary of State for Transport and the Minister who is here today to take a similar world-leadership role and set the agenda both for the International Civil Aviation Organisation environmental meeting in February 2004 and for the regional debate that will no doubt take place in Europe, so that a way forward can be agreed beforehand.

I hope that there will be full consultation of parliamentarians, and that parliamentarians will be included as members of any UK delegation, as happened at the world summit on sustainable development and at the recent World Trade Organisation ministerial conference in Cancun, Mexico.

Sustainable aviation is not an oxymoron. It can be achieved. It just needs politicians and aerospace engineers to decide to work to ensure a sustainable world. In the case of global warming, we have set out our stall and persuaded the rest of the world to follow. Could the Minister therefore set out the following items in the Government's agenda for ICAO in February 2004: first, no night flights between 11.30 pm and 6 am; secondly, silent aircraft—airframes and engines—by 2025 and, on the way, progressive 20 per cent. and 50 per cent. cuts in noise below 2003 levels for all planes using UK airports; thirdly, major expansion of research into the use of non-fossil fuel for aircraft propulsion; and fourthly, total internalising of all external costs into plane fares, including fuel tax and climate change levy?

I believe that that agenda could be agreed across Europe, and could be the basis of a UK agreement at ICAO. I look forward to the Minister's response today and in Montreal at ICAO in February.

Several hon. Members *rose—*

Mr. Deputy Speaker: I want to help the Chamber. Very many Back Benchers want to be called. If they are self-disciplined and speak for no more than three minutes they will all have a turn. I am sorry, but it is three minutes. This is perhaps going to be a pattern not only in this Chamber but on the Floor of the House if more Back Benchers want to contribute to a debate with a single point that may sometimes be more relevant than a speech covering wide ground.

2.52 pm

Mr. John Randall (Uxbridge): I shall try to stick to your strictures, Mr. Deputy Speaker. I should not like any hon. Members to be bumped off this debate.

I congratulate the hon. Member for Putney (Mr. Colman) on bringing up the matter, providing us with a chance to debate it. My starting point in considering this question is to wonder what we mean by sustainable. Not being terribly bright—I think that earlier today I may have been described as a lesser person—but searching after learning, I went to Transport questions and asked the Secretary of State what he meant by sustainable development. I was told to wait, because the answer would be in the aviation White Paper. Perhaps the Secretary of State does not think that I can cope with that amount of knowledge at this stage; I am waiting to see what will be revealed.

As I like to learn about matters of this kind, I wondered where I could go for intelligent discussion about it. I found that a former Aviation Minister is now serving in the Government. He is the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Sunderland, South (Mr. Mullin). Some of his comments on this issue are fascinating and I would recommend anyone to read an article of 14 January 2003 in the London *Standard*.

A couple of little points give us a valuable insight into Government. The previous Minister said:

> "There is a long history of undertakings being given in return for controversial airport expansions which are either quietly forgotten or cynically abandoned once they become inconvenient."

I think that my constituents and those of the hon. Member for Hayes and Harlington (John McDonnell) would agree with that. The previous Minister also said that during his 18 undistinguished months—he was being very modest—as a Minister whose responsibilities included aviation, he learned two things: first, that the demands of the aviation industry are insatiable and secondly, that successive Governments have usually given way to them. Although nowadays the industry pays lip service to the notion of sustainability, its demands are essentially unchanged. It wants more of everything—airports, runways and terminals.

The hon. Member for Putney has already flagged up the fact that we are to have an excellent meeting later today in Committee Room 18 to discuss why everyone is against a third runway at Heathrow. I shall not rehearse the arguments here, but I can recommend the meeting; we shall have a full house. Echoing the hon. Gentleman's comments, if we do not want a third runway at Heathrow, I can understand why no one wants it at Gatwick, Stansted or elsewhere. If that is the case, why should the people in particular areas have to put up with airport expansion? The country has to take a radical look at aviation issues. If that means not allowing continual expansion to satisfy the demands of an industry that, although it has given a lot to the country, cannot be seen to be the only force in the equation, we must mean what we say by sustainable and put the environment and the quality of life of all our constituents before the ability of some people to have cheap flights.

2.55 pm

Mr. Mark Lazarowicz (Edinburgh, North and Leith): I, too, congratulate my hon. Friend the Member for Putney (Mr. Colman) on securing a debate on this matter. He made reference to the true cost of aviation, which is the nub of the debate on how to find a way in which the aviation industry can pay the true costs of its impact on the wider community and on the environment.

An imaginative and comprehensive approach must be taken to the problem, because the aviation industry enjoys tax concessions amounting to about £10 billion a year. Setting against that the £900 million raised from air passenger duty brings it down to just over £9 billion—comprising such things as VAT exemptions on tickets and aircraft fuel, exemption from excise duty on fuel, and other tax concessions. That is relevant to the debate about airport capacity, because if one links a low-tax framework to the increased capacity that the White Paper foreshadows, air travel prices will continue to reduce in real terms, leading to increased demand, so demand for more capacity will also continue to increase. The right tax policies are essential if the right sustainable aviation strategy is to be advanced. If the tax concessions to which I have referred were to be removed gradually, over 25 to 30 years, air travel would not increase in real terms but it would keep pace with inflation. The way in which those tax concessions should be addressed cannot be restricted to this country. The issue has both European and international dimensions.

We should not expect too much from some of the international aviation bodies that are dominated by airline industry interests, but we can look to the European Union to take a major role in addressing the issue. The idea of an emissions trading scheme for air travel is gaining support in many quarters. That could certainly be introduced on a European Union basis, and it would have an impact on some of the scenarios outlined by my hon. Friend the Member for Putney. It has been suggested that an emissions charge introduced on an European Union basis would reduce aviation's carbon dioxide contribution to global warming by up to 13 per cent. That would clearly have a significant effect on the overall picture. Such an emissions trading scheme might also allow us to move away from air passenger duty, which is a blunt instrument and takes little account of a journey's environmental consequences, which depend on its length, and the type and size of aircraft. Emissions trading would allow a much more comprehensive approach.

Finally, alongside a taxation policy to ensure that aviation bears its true costs, there should be investment in high-speed rail capacity, as my hon. Friend said. Such investment would allow many journeys in the UK to be transferred from air to rail, and would benefit areas such as mine very much. Auctions for slots at airports, for example, might allow funds to be raised to develop rail lines over the next 10 years, and not only contribute to solving the problem, but improve transport links to areas with the greatest need for urgent improvement.

3.1 pm

John Barrett (Edinburgh, West): I too would like to congratulate the hon. Member for Putney (Mr. Colman) on securing this debate. As we await the publication of the Government's White Paper, the importance of the issue will only increase. In debates on aviation, the focus is often on developments at Heathrow, Stansted and Cliffe, but we are having a vibrant debate north of the border, too. I shall not mention air rail substitution in my shortened speech this afternoon, however, because although it is important, it has already been addressed.

Since 1993, the annual number of passengers at Edinburgh airport, in my constituency, has risen from 2.5 million to almost 7 million and, with additional flights and new international flights, the figure is certain to rise further. There are global, national and local aspects to sustainable aviation. We should consider how to expand and develop our airports in a sustainable manner that minimises pollution.

Not all environmental improvements are obvious. The extension to the taxiway at Edinburgh, for example, is due for completion next year, and will reduce the taxiing time of aircrafts, thereby cutting emissions of carbon monoxide, while un-burnt hydrocarbons and PM10 particulates should also be reduced. The extension to the existing runway is crucial from an economic perspective, as it will allow different aircraft to use the airport for international flights. Similarly, it will have an environmental benefit. The short length of the runway forces aircraft to land at a steeper descent than would otherwise be necessary, and they have to take off with greater thrust. The combined result is more nitrous oxide and volatile organic compounds than would be produced if there were a longer runway.

A crucial issue that relates to air traffic and airport expansion, but which is often overlooked, is the environmental impact of traffic travelling to and from airports. If we are to have a truly sustainable aviation policy, we must think about the sustainability of the infrastructure that supports our airport. The road traffic on the western side of Edinburgh is grinding to a halt, partly owing to increased numbers of air passengers at Edinburgh airport. That is because buses and taxis are the only means of public transport that serve the airport. A recent survey showed that only 16 per cent. of those travelling to and from Edinburgh airport do so by public transport. That is why Margaret Smith, the MSP for Edinburgh West, and I warmly welcome the Scottish Executive's recent commitment to introduce a rail link to Edinburgh airport. It is critical that the project is made a reality as soon as possible.

Finally, I want to say a few words about noise. If the airports are to be developed in a sustainable way, plans need to involve local communities and allay any concerns, which are often about noise. I accept that it is not easy to do that. However, minimising the noise, which can cause misery to communities living around the airports, can play a big part. Indeed, my constituents in Kirkliston, Ratho, Newbridge, East Craigs and Cramond would want me to highlight that fact. Although official evidence on the impact of airport noise is inconclusive, the letters and e-mails that I receive from constituents who are disturbed and woken by late-night flights are far from inconclusive. The evidence is certainly conclusive that pupils studying at schools close to airports, including the five nursery and primary schools near Edinburgh airport, are adversely affected by the noise of arriving and departing aircraft.

We have seen advances in fuel efficiency, and in the dampening of aircraft noise by some 20 dB. However, further improvements, particularly to the noise of landing and taking off, are required so that local communities can benefit further. Meanwhile, we should seriously consider legislative proposals restricting night-time flights and requiring authorities to provide sound-dampening insulation at schools and other community buildings.

The provision of a sustainable aviation policy should concern us all. Some Members may have a specific constituency interest, and others a purely environmental interest; but whatever his reason, the hon. Member for Putney (Mr. Colman) has done us a service by allowing us to debate the issue. I look forward to the White Paper with eagerness and trepidation. However, one thing is clear: a basic predict-and-provide approach will not work. We must develop an aviation policy that is not only respectful of the global environment but considerate of local communities.

I hope that the Minister will reassure all those who travel, who live close to airports, who get caught up in the traffic around them, or who just breathe the air polluted by the many forms of transport, that a sustainable aviation policy can and must be delivered.

3.6 pm

Mr. Paul Truswell (Pudsey): I congratulate my hon. Friend the Member for Putney (Mr. Colman) on securing this debate.

The consultation document on the future development of air transport in the north of England has a number of important implications for the local development of air transport. However, because it contained only outline information and generalised options, it raised far more questions than it answered. Without clear details of the time scale and the implication of developments, it has been impossible to engage in meaningful debate. I therefore hope that the Government's consultation document and questionnaire were just a start. We need a continuing localised debate between local people and the airport authorities, and I hope that the White Paper will allow debate on future proposals.

For those reasons, I strongly urge the Government to require local airports to draw up some form of development plan. The plan should involve public involvement and participation—and I hope that it will be done democratically. Local airport development plans should deal with a number of key issues on planning and sustainability. They should be underpinned by an independent environmental impact assessment, which would include the prevention and minimisation of air and noise pollution. It should deal also with climate change and other associated issues such as operating hours. As my hon. Friend said, it is crucial that those issues are addressed in the context of effective national and EU standards.

The key in an area such as mine, which is covered by Leeds Bradford airport, is how to manage growth in a sustainable and sensitive way. Even though several options in the consultation document envisaged a quadrupling of air passengers, no attempt was made to quantify the wider implications. It may be outside the broad, national strategic consultation, but identification of such matters is crucial to local communities. A coherent attempt must be made to say in advance what the effects of growth will be, and at what point the effects of such growth—in terms of pollution, congestion, road safety and the physical environment—will place too great a burden on local communities. In other words, we ought to determine here and now what is sustainable for local communities. I hope that the Government will address those key issues in the White Paper.

3.9 pm

Mr. John Wilkinson (Ruislip-Northwood): I thank the hon. Member for Putney (Mr. Colman) not only for introducing the debate but for revealing so clearly socialist thinking on the future of air transport. [HON. MEMBERS: "Socialism!"] If an industry is a successful industry, and if it brings huge prosperity to the country and a large inflow of foreign exchange, the instinct of some Labour Members is to tax it, and then tax it more heavily. One wonders whether they are applying the right cost-benefit analysis. For example, extending the Channel high-speed rail link has cost hundreds of millions of pounds, and it has also had severe adverse environmental impacts along the route. It is simplistic to suggest that it is air transport alone that has a negative environmental impact.

It must be recognised that not all aviation fuel is without duty. Aviation gasoline is, paradoxically enough, subject to duty. Turbine fuel—kerosene—is not. The idea of imposing a value added tax and a higher level of passenger departure tax could be gravely prejudicial to the prosperity of marginal carriers and certainly would nullify the beneficial social impact of air transport on lower income groups to which the hon. Member for Putney referred. Notwithstanding that, one must also take into account the benefits for regional development of air transport.

Andy King (Rugby and Kenilworth): Will the hon. Gentleman give way?

Mr. Wilkinson: No, I will not.

Air transport is an economic lifeline for such remote and far-flung parts of this kingdom as the highlands and islands. To suggest that there is a viable alternative is just fanciful. The Government's decision to relinquish the UK's sole power to introduce bilateral air service agreements and to hand over that area of national sovereignty to the European Union could clearly endanger the future prosperity of air transport in this country. The United Kingdom is the premier gateway for transatlantic services and it is far from certain that the EU will be so keen for the United Kingdom to have such a preferential position.

One must not fail to take into account the environmental impact. That is why my two colleagues from the Hillingdon borough and I are sponsoring the meeting tonight and why we are so resolutely opposed to the third east-west runway at Heathrow. Civil air transport need not be inimical to the environment. There are certain sites that are clearly impossible from an environmental point of view, such as Cliffe and Maplin sands, but the incremental development of existing single runway airports in the south-east and the better use of regional airports offer a sensible way forward and that is the one that the Government should adopt.

3.12 pm

Mr. Alan Hurst (Braintree): I will endeavour, Mr. Deputy Speaker, to follow what I might call the Macclesfield directive and keep my speech strictly to three minutes.

I congratulate my hon. Friend the Member for Putney (Mr. Colman) not only on the learned way in which he has presented the debate but on his even-handed approach. He has not argued that the extra runway should be put somewhere else but that it may not be needed at this stage. I was also impressed by the remarks that the hon. Member for Uxbridge (Mr. Randall) made about sustainability. I am never quite sure what that means. I can understand what "sustainable" means when we are talking about fishing or timber, because fish stocks might run out and trees will go if we do not replace them. Clearly in economic terms the aircraft industry is sustainable within itself. It will go on growing, because there is no inherent check, but the price has to be paid by the communities around those airports, which suffer the consequences.

I shall plead localism because it may be my last chance before this report. My constituency is close to Stansted. I was particularly grateful that no one here urged that the second runway should go there. Stansted is one of the most beautiful parts of the eastern counties: it is full of historic and listed buildings, and is an area of small villages and rolling hills. One can well imagine the consequences of a second, third or fourth runway being planted there. I pray in aid—indeed, I can do no better—the 1985 inquiry, which looked ahead and almost contemplated the present situation. The inspector damned in the most poetic terms any prospect of having a second runway at Stansted. It would be superfluous for me to mention the pollution consequences, because they will affect any site that will be so named. The traffic to Stansted would multiply many times, as it would anywhere else.

Dr. Jenny Tonge (Richmond Park): I agree with what the hon. Gentleman is saying about Stansted, but he must beware what inspectors say after public inquiries, because no notice has been taken of them whatsoever.

Mr. Hurst: In concluding, I shall say that the comments of the 1985 inquiry were so comprehensively against what is now being contemplated that we do not need to go any further to conclude that the Stansted option should not be followed. I am sure that the same arguments will apply elsewhere.

Mr. Deputy Speaker: I hope to call two further speakers before the winding-up speeches. I shall first call the hon. Member for Montgomeryshire (Lembit Öpik) and then the hon. Member for Hayes and Harlington (John McDonnell). I ask them to be brief.

3.15 pm

Lembit Öpik (Montgomeryshire): I speak in favour of small airports and of a sustainable airports strategy. I fly aircraft and even contemplated setting up an airline until I realised that in order to end up with a small fortune in aviation, one has to start with a large one.

The British Airports Authority is an effective organisation, and Mike Clasper has a strategic focus on what is required of it. The same is true for easyJet and Ryanair, and we cannot blame them for running the best businesses they can. However, the Government are responsible for ensuring a strategy that does not overly focus on a few super-large airports such as Heathrow, Gatwick and, as threatened, Stansted, but instead eases the infrastructure pressure by making use of the many runways that are underused throughout the United Kingdom.

On environmental improvements, it is in the interests of aircraft manufacturers to make aircraft as environmentally friendly as possible, as noise and pollution both cost money. As such, there is a natural pressure in the system to improve in those areas.

The Government could improve the usage of existing runways by considering a hub and spokes strategy, in which airfields as small as Welshpool in my constituency are used to feed into the larger airports. It does not matter where international flights go from if passengers can get to the airport easily. It would be simpler for people to fly from Welshpool to Cardiff and on to New York rather than having to go to Heathrow to start the journey. I urge the Minister to build into his strategies positive support for scores of small airports like the one in my constituency. The Government could significantly ease the flow into the large airports by using regional and potential international airports as alternative feeders into international routes.

Air travel does not inherently have to be environmentally unfriendly or annoy local residents. A coherent use of what we already have will allow us to shift from building more runways at a few large airports to using more of the runways at the airports that already exist.

3.18 pm

John McDonnell (Hayes and Harlington): As you suggested, Mr. Deputy Speaker, I shall stick to one point.

In all the speeches so far, the central point is one that my hon. Friend the Member for Putney (Mr. Colman) has made in every speech over the past four years in dogged pursuit of the issue. It is that although in almost every other policy area we have a rational policy debate and decisions are reached with which we may not agree but for which we can understand the reasons, in airport policy reason goes out the window. We have years of planning inquiries that produce recommendations with which, again, we might not agree but which we appreciate are based on detailed analysis and made after everyone has had their say. However, successive Governments have overturned those recommendations or, at worst, accepted them for a limited period—two or three years or, for terminal 5, only 12 months—before overturning their own decision and the strictures put on their policy making.

We want rational policy making, and we hope that it will come from the White Paper, but I doubt it. Academics who study policy making no longer talk about presidential government or ministerial decisions, but about policy networks around Ministers that advise on decision making. In this policy network there are no countervailing forces to the main force, which is the industry itself. BAA and British Airways know that they have overwhelming influence in the circle around the Minister and the Prime Minister. We need balanced policy making in this field, as my hon. Friend set out.

We cannot even get to first base on independent information. Various competitors put their information forward at planning inquiries, but much Government decision making is based on information provided to them by the industry alone. I recommend that we establish an aviation policy commission, in which we bring together all the partners in the industry, including suppliers, environmentalists, local authorities and those who have a specialist interest. At least that would provide us with independent, if not consensual, information on which we can judge decisions.

I hope that future Governments adhere to the decisions made by planning inquiries. I do not want to go through another terminal 4 inquiry, where I am told that there will be no further developments, only to find that terminal 5 comes along, followed by another inquiry at which I am told there will be no further developments. Then there was the third runway—and now I am told that there will be a sixth terminal there. We need rational, consistent policy making.

Mr. Deputy Speaker: I make a plea to the spokesmen for the Liberals and her Majesty's Opposition to allow the Minister adequate time to reply.

3.21 pm

Mr. Paul Marsden (Shrewsbury and Atcham): I will try to keep my remarks short. This has been an excellent debate, which demonstrates that there is widespread concern at this crossroads in aviation policy. I congratulate the hon. Member for Putney (Mr. Colman) on securing the debate. He has a distinguished record in leading the debate on such matters and has demonstrated from the beginning that there must be international solutions as part of the complex proposals that the Government advance in the White Paper.

I appreciate the difficulty that the Minister is in. There is nothing easy about this subject. Any Government would struggle to accommodate the conflicting arguments. However, we do not want to see lip service paid to the policy of sustainable aviation—that is the danger. There has, in recent years, been a massive expansion in air travel, which is to be welcomed in terms of expanding free and fair markets, but there is a danger that it could become unfettered in this marketplace, which is in need of urgent reform and more regulation.

Runways may be required as a last resort, but we are a long way from that position at the moment. I believe that there would have to be another runway in 2017, at the earliest. Before then, however, there are so many options available in trying to curtail the demand. The problem is that the Government have simply pursued the old failed Tory policy of predict-and-provide. It is no use trying to work out the number of passengers and the amount of goods to be shifted and building more and more capacity. We have to make a stand at this moment. If the Government were correct in saying that we are heading for 500 million passengers by 2030, with prices being cut by a third, and that more runways would have to spring up all over the south-east, that would be an absolute disaster for the environment.

By 2030—if we continue as we are—aviation could be contributing 20 per cent. of the UK's carbon dioxide emissions and 15 per cent. of the greenhouse emissions. That would totally undermine many of the Government's targets. Similarly, there is currently a fundamental problem with noise, which we are not addressing in accordance with the World Health Organisation's recommended levels. The existing noise levels are supposed to be sustainable and acceptable to the general public, but they are not. It is a blight on people's lives that they have to put up with the levels of noise generated not just by the traffic moving in and out of airports, but by the planes. As the hon. Member for Putney said, the technology is there for a quieter aeroplane and a quieter engine. We need a Government with some backbone to start to impose quieter solutions for the sake of the public.

As the Royal Society for the Protection of Birds said:

"At the start of the 21st Century, we believe the case for further growth in aviation to be questionable; the marginal economic and social benefit of additional growth in aviation is outweighed by its environmental and social costs".

Likewise, many other organisations, including the Socialist Environment and Resources Association, have said that, without a demand management approach to aviation policy, the Government run the real risk of surrendering their quality of life and environmental ambitions for the many, for a few cheap flights.

Part of the solution must lie with more investment in the railways. Depending on which figures we look at, the conservative figures for railways demonstrate that they use only a third or less of the carbon dioxide that air travel uses. One example is the Paris to Marseille high-speed rail connection. It is hugely successful and has helped to switch about 4 per cent. of passengers who previously travelled on short-haul flights back to the railways. We need to update the Kyoto protocol and I hope that the Minister will consider how it will include international aviation.

We must introduce a fuel duty. A zero duty is placed on aviation kerosene compared with 50p a litre for motorists. We must consider airport landing charges. At present, the busier the airport the more rental income from terminal buildings, which is allowed to be subsidised against landing charges. We must also compare passenger departure duty with aircraft departure duty. Surely it is far better to give an incentive to fill empty places on existing planes than to tax those passengers who are currently using what is already there.

In conclusion, will the Minister please fight for an amendment on international aviation to be made to the Kyoto protocol? Will he introduce at European Union level fuel duties for airlines? Will he decouple the rental income from subsidised landing charges? We look forward to the White Paper, but we do not want to pay lip service. We want action.

Mr. Deputy Speaker: I thank the hon. Gentleman for his co-operation.

3.27 pm

Miss Anne McIntosh (Vale of York): I congratulate the hon. Member for Putney (Mr. Colman) on inspiring an excellent and timely debate this afternoon. I wish to declare an interest in such matters. Until January this year, my husband had worked for 34 years in the airline industry in various capacities. I have a modest interest in British Airways, BAA plc and BAE Systems, Railtrack,

[Miss Anne McIntosh]

Eurotunnel and the Royal Automobile Club. I also represented Essex North East, Essex North and Suffolk South at the European Parliament for 10 years.

I wish to help my hon. Friend the Member for Uxbridge (Mr. Randall) and others who wanted a definition of sustainable development. I attribute the following definition to Brundtland in 1987. It states:

"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs".

It prompts the question whether the Government have their policy right. The debate is about whether to give priority to the sustainability part of the balance and have strict controls on future atmospheric pollution from aviation, either by forcing cleaner technology on the industry or by reducing the number of flights—or should the focus of the debate be on development in order to let aviation grow and let more people fly, with all the inherent economic and social benefits?

We recognise the huge importance of aviation and airlines to national, local and regional economic development in the United Kingdom. They allow business and leisure travellers to access their chosen destination and contribute development and jobs to the economy. What assessments has the Minister made? Does he believe that no-frills carriers will continue to grow, expand and develop routes at the recent rate? All the evidence points to the contrary. Has the hon. Gentleman read about the new structure that Ryanair, for example, is considering? It might deprive people in this country from accessing their second homes in, say, France to the same extent that they have over the past two or three years.

What assessment has the Minister made of the ability to which several hon. Members have referred this afternoon? I refer to the ability of alternative modes of transport, especially high-speed trains on domestic and short-haul European routes, to compete with planes on distance, cost and reliability. One example is the not-so-fast train from Strasbourg to Brussels. That train takes four and a half hours, which is exactly the same as the journey time from Edinburgh to London, yet it costs less than half the first class price.

What assessment has the Minister made of the scope for development at regional airports in the north of England and Scotland to find direct routes to Europe, and to allow international traffic through European hubs, including Amsterdam, Paris and Frankfurt? What assessment has he made of the environmental costs of the present rate of aviation development? As many hon. Members have said, EU pollution rules are already being breached. Noise and noxious pollution from planes taking off and landing, and pollution from cars travelling to and from airports and those using major routes such as the A4 near Heathrow, all contribute. What comparative assessment has the Minister made of less harmful damage to the environment caused by developing alternative airports such as London Luton rather than other London airports?

Does the Minister accept that international aviation has been in decline since the 1990s, as shown by the evidence taken by the Transport Committee for its aviation report? There has been a downturn in the US and other economies. The industry has also been affected by the impact of 11 September and the SARS virus, and in this country by floods, rail disasters, the foot and mouth crisis and other factors.

The Government must put all modes of transport on a level playing field. The Minister has tough questions to answer. Is the aviation industry paying its external costs? How are those external costs identified? Has the Minister considered the response from the Board of Airline Representatives in the UK to the Government's consultation paper on economic instruments? Does he agree that the Government should be able to make an informed proposal on the basis of those instruments to take account of the environmental impact and to have regard for the principles of the International Civil Aviation Organisation? BAR UK wants the proposals to be environmentally beneficial, economically reasonable and technically feasible. Does the Minister support that view or does he believe that it is wrong?

Is aviation passenger duty an environmental charge or a stealth tax? It raises between £800 million and £1 billion a year, but none of that goes to defraying the environmental costs of the aviation industry. The aviation industry is prepared to enter emissions trading negotiations, but while making a financial contribution, how will it reduce pollution, or be seen to create a sustainable aviation transport sector? The Government must answer a simple question. Given the collapse of the no-frills carrier networks, and the fact that aviation carries more of its share of transport through environmental charges such as the aviation passenger tax, do the Government believe that the present growth rate of aviation is sustainable?

Is the Minister prepared to support the call of the hon. Member for Putney for the Government to take a lead role in the EU on trading emissions, and to press ICAO and other European unions? Will the Government take the lead and commit themselves today to introducing proposals within the next two years? Are the Government in favour of the introduction of emissions charges at EU level as an interim measure, pending inclusion of aviation in those international trading schemes?

Does the Minister agree with the conclusions given in the Environmental Audit Committee report entitled "Budget 2003 and Aviation", produced under the chairmanship of my hon. Friend the Member for East Surrey (Mr. Ainsworth)? In paragraph 10 of the conclusions and recommendations, it is stated:

"The net present value associated with the increase in the cost of aviation emissions amounts to minus £18 billion."

Does the Minister agree with the Committee's conclusion that

"including this amount would entirely wipe out the economic case for an expansion in runways"?

If not, what is the true cost of aviation emissions?

Before the publication of the White Paper is announced, the Minister has one final tough question to answer. Does he believe that the environmental pollution caused by the aviation industry is clear for all to see, and underestimated, and that therefore any case for expanding or proposing to expand runway capacity in the south of England or elsewhere is outweighed by

the economic case for such expansion? If that is the Government's position, when will they make the economic case for such expansion?

Mr. Deputy Speaker: I call the Minister to reply to this interesting debate.

3.35 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): I join others in congratulating my hon. Friend the Member for Putney (Mr. Colman) on the timeliness and the substance of this debate. I fear that it will be the first of many debates on this area, both before and certainly after the publication of the White Paper.

I also congratulate the hon. Member for Vale of York (Miss McIntosh) on her new role, which, if I have understood the machinations of the Conservative reshuffle correctly, is in the same group but speaking with a different voice from a different part of what is now a joint group rather than a single group.

I hope that hon. Members will forgive me if I concentrate on the concerns raised by my hon. Friend the Member for Putney, many of which were mentioned subsequently. I believe that that will be the easiest way to progress.

However, I shall first make a few opening remarks. I was struck by the fact that, until the tail end of the debate, much of the discussion was focused on London and the south-east, although I understand why that was so. The White Paper is meant to be, and will be, concerned with national aviation and airports policy. As some hon. Members said, whatever happens in London and the south-east, there is still a massive role for regional airports. Regardless of the situation in London and the south-east, we have said that we shall, and we will, address the important question of accessibility from the regions to the London and south-east hub. I am sure that those issues will be followed up in subsequent debates.

I shall now pick out some of the points from my hon. Friend's speech to address. If I miss any of the comments that he made, or those made by anyone else, in the slightly expanded but none the less Macclesfieldish declaration speech that I have to make, I apologise to them. If they write to me about those points, I will follow them up. Early in his speech, my hon. Friend said that broadly, and repeatedly, Ministers have told him that the UK Government cannot go it alone nor regulate in isolation for sustainable aviation. That is an absolute truth but is not, as he said subsequently, a recipe for doing absolutely nothing. I shall return to that point, because there is much that we can do on a national, European and international level. However, if we were to devise a marvellously purist package all on our own, focusing only on the UK without recognising either our economic and environmental place on the European and world stage, or aviation's role and interdependency in the European and world dimension, that would not do anyone a favour, on whatever side of the argument they found themselves.

Secondly, I offer, not necessarily in flippant terms, my apologies for not being able to make the meeting at 6 pm in Committee Room 18 on opposing the third runway at Heathrow. It might not be in order for me to attend such a meeting before the publication of the White Paper. However, I hope that I have a reasonable excuse, which is that I shall be ensconced at the time with the Aviation Environment Federation, examining its concerns in relation to the White Paper. Please do not push me as to whether, had I not had that engagement, I would be at the meeting about the third runway. I suspect that I would not.

My hon. Friend said clearly that the new air transport White Paper should establish a framework that would ensure the long-term development of aviation in the UK and that it should be sustainable. That is what drives us; if the White Paper is about nothing else, it must give some definition to the notion of sustainable aviation and proving that that is not an oxy-moron or oxymoron, however one wants to say it, but it is—it must be—the way forward for aviation in future.

I am pleased that the hon. Member for Ruislip-Northwood (Mr. Wilkinson) has gone—not in a nasty way, but if we struggle with sustainable aviation, God knows what a debate on socialist aviation would be like! I am glad that we are not pursuing that line. As my hon. Friend the Member for Putney said, aviation has global, national, regional and local implications for the economic, social and environmental aspects of sustainable development, as well as for the prudent use of natural resources. Nothing that will be brought forward in the White Paper will be in isolation. It sits, and will sit, within the wider context of Government policy.

Whenever the Planning and Compulsory Purchase Bill is enacted—I brought the Bill to the House last February, ostensibly on a fast track, and it has been stuck in the Commons ever since—the far stronger sustainability argument and ethos, both at regional and spatial strategy level and local development framework level, will root far more readily in our planning framework than ever before. It was developed in the context of the energy White Paper, not in isolation. I would not be as sniffy as my hon. Friend the Member for Putney about reform of the planning process. We do not want to repeat T5 inquiries but we do not want to tear down the entire edifice of democratic participation in the process. We think, for major infrastructure projects, that it is entirely appropriate to have concurrent inquiries, led by an inspector under a lead inspector. However, it is not essential for every single item of evidence before an inquiry of such magnitude to be heard by the one inspector, which was part of the delay to T5. We want to keep the crucial dimension of democracy in play.

I want to return, towards the end, to explain what will and what will not be in the White Paper in terms of process; I am not talking about substance but about progress. As I said, the regional dimension is important, as is the question of where passengers will go if there is no expansion in capacity. It is far more complex—with respect to hon. Members who have intervened—than people first think. If it were as simple as shifting much of the demand northwards, we could all pack up and go home. Many of the passenger movements in the London and south-east hub will not—with the best will in the world—go to the midlands or the north, if they cannot

[Mr. Tony McNulty]

get to London and the south-east. As various hon. Members said, they will go to Schipol, Frankfurt or Paris, not to other parts of our own aviation network—

Lembit Öpik: Will the Minister give way?

Mr. McNulty: I shall not, actually.

It is not entirely like for like in that respect. At the other end of the scale, we must fully understand not only the environmental dimensions but how, for many regions, small airports are key economic drivers. We do not want to upset that balance. I know that I had a summer holiday, as did everyone else, but my hon. Friend the Member for Putney will want to know that I was appointed in June, not September. Perhaps it is a portent for the response and the lynch mob that my right hon. Friend the Secretary of State alluded to at Question Time, but I was appointed on Friday 13th and was told that my brief included aviation.

I take the points made by my hon. Friend the Member for Putney and other hon. Members about rail substitution, but I fear that all the evidence suggests limitations to that. I had the great delight this morning, after tootling down to Waterloo for 9.30 am, to meet a greatly surprised and bemused woman who was taking her husband to Paris for the day for his 65th birthday treat. She happened to be the millionth passenger on Eurostar since the new part of the channel tunnel rail link opened two months ago. There have been a million passengers in two months. I cannot remember her name, but I am sure that they had a great time in Paris, after they were bumped up to first class and were given another first-class return and a week in a hotel courtesy of Eurostar. The huge success of the engineering feat of the channel tunnel rail link—let alone the public and private sector partnership and investment—will make an enormous difference to that sort of short haul. I take what people say about getting most of our high-speed links, not least the west coast main line, up to scratch, so that there can be some alternation and substitution in that regard, but it is not always as simple as "provide the alternative and people will use it," not least because of pricing mechanisms and other things.

I take note of my hon. Friend's comments about the Airbus A380, but we do a disservice to the aerospace industry if we say that it has done little or nothing to ameliorate the situation or to make engines quieter, as there have been huge advances. Since 13 June I have had to plough my way around 10 or a dozen airports to look at some of these matters in detail, and people are embarrassed when they say, "Oh yes, we still have a couple of 200s flying here every now and then but we are trying to get rid of them." When the 200s were introduced, they were state-of-the-art; it was the quietest and stealthiest of all aeroplanes, a brand new dawn in terms of aviation. Now, the 200s are the ones that embarrass everyone because of the advances that have been made since they were introduced.

I note the research being done in Cambridge. Last week, I had the pleasure of going to Duxford and speaking to people about it, not least those from Marshall. We will welcome the advances should they come to fruition. We are very aware that there is more we can do at European level. To be fair to BAA, it held a seminar on the trading of emissions. The Commissioner was present, and the Commissioner and the EU generally were very positive that there could be some advance in that area.

I look forward with some trepidation to the next ICAO meeting because ICAO—not IKEA: that was part of my previous portfolio—needs a kick up the proverbial backside to push things on far more than it has done. I think I agree with what my hon. Friend says about advancing more in terms of the European dimension. We can act as an exemplar to ICAO to pull its finger out and get things done more readily.

Some comments seem to suggest that the White Paper was simply rooted in a process of listening to what the industry said would be the untrammelled, unconstrained demand for the next 30 years, asking how we could meet that demand and deciding to meet it—in which case the industry would get everything that it wanted. But that will not be what prevails; what will prevail within the context of sustainability is that there will be a demand for unconstrained growth and whatever the details of the numbers, everyone agrees that the quantum projection is upwards. What can be achieved in terms of the sustainable framework? Crucially, how can we fully optimise existing capacity more readily than we have done? That must be part of the process. Given all that, how can we develop a provision for new capacity within the sustainability framework? What is the necessary package for that new capacity in terms of noise mitigation, mitigation in terms of the environment, service access elements and so on that go into the process? We are not simply having a raffle, picking an airport that wants expansion and saying, "Ah, there we are. You can have it. Off you go." It is about building up sustainable packages.

It may also be necessary to put things in context and say, "Yes, but over this time frame not that time frame." We are keenly aware that past White Papers have been a waste of time in terms of policy, and I agree in part with my hon. Friend the Member for Hayes and Harlington (John McDonnell) that until now the policy network has been flawed and immature. Those days are over. For the first time, this is a proper, detailed White Paper that seeks to achieve sustainable aviation over the next 30 years and will give everyone what they are screaming out for—some clarity and understanding of where they fit into the equation, whether they are part of the industry or the local communities or are simply travellers and passengers, and what the future is for aviation in this country over the next 30 years. The debate has aided that process, and I congratulate my hon. Friend the Member for Putney on securing it. I repeat that if there are any issues that I did not cover in the little time that I had, I shall be more than happy to write to hon. Members about them once they have written to me to pursue them.

I fear, happily—if one can fear things happily—that the publication of the White Paper is the next phase of an ongoing debate, rather than the end of the debate. For that, everyone in the country should be grateful, whatever side of the argument they come from.

Liverpool (European Capital of Culture)

3.50 pm

Mrs. Louise Ellman (Liverpool, Riverside): This debate takes place as Liverpool, "the world in one city" and European capital of culture designate for 2008, is poised to become the United Kingdom's cultural ambassador to Europe, and Europe's ambassador to the world. I shall draw attention to the significance of that achievement—Liverpool's equivalent of holding the Commonwealth games—and consider the potential that that offers for regeneration.

I am pleased to be a member of the board that secured the bid under the leadership of Sir Bob Scott. Winning was certainly a team effort; dedicated staff worked with Liverpool city council, and were backed by local authorities throughout the region, Liverpool Vision, business, Members of Parliament, the voluntary sector, the Northwest Development Agency, Arts Northwest, the regional assembly and, above all, the diverse people of multicultural Liverpool.

Liverpool has great achievements across the cultural spectrum—in sports, heritage, the creative arts and tourism—but today I want to stress Liverpool's excellence in the arts, including the visual arts. That includes the Liverpool biennial festival, which launched its preparations for 2004 in the House of Commons two weeks ago. I was delighted to see my right hon. Friend the Minister for the Arts at those presentations, and contributing to them.

The Centre for Film, Art and Creative Technology, FACT, is a great success. It is the only United Kingdom exhibition and performance space specialising in film, video and digital art. It stands proudly in the regenerated Ropewalks area of Liverpool city centre. The city has renowned galleries and museums, including the Walker, Tate and Bluecoat galleries, and the maritime museum. Fine architecture is a major characteristic. The magnificent waterfront has been nominated as a UNESCO world heritage site. Liverpool has the greatest concentration of listed buildings outside London.

St. George's hall is currently being refurbished. Liverpool's Georgian terraces are outstanding. Liverpool is increasingly becoming a major centre for filming. Mersey TV, the largest independent regional production company in the United Kingdom, entertains and informs the nation from Liverpool. In 2000, feature films made in Liverpool had a £35 million budget, with a benefit of at least £12 million to the local economy. Feature films made recently in Liverpool include "Liam", "The Parole Officer", "The 51st State", and Alex Cox's "A Revengers' Tragedy".

Liverpool Film Studios is encouraging new filmmakers. The Toxteth film centre and the £40 million film development fund gives opportunities to local filmmakers. I am particularly pleased that the Toxteth film centre is giving opportunities to young talented people who wish to become involved in the production of filming, and young people who may not otherwise have the opportunity to develop their great talents. On Wednesday, North West Vision, based in Liverpool, will hold a reception in the House of Commons to show Parliament the calibre of media production in the north-west. Last Saturday, Liverpool was a fitting venue for the Royal Television Society's regional awards, which took place in the regenerated city centre building.

In the area of live music, the Royal Philharmonic Society, with its magnificent orchestra, is working with the community to encourage the city's talented young musicians, and new bands are being given opportunities by venues such as the Picket. I am sad to note that the future of the Picket is at risk because of a change in the ownership of the building in which it is located. Liverpool has a record of excellence in performing arts, with its theatres and Sir Paul McCartney's exciting Liverpool Institute for Performing Arts, which is breaking new ground in training talented young people to be the performers of tomorrow. Liverpool's festivals, such as Matthew street, Africa Oye and Brouhaha attract international audiences.

I am pleased that Liverpool humour plays such a pivotal role. Sir Jeremy Isaacs, chairman of the capital of culture judges, explained that Liverpool's community involvement, as well as its high standards in the arts and in culture generally, was critical to Liverpool's securing the title capital of culture. He also revealed another winning factor: he visited the Rawhide comedy club at the Albert dock, and listened to the successful stand-up comic Nige, otherwise known as Keith Carter, philosophise on life, trapped in a world of looking after his mum and gran and their terrorist cat. Sir Jeremy was reported as having said:

"I only understood one in every three words he was saying, so I enjoyed him. He helped Liverpool win".

What happens now? Winning the title capital of culture is not an end in itself; it is a new beginning. Liverpool is buzzing with renewed confidence. The multi-million pound Grosvenor Henderson city centre shopping development is ready to start. Preparations are under way for the return of cruise liners. The capital of culture team is being refashioned to meet the challenges of working with the community to deliver the exciting world-in-one-city programme, with a different theme every year. The theme for 2007, when Liverpool celebrates its 800th birthday, will be celebrating heritage. Other themes include learning, faith and community, arts, sports and—in 2008—the world in one city.

Liverpool will increasingly become the showcase for international visitors. It is essential that the events that take place are of the highest possible standard, and of sufficient variety and interest to attract a wide variety of people from near and far. Culture is intrinsically bound up with community. That is why the capital of culture team is working with education, health and regeneration agencies. Capital of culture opens new opportunities for regeneration, attracting new investment. It has been estimated that it will bring 14,000 new jobs in heritage, tourism, sport and the creative industries, £2 billion of investment, 1.7 million extra visitors spending £50 million per year and the possibility of 3,000 more jobs across the north-west. The proportion of overseas visitors could increase to 40 per cent.

All of that means more economic activity and more opportunities for performers, writers and designers. It also means more work in catering, transport and retail, and more jobs for electricians, engineers and construction workers. The benefits should stretch

[Mrs. Louise Ellman]

beyond the boundaries of Liverpool and Merseyside and into the wider north-west. The challenge is to ensure that the benefits are long term and reach local communities. People in Granby, Dingle, Vauxhall and Everton should be beneficiaries. Rising property prices must not put local people at a disadvantage.

Support is required to enable these opportunities to be maximised. Good transport links are essential. About 50 years since the last trams were seen in Liverpool, Merseytravel is set to deliver line 1 of the new tram system. Underground stations will be refurbished. Travel around Merseyside will be much improved thanks to Merseytravel and the support that the Government have given it. However, there is no such certainty for west coast main line modernisation, which must be delivered north of Crewe and for Liverpool in the time promised in the Strategic Rail Authority plan.

Lime Street station, a grade II listed railway interchange that Network Rail now operates, must be refurbished as the gateway to a great city. What is good enough for Manchester Piccadilly is good enough for Liverpool. Liverpool requires a direct air link to London and the retention of Royal Mail freight facilities at Liverpool John Lennon airport. Liverpool airport, the fastest growing airport in the country, has direct flights to European cities such as Barcelona, Geneva, Amsterdam, Nice, Berlin and Paris. There is, however, no flight to London, our capital. That must change to enable Merseyside to attract maximum visitors and investors. The Department for Transport is currently assessing a proposal for a second river crossing, which Merseyside needs for economic development. I look forward to a positive response.

Local people need the skills that will ensure that they can benefit from the opportunities offered, and the Learning and Skills Council must rise to the challenge, which it is working to achieve. Local companies must have the opportunity to bid for work to build up capacity in the local economy, and new businesses must have access to investment. I hope that the Northwest Development Agency and the Merseyside special investment fund will expand their excellent work to attract European and private sector funds to encourage investment. Most creative industry businesses are very small and need access to capital to meet their distinctive needs. The creative sector incorporates many social enterprises, and I hope that funding will be available to help that important sector to develop.

I am grateful for the support that my right hon. Friend, when she was Secretary of State for Education and Skills, and her Department, have already given Liverpool. She was surrounded by cheering crowds when she visited Liverpool on the day when the city won the capital of culture nomination, which was followed by close involvement by her Department. I invite her to visit Liverpool again in her current capacity to see for herself what Liverpool has to offer. I assure her of a warm welcome. I note that the Government have made £30 million available to back London's Olympic bid and that national funds helped the Commonwealth games to be a tremendous success. I hope that national financial support can be found to assist the capital of culture team to maximise the substantial regeneration opportunities that will open up for Liverpool and the region.

Liverpool has displayed initiative and entrepreneurship in reaching this point. Despite its growing success and the record support that the Government have given it for its public services and regeneration, Liverpool remains one of the most deprived cities in the UK. It has achieved much through its own resourcefulness. I ask for Government backing to maximise the success of capital of culture as a showpiece and regeneration opportunity for the region. I hope that financial support can be given to assist the initiative to bring HMS Whimbrel—the last surviving warship from the battle of the Atlantic and part of Captain Walker's escort group—back to Liverpool from its current location in Egypt. I thank John Livingstone and his team for their magnificent efforts in that regard. What a fitting tribute the title of capital of culture would be to the people of Liverpool for their past contribution and what benefit it could bring as a tourist and educational asset for the future.

Capital of culture status presents Liverpool and Merseyside, as well as the rest of the north-west, with unique opportunities for long-term regeneration, but these opportunities must be grasped. Liverpool has determination, entrepreneurial spirit and civic pride. As the Liverpool-born novelist Linda Grant writes:

"Now Liverpool has a shot at re-invention. It is accused of trading on its past but its past is modernity. Its heritage is people dreaming of escape and of the future. If the city can be reborn, this is the moment".

I ask my right hon. Friend to give Liverpool her support to make that a reality.

Mr. Deputy Speaker: Before I call the Minister to reply, it is my understanding that there could be a Division almost at any time. I suggest to the Chamber that if there is one Division, we break for 10 minutes, and if there are two Divisions following one another immediately, we break for a total of 18 minutes.

4.6 pm

The Minister for the Arts (Estelle Morris): Thank you, Mr. Deputy Speaker. It is nice to see you again. My only option is to speak very quickly, although I do not want to speak more quickly than I usually do.

I congratulate my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) on securing this Adjournment debate. It was no surprise, however, as she has been an active supporter of Liverpool's bid and plays a key role on the management board—indeed, she hosted the biennial reception last week, which I was privileged to attend. I would welcome an ongoing dialogue from her and her colleagues not only in Liverpool and Merseyside, but throughout the north-west, between now and 2008.

Given that my constituency is in Birmingham, I am sure that my hon. Friend will understand that in congratulating her I am also glad that I was not in this ministerial post before the decision was made on which city should be awarded capital of culture. That has, at the very least, excused me from receiving harsh words in my constituency.

I hope that my hon. Friend realises that, in one way or another, I have had rather a lot to do with Liverpool in recent years. When Liverpool was going through several problems relating to education, I visited the area

in my former ministerial capacity. Before it was awarded capital of culture status, I said that it had been a joy to see a city being reborn. It has grown in confidence and self-esteem, and it is not losing its past but reinventing itself for the future with the strengths of its people and the vision and excitement that it has always had—I liked the quote from my hon. Friend. The capital of culture year in 2008 will come at an important point during that process of rebirth, and it will push the city to even greater strengths.

I would love to visit Liverpool in the new year, and I think that I have plans to do so in any case. I formally accept my hon. Friend's invitation. I have already accepted an invitation to visit the museums and galleries, representatives of which I met when they came down to visit me in my office last week. I would be delighted to see what progress has been made.

In connecting my two ministerial roles and my involvement with Liverpool, I have one thing to add to the long list of strengths that my hon. Friend attributed to the city: schools and young people are also joining in with the capital of culture year. My visit to Liverpool the week after it was designated was in order to open a school as a performing arts college. I very much hope that the adults' bit of the arts and the children's bit of the arts grow in strength, and that this is not a one-off. I hope also that culture and arts are rooted in the Liverpool community where they have always been.

For the north-west, Liverpool's achievement will be of regional significance. I was in Manchester a couple of weeks ago, and I would not be telling the truth if I said that the people there were as excited as Liverpool is about capital of culture. However, they certainly saw it as an opportunity to build on the fine work that has been done at the end of east Lancs road in the north-west. This is another excellent opportunity for north-west regeneration.

Lest anyone reading *Hansard* thinks that Liverpool is already going to be the capital of culture, I remind hon. Members, as I ought to, that the designation process has not yet run its course. In July, my right hon. Friend the Prime Minister submitted the formal nomination to the European Union. We are about to send a package of information in support of the nomination to the European Commission, at which point a panel will be appointed that will consider Liverpool's plans and proposals, and issue a report next year. In the light of that report and any comments from the Commission and the European Parliament, the Council of Ministers will be invited to designate Liverpool formally as European capital of culture 2008.

We certainly hope that that process can be concluded quickly—indeed, the Commission has promised to move it along as quickly as possible. Once those formalities are out of the way, however, Liverpool's preparations for 2008 can shift to a higher gear. It is important to say that, because it was not until I had prepared for the biennial reception that I understood that the formal part of the designation process had not taken place. However, that part is a formality—another staging post and an opportunity to celebrate what has been achieved.

Before I discuss my hon. Friend's point about money, I pay tribute to the other 11 cities that bid. The process of producing a bid was good for all the cities—those short-listed and those that were knocked out at the first round. Those cities are now left with plans of their own that can contribute to greater arts and cultural regeneration throughout the country. My right hon. Friend the Secretary of State and I are keen not to lose that. Our aim is for the network of 12 towns and cities, with Liverpool at the head, to build on the plans that they have made, so that there is more than just one place shouting for arts and culture.

My hon. Friend rightly commented on the costs. I agree with everything that she said about both the variety of activities that will take place and the work that has already been done in the city to prepare. I also recognise that some of the things she said about infrastructure—an airport and the modernisation of the west coast railway line for example—are important. If we are to learn one lesson from previous big projects, it is that the infrastructure is of prime importance and must be right in time, so I acknowledge her plea that recognition should be given to transport and infrastructure, and other things as well.

I should warn hon. Members that Liverpool cannot be entirely rebuilt and be successful with every bid just because of capital of culture, although I do not blame them if there is a natural inclination to put a "capital of culture" badge on everything. This is the hard part of my speech: putting the "capital of culture" badge on Liverpool does not mean that the Government will find the resources. That cannot happen, it would not be right and I do not think that my hon. Friend would expect it. However, we should work with Liverpool to ensure that as much of the infrastructure as possible is in place in preparation for capital of culture.

When the bid went out to cities to put together plans to be capital of culture, it was made clear that there would be no pot of money coming along with it. Everybody made bids knowing exactly that that was the position. It might be interesting to debate whether the Olympic games is different in a national sense from 12 cities competing to be capital of culture. I take the point, however, and I heard what my hon. Friend said. I also note what was achieved by another great north-western city, Manchester, which secured the opportunity to host the Commonwealth games. I have no doubt that my hon. Friend and other hon. Members will bring that to our attention. Nevertheless, the starting point is that it was clear, initially, when the panel studied the bids, that no extra money would be forthcoming. That remains so.

The Government do not intend to say, "You are on your own. We do not want to speak to you about this matter, and we do not want to favour Liverpool at all, or to do anything." That would not be fair or in the spirit of partnership. The Government want to work closely with Liverpool and to provide as much support as they can in the making of an application and the bringing together of partnerships with a view to obtaining new finance.

As to ways in which that might be possible, my right hon. Friend the Secretary of State will no doubt wish, in due course, to reflect on whether the Department can perhaps offer capital moneys to assist in the capital of culture project. We have spoken to Liverpool representatives about that when they have come to see us. I hope that some existing funding streams will be used to finance some of the bids. I will want to speak to the people in charge of the funding streams in the

[Estelle Morris]

months and years to come, to make sure that they will give more than reasonable attention to Liverpool's extra needs, and to the national flag that Liverpool will carry when it is capital of culture.

We very much want—and I know that my hon. Friend would agree about this—to bring in private sector money. We want to work in partnership. There is a celebration in each of the years up to 2008, and the 800th birthday is in 2007; it will be a very happy one and a cause for huge celebration. However, the plan as I see it is not for a sudden Government announcement that £x million has been made available to Liverpool so that it can finance all it wants to do. Rather, the plan is for solid partnerships providing access to specific funding streams; for the Department to do what it can, especially with capital from its own budgets; and for work to be done in partnership to see what funding can be secured from the private sector.

We want this undertaking to be a success. We have no intention of leaving Liverpool to go it alone, or of failing to listen carefully to its needs and requests. We shall do whatever we can. However, I want to balance our intention against the proposal that central Government should provide total funding.

Mr. Deputy Speaker *rose—*

Estelle Morris: I have about one minute. I do not know whether that is helpful.

I again congratulate Liverpool on the plans that it has made since designation. I look forward to a continuing working relationship with the city, the north-west and my hon. Friend the Member for Liverpool, Riverside.

Mr. Deputy Speaker: I have used my discretion to allow the debate to continue because the Minister of State indicated that she would finish within a minute. I hope that that was acceptable to the House. It has been an excellent debate and I was delighted to be in the Chair. I now suspend Westminster Hall for 10 minutes, if there is one Division, and 18 minutes if there are two. We shall be back here 18 minutes from now for the debate initiated by the hon. Member for Angus (Mr. Weir).

4.17 pm

Sitting suspended for a Division in the House.

4.58 pm

On resuming—

[Mr. David Amess *in the Chair*]

Unmanned Level Crossings

Mr. Michael Weir (Angus): It will come as no surprise to the Minister that I originally proposed the debate in response to the actions of Network Rail, which unilaterally decided to close the vast majority of unmanned level crossings in Scotland. Strangely enough, since the debate was publicised I have received a considerable amount of correspondence, including e-mails, from all over the country describing various other problems with unmanned level crossings. However, I intend to confine myself to the original subject for debate.

The Minister of State, Department for Transport (Dr. Kim Howells): I wish to say only that privately owned level crossings are being closed. They are not all unmanned level crossings.

Mr. Weir: I thank the Minister. The definition of what the railways own and what others own might form part of the argument that follows. It is certainly a problem in some areas.

The result of the action by Network Rail was severely to restrict access to many parts of the Scottish countryside. That has already had some crazy results, and is a problem apparent throughout Scotland. Examples spring to mind in Angus, Perthshire, Loch Awe, Helensburgh, Kincardine and the Highlands, to name a few. As some are very small, they inconvenience only a small number of people. However, some create severe difficulties.

In my own constituency of Angus, the level crossing at East Haven by Carnoustie was closed, with the result that the seaward side of the village was almost cut off. As the Minister knows, the only other access to the village is a low underpass that can take a motor car but little else. That level crossing was closed despite the fact that it had been in place since the construction of the railway in 1836. In effect, a crossing that had been in continuous use for 167 years was closed unilaterally.

In all, Network Rail has announced the closure of about 600 such level crossings in Scotland. As Alison Mitchell of the Ramblers Association in Scotland noted at the time:

"We are appalled at the dictatorial way in which Network Rail in Scotland is behaving. They have embarked on a major new policy initiative without any consultation of how this will affect other public interests. They have closed crossings without consultation with the emergency services, with local communities, local authorities or the organisations that represent walkers, cyclists or horse riders. When challenged they have made it clear that they have no intention of consulting and will reimpose their locks when local councils cut them off."

In my constituency, Network Rail gradually began discussing the situation only after much adverse publicity. It claimed that it had consulted the local ambulance service, but when the service was contacted it said that that was the first it knew about the closure of the crossing. In a letter to me, Network Rail stated:

"Whilst Network Rail is willing to consider special arrangements for access, this would be dependent upon the agreement of the landowner to allow access over his land to reach the level crossing."

As has been pointed out, some of the crossings are on privately owned land, although there is a dispute about rights of access under other legislation. Network Rail went on to say:

"In order that Network Rail may give due consideration to special arrangements for essential access over the crossing we need details of essential services and frequency of access required to be provided by each resident in order that the proposed use can be risk assessed. An administration charge would be required to cover the costs associated with facilitating any future restricted access."

In other words, Network Rail first tried to throw the matter back on the local farmer.

It is interesting to note that the local farmer in that case said that he had no objection to the residents using the level crossing. However, one has to ask why a company that is effectively owned by the Government can offer the landowner an effective veto. In that case, however, the problem appears to lie not with the landowner but with the Network Rail's attitude. Network Rail said that it would charge residents for the privilege of using the crossing, despite the fact that it had been in use for 167 years. Not even the much maligned Railtrack attempted that.

The problem arises partly because of the chronic underfunding of the railways over so many years, allied to the bizarre way in which the last Conservative Government chose to privatise the railways. Many of the level crossings cause little or no difficulty, but Network Rail seems to have taken the nuclear option of closing the lot. In many cases, the level crossings need investment; they need to be upgraded to bring them into the modern age, but that will cost money—in some cases, probably a great deal of money.

Lembit Öpik (Montgomeryshire): The hon. Gentleman might be interested to know that I have been trying for seven years to get a bridge built to replace three level crossings on the farm of Mal Phillips, a constituent of mine, but even after all the fine words, not a single brick has been put in place to honour that promise.

Mr. Weir: I thank the hon. Gentleman for that intervention. I shall be making a similar point shortly.

I have to ask whether Network Rail is simply taking the easy way out: shutting the crossings means that it will not have to spend money on them. Given the Strategic Rail Authority's projected level of maintenance on many lines over the next few years, that is certainly a great suspicion.

When the right hon. Member for Tyneside, North (Mr. Byers) was the Secretary of State for Transport, I recall that his hon. Friends cheered when he announced the demise of Railtrack and that he was going to bring the rail infrastructure back into public ownership. He was not quite so popular later, when he sheepishly announced the compensation. I am sure the Minister will point out that Network Rail is an arm's-length company, but the Government are the only shareholder in that company, so it is effectively under their control. Why then, I ask the Minister, does his Department seem unable to exercise any control over its actions?

If money is not the reason for Network Rail's policy, what is the reason? Network Rail told me again, I return to the Minister's intervention—that under the Arbroath and Forfar Railway Act 1836, which governed the original construction of the railway, the only authorised user was a local farmer. I pointed out to Network Rail that it was blindingly obvious that the main part of East Haven village was built after 1836, and that the only buildings of that age were a couple of fishermen's cottages. Most of the other houses are of Victorian design, with a few more modern ones. That raises the important point, which Network Rail has chosen to ignore, that access over the crossing must have been used with the knowledge or concurrence of its previous owners, particularly British Rail and Railtrack. In the 1980s, there was an agreement involving the rail company whereby new gates and a cattle grid were installed, so the rail company must have known 20 years ago that the level crossing was regularly being used. Anyone who has visited East Haven can see that it has been used for a very long time indeed. Why then did Network Rail decide that it could not be used?

I also took the matter up with the Minister's Department, but the response basically reiterated Network Rail's position.When challenged, Network Rail stated that there cannot be a right of access over the railway. The Minister may know that under Scots law, if an access is used for more than 20 years, a prescriptive right of access arises, irrespective of whether there is a legal right in any document. I do not know if the law is the same in England.

I did some research with the assistance of the House of Commons Library. Again, it appears that Network Rail's assertion does not hold water. I am told that section 57 of the British Transport Commission Act 1949 states that no prescriptive right can be acquired over a footpath on railway land that forms an access to a station or other specific railway premises mentioned in the section. Level crossings are not mentioned in that section. As the crossing is in farmland in the countryside, it seems that there is nothing to prevent a right of prescription arising over that part of the railway and the adjoining land. As the crossing at East Haven has been used by generations of villagers since 1836, they could have established such a right by prescription. The difficulty of establishing that right, as with all such rights, is that they would have to resort to an expensive and lengthy court action.

I ask the Minister why Network Rail, which is publicly funded, should be able to ride roughshod over the local community, who would have great difficulty in matching the deep pockets—our taxpayers' pockets—that would fund Network Rail in such a court action. It may well be that the unfortunate matter will result in court action because of Network Rail's attitude. Having said that, I must say that talks have been attempted over the months, to no avail as yet, to try to reach an accommodation.

I was interested to read in Scottish newspaper reports at the end of August that the Secretary of State for Transport—a Scottish MP—was to become involved, but that does not seem to have pushed matters forward to any extent. Network Rail had asked residents of the village of East Haven to fill in forms. Many of them did so, showing the access that they required. Network Rail's response was:

"It would appear from an initial review that the proposed levels of use are such that we could not accommodate special arrangements for access."

[Mr. Weir]

In one case, a resident requested permission to continue to use the crossing to take his caravan across the railway. That was refused by Network Rail, although that crossing had been made for many years, and we should take note of the Network Rail letter, which suggested that residents with caravans consider alternative arrangements, including the possibility of siting elsewhere. It was not clear whether that meant their caravans or homes, but either way Network Rail was unwilling to accede to a reasonable demand, even though there had been no incident involving the caravan during all the years that the crossing had been made.

We still do not have an answer to the question, "Why now?" The obvious answer, which I am sure the Minister will give, is one of safety, and Network Rail has stated that it is acting on safety grounds. No one wants to take a cavalier attitude to safety, but Network Rail has been cagey about the exact safety implications. I contacted the Health and Safety Executive to ask about any incidents on the level crossing, as Network Rail was being less than specific. The HSE's response reiterated much of what Network Rail had already stated, but then said that none of the alleged incidents were required to be notified to it. In effect, the only information it had was presented by Network Rail. It seemed that we were going round in circles.

Eventually, in a letter to the East Haven residents association in September—many months after the matter arose—the HSE listed incidents going back five years, all of them of a minor nature and some hotly disputed by the residents. In fact, the only recent incident on the stretch of line going through my constituency and into Dundee was at Broughty Ferry, where there was an alleged near miss on an automatic level crossing—not what we are discussing today.

Network Rail said to me in a letter:

"We have a statutory requirement to implement reasonable measures to prevent unauthorized use of level crossings. We have a corporate responsibility to fulfil this statutory requirement. Failing to do so would leave Network Rail potentially open to enforcement procedures and in the event of any incident potential prosecution."

In other words, Network Rail is protecting its back in case there is an incident in the future. It is interesting that neither British Rail nor Railtrack considered it necessary to take such action.

The crux of the matter is that Network Rail is concerned that it could be found liable if there was an accident on the crossing. That brings me back to my earlier point about investment and costs and the point made by the hon. Member for Montgomeryshire (Lembit Öpik), who is no longer present. As I said, everyone wants a safe railway, but if safety is the only reason for pushing ahead, why is Network Rail not doing the same in England? Do the same safety rules not apply, or are the land access laws different?

As I said at the outset, I have tended to concentrate on the situation at East Haven because I am most familiar with it. My constituents are angry and upset at the actions of Network Rail. The advice that I received from the Minister that the local authority might have some funding that could be used to provide an alternative way over the railway is a non-starter, as anyone who is aware of the constraints on local authority finance would know.

That brings me back to the question of the original privatisation. Network Rail, as far as anyone is responsible for it, is a reserved matter, so the Scottish Parliament and Executive have no control over it or any of its actions. Yet when it acts in such a cavalier manner over the level crossings, they or Scottish local authorities are expected to come up with the funds to clear up the mess and consider alternatives to existing level crossings, sometimes at great expense. That is unacceptable. We are talking about traditional crossings that have existed for many years; if there is a genuine safety issue, it is one for Network Rail to deal with by upgrading and improving the crossings, not by taking away access rights.

As I said, the problem is appearing all over Scotland. I am sure that the Minister will tell me that Network Rail is an arm's-length company and that we are debating operational matters solely for it, but all over Scotland rights are being threatened by a company that is seen as under Government control. Action is required. Compromise may be possible for many of the crossings, and for others funding for alternatives is required and should come from central Government.

5.14 pm

The Minister of State, Department for Transport (Dr. Kim Howells): I congratulate the hon. Member for Angus (Mr. Weir) on securing the debate. He raises an issue that is of considerable concern to some of his constituents and that has attracted debate throughout Scotland. I hope that I will be able to respond to some of his points, if not all of them.

Before I deal with that issue, I want to make some general points about Network Rail and its objectives, responsibilities and priorities, as it has a fundamental part to play in this discussion. I am only sorry that the hon. Member for Montgomeryshire (Lembit Öpik) disappeared after making a statement about a bridge for which he says he has waited seven years. We were blessed by another of his cameo appearances. He comes and goes like a bit-part actor in an amateur production in which, as usual, the theme is how the Government should spend more money and how the Liberals cannot possibly say how that money will be raised in the first place.

The hon. Member for Angus spoke about the Government's reluctance to spend money on the railways. We are, however, spending record amounts—billions of pounds—on railways, which I am sure he knows. Probably the largest single tranche of money ever spent on the railways in this country is being spent on upgrading the west coast main line, which will greatly benefit Scotland when it is finished. I was interested in why so many unmanned level crossings lacked adequate technology to guarantee safety and security. The costs involved are huge. I discovered that it costs £80,000 to install a phone at a level crossing, and upwards of £1 million to install flashing lights. These are huge sums.

5.17 pm

Sitting suspended for a Division in the House.

5.24 pm

On resuming—

Dr. Howells: As I am sure the hon. Member for Angus is aware, Network Rail took over responsibility for the operation, maintenance and renewal of Britain's rail infrastructure in October last year, in the wake of Railtrack's entry into administration. Network Rail is a private, not-for-dividend company and is responsible to its membership: more than 100 organisations and individuals, representing railway industry stakeholders and the wider public. Level crossings are a serious concern for the company. In 2002–03, there were 27 train incidents at crossings, and 13 members of the public were killed: two of them were vehicle occupants and 11 were pedestrians.

I understand—and the hon. Gentleman, if my memory serves me, confirmed—that there are around 600 private level crossings in Scotland. Generally, they were established by 19th-century legislation authorising railway construction. Access to the crossings is normally restricted to authorised users, often farmers and landowners, and not granted to the general public. In carrying out a review of the use of the crossings, Network Rail has become aware that in a minority of cases there has been unauthorised use by members of the public. As a result, it has taken steps to restrict access: for example, securing crossings with lockable gates and ensuring that keys are issued only to authorised users.

The company has a legal duty to prevent unauthorised access to the operational railway under the Railway Safety (Miscellaneous Provisions) Regulations 1997. I would not wish to criticise the company for carrying out that duty, although the hon. Gentleman has given instances where, it seems, it could have consulted more rigorously. Nevertheless, safety on level crossings is an important issue. The Health and Safety Executive firmly supports the line that Network Rail is taking, particularly on unauthorised access to vehicles. Level crossings are potentially one of the most dangerous features of railway operation, as the incident near Evesham earlier this year illustrated all too clearly.

Network Rail has informed me that it has consulted Historic Scotland, VisitScotland, the National Farmers Union and the British Transport police on the measures that it is taking. Its policy of restricting the use of private level crossings in Scotland has attracted public criticism from ramblers groups and local residents who have been using the crossings for many years. In recent months, my Department has received representations calling for the Government to intervene, among them a letter from the hon. Gentleman. Representations have been made to the effect that in some circumstances, where access is available only on foot and where trains run relatively slowly and infrequently, the safety risks are relatively low and that restricting the use of the crossing is disproportionate.

I accept that Network Rail's actions may cause inconvenience to local residents and ramblers who may have become accustomed to using particular crossings, albeit that those were never intended for public use. I also accept that Network Rail's predecessors may have been less than diligent, as the hon. Gentleman reminded us, about enforcing those restrictions on the use of the crossings. However, I would be very reluctant to intervene on operational decisions made by Network Rail that are driven by safety considerations. At the end of the day, if there is no public right of way across a crossing, unauthorised users are trespassing, knowingly or unknowingly.

I would like to put the matter into context. According to Network Rail, its actions have proved contentious in only a relatively small number of cases. Network Rail could not close a private crossing without the agreement of the authorised crossing user. I am not sure whether the hon. Gentleman is aware of that, but it is a fact.

Mr. Weir: I appreciate what the Minister is saying, but at East Haven, irrespective of the original intended use of the level crossing, the crossing is a main access into the village. Given that the issue has developed over more than 150 years, does he consider that Network Rail has a duty in such circumstances to make an alternative access if it considers that a genuine safety issue is involved?

Dr. Howells: I can understand the hon. Gentleman's dilemma. I have his "Weir@ Westminster" leaflet, which he distributes throughout his constituency. It contains a very fetching picture of him stretching his arm up to full length underneath a very low bridge. The notice on the bridge states:

"Low bridge headroom 2.2 metres".

The answer would be for Angus council to build a more suitable access for the people who live in the village. If it considers that it cannot do that, the hon. Gentleman has pursued the right option. He has asked whether there might be a way to reach a better solution, perhaps using the existing private level crossing.

The problem to which the hon. Gentleman did not refer is that the crossing is one that crosses the main Dundee to Aberdeen line. More than 80 trains pass over it each day at speeds of between 60 and 100 mph. I have been informed that there have been two recorded near misses on the crossing and 11 recorded incidents of misuse. I have tried to dig into the matter to find out what the incidents consisted of, and I understand that one involved a minibus.

Mr. Weir: That is a disputed incident.

Dr. Howells: The hon. Gentleman said that the incident was disputed. However, if the minibus driver had not used the telephone to alert the signalman to the fact that he was about to cross the railway line, it would have become a serious problem. Trains travelling at 60 to 100 mph take a long time to stop. At speeds of 100 mph, it takes three quarters of a mile for a train to stop.

Let us consider the situation in which a person thinks that he can see well into the distance and decides that it is safe to cross the line. Well, that has happened on too many occasions. The number of casualties on level crossings remains high because people disobey and abuse the rules. I am not saying that that has happened on the level crossing under discussion, but the primary duty of the hon. Gentleman to his constituents on whose behalf he introduced the debate must be to ensure that they stay alive. The safety of people on level crossings is extremely important.

Mr. Weir: With respect to the Minister, I am not disputing that fact. However, whatever he says about

[Mr. Weir]

the safety of the level crossing, I reiterate that it is an essential access into the village. The cost of a new road being built under the railway would be astronomical. It would involve heavy engineering works and disrupt the railway even more. Such costs could not be borne by any local authority. We are not talking here about a few ramblers going over a crossing—there are differences with all these crossings, and I accept that. We are talking about a main access into the village. That is the important difference.

Dr. Howells: I appreciate that the hon. Gentleman is worried about the access to the village. I am simply reiterating that the present access across the railway line is not safe. It might have been used for many years. It might be that Network Rail could have consulted local people better about what it intended to do. Nevertheless, Network Rail has a duty to ensure that people stay alive on its property. Trains are very dangerous vehicles when they travel at these kinds of speed. They cannot stop very quickly. I should have thought the hon. Gentleman would be very concerned about that. He argued that it would cost Angus council a lot to deepen the tunnel access under the railway or to construct a new road, yet he was keen to tell the Government that we should spend lots more money on the railways as if that money fell from heaven. Well, it does not.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes to Six o'clock.

Westminster Hall

Wednesday 19 November 2003

[MR. JOE BENTON *in the Chair*]

Ethiopia

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Gareth Thomas.*]

9.30 am

Vera Baird (Redcar): Ethiopia is the oldest independent country in Africa. With the exception of five years of Italian rule between 1936 and 1941, it has never been occupied. Its history is amazing. It is referred to innumerable times in the Bible and in many ancient texts, and it has many as yet unexplored architectural remains—churches hewn out of solid rock, steles and much more—that confirm its prominent place in man's early history.

At 1.14 million sq km, it is as large as France and Spain combined. Probably its most famous leader was Haile Selassie, but he was ousted in 1974 by the Derg, Colonel Mengistu's brutal Marxist dictatorship. In May 1991, after a long struggle, Mengistu was overthrown by the Ethiopian People's Revolutionary Democratic Front. A new constitution was adopted in December 1994, when Meles Zenawi became Prime Minister. He continues in office as the head of a slightly uneasy coalition.

Ethiopia's population is multi-ethnic, with around 78 ethnic groups, and 80 languages are spoken. Most of the people in the highlands around Addis Ababa, the capital, are members of the Ethiopian Orthodox Church, but many lowlanders are Muslim; it is a 50:50 split, but there are some other Christian sects. They are bound together in a federation of states delineated by natural features of the landscape; they seem to coexist quite amiably.

Unfortunately, Ethiopia is best known for drought and war. The most notable war was the border war with Eritrea, now ended after a border commission and a commitment not to reignite hostilities, although there remain issues on the allocation of Badme to Eritrea. As for drought, securing a sustainable supply of food for its people has been a priority for the Ethiopian Government and for donors for about 20 years, but food insecurity remains the country's most deeply rooted problem. The major famine of 1984–85 was followed by further food shortages in 1992, 1994, 2000 and 2002. By 2025, Ethiopia will need to double its production of cereals to 24 million tonnes in order to feed its people.

The international community has responded to food crises in Ethiopia with food aid, but it has never sufficiently addressed the causes of those crises by investing in Ethiopia's poor rural communities. As a result, Ethiopia, its people and the international community have become trapped in a cycle of dealing only with the immediate crisis.

Ethiopia is a fascinating country. I have had the privilege of visiting it twice in the past two years, most recently courtesy of the Norfolk Fellows Trust, when I travelled with my hon. Friend the Member for South Ribble (Mr. Borrow). Another of Ethiopia's problems is the scale of epidemics, most notably HIV. I shall not refer to them now, Mr. Benton, as I hope that my hon. Friend will catch your eye. Having been there with me, I know that he took a particular interest in the problem; he will be able to tell the Chamber what we found.

Ethiopia is one of the poorest countries in the world. It ranks 169 out of 173 in the United Nations Development Programme human development report. It has a literacy rate of 32.7 per cent., and its economy is rural. About 85 per cent. of its population lives in rural areas, and most people have small farms leased from the Government. However, since the days of the communist Derg, the Government have owned all the land. Land policy was central to the political debate during the previous two elections.

There appears to be a popular mandate for the communal ownership of land, but it is subsistence farmed, and tef is the most usual crop. It is a nutritional miracle food that contains much more iron than wheat or barley and has high concentrations of essential minerals. It is made into injera. Together with maize, tef is the country's staple crop, and that is grown for food and for the local drink.

As the drought developed this year, after the failure of two lots of rain, it was thought that people would move from the land into the towns to look for food. The anxiety was that they would become a dependent urban underclass, unlikely to be able to return to the land. The fact that land cannot be sold for short-term survival, which would have happened, has helped to avoid that catastrophe. Therefore, land can be seen as a sort of social security. However, we were concerned to hear that land was handled by peasants associations and that it could be redistributed.

There are two sides to the issue: on the one hand, a family who have perhaps three or four sons need land for their children and may have to split an already small area of land into much smaller packages to accommodate more and more people; on the other hand, peasants associations redistribute land to other families, so there was perhaps unhappiness about the prospect of improving land lest it be redistributed. However, it is clear that the nationalised nature of land plays a role in stability and in three of the states no further land redistribution is allowed. There will be a move to longer leases and there will then be the ability to pass land on to children—indeed, to do everything with it except sell it. That land status played a very important role in the beginning of 2003 and there is a political commitment to its continuing.

We went to areas near Dirê Dawa and Harer with the World Food Programme to see how the food aid was being delivered in drought areas and the steps that are being taken to create sustainability in communities. I make a generalised comment, but, happily, it is clear that enough food aid came in sufficiently early to stop a major catastrophe occurring. However, that does not mean that there are not deep problems, even with this impressionistic view of Ethiopia, which is all there is time for me to mention.

Approximately half the population is in long-term, deep poverty; they suffer repeated droughts, the loss of their assets, and a decline in the price of coffee, which is

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the main export crop, leading to the collapse of livelihoods. There is also a lack of infrastructure in poor communities. At the best of times, upwards of 5 million people will never be able to live sustainably on their own land because it is too poor and poorly irrigated to be adequately farmed, and they will be permanently dependent on food aid. In a good year, Ethiopia can produce food in abundance, but even then, because their livelihoods have crashed because of repeated drought, people are often unable to purchase the food that is available. Only 5 per cent. of Ethiopia's irrigable land has been cultivated; the country has great reserves of under-utilised ground water and annual surface water but there has been a lack of investment in water harvesting.

Driving out of Addis Ababa towards Dirē Dawa, we saw an amazing sight. It poured with rain, which, although absolutely essential for the crops that were starting to appear and, hopefully, will soon be harvested, ran down both sides of the road in an orange torrent, taking with it the topsoil and eventually running into the lakes, which were made shallower and shallower by the deposited silt. As the rain rushed along the side of the road, it flooded people's houses and was lost from the cultivable areas, carrying away the topsoil and making the lakes shallower, so that that source of water was lost. We saw clearly that it was a lose, lose, lose situation.

The cornerstone of the Ethiopian Government's rural development policy has been to try to turn subsistence farmers into commercial farmers. We heard that there are now 38,000 agents who have been educated to go out to farms to try to persuade them to change their farming. The export of fruit and vegetables from Ethiopia has tripled in the past year, partly as a consequence of that policy, and there is now a move to grow flowers for export in Oromia.

In the drought-ridden areas, there is an excellent project called managing environmental resources to enable transitions, of which I am sure the Minister will be aware, in which food is given for work. MERET aims to discourage people from being dependent on food aid—as long as they are able-bodied, they are given food aid on the basis that they contribute to the sustainability of the local community, for example by digging ditches for irrigation, developing terraces for crop growing, or planting trees where there has been deforestation.

Now that the latest crisis has died down, there is a clear need for the protection of people's livelihoods to begin in earnest. There should be cash-supported programmes focusing on building skills and infrastructure through public works in return for money, which can then stimulate recovery in rural communities. There needs to be rapid development of Ethiopia's ability to store food and transfer it from areas of surplus to areas of deficit. There is an urgent need to restock pastoralist communities, which have lost many of their animals. Women's access to and control over resources and assets should be greatly enhanced. There is also a need to protect small, infant industries, which are just starting to develop and produce diversification.

The food aid performance of donors has been patchy, but the habitual giving of food as aid, rather than providing cash to pay for long-term development, can create a chain of dependency from wealthy donors such as the UK to poor communities. We are starting to change our approach, but the USA continues to give the majority of its aid in kind.

One of the infant industries to which I just referred is a new heavy steel plant on the outskirts of Addis Ababa. That is a welcome development, providing approximately 1,000 jobs and producing 220,000 metric tonnes of sheet steel. That economic development is to be encouraged. It is right that we have changed tack in the way in which we give our aid. At the end of October, the EU announced 3.8 billion birr for development projects over the next five years, intending to try to facilitate food security and economic development. On the same day, the Secretary of State for International Development was invited to an international conference on food security in Addis Ababa, and I know that he has agreed to go. It appears that we, with our EU colleagues, are leading the way into moving our aid on to a more sustainable basis.

I shall quickly refer to two areas of high importance and concern. The first is reproductive health. While in Ethiopia, we were privileged to talk to Dr. Duah from the United Nations Populations Fund. The Ethiopian Government statistics show that the country's population is 70.5 million. Population growth, which was 3 per cent., has now settled at 2.9 per cent. That is a very minor reduction, despite the high level of activity of charities such as Marie Stopes International, and the work on birth control carried out by UNICEF, the UNFPA, aid donors and the Government; 2.9 per cent. of 70.5 million represents huge population growth—the population will undoubtedly double before 2030. The birth rate is 39.8 per 1,000 people, notwithstanding a death rate per 1,000 live births of 103.2. The average woman has 5.55 children, and life expectancy for those children is about 40 years.

The UNFPA has a $5 million per year programme over five years for dealing with reproductive health, which is not very much. It hoped to focus its resources on a few regions, but it seems that the Government have a fairly clear policy of regional resource distribution according to a formula, and so resources have been spread rather thinly. It is estimated that 6 per cent. of the Ethiopian population use contraception compared with, for example, 40 per cent. in Kenya.

The national population conference in Ethiopia in June this year emphasised the need for urgent action. However, family planning is not popular, and presents political difficulties. There is also some sense that the Orthodox Church will not help. Charities told us that the Orthodox Church has no doctrinal problems with birth control, but it seems clear that it will not come off the fence. I am grateful to the ambassador for making it clear that there is no hope of that. That is a great tragedy. The 500,000 orthodox priests in Ethiopia are each an integral and respected part of the community. They could certainly help to break down the myths that stop people from taking up the use of contraception as strongly as they should.

The issue is clouded in myths and traditions. Dr. Jember, in a sustainable development project in a poor area of Addis Ababa, told us of a fear that the contraceptive pill made a person weak and unable to manage their work. Unsurprisingly, there is a notion that a child is a gift of God, a measure of status and an

insurance policy for old age. Women are expected to have children. One tribe tells its males that they should abandon their wives if they do not produce one baby a year. I am not surprised, and no one else will be, that some women are bitter that they are denied control over their futures. Maternal mortality in Ethiopia is the highest in the world.

Availability of contraceptives is low, irrespective of the lack of will to take the methods on. The UNFPA spends half of its budget on physical contraception, as the major supplier of the public health system. However, no programme of contraception will work without Government support, strong political will and the help of non-governmental organisations. As we went around, day after day, talking about attempts to make sustainable communities and engender a livelihood for Ethiopia, we were concerned not to hear about sufficient reproductive health to curb the increasing population. Great concerns exist that the Government pay insufficient attention to the issue.

I was recently reassured by the important announcement that the US Packard Foundation has announced that it will spend $40 million on expanding its reproductive health work in Tigray and the southern states. I understand that the request that Packard should spend resources on reproductive health came from the Prime Minister, which I find strongly reassuring. The Government are clearly taking up the idea that better contraceptive advice is needed. However, there is a long way to go.

There is no doubt that UK resources should be applied. We had concerns that donors would not be able to do much about myths about child bearing if there were no political will to tackle them. A donor country cannot easily impose conditions about ways of life and morality on a recipient country. It was a relief to learn that the Packard Foundation's project has been encouraged, as it shows that Ethiopia is keen for all the help it can get.

In ways that are too obvious to set out, reproductive health is integrally linked with women's rights. I went to Ethiopia on the second occasion to look at women's rights. Ethiopia has a modern, gender-egalitarian constitution. Article 35 should be read out in ringing tones:

"Women shall, in the enjoyment of rights and protections provided for by this Constitution, have equal right with men."

It gets better:

"Women have equal rights with men in marriage as prescribed by this Constitution."

Better still:

"The historical legacy of inequality and discrimination suffered by women in Ethiopia taken into account, women, in order to remedy this legacy, are entitled to affirmative measures. The purpose of such measures shall be to provide special attention to women so as to enable them to compete and participate on the basis of equality with men in political, social and economic life as well as in public and private institutions."

Women played a significant role in the overthrow of the Derg, and have earned that equality.

All the institutions are in place. The Ethiopian Parliament has a standing committee on women's affairs, which is chaired by Dr. Ethiopia - a notable female MP who recently visited the House of Commons. She is proud to say that there are two men and 11 women on the committee. There are quotas to ensure that women have a voice in public life and there are efforts to train women candidates for public office. The committee felt that the issue of gender equality was mainstreamed.

A new family code has recently been adopted, and there is a new criminal code to outlaw marital rape, which was outlawed here only 10 years ago. Ethiopia is doing very well to outlaw both that and female genital mutilation. We were told that over 90 per cent. of women in Ethiopia suffered from genital mutilation. They are a bold and strong Government who outlaw something as prevalent as that. There is no doubt about their commitment to equality, or that it is affecting the metropolitan areas.

Julie Morgan (Cardiff, North): Is my hon. and learned Friend aware of the work of the national committee on traditional practices in Ethiopia, which considers not only the many beneficial traditional practices but the harmful ones? The women in Parliament have been particularly involved with that committee.

Vera Baird: Yes, I believe that we did talk to someone who was on that committee, although I am not certain of that. My hon. Friend is right to point out that there are beneficial traditional practices as well as some harmful ones.

I have been lucky enough to go to Ethiopia twice in the past two years, and I can track the improvement in women's roles from my own experiences. I was first asked to go by the British Council in order to train some of the judiciary to deal with domestic violence cases. At that time, the new family code, which expressed the new constitutional principle of equality, was functioning only in Addis Ababa, although the constitution is national. The old civil code, which goes back to Haile Selassie's day, made it perfectly clear that the man was the head of the family and that the wife owed him a duty of obedience. The penal code states that nothing is a criminal offence if it is done according to law. Judges outside Addis Ababa were saying, "We can't do anything about domestic violence. The man is the head of the family; his wife owes him a duty of obedience. If he has to enforce the duty of obedience on her by assault, that is not a crime because it is done according to the law in the civil code." That position was very hard to argue against. I said that judges must look at the constitution and interpret those difficulties through the equality clauses of the constitution. That was a hard argument.

This year, I was asked to teach police officers how to police domestic violence. I asked them whether they felt that there was any impediment on their legal powers similar to that which the judges had experienced. They laughed and said that it was perfectly clear that the constitution now prevailed and that everybody accepted it. That seemed to be empirical evidence - although pretty rough and ready - that the march of women in Ethiopia is going forward ever stronger, but it is easy to paint too rosy a picture. In a country that until recently had laws allowing the subordination of women, there is still a huge tradition of that.

We were privileged to meet the head of the Ethiopian Women Lawyers Association, who has recently received the African Nobel prize for her help with women in

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Ethiopia. After receiving the award, she was interviewed and was asked what she thought the position of women in Ethiopia was. She said that it is poor and does not compare with that in the neighbouring countries, as they have little social and economic power and are still prisoners, especially in the rural areas, to old traditions and views.

The prevalence of abduction of schoolgirls is still clear, so much so that parents are reluctant to send their daughters to school. If a young man asks a girl to marry him and she is not interested, his usual tactic is to abduct her with his friends and rape her. Then, when no one else wants her, she becomes his. There is also a strong tradition of female genital mutilation, and although rape in marriage may technically be outlawed, it is prevalent. There is also still a good deal of domestic violence, so there is a long way yet to go.

There are now clearer statements than ever before of the Government's good intentions on reproductive health and women's rights, but there appears to be a long lead-in time before either desirable policy comes to fruition.

I have said little about the Government, who have had a difficult time in contending with war and repeated drought. They appear to aim to do well and attempt to comply with international human rights treaties, and although they are not perfect, they do well to try. They appear to be run intelligently and have strong plans and powerful initiatives. There is a sense that, because the Derg was an oppressive regime in which initiative was regarded as rebellion, the civil service may still be slow to respond to Government initiatives, but that problem is not isolated in Ethiopia.

Mr. John Bercow (Buckingham): I understand the significance of what the hon. and learned Lady says about hidebound social traditions that have constrained or undermined the pursuit of gender equality. On the theme of governance and pluralism, is it the hon. and learned Lady's impression that the elections that have taken place have not yet been fully free and fair? Can she offer any advice on that?

Vera Baird: We did not take it as our job to investigate the democratic viability of the country, but it is notable that the ruling coalition has a majority of about 97 per cent. To some extent, that may speak for itself. None the less, there is no doubt that that Government intend well by their country, and perfect democracy may not be an essential concomitant of progress.

Andy King (Rugby and Kenilworth): I, too, visited Ethiopia twice, with some colleagues who are present. The Ethiopian Government's intentions are honourable, and they are dedicated to bringing about an improved condition for the people of their country, which, as was rightly said, is vast. One of the Government's priorities was capacity building, which my hon. and learned Friend referred to in terms of the judiciary and police force. What evidence did she see of the central policies delivering changes to the outlying states?

Vera Baird: The empirical observation that I can make is that, at both training sessions that I was asked to take, people from each state in Ethiopia had come to Addis Ababa. That suggests, although only impressionistically, that a network is developing from the cosmopolitan metropolis outwards to the states.

Overseas investment in Ethiopia is critically needed, and tourism is one of the country's greatest hopes. Like my colleagues, I can give direct testimony to the interest and beauty in Ethiopia—Simien national park, the rock-hewn churches of Lalibela, the castles of Gonder, the fantastic and unique former kingdom of Axum and the stunning Blue Nile falls. It is as beautiful as eastern Africa and as historic as northern Africa; it has as interesting peoples as western Africa and all the wildlife of southern Africa. It is a country with multiple problems but with a reasonably stable Government with clear hope and strong plans. There is a saying in Ethiopia when one looks on something that is particularly beautiful: before he made it God must have washed his hands. I am sure that everyone who has visited this complex, but now optimistic country, would agree that before God built Ethiopia he certainly washed his hands.

Mr. Joe Benton (in the Chair): Before I call the next speaker, I should point out that I intend to commence the wind-ups at 10.30 am. Five hon. Members have indicated that they want to speak and I ask them to bear that in mind.

10 am

Mr. Tom Clarke (Coatbridge and Chryston): Thank you, Mr. Benton. I will try to keep my comments brief. I congratulate my hon. and learned Friend the Member for Redcar (Vera Baird) on securing the debate and on an excellent introductory speech. I also congratulate the hon. Member for Buckingham (Mr. Bercow) on his appointment. I am sure that he will add to the quality of the Opposition Front-Bench team. I leave others to make judgments on the general quality. I think that the hon. Gentleman knows what I mean.

I first took part in debates on Ethiopia during the major crisis of 1984. We were told then that it would be a one-off, yet here we are with a sense of déjà vu. What is taking place now, outlined by my hon. and learned Friend, was predictable and predicted. The international community must clearly challenge it. It is not just that things in Ethiopia are bad, but that that is against a backdrop almost throughout Africa of food crisis, drought, plagues and conflict. None of that helps.

As we have heard, the crisis is of staggering dimensions: 14 million people are at risk in Ethiopia and Eritrea. That is bad enough given that in a normal year 4 million such people would face a crisis of famine. Across southern Africa, 13 million other people face death and famine. There have also been many natural disasters in the Congo, in Uganda, in Mauritania and elsewhere. Transcending all that is the issue of global warming. I do not want to depart from the debate, but it is relevant during the visit of the American President to point out that environmental matters in the Kyoto agreement are as relevant to Ethiopia as they are to the rest of Africa and elsewhere. They simply have to be addressed.

There are some who criticise our response. Bob Geldof perhaps among them. We will not criticise him for the contribution that he has made. I cannot quote

precisely what he said, so I will paraphrase. He asked why on earth we cannot give food to non-governmental organisations to help the people who are in desperate need. He said that he was a citizen of Europe and that he expected more from the European Union. Many of us would want to echo that last point.

Even if that food aid were delivered in the way that we want and in the time that we want, there are still some structural challenges, particularly in Ethiopia as well as elsewhere in Africa, some of which my hon. and learned Friend addressed. One such challenge is population. Since the 1984 crisis, the population of Ethiopia has grown from 40 million to almost 70 million. The problems with world trade, including the fluctuations in coffee prices, are a great blow to Africa, coming as they do on top of the existing difficulties of economic situations and abilities to export and earn. In addition there is the scourge of HIV/AIDS.

The problems are of a staggering dimension. Some people think that money flows in when there is a crisis, but that the problems are then forgotten. One aid worker in Addis Ababa is reported as saying, "If you don't have starving babies, you don't get the money." Recently, there was a particularly relevant and thoughtful article in *The Independent* by Declan Walsh, in which he said:

"Funding does not always follow famine."

In recent years the Balkans received $300 per capita in aid, Albania $111—which is not an enormous sum—and Ethiopia $16.

If we are to address the problems, we must discuss the challenge set by the Ethiopian Government, which does not have a bad record on good governance, for the G8, the IMF, the World Bank and the UN. It is worth considering how much the essential development that is needed for Ethiopia to recover and thrive has changed. Twenty years ago, 80 per cent. of World Food Programme resources were spent on development, compared with 20 per cent. on aid for emergencies. That trend has been reversed, which is a short-termist, knee-jerk reaction. That reversal does not represent the vision of aid agencies that work there and address practical problems day in, day out. They experience frustration, knowing that, for example, in respect of the millennium goals set for Africa, the targets for 2015 will not be met until at least 2050.

In view of the time, I shall conclude. We know what is happening in Ethiopia, and we know the early warnings. Our friends in the aid agencies tell us that the situation will almost certainly recur in two, three or five years' time, but that can and should be avoided. So what should we tell aid agencies in Addis Ababa? What is the UK Parliament's message to the Zenawi Government, who are committed and set higher standards for anti-corruption policies than most other developing countries? We should tell them that we genuinely recognise their problems. We congratulate the Department for International Development, and hope that its efforts are emulated in Europe and elsewhere in wealthy parts of the world. We must tell our friends in Ethiopia that theirs is a country of great beauty. We want them to share in the mineral resources of Africa. We want transparency and accountability, and we want those mineral resources to be fairly shared for the benefit of the many, not just the few.

If we can address the problems of the need for food aid when it is required and the need for water, which people are crying out for, as well as the need for fair trade, conflict resolution, and the issue of blood diamonds, we should be entitled to say that security, good politics and good government are at least as important as providing transient warehouses full of grain. Those warehouses are there temporarily, and do not respond to the hearts and minds of people who deserve better.

10.10 am

Mr. David Borrow (South Ribble): I congratulate my hon. and learned Friend the Member for Redcar (Vera Baird) on securing the debate. Following our return from Ethiopia in the summer, we felt that an Adjournment debate would be appropriate, and I am grateful for this one. My visit to Ethiopia in August was my second; I went there as part of an Inter-Parliamentary Union delegation in December 2002 with my hon. Friends the Members for Stroud (Mr. Drew) and for Rugby and Kenilworth (Andy King), who are present this morning.

The visit last December was timely in that, while we were there, the international donor community was meeting the Ethiopian Government to discuss the food aid crisis there. It was interesting to see how Ethiopia has improved its early warning system, which gives advance warning of food crisis. That is done by measuring rainfall during the two rain seasons in spring to early summer and the main rains in August and September. Those rains were very patchy, and made clear to the Government the risk of famine. Instead of 5 million people needing food aid, it was calculated in December that the figure would be 12.5 million.

On that basis, the international community reached agreement with the Ethiopian Government to deliver food aid. Having visited in December, it was interesting to visit in the rainy season this year towards the end of the famine period, when crops were in the fields, and to see how successful that programme had been. The international community and Prime Minister Meles Zenawi's Government were very successful overall in handling that crisis, and should be congratulated on that.

However, that does not deal with the issue of sustainable development. The population constraints that my hon. and learned Friend mentioned have struck me on both visits. They are very real and need to be tackled, as does the issue of how the land is used or misused. I remember visiting the West Harerge area, Asbe Teferi and the Messio district in December last year, and there were piles of sticks or charcoal everywhere. The forests were being cut down to produce fuel to sell for income. One could see, even from the hotel in Addis Ababa, that the hillsides that were covered in forest a generation ago were completely denuded. In many parts of the country, the effect of that was the same as the problems that we saw in Harer in August: when the rains came there was no forest left on the hillsides to keep the rain within the land. It came as a torrent off the hillsides and was wasted. We visited a project where trees had been planted to replace those lost, but it is clearly still an issue.

Another [illegible] is that of water management. It is a sensitive [illegible] as the waters of the Nile are used extensively [illegible] Sudan and Egypt, although they

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generally come from the mountains of Ethiopia. It is clear to me that even in a year such as 2002—a poor year for rains—there was sufficient rainfall, if managed properly, to feed the people of Ethiopia. The problem is that the infrastructure is not in place and irrigation systems do not exist to ensure that the land can be used productively. The pressure on the land means that there is great pressure to increase grain production, but instead of pressure to produce tef, which is part of the staple diet, there is pressure to produce maize. If it is successfully grown, maize produces more grain than tef, but it is very susceptible to anything less than the optimum rainfall, so if there is only half or three quarters of the optimum rainfall, the maize grows, but does not come to proper fruition. One sees half-grown stalks of maize everywhere, because there has not been enough rain, whereas tef and other indigenous grains will grow even if there is poor rainfall, and they will produce a crop, even if it is not of the size that one sees in a very good year. At least tef produces some grain; maize is either completely successful or produces nothing at all, which was a real problem in 2002.

That situation derives in part from issues of land tenure and the willingness of people at village level to invest in the land that they occupy, but do not own. They fear that if they invest in improving the land, it could be reallocated when the village council next meets to decide who gets the land. A real issue is how to devise a system that encourages farmers at local level to invest in improving the land.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Borrow: I will take a short intervention; I am mindful of colleagues who wish to speak.

Mr. Bercow: Is not what the hon. Gentleman has described an argument for establishing proper private property rights?

Mr. Borrow: We need to be fairly careful about giving prescriptive advice to an independent country, particularly one such as Ethiopia, which has a long, proud history. However, there is a problem, which I think it recognises, with how land tenure operates there and the knock-on effects.

I shall touch on HIV/AIDS, which was the main reason for my visit in August. The official figures show a prevalence rate of between 6 and 7 per cent. That is based on antenatal testing in 34 centres throughout the country, 28 of which were in urban areas and six in rural sites. The figures show real variation. The infection rate is 3 per cent. in the rural areas, but in some urban areas it is much higher. It is 20 per cent. in Bahir Dar, 19 per cent. in Jijiga, 18.7 per cent. in Nazret and 13.2 per cent. in Addis Ababa.

I have some scepticism about those figures. The National Intelligence Council in Washington projected a possible figure of 18 per cent. on the figures that it had for 2002. We had discussions in August with UNESCO and it felt that the figure was higher. My feeling from speaking to people at all levels, particularly on the visit in August, is that there is real recognition that HIV/AIDS is a problem. When the figures are 18 or 20 per cent. for Uganda, Kenya and other parts of east Africa, it is difficult to believe that the figures are so much lower for Ethiopia, and that the assumption is that they will remain so much lower.

There may be particular issues in Ethiopia that make its figures much lower. We heard that the army has a strong sexual health policy: condoms are issued to soldiers. In many other places, the army is often a strong instrument for spreading HIV/AIDS, so the Ethiopian Government are to be congratulated on their policy. The fact that so much of Ethiopia is very rural may also make a difference.

That said, I sense that there could well be a major problem with HIV/AIDS in Ethiopia in years to come. It is applying to the global fund to deal with the issue and to secure drug funding in respect of mother-to-child transmission. That is crucial, but in many ways we need to know more about the scale of the problem. I am not sure that the figures are as robust as those available for other African countries.

My overall impression in Ethiopia was that the Government are doing their best in very difficult circumstances. They coped well last year with the risk of major famine, but the international community will have to feed 5 million or more people with emergency food aid in the years to come unless we put in place, or help Ethiopia to put in place, a structure that brings the productivity of its land and its food production in line with its population growth. That is unsustainable. We must work with the international community and the Government of Ethiopia to determine what policies are needed to improve the productivity of the land and to manage the population growth better than has been managed in the past 20 years. I fear that the international community will become increasingly reluctant to find funds for emergency famine aid if it is requested year after year with no end in sight.

10.20 am

Julie Morgan (Cardiff, North): I congratulate my hon. and learned Friend the Member for Redcar (Vera Baird) on securing the debate.

Time is short, so I shall talk briefly about some of the issues that emerged on my visit to Ethiopia last July as part of the British Council's pairing scheme for Westminster and Ethiopian women MPs. I was linked with Dr. Ethiopia, whom my hon. and learned Friend mentioned. Dr. Ethiopia visited my constituency in Cardiff, and I spent five days with her in Addis Ababa and Nazret. I want to talk about the issues that she wanted me to raise, and on which she wanted me to work with her.

The British Council should be congratulated on starting the scheme. Now that many visits have been made, it is important to determine how to sustain them and how to work together to resolve issues such as those that Dr. Ethiopia raised with me and I raised with her.

Dr. Ethiopia was very concerned about health, which is high on the agenda. We all know that Ethiopia has one of the highest child mortality rates in the world: 166 per 1,000 births. My hon. Friend the Member for South Ribble (Mr. Borrow) referred to HIV/AIDS. Project workers in Nazret said that it was a huge issue and told me that coping with young people who tested positive was very difficult.

Dr. Ethiopia took me to a district health centre—Woreda 13—in Addis Ababa, and one of her great passions is to try to develop it. I was extremely impressed by the quality of care that it gave. It was very holistic and examined every aspect of the lives of mothers and children. It urged mothers to use contraception, encouraged the use of deprovera and tested for HIV/AIDS. It also gave good antenatal and postnatal care, and children were vaccinated. All those treatments were available at the same time, and there was an extremely high rate of breastfeeding, which this country would envy. We have much to learn from the way in which the centre operates. However, Dr. Ethiopia drew to my attention the fact that although so much good work was being done at the centre, which was progressive, its resources were poor. It had no ambulances to bring in mothers to deliver their babies, the delivery bed was so old and broken that it was depressing, and there were no heaters, dish washers, sterilising equipment or microscopes.

Any aid that we decide to give must be sustainable. There is no point in sending over an ambulance in a great charitable rush when there is no money to run it and no spare parts are available. Very small resources may help centres such as the one in Addis Ababa, which is already doing a tremendous job. I had a great deal of admiration for what it was doing. I ask the Minister to take on board the fact that sustainable aid can help in places where progress is already being made.

The other major issue raised with me by women in Ethiopia—I met mainly women and it was women's issues that were brought to my attention—was the effect of the harmful traditional practices that are still carried out and which particularly affect women and children. I was in the Parliament for what I think was an annual debate on the traditional practices of Ethiopia. As I mentioned in an intervention, there are many good and positive traditions, such as breastfeeding, the care of mothers after delivery, the care of elderly and disabled people and many others, that we would want to emulate.

Nevertheless, there are harmful practices, and women in the Parliament are leading the fight to get them outlawed, as they threaten the human rights of women and children. The practices in question were debated in Parliament for a whole day and I was tremendously impressed by the way in which they were being tackled at all levels—through the school curriculum, through the training of trainers and through the mass media. However, there were very limited resources for the task and the areas that could be covered were also limited.

Parliament accepted, fundamentally, that the traditional practices challenged mothers' and children's rights and caused additional health problems, as my hon. and learned Friend mentioned; permanent damage can result from childbirth at a very young age. I want to ask the Minister how we can give sustainable help on health issues, and provide help in the matter of harmful traditional practices.

10.27 am

Mr. David Drew (Stroud): I shall take careful note of your strictures, Mr. Benton, and keep my remarks to three minutes. I welcome the introductory comments of my hon. and learned Friend the Member for Redcar (Vera Baird), who gave a clear exposition of what Ethiopia is like. My hon. Friend the Member for South Ribble (Mr. Borrow) mentioned the Inter-Parliamentary Union delegation last year, of which I was a member; one thing that I remember is that we shared our visit with a certain Mr. Rumsfeld, which is something that we might care to forget.

I want to make two clear points. The first was touched on by my hon. and learned Friend, but it is crucial: to achieve sustainable development, Ethiopia needs to remain at peace. It can do so only if it has territorial sovereignty; the countries that surround it are Djibouti, Eritrea, about which I shall say more shortly, Kenya, Somalia and the Sudan. Pleasingly, the British Government are investing time in trying to overcome the boundary dispute with Eritrea. While we were there, we met General Gordon, who is the grandson of the General Gordon—that's Britain for you.

It is crucial that we invest time, money and real effort to resolve the dispute in the Badme area. If there is a return to war, everything else will fail. Of course, there is internal tension. It is clear that the Government are still dominated by the Tigreans. That causes resentment elsewhere in the country. We need to provide the means to develop good governance.

I do not think that the other point I want to make has yet been mentioned. It is a simple fact that Ethiopia is an under-urbanised society. Addis Ababa is by far the dominant centre, but its population is less than 2 million, in a total population of 70 million. There are no other centres of any size in the country. Some form of urbanisation is needed, and we need to help with that.

My hon. Friend the Member for South Ribble made a point about infrastructure, and transport in particular is woefully inadequate. There is one rail line to Djibouti. A developed country cannot be established on that basis. Telecommunications are also relevant, as any hon. Members who tried to use a mobile phone there will know. Ethiopia is about the only country in the world that has not yet got its act together to set up a network. That is due to its dilemma of trying to maintain some vestige of belief in the rural society, which has a strong grip on the population, while aiming for development.

10.30 am

John Barrett (Edinburgh, West): I, too, congratulate the hon. and learned Member for Redcar (Vera Baird) on her interesting speech, and all other hon. Members who have spoken so passionately this morning. Like others, I visited Ethiopia this year, and, all being well, I should return next year.

This is the latest in a series of debates concentrating on Africa. When the eyes of television news crews, and therefore of the world, are focused on places such as Iraq and the middle east, it is important to remember those countries that face grinding poverty every year. We must continue to assist them if we are ever to meet the UN's millennium development goals. The hon. and learned Lady, along with all other speakers, fairly and effectively spelled out both the short-term and the long-term problems facing Ethiopia. On both counts, we have a duty to help.

The UK should be a champion in the war against global poverty. I know that the Minister and his Department are genuinely committed to that cause.

[John Barrett]

Other Members have demonstrated why Ethiopia should be at the top of our list of priorities—its chronic symptoms include 82 per cent. living on less than a dollar a day, 15 per cent. suffering from HIV/AIDS and adult illiteracy of almost two thirds. Those underlying problems cause the crises that sometimes—not often enough—feature on our televisions and in our newspapers.

In the short term, we have a responsibility to respond to humanitarian crises as they occur. Approximately 5 million people require food aid almost every year. The Government—the Department for International Development specifically—have a good record of contributing to UN appeals, something that other countries would do well to emulate. However, as the World Bank has pointed out, official aid to Ethiopia fell considerably between 1995 and 2000. The $2.5 million that DFID recently pledged to fight malaria in Ethiopia is a massive forward step, and a good example of our Government's contribution. Over 100,000 people die from malaria every year in the country, and while this debate takes place, some 17 Ethiopians will be killed by it.

The hon. and learned Lady was right to mention the equally, if not more, important challenge that faces us: that of the long term. How can we help Ethiopia to develop in a sustainable manner so that it can treat its sick, feed its people and help them out of poverty? Most of all, how can we ensure that Ethiopia has all the necessary tools to resist external shocks, particularly the environmental shocks that appear to be becoming the norm, and to minimise their impact?

Earlier this year, I visited Ethiopia with the hon. Member for Loughborough (Mr. Reed) and representatives of Oxfam. We saw the food aid that was being provided to help to mitigate the effects of the drought in the rift valley. On my way there, I passed several windmills, designed to pump water from below the ground. Most of them had fallen into disrepair, because the initial investment and good will that had enabled them to be built was no longer there, so they had not been maintained. Rainfall is crucial. It is not rocket science to say that when the time, energy and money are provided to build Ethiopia's infrastructure, we must ensure that that infrastructure is maintained—that is at the very heart of long-term development.

When I was there, I found that there was a particular requirement for considerable and sustained investment in rural development, particularly in water management and infrastructure. It struck me that a diversification from agriculture is needed. Farming is almost entirely dependent on smallholders, which leaves the country particularly vulnerable to the external shocks that I mentioned. A related issue is the ongoing problem of land tenure. The average holding is only one hectare and because all land is Government owned, farmers are not encouraged to invest in the land that they work. That problem will increase as population growth outstrips agricultural growth.

The current debate in Ethiopia about land reform needs to involve the Ethiopian people so that the environment is managed. This is a matter of life and death. There are real problems of going straight to private ownership of land. If people are so poor that they cannot produce enough to feed themselves, the temptation may be just to sell their land and move into the city, which does not solve the problem.

The ongoing crisis in the coffee industry has also taken its toll on Ethiopia, a country heavily dependent on that industry. Not only has coffee production decreased by between a quarter and a third over the last year because of the drought, but coffee prices have collapsed by some 70 per cent. over the past four years. There are small projects that can benefit those in direct need. When I was in Ethiopia, I was fortunate enough to see the Negele Gorbitu coffee farmers' co-operative, an excellent set-up that benefits its 1,400 members enormously. However, even with the co-operative, farmers still only get 100 birr—roughly £8—for 100 kg of coffee.

It did not take me long to work out that when I buy a cup of coffee here, I pay roughly what one farmer gets for producing the coffee for 1,000 cups. That is a scandal, and that is even with a pro-farmer co-operative that leaves out some of the middlemen between the farmer and the supermarket. The difference in the price that the farmer receives and what we pay in a supermarket is outrageous. That also links to trade agreements, imports and exports, but I do not have enough time to go into that this morning.

In the short term, we need to help coffee producers weather this storm. However, if the coffee crisis shows us anything, it is that Ethiopia must be less dependent on one crop and even less dependent on agriculture. That is not easy but it must be a long-term goal. The fact that coffee comprises 60 per cent. of Ethiopian exports has meant that the collapse of the market has had a massive negative impact on the country's income. That is very serious, especially as Ethiopia is still servicing $6 billion worth of debt. Last year it spent almost $120 million in debt repayments, 12 per cent. of its GDP. That is outrageous.

For a country with so many problems to be paying so much money on debt, money that could be spent on food and medicines or health care and roads, cannot and should not be tolerated. That money, if spent annually on poverty-focused development, could make an enormous contribution to visible improvements for the people of Ethiopia.

Ethiopia, along with many of its neighbours, is also in the grip of HIV/AIDS. Although it is not as widespread as in other parts of Africa, particularly the south, it is still a major problem. There are possibly 1 million AIDS-related orphans and, in many cases, knowledge and skills are being lost and not passed down from one generation to the next. Not only must we ensure that Ethiopia can afford to treat those suffering from the virus, but we must ensure that the delivery mechanisms for health care are improved so that access to medicines is increased.

If Ethiopia is to become the country that we all want to see, its next 70 years must not match its last when it comes to war. Too much has gone wrong in the past. When more money is spent on guns than food, when more money is spent on soldiers than doctors, we can never hope to tackle poverty. The ongoing and sometimes daily shootings that take place along the border serve as a reminder of this. That is why the promotion of and persistent attempt for peace is so

important for Ethiopia's long-term development. It must be a safe place to visit for the tourism industry to develop.

In the short term one of the most pressing problems facing Ethiopia is the removal of the 2 million land mines estimated to remain in the country. Ethiopia remains one of the most heavily land-mined countries in the world with regular casualties caused, especially along the northern border with Eritrea.

This has been a valuable debate, which has served to highlight the short and long-term difficulties and challenges. Of course the burden does not and should not fall entirely on the shoulders of the Minister and his Department. However, there is a role for them to pursue in terms of aid to improve trade and infrastructure. If successful, we can hopefully meet in this place in the coming years to celebrate the improvements and advances in Ethiopia, rather than revisiting many of the problems that have plagued the country over the decades.

10.40 am

Mr. John Bercow (Buckingham): I begin by congratulating the hon. and learned Member for Redcar (Vera Baird) both on securing the debate and on the vivid portrait that she painted of a beautiful but beleaguered country. She was ably followed by the right hon. Member for Coatbridge and Chryston (Mr. Clarke), with a characteristically powerful speech, and by the hon. Members for South Ribble (Mr. Borrow), for Cardiff, North (Julie Morgan), for Stroud (Mr. Drew) and for Edinburgh, West (John Barrett), all of whom brought something different to bear on consideration of the plight of some of the poorest and most vulnerable people in the world.

In the short time available, I shall focus on a few issues on which I am interested to solicit the Minister's response. First, the aftermath of the war with Eritrea was mentioned. We would all agree that sustainable peace is a necessary but not a sufficient condition of sustainable development. The Minister will be familiar with the decision taken by the boundary commission that was set up by the Algiers agreement. It is underpinned by and has the support and authority of the United Nations, and it has to be implemented if peace is to be achieved and maintained.

The Minister will be aware of resolution 1507. My concern, based on a recent parliamentary answer by the former Under-Secretary, the hon. Member for Sunderland, South (Mr. Mullin), and on the work contained in the Africa research bulletin, is that peace could be in danger of losing out. Can the Minister tell me what the Government are doing in concert with the United Nations, the United States, the African Union and the European Union to ensure that the momentum for peace is maintained? He will be aware that the Ethiopian Government are anxious about the lack of domestic support for the agreement that has been reached. Does he feel confident that the Government of Ethiopia will be kept on track and that peace will be achieved?

Secondly, I come to the issue of debt relief. Starkly, there seems to be a problem. The Government gave £12.3 million in aid to Ethiopia last year, yet, consistent with existing arrangements, it sought £15 million back in debt repayment. The Minister will be aware that completion point, which is the jargon in debt relief, was expected to take place in the third quarter of 2003, but World Bank analysis shows that the debt will not be sustainable for Ethiopia after that completion point. Total debt is already about 150 per cent. of gross domestic product. The hon. Member for Edinburgh, West correctly pointed out that the cost of servicing that debt has risen to about $118 million a year and there is genuine anxiety about whether debt relief and reduction will be ongoing and sustainable.

Does the Minister accept that there is an inherent tension between giving money with one hand and taking it away with the other? I do not suggest that just one Government are culpable; it is a long-standing phenomenon involving an international system that doubtless requires a thorough rethink. However, I should be grateful if the Minister said whether he thinks that there is a problem that needs to be tackled. In the process, he might also like to say something about the direct Government budget support to assist the Ethiopian Government in the pursuit of its poverty reduction programme of £60 million spread over three years. Can he say precisely how those moneys will be used to best effect to ensure a direct benefit to the cause of poverty reduction?

Many hon. Members focused on agricultural production and the significance of coffee, and I want to press the Minister on the issue of a future processing plant. If Ethiopia could export, not in raw form – green beans – but on the strength of a processing plant, that would be vastly more commercially beneficial. We discuss that ambition and we hear periodic pronouncements from Nestlé and others, but are there concrete grounds for hope that that worthwhile aspiration could, before long, become a practical reality to the benefit of Ethiopia? If the Minister could also, in the 10 minutes available to him, say something about the debate on land reform, crop diversification, water and irrigation, he would be displaying a pithiness and intellectual distinction that we would all like to emulate.

On the issue of food relief, the Minister will be aware that the food security coalition donors have another conference next month, possibly similar to the one last year, to which the hon. Member for South Ribble referred. The Ethiopian Government understandably want to receive the moneys that will flow from those donors and to be able to deploy the resources as they see fit. However, there is concern that it will not be able to manage those resources, and that it should benefit from the expert assistance on offer from the non-governmental organisations. Oxfam is one of the bodies that thinks that it has a role to play. Does the Minister agree with that concern? If so, are the Government taking steps to ensure that such co-operation happens?

We have heard much about HIV/AIDS. I have received different indications as to whether the spread of AIDS in Ethiopia is likely to get worse or better. The NGOs with which I have spoken advise me that the issue has not been effectively tackled, and they are pessimistic about the short-term prospects. It has been put to me that one quarter of Ethiopian children could be orphaned due to AIDS within eight years. That is not only a human health tragedy, but it has implications for the Ethiopian economy. It will be an obstacle to

[Mr. John Bercow]

industrial investment, commercial expansion and economic growth, and will concomitantly have implications for the chances of poverty reduction.

Will the Minister comment on the Ethiopian Government's policies on HIV/AIDS, as articulated first in 1998, and more recently in the plan for 2000–04? Reference is made to transmission education, behavioural change, and care and support for infected individuals. What are our Government doing to help the Ethiopians, given the dramatic significance of antiretroviral treatment and appropriate care in cutting transmission rates? Transmission rates could be reduced from 35 per cent. to 5 per cent., so a premium must be attached to pursuing the best public policies. Will the Minister comment on what the British Government are doing towards those worthwhile objectives?

This has been a stimulating and wide-ranging debate. I suspect that all hon. Members agree that too many people in Ethiopia have suffered too much for too long. There is a pressing need for this and other Governments, as well as international agencies, to pool their financial and intellectual resources to assist Ethiopia. We should not impose solutions but work with Ethiopia to help it to realise its human potential and tackle the problems that have undermined it for so long. I am anxious to hear what the Minister has to say and, on the strength of my nine minutes, I rest content and look forward to his response.

10.49 am

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): I, too, congratulate my hon. and learned Friend the Member for Redcar (Vera Baird) on initiating the debate and on the excellent way in which she outlined many of the issues currently facing Ethiopia. I should also like to congratulate my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) and my hon. Friends the Members for South Ribble (Mr. Borrow), for Cardiff, North (Julie Morgan) and for Stroud (Mr. Drew), and the hon. Member for Edinburgh, West (John Barrett) on their contributions. They have added additional focus to other issues facing Ethiopia. I also welcome the contribution of the hon. Member for Buckingham (Mr. Bercow). This is the first opportunity that I have had formally to congratulate him on his appointment, and I look forward to regular opportunities to cut my teeth on his performances.

If ever a country serves to remind us of our responsibility to look beyond our own borders, Ethiopia is it, not least because it faces huge levels of poverty. Of its 67 million population, 47 per cent. live below the national poverty line. Ethiopia's people face the regular threat of drought and famine, chronic food insecurity, the ongoing backdrop of the recent conflict with Eritrea and, as a number of hon. Members have outlined, a growing HIV/AIDS problem. If one adds to that mix Ethiopia's historic debt relief needs, the ongoing human rights abuses that still occur there, and the low status of women, we begin to get a sense of the scale of the challenge facing Ethiopia and its friends in the international community in helping its population to survive but, more importantly, move on and live their lives outside the daily challenge of poverty.

The UK's support is within the framework of Ethiopia's own sustainable development and poverty reduction programme. That programme, which the Ethiopian Government worked up, includes a strong commitment to empowerment, gender equality and democratic governance, all of which are fundamental to poverty reduction. We plan to provide substantial funding in the form of a multi-annual programme of direct budget support to back up that programme. In order to create a solid framework for our development partnership with Ethiopia, we have recently signed a 10-year memorandum of understanding setting out the necessary mutual commitments and establishing the basis for ongoing dialogue between the two countries. In addition to that memorandum of understanding, we are providing technical support in key areas, including food security, capacity building, education and HIV/AIDS, to which I hope to return if time allows.

In this financial year, we are seeking to spend some £19 million supporting Ethiopia. That will rise to some £42 million in 2004–05 and £57 million in 2005–06. As I have said, much of that money will be allocated in the form of budget support. My right hon. Friend the Member for Coatbridge and Chryston referred to the debates on Ethiopia in the House in 1984, and the excellent work that Bob Geldof did in bringing Ethiopia's plight to the attention of the world. As he rightly said, there is a sense, in many people's eyes, that Ethiopia is continually associated with the need for more humanitarian aid and the ongoing difficulties of food security.

We have been one of the largest financial donors of humanitarian assistance. Since January 2002, we have provided some £50 million in relief. Most recently, as the hon. Member for Edinburgh, West mentioned, we have provided some $2.5 million to help UNICEF to tackle the problem of malaria. That support is provided both through voluntary agencies and through the United Nations for food and non-food relief. Last year the possibility of famine was again identified; fortunately, it was identified early. The Ethiopian Government quickly sought help from external donors, many of whom responded extremely generously.

On Monday, I had discussions with representatives of the World Food Programme. Current estimates suggest that the food pipeline is in good shape and that cereal needs are certainly covered this year. Indications are that, in most parts of Ethiopia, rainfall was better this year in comparison with last year. Assessments are under way, but it looks likely that food production will be much better than it was last year.

Health issues remain a serious concern. Signs suggest that parts of the east of the country face problems because of inadequate seasonal rains. However, the idea that food aid alone is not a sufficient response, a point made by several hon. Members, is absolutely right. Other issues, such as health care, water and sanitation, are equally critical to child survival. We, and other donors, need to pay more attention to that problem.

The Ethiopian Government have put considerable time and effort into their coalition for food security initiative, which seeks to address some of the underlying causes of food insecurity. That will be discussed at a meeting between donors and the Government, where the UK will be represented, on 1–2 December. It is right that we are there. We have a shared focus on wanting to

address those underlying causes. I am sure that we will have opportunities to discuss the results of those meetings in the House.

The hon. Members for Edinburgh, West and for Buckingham rightly raised the issue of debt. Ethiopia reached the first phase of debt relief under the enhanced heavily indebted poor countries process in November 2001. Ethiopia no longer has to service around $1.9 billion worth of debt and clearly that allows those savings to be spent on the needs of its poor. We hope that those debts will be formally written off, probably in the first half of next year, once completion point is achieved.

The hon. Member for Buckingham highlighted concerns that Ethiopia's debt-to-export ratio has risen sharply. That is largely due to global interest rate and exchange rate movements as well as lower export prices; coffee has been mentioned. We are concerned that such a rise could damage Ethiopia's prospects for long-term debt sustainability. Ethiopia's level of need is such that additional debt relief from the international community is merited to reduce that threat. We are working to achieve that. Ethiopia is receiving full—100 per cent.—debt relief on moneys owed to the UK.

I will not say too much on the peace process, other than that dialogue to reduce tensions on the border is clearly necessary. We remain firmly of the view that the recommendations of the boundary commission need to be implemented and adhered to. Clearly, ongoing political dialogue between Eritrea and Ethiopia is needed. We are closely watching the developments in both the UN work and the African Union work in that area.

The hon. Gentleman alluded to concerns about human rights abuses. We hope to discuss human rights on a regular basis with the Ethiopian Government as a result of the memorandum of understanding that has been signed.

My hon. Friend the Member for South Ribble, in particular, referred to the problem of HIV/AIDS, and expressed rightful scepticism that the current statistics on HIV/AIDS have captured the seriousness of the problem in Ethiopia. I should say that, as well as the UK, the international community is focusing on HIV/AIDS as an important issue in Ethiopia, which we believe has the fifth largest problem with prevalence in Africa. Some $60 million has been set aside by the World Bank to tackle the problem, and the UK is providing some £7 million to help intensify, better co-ordinate and increase the effectiveness of Ethiopia's response to the problem.

I recognise that I have been not been able to answer all the questions raised by hon. Members. I will look carefully at the debate in the *Official Report* and reply later.

ATOL Scheme

11 am

Laura Moffatt (Crawley): I am delighted to have secured this debate, as it concerns an important matter that must be brought to Members' attention.

My hon. Friend the Minister will know that my constituency contains Gatwick airport, so the airline industry is important to Crawley and the surrounding areas. We welcome the Government's approach to airport expansion, air travel and the careful management that the air industry needs. I wanted to raise an important issue for holidaymakers that relates particularly to the air travel industry. All Members would welcome the expansion of travel for people who, for many reasons and especially for holidays, can now travel abroad. That must be welcomed, as it widens horizons, makes for a smaller world and improves our understanding of the rest of the world.

However, today's debate is not about the travel industry alone, but about the protection of travellers against the insolvency of the company with which they book. Only a few Members will have a major airport close to their constituencies, but all will have constituents who travel, and that is why the debate is so important. It affects all consumers in the United Kingdom.

I shall begin with an overview of the UK package travel industry. It takes 20 million people on holiday a year, employs 50,000 people and has an annual turnover of £8 billion. By any standard, that is a significant industry for the UK's economy and its citizens. Civil Aviation Authority figures show that around 60 per cent. of UK air passenger traffic to or from another European Union country is on charter airlines owned by or associated with tour operators. The largest tour operators in Europe are: Preussag of Germany, which owns Thompson; Thomas Cook AG of Germany, which owns Thomas Cook; Thomas Cook UK, which was formerly JMC; MyTravel, which was formerly Airtours; and First Choice Holidays. First Choice Holidays, Thomas Cook UK and MyTravel are all based in my constituency.

We know that since the events of 11 September, there has been increased insecurity in the air transport business, and companies have been hit hard. The business is settling down, but the impact of the cost of bonded insurance has been significant. It has widened the competitive divide between those that are required by law to carry ATOL—Air Travel Organisers' Licensing—protection and those that are not. Our world is also changing, and an increasing number of people choose to book not through tour operators, but directly, often via the internet, with companies such as easyJet. Such companies have offered highly competitive options that have opened up the possibility of foreign holidays to many, which I applaud.

The package holiday industry has changed dramatically since the legislation introduced in the early 1990s. The increased use of the internet to book travel, in particular, has affected many aspects of the business, including private as well as business travel. That change is significant, for reasons that I will outline. For now, however, I offer an overview of the scale of those changes.

[Laura Moffatt]

Personal use of, and access to, the internet has expanded enormously in the past 10 years. Between September 1999 and September 2002, internet usage doubled to 11.4 million households. By September 2002, 46 per cent. of all homes in the UK were said to have access. The latest figures show that 57 per cent. of the adult population—23.3 million people—have accessed the internet at some time. Some 46 per cent. of us have bought goods and/or services online.

This is a growing market. Increasingly, people may choose to put a package together themselves using the internet. In the past few years, low-cost, no-frills airlines have helped to expand the market. That is a good thing, which we should welcome because it has extended personal choice, increased competition and driven down prices. No-frills airlines have provided important business at Gatwick. There is no doubting the value and quality of the service that they provide to many of my constituents, but—and this is a big but—consumer protection legislation and regulation has not kept pace with those changes.

Air Travel Organisers' Licensing was set up after a spate of airline collapses in the late 1960s, which some of us here may remember, when many holidaymakers were stranded in Spain. In the 1990s, the legislation was revised, but at that time booking on the internet was not common. The scope of the existing regulations needs widening to ensure that a greater number of the 20 million Britons who go on package holidays each year are protected in a way that is equitable and transparent, regardless of how a booking is made.

Under package holiday regulations, operators are required to carry an ATOL licence, which the CAA issues. Crucially, however, the regulations do not cover package holidays booked through no-thrills airlines—I mean no-frills, because, in fact, they are quite thrilling, and certainly provide an excellent service. As I said, the package holiday regulations require holiday organisers to hold a CAA licence to provide financial protection for consumers in the event of insolvency.

Operators not covered by the regulations—mainly no-frills operators that offer internet booking—incur no such costs and so can be very competitive on price. Consumers, however, are often unaware of that. There are similar problems in other areas of the travel industry—for example, with coach holiday companies. Travelrisk Management contacted me about today's debate. It has problems with bonded coach holiday insurance, and is subject to the package travel regulations. People booking direct on the internet, however, have no such protection.

There is a need to ensure full consumer protection throughout the market. Recent figures provided by the Office for National Statistics show that the market is changing and that the number of travellers protected by ATOL bonding has declined in the past three years from more than 90 per cent. to 75 per cent. That could leave as many as 9 million holidaymakers each year with no financial protection.

Changes in the level of internet access and the growth of the no-frills operators, which I very much welcome, have resulted in a significant reduction in consumer protection. Some 25 per cent. of consumers are exposed to some degree of risk, and most are not aware of that.

An EU Council directive published recently recognised that the definition of "package" in the original 1990 directive was no longer adequate for the reality of the market. The CAA, which is aware of the increase in people using the internet who are therefore not covered by ATOL protection, recently conducted research into consumer awareness of the risks posed by do-it-yourself packages. It found that 29 per cent. of people regularly book their holidays via the internet and that 57 per cent. of those people did not know what ATOL protection was. When asked what they thought would happen if their tour operator went bust—we all hope that that will never be the outcome—people who had booked via the internet responded to a variety of suggested scenarios, and 50 per cent. of them consistently said that they expected to get a full refund.

I know that many organisations responded to a recent CAA consultation on that matter, and I want briefly to highlight a point raised in that consultation by the Consumers Association, which clearly represents those who may be affected. The association said that the issue to be resolved was

"the ambiguity in the current wording of the Package Travel Regulations, so that they clearly cover all tailor made packages."

Those who are most vulnerable—people who have to operate to a tight budget, who may not have additional cover, who increasingly use the internet to reduce the cost of their annual holiday in the sun, and who will not be able to bear the cost when things go wrong—will always be the most affected. Although I do not understate the importance of ensuring a level playing field for business, it must also be recognised that the changing market is failing the people who are least able to protect themselves.

ATOL protection has served the industry well until now, but other models should be considered. For example, the Netherlands operates a system where cover is provided by a common bond, which passengers pay for directly, and it is held at an independently agreed level to cover any situation that arises. I know that the Minister is aware of that system. Clearly, any legislative changes should be Europe-wide to ensure consistency, and therefore the European Parliament, too, must deal with legislative change.

I ask the Minister to give a positive response to what I believe to be modest but fair proposals for changes to the law. Consideration should be given to extending the scope of the existing package travel regulations, and legislative time should be made available for that. I offer any support and help that the Minister might need to achieve that. Since the late 1960s, we have not experienced a time when hundreds or thousands of Britons are stranded abroad without any protection. However, I have outlined how difficult the market can be, and the careful handling that the airline industry requires because of the many airlines collapses around the world. We cannot ignore the possibility of that continuing to happen.

The growth of the airline industry and of air travel is to be applauded. My constituents travel as never before. I want to ensure that they will be protected in the unlikely event that problems occur, and that they can be brought home without difficulty. I sincerely hope that the Minister can respond positively to my request.

11.15 am

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): I congratulate my hon. Friend the Member for Crawley (Laura Moffatt) on securing this important debate. I am aware that some of our major tour operators are based in her constituency and that she takes an assiduous, active and informed interest in travel and aviation matters. She is a real credit to her constituents. I also thank her for staying miles away from the forthcoming aviation White Paper; other hon. Members might have taken the opportunity to get stuck into that.

ATOL is a statutory scheme managed by the Civil Aviation Authority. It was introduced in 1973, and protects holidaymakers from losing money or being stranded abroad if their tour operator defaults. Since 1990, it has been the primary means by which the UK has implemented the EC package travel directive. As my hon. Friend said, there are also a number of trade schemes to protect consumers of package holidays that do not involve air travel. If she wants to pursue similar matters in relation to coach travel and other forms of travel, I would be grateful if she wrote to me.

All tour operators selling flights and air holidays must hold an ATOL licence from the CAA. Before granting or renewing a licence, the authority carries out a range of checks on the firm's financial fitness and management structures. The licence holder must then lodge a bond — a financial guarantee provided by a bank or insurance company. If the licence holder subsequently fails, the CAA uses the bond to pay for people who are abroad to continue their holidays and travel home, and to refund those who have paid but have not travelled.

The ATOL system covers all air packages, flights, and flight-only seats on chartered flights, as well as discounted scheduled tickets that have been sold by a travel firm. Over 1,850 travel firms hold ATOL licences, thus protecting about 28 million passengers who book flights or air holidays each year. The value of the holidays that are protected is nearly £15 billion; the CAA holds bonds of nearly £2 billion. Over the past 17 years — the period for which consistent records exist — ATOL has covered over 300 travel organiser failures, at a total cost of £160 million. Almost 190,000 people have been brought home and more than 1 million people have received refunds.

This year, the Government have taken steps to ensure that the ATOL scheme continues to provide sufficient protection for consumers. Several travel organisers and agents — mainly small ones — were avoiding the cost of ATOL licensing by selling the elements of a package holiday under separate contracts. They would obtain a flight from an ATOL licence holder and add it to accommodation or other services sold under a separate contract. A reference to ATOL could have misled customers into believing that all the components of their holidays were protected, only to find that they were only partly covered, or not covered at all, against the organiser's failure. On the recommendation of the CAA, and after fully consulting the trade and the public, we decided to change the regulations to close that gap. Agents that sell air package holidays under split contracts are now required to hold an ATOL licence.

As my hon. Friend said, the UK package holiday industry has been a great success story over the past 50 years. It has enabled millions of UK citizens to travel abroad, and to enjoy a range and quality of holidays that their predecessors could only have dreamed of. The industry has been innovative, competitive and imaginative, and the ATOL scheme has worked well. It has provided peace of mind at a reasonable cost for holidaymakers, for many of whom a holiday is the largest discretionary expenditure of the year. When the European Commission carried out a comparative study of protection arrangements across Europe, the UK scheme was singled out for its coherence and effectiveness. I fully concur with my hon. Friend's comments about the efficacy and success of the scheme to date.

I also agree with my hon. Friend that the market for overseas holidays is gradually evolving. Led by the no-frills —rather than no-thrills— carriers, most airlines now sell a substantial proportion of their tickets on the internet, and they are often linked to other services such as accommodation and car hire. As people grow more confident as travellers and consumers, more and more are putting together their own packages. In those circumstances, the purchaser has separate contracts with different companies and does not enjoy ATOL protection. As my hon. Friend says, that has led to calls from many in the tour operator business for the ATOL scheme to be extended. In particular, tour operators feel that they are disadvantaged if airlines selling via the internet and providing links to other services do not require ATOL protection.

The CAA recently conducted a major consultation exercise covering a wide range of financial protection issues, and the scope of the application of ATOL was one of the central questions addressed. The closing date for the consultation was a few days ago, and the CAA will now consider the many responses received. Many complex and problematic issues are involved, and I understand that it is likely to be several months before the authority can make recommendations to the Department for Transport. However, I can assure my hon. Friend that when we receive those recommendations, we will consider them thoroughly and with an open mind, and try to ensure that the ATOL scheme keeps pace with the evolution of the market, as we have done with the disaggregation of the holiday contract, and filling the gap. To say that is not to pre-empt what the CAA will say; we shall approach the recommendations with an open mind.

In the meantime, I recognise that it is not always easy for consumers to know whether they are covered. That is one issue that the CAA review will address. For now, I say firmly to consumers that if they want protection, they should always look for the well-known ATOL symbol. If there is any confusion about whether their holiday transaction is covered by ATOL, they should ask. If they do not see that symbol on their documentation, they must assume that they are not covered. Holidaymakers should remember what an excellent deal ATOL cover provides. I am told that the average cost is about £2 per person.

I should say something about the air travel trust fund. In the event of a failure, should a company's bond be insufficient to meet the cost of repatriation and refunds, the ATTF provides a back-up mechanism for everything else that is in place. I regret that the powers to replenish that fund were allowed to lapse in the 1980s, and the fund has been in deficit since 1996. However, it

[Mr. Tony McNulty]

continues to provide funding of last resort by means of a commercial loan backed by Government guarantee. The Government intend to take powers to replenish the fund as soon as parliamentary time permits. In the meantime, we fully support the ATOL system and will continue to underwrite the fund's borrowing. Holidaymakers who book with ATOL licence holders can therefore be assured that if their tour operator defaults, they will be reimbursed if they have not yet travelled, or repatriated if abroad.

I am pleased to have this opportunity to debate these issues with my hon. Friend. No doubt we shall return to them many times in the coming months as and when the CAA consultation comes to fruition. Given the proximity of her constituency to Gatwick, and the fact that many of our major tour operators are located in her constituency, I fully understand that this is an important constituency matter for her. She deserves full credit for having done the broader leisure industry, and the country, a service by airing her views.

Initially, the CAA is on the case. As and when we review the results of its consultation, we shall see in what direction we should go to revise or reconsider the system. At that stage, which I fear is a few months off, I shall be more than happy to meet my hon. Friend, and whoever else she thinks appropriate, to discuss the CAA's findings and the outcomes, in the context of the matters that she has raised today concerning an industry that is important to the wider economy. For that, I am enormously grateful.

11.24 am

Sitting suspended until Two o'clock.

St. Helena

2 pm

Mr. Anthony Steen (Totnes): I want to thank the hon. Member for Colchester (Bob Russell) for securing the debate and I am grateful to Mr. Speaker for agreeing to substitute my name in view of the hon. Gentleman's duties in the Chamber.

I was fortunate to be one of the three Members on the Commonwealth Parliamentary Association visit to St. Helena last month. I therefore speak with a special knowledge of and interest in the island and its people. After what I saw and the people whom I met, I must conclude that the Government's track record on St. Helena, one of the 14 British overseas territories, is at best disinterested and at worst deliberately neglectful. That is especially true when the record is contrasted with those of other EU countries that care for their dependent territories so differently.

The Saints—as the St. Helenians are called—want their island to be self-sufficient. That means that the Government must help them to help themselves, instead of merely treating them as a backwater dependency. It is like the old Oxfam adverts, which showed the need to encourage people in the third world to create their own food, rather than have it sent to them by developed countries. The French view their overseas territories as a department of France—equivalent to metropolitan Paris. That ensures that their West Indian islands, such as Martinique, and their Pacific islands, such as Tahiti, have a standard and quality of life similar to that in mainland France. The Spanish will receive €1.846 million between 2000 and 2006 for renewable energy in the Canary islands alone.

That aid dramatically contrasts with the embarrassing and obscene waste of public money that the British taxpayer has had to find. The Minister's Department spent, not €1.75 million, but £300,000 in 1999 to install three small wind turbines on St. Helena to reduce electricity costs there. In an answer on 3 November, the Secretary of State for International Development said:

> "Due to various technical problems, the turbines operated only intermittently until October 2002. Since then, they have not been in operation at all."—[*Official Report*, 3 November 2003; Vol. 412, c. 493W.]

So, £300,000 of taxpayers' money was spent on three small wind turbines that really did not work for long. According to the Secretary of State's figures, the fuel costs saved while the turbines were operational were far less than half the set-up costs. The British taxpayer has paid around £170,000 for a totally wasted operation. Furthermore, the Department's evaluation team has just left the island—it was there at the same time as the Commonwealth Parliamentary Association delegation. The further cost involved was £90,000. The team has yet to produce its report—I am sure that it will be compelling.

I contrast that situation with the competently installed American turbines on Ascension island, which were spinning round and creating electricity while we were there. The turbines are working well and producing considerable savings. Our Government provided the wrong sort of wind turbine in St. Helena. In Tenerife, there are wind farms with 40 or 50 turbines in groups,

which were provided by EU money and which produce considerable energy savings. The money has come from structural funds. Why does not St. Helena have a wind turbine park such as the one in Tenerife, paid for by structural funds? Why do France and Spain get preference for their islands, while Britain does not? Why is what is good for the Canaries not good for St. Helena?

Peter Bradley (The Wrekin): I am grateful to the hon. Gentleman, who is creating a great deal of wind. He mentioned 1999, when the St. Helenians were not British citizens because of action taken by the Conservative Government in the 1980s. Will he acknowledge that the granting of citizenship to the St. Helenians means a great deal to them? I hope that he will credit the Labour Government with righting a wrong.

Mr. Steen: I am not going to spend my time arguing for or against the past, but I acknowledge what the hon. Gentleman says. I am concerned about the present. I accept that the Act to which the hon. Gentleman referred has benefited individual St. Helenians, but it is disadvantageous to the island as a whole. I am not suggesting that we should go backwards; we must go forwards and put matters right in view of that Act. I do not, however, agree with his unparliamentary remark about wind.

The wind patterns in St. Helena are similar to those in the Canaries and Ascension island. All those islands are volcanic, and they have similar topography. It is strange that the French and Spanish have built tremendous energy-saving parks out of EU largesse, while the British taxpayer has had to pay for a failed experiment on St. Helena which has still not been put right. I hope that the Minister will answer this question: why cannot St. Helena have a good wind park with turbines to reduce electricity costs which is paid for by the EU rather than by the British taxpayer?

I gather from a note that I received from the Foreign and Commonwealth Office this morning that St. Helena is eligible for structural funds. Some €6.9 million was rolled over from European regional development fund 8, but the proposal for cliff stabilisation was not approved. The reason is not clear, although it may have stalled because it was wrongly ordered, which is another example of the Government getting the issue wrong. Now €8.6 million has been earmarked under ERDF9, and the St. Helenian Government are producing a single programming document. It is strange that while the French in Martinique and the Polynesian islands and the Spanish in the Canaries have obtained multi-million pound schemes, we are playing around for peanuts in St. Helena, where small sums have been spent on unsuccessful execution.

St. Helena is a volcanic island, and its wind pattern is similar to that of other such islands. It may be a little further away from Britain than they are from Spain or France, but it is not that much further away. Regardless of the past, the Minister has an opportunity to explain both the Government's commitment to St. Helena and his wish to visit it.

St. Helena is currently one of the most isolated places on the planet. As one approaches it after nearly a week at sea, one sees a mass of vertical black rock cliffs between 800 and 1,000 ft high encompassing the entire coastline and dropping sheer into the south Atlantic. The island is about 1,300 sea miles from Cape Town, more than 1,000 miles from Angola, the nearest mainland, and at least 700 miles from Ascension island, which is the next port of call.

I do not know whether you have had the good fortune to visit the island, Mr. Gale, but it is certainly worth a visit. The Portuguese discovered St. Helena in 1502. It was first settled by the East India Company in 1659 and taken over by the Crown in 1834. It is most famous for its renowned and involuntary guest Emperor Napoleon, who was imprisoned in Longwood house in 1815. Longwood house is now a beautifully preserved museum with many of the original artefacts that Napoleon used. Elba, from which Napoleon previously escaped, currently attracts 800,000 visitors a year, so Longwood house must have considerable potential.

For hundreds of years, St. Helena was a vital staging post for all ships needing water and provisions in the south Atlantic. The number of ships calling at the island peaked at 2,000 a year. The birth of the Suez canal greatly reduced the need for such facilities and, since the advent of air travel, St. Helena has been passed over physically and metaphorically. The island's only means of contact is the Royal Mail steamer, RMS St. Helena, which plies a route between Weymouth and St. Helena via the Canaries, where all the wind farms are, and the Ascension islands, where the Americans have their wind farms. It docks in Cape Town—I did not see any wind farms there.

St. Helena is currently more isolated than during the Napoleonic days. At the time of the most recent census in 1998, its population was 5,157. It is estimated that since the passing of the Act referred to by the hon. Member for The Wrekin (Peter Bradley), the population has declined by about 25 per cent. to 3,900. That is largely because that Act restored British citizenship to the Saints. Although they deserved to have that status restored, it has adversely affected various aspects of life on the island. The current estimated population compared with that of the 1998 census illustrates how serious the haemorrhaging has been. A 25 per cent. decrease in four years is considerable.

When we visited the island, we discovered that against the odds its institutions were impressive and that they provided hope. There are three tiers of schools: three first schools for children aged four to seven; two middle schools for ages seven to 11; and the Prince Andrew community high school for ages 11 to 18. Declining numbers of pupils and teachers has meant that one middle school is downsizing and the learning support centre for primary level pupils with extreme learning difficulties is in some trouble.

Teachers in St. Helena earn considerably less than cleaners in Ascension island, so, understandably, teachers are leaving in droves to wield mops. Since 2002, those with PGCEs and other recognised teaching qualifications have been able to come to Britain, where the drive for teachers means that they can earn 10 or 12 times as much as they can in St. Helena. The island's good education system is currently at risk. Will the Minister stand by with benign indifference to the islanders' plight while the decline continues as teachers abandon the island?

[Mr. Steen]

St. Helena remains one of the most remarkable time warps in the world. There is virtually no crime; people care for and consider each other; there is a strong sense of community; and everyone knows everyone else. Although they are rich spiritually and socially, the people are materially quite poor. In 1989–1990, St. Helena received £24 million from the Government. That figure has gone downhill ever since, and last year, grant aid was only £9.5 million.

The average wage is between £3,000 and £4,000 a year, so the island's survival is wholly dependent on the Government's modest stipend administered by the Governor, David Hollamby. He understands the island's problems and works closely with the island's Executive Council and Legislative Council, which greatly impressed me with their collective wisdom and common sense.

The Saints are proud people; they do not want handouts. They want to be like every other self-respecting people: independent and financially self-supporting. On the one hand, the Government keep them short of money; on the other hand, they are not given any opportunity to help themselves. The EU, which has provided billions of euros for the French and Spanish islands, has provided virtually nothing except hurdles and obstructions for the Saints.

One island product is its wonderful wild honey. I have a sample with me. When I asked the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Exeter (Mr. Bradshaw), what amount of wild honey has been imported over the past few years, he replied:

"No wild honey has been imported from St. Helena over the last five years. EU rules do not allow the export of wild honey from St. Helena to the European Union."—[*Official Report*, 5 November 2003; Vol. 412, c. 632W.]

However, St. Helena has a very strict bee ordinance. It is 700 miles away from any other land mass, so its beekeeping credentials are impeccable. I know about beekeeping because Buckfast abbey is in my constituency, and the monks' beekeeping record is second to none. In fact, the beekeeping credentials on St. Helena are considerably better than those in other EU countries. Not surprisingly, St. Helena's bees are free from disease, such as varoa, which has spread throughout the European bee population blighting the quality of honey.

According to the United Nations Food and Agriculture Organisation:

"For a country to be eligible to export honey to the EU, it is essential for its name to be added to the EU's list of 'third countries' eligible to do so"—

a nice piece of bureaucracy. It continues:

"To achieve this, they need to show the administrative procedures—

more bureaucracy—

"are in place for the analysis of honey for residues of antibiotics, sulphonamides, pesticides and heavy metals."

They do not have any of those in St. Helena. The organisation also says:

"The laboratory used (which does not have to be within the country) has to satisfy EU accreditation legislation."

When a list of such "third countries", which had received provisional approval, was published on 1 January 2003, St. Helena was not there. Why was it not there? I believe that the reason is simple. St. Helenians do not have the laboratories and the beekeepers do not have the money to pay for the tests. As Leo's Pure Wild Honey states on its label, it is produced from contented bees in the flowering meadows of St. Helena, and Napoleon loved it, too. What better endorsement could there be? In contrast, honey from the Spanish islands of the Canaries has been through all the processes.

Mr. Roger Gale (in the Chair): Order. I feel obliged to point out to the hon. Gentleman that hon. Members are not allowed to use props. In order to facilitate the debate, I shall allow the hon. Gentleman to treat his labels as notes, but that is on the understanding that he does not wave the bottles around.

Mr. Steen: You are so right, Mr. Gale. I was about to point out that the Canaries produce honey at about £6 a bottle. The St. Helenians can produce it at £2.50. One is very pure and delicious. The other tastes of heavy metals and the other things that one gets if one does not buy honey from St. Helena.

That is my point about honey, but what about Arabica coffee? I shall not wave a packet of Arabica coffee around—that would be quite inappropriate—but I brought one just in case you felt it would be appropriate to look at the label, Mr. Gale. Such coffee grows well in St. Helena. There is considerable potential for the industry to expand. Being a coffee buff, I can vouch for it as one of the best beans of its kind. Why is it that the Under-Secretary of State for Environment, Food and Rural Affairs explained in response to my question of 5 November that imports to the UK of St. Helena coffee had fallen from 1.8 tonnes in 1998 to only 0.7 tonnes last year?

At a time when coffee houses are on every street corner, and exotic and special coffees are an obvious money-spinner, what are the Government doing to help to market and encourage the export of St. Helenian coffee? I wonder whether there are any incentives to help the St. Helena coffee growers, or are they caught by a procedure similar to the bee ordinance? The EU prevents honey from getting in; is it preventing coffee from coming in as well?

There cannot be a more distinctive or unique location than St. Helena. It is an exclusive one too. The problem is that St. Helena only manages to attract 1,000 tourists and 7,000 day visitors a year, and even those numbers are now dwindling. In 2000 the QE2 was forced to turn away as the sea was too rough to carry out the docking procedure; the same thing happened to the Crown Odyssey in 2001, and last year the MV Aurora and the QE2 were unable to dock. The simple reason for that is that there is no dock. There is no port, jetty or breakwater.

All embarkation and disembarkation of passengers in St. Helena entails transit by launch between the harbour steps at Jamestown and ships anchored a quarter to a half a mile offshore. To get from the ships offshore, one has to walk down the gangway on to a wooden platform secured to a launch. The problem is that with a swell, the gangway might be between eight and 10 ft off the

platform, so passengers have to jump at the right moment, as the platform moves up. Passengers who jump at the wrong time could suffer injury. Because of the prevalence of civil actions for negligence, the captains of ships are understandably reluctant to allow passengers, who may not be very nimble, to embark on what could be a fateful journey. I am told that the fear of actions from passengers going down the gangplank and getting their timing wrong is the sole reason that the big passenger vessels do not stop at St. Helena.

A breakwater at Jamestown has been on the cards since the early 1990s. In 1998, the consulting engineers, Coode Blizard, produced a report on wharf development that was subsequently submitted to the Department for International Development in the form of a financial proposal by the St. Helena Government. The Government rejected the breakwater element of the proposal, for two reasons. First, it did not meet the DFID target of an economic internal rate of return of at least 8 per cent., so that ditched it. Secondly, the Government did not consider Coode Blizard's design for the breakwater to be sufficiently robust to make enough of a difference. Imagine the Spanish or French letting that happen in one of their little islands. They would not have it; they would push ahead for development and get the money from the EU, but our Government spend their time finding reasons why progress cannot be made there.

In answer to a parliamentary question, the Secretary of State for International Development, no less, said that

"the St. Helena authorities are including plans for wharf improvements and an investigation of alternative options for passenger landing arrangements at Jamestown. We shall be monitoring this proposed work very carefully"—

perhaps the Under-Secretary can say how carefully he is monitoring it—

"and will keep the matter under regular review."—[*Official Report*, 3 November 2003; Vol. 412, c. 493W.]

When did the hon. Gentleman last review the matter? What is the state of play now? Has any progress been made?

The total loss of revenue to the island due to the loss of cruise ships has been devastating. It is estimated to be at least £250,000, and it is probably more. Due to the difficulties of landing, cruise liners have taken St. Helena off their itineraries altogether. No Cunard Line ship calls there now, and Cunard says that it is not about to start again because it cannot risk it.

The lack of transport connections is the major obstacle to economic revival. Someone who misses the RMS St. Helena may have to wait up to two months for the next ship; it is no good putting a hand out at the request stop, because no ship is there. One cannot go 1,300 miles in a speedboat from Cape Town, and one cannot go in a rowing boat from Ascension island, which is 700 miles north. Although a breakwater will help tourists from cruises, the only hope for better transport links is an airport, which has been talked about for years. The Department's offer of a contribution to the airport costs of up to £26.3 million is based on the lowest cost, at 1990 prices, of a replacement for RMS St. Helena, which will be pensioned off in seven years.

The proposed site for the airport is a black, wild, windswept and deserted piece of flat rock, which ends in a sheer drop of some 800 ft into the ocean. It is a desolate place; as far as one can see there are massive slabs of volcanic black rock and a few local birds, known as wire birds. In many ways it resembles Dartmoor in my constituency, but without marsh bog covering. There is no infrastructure nearby—no roads, no water, no electricity, nothing except wire birds. However, without the airport there is little future for St. Helena and its people.

The governor recognises the situation well. Last year's referendum confirmed that the people wanted an airport. With an airport, tourists will start to trickle in; I suspect that they will largely be French tourists wanting to see Longwood house, Napoleon's final home. I do not often pay tribute to the French Government, but I do so in this case for the quality with which they have preserved and conserved a national monument and its gardens. The curator's guided tour is compelling and will attract, if not the 800,000 people who go to Elba, a sizeable number. Tourism will bring job opportunities, new wealth creation, new hotels and new opportunities to sell local produce such as honey and coffee.

While I was in St. Helena, two EU officials were inspecting the hygiene at the fish processing plant. I have never seen so many officials in my life as when I was on St. Helena. Everyone who stopped in the street was another official checking things—no one was checking the bees, though. For years, the plant has provided fish for the Saints. That industry has flourished, even though there is a shortage of boats capable of fishing in the sandbanks a few hundred miles off the coast. Furthermore, without an extended market, there is insufficient consumer demand to merit additional investment in a more robust fleet.

Tesco, no less, recognises the potential of imports of canned fish from St. Helena; indeed, one can buy canned tuna from St. Helena from the shelves of most stores. It seems satisfied with the hygiene standards, but the EU is still carrying out inspections, even though I am told by the secretary of the Commonwealth Parliamentary Association branch in St. Helena, Ms Ethel Yon—who organised our trip magnificently—that the last case of food poisoning was in 1994, when an elderly lady ate a partially cooked turkey. No other incidence of food poisoning has been recorded, although there is some speculation as to how Napoleon died.

Offshore fishing is probably one of St. Helena's biggest potential assets. It is the island's largest natural industry. Thanks to the sale of fishing licences for foreign vessels, it looked like a money-spinner. Revenues from those licences have plummeted, though. In answer to my question of 11 November regarding licence revenue in the last five years, the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Harlow (Mr. Rammell), said that in 1999 the total revenue was £614,000, but last year it was down to about £56,000. When I asked to what extent the Government provided air surveillance of St. Helena's 200-mile exclusive fishing zone to determine the number of fishing vessels fishing legally and illegally, that Minister answered:

"The Government do not provide any air surveillance of St. Helena's fishing zone."—[*Official Report*, 10 November 2003; Vol. 413, c. 42W.]

Both the Government and St. Helena are considering other methods to control illegal fishing, including the possibility of using satellite surveillance to identify

[Mr. Steen]

individual vessels in the 200-mile zone. However, if there is no means of enforcing licences, it is no wonder that few see the point in buying one. I am glad to hear that the Government are looking into other means. Satellite surveillance sounds like a particularly good option, but it will not come cheap and I doubt that the Government will pay for it. Again, the fishing industry is in a Catch-22 situation.

As for the Government's attitude to the islanders, I expect this Minister to jump up and down, saying that the Government very much appreciate the loyalty and determination of the islanders. No doubt he will cite the fact that the island provided an entire regiment to fight in the second world war. Some of the survivors marched down Whitehall this year. An entire regiment from the population of St. Helena is proportionately a very large sacrifice. Why do the islanders not deserve the recognition that other Commonwealth countries receive?

The Saints are passionately loyal to Crown and country. It is fitting that visits have been made to St. Helena by George VI and the Queen. Visits were made by Princesses Elizabeth and Margaret in 1947, the Duke of Edinburgh in 1957, Prince Andrew in 1984 and the Princess Royal last November.

In contrast, despite St. Helena's being a British overseas territory, no Foreign and Commonwealth Office Ministers have ever been to St. Helena—they do not even know where it is. In answer to my question of 3 November, the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Harlow, said:

"St. Helena has never had a visit by a Foreign and Commonwealth Office Minister. There are no current plans for an FCO ministerial visit to the island."—[*Official Report*, 3 November 2003; Vol. 412, c. 400W.]

I therefore decided to ask this Minister, from DFID, about his visits to the island. I refer to his answer of 10 November:

"I have no plans at present to visit St. Helena, and St. Helena has never had a visit by a DFID Minister."—[*Official Report*, 10 November 2003; Vol. 413, c. 61W.]

What does one conclude from all that? One concludes that the issue is not important to the British Government. If I am wrong, this is an opportunity for the Minister to put the record straight, as I am not the only hon. Member who feels that the Saints have been treated rather shabbily.

The answer to the problem is simply to give the people the tools to enable them to help themselves. We should ensure that the airport and breakwater get built; the obstacles preventing exports to EU countries are overcome; the infrastructure is in place for tourists; and the wind turbines work and produce electricity savings. St. Helena is supposed to be one of the windiest places in the world, yet we cannot even get that right for the islanders. We also need to provide banking facilities, so that they can borrow money for home improvements, starting businesses and buying fishing vessels, as there are no banks there. The French, Spanish, Dutch and Portuguese do that for their offshore islands.

Why is our track record so bad? Our track record for overseas territories, if St. Helena is any example, is totally unimpressive. I hope that the Minister will use this opportunity to make it clear that the Government are wholly committed to making St. Helena a prosperous, happy and flourishing island. If he does, our visit will have been worth while.

2.29 pm

Mr. John Smith (Vale of Glamorgan): It is a pleasure to follow the hon. Member for Totnes (Mr. Steen), whose speech was interesting, although I cannot agree with everything that he said. That was characteristic of our recent enjoyable and extremely interesting visit to the island of St. Helena, and it is a reflection of how important Commonwealth Parliamentary Association visits can be—there were three hon. Members from three different parties, with very robust views that did not always coincide. I am sure that we learned an enormous amount from the visit.

I should also like to place on record our thanks to the delegation secretary, Sir Paul Jackson, who did an absolutely superb job on what I am sure was a difficult trip, because of the logistics of putting together a visit to such a remote part of the world. That sums up the island's whole problem. Its geography means that it experiences structural, economic difficulties and makes it very different from other nations' overseas territories and dependencies.

I want to address the island's geography in my short speech. I indicated that I do not share all the hon. Gentleman's views, and one view that I do not share is his overriding observation that St. Helena's problem is that all Governments—not just this one—have neglected the island and seemed disinterested. I concluded the opposite: St. Helena's problem is that there has been too much Government interference. The hon. Gentleman is quite right about the officials. I have never met so many officials from different Departments, including the Foreign Office, DFID, the Department for Education and Skills, and the EU. The island was full of people, all with good intentions, wanting to do good for St. Helena.

Governments are not very good at creating wealth, although they are very good at distributing it and at delivering public services. Indeed, 80 per cent. of those in St. Helena who are lucky enough to have a job work directly for the public sector, and most of the other 20 per cent. work indirectly for the public sector in one way or another. That is the problem that we must address. The hon. Gentleman is right to point to a number of important issues relating to small businesses on the island. We should encourage those businesses in any way that we can, and obstacles to them should be removed. However, it is my view—based not only on my visit to St. Helena but on general experience—that that would not solve structural problems.

I have some experience in economic development and regeneration and in the attraction of inward investment in my home country of Wales, which has suffered enormous structural problems in the last two or three decades with massive capital restructuring and the decline of the traditional heavy industries such as coal and metal. Over 80 per cent. of the population were employed in those industries, which disappeared over a short period. In a sense, there is a parallel with St. Helena; despite its remote location, the island was the centre of the world because it was, for a long time, one of the most important refuelling stations in the world.

There is an historical link between St. Helena and my constituency and the ports of Barry and Cardiff in south Wales, not only because the RMS St. Helena docked at Cardiff until recently, but because for many decades we provided the coal for the refuelling station that was visited by ships from all over the world. The island was a vital strategic location, which meant that the East India Company and other private companies profited by having a link with and visiting the island. Most of the wealth—*[Interruption.]*

Mr. Roger Gale (in the Chair): Order. There is a Division on the Floor of the House. The sitting will resume in 15 minutes.

2.34 pm

Sitting suspended for a Division in the House.

2.36 pm

On resuming—

Mr. Roger Gale (in the Chair): The Division is off, but I understand that another is imminent. *[Interruption.]* The 15 minutes for this Division will start from 2.36 pm

Sitting suspended for a Division in the House.

2.51 pm

On resuming—

Mr. Steen: On a point of order, Mr. Gale. You indicated that there would be a 15-minute suspension, but before that we were waiting for at least three minutes. I hope that the benefit of that will also be extended to the debate.

Mr. Roger Gale (in the Chair): The delay was two minutes and that has been taken into account.

Mr. John Smith: I assure you, Mr. Gale, that that will not encourage me to speak at unnecessary length. I agree with many of the points that have been made about some of the smaller industries, but I differ slightly about what the big problem is. The big problem is too much Government interference and the need for the major restructuring to make the island a success. However, I am sure that all three of us who visited St. Helena would agree that the one thing that is vital for its future is an airport.

In short, if we are having a debate on the future of St. Helena we should have a debate on the airport proposals. We must ensure that they not only succeed but succeed quickly and that DFID makes an early decision on the favoured bidders for the initial proposals. For goodness' sake let us get on with it. I mentioned my experience in these matters; I fear that if we fail to act quickly in this area we will miss an opportunity.

I said earlier that the private sector will solve the problems of these islands; if it does not, they will not be solved at all. It will not be enough for the Government simply to go in and build an airport. The Department has it absolutely right when it calls for a much broader set of proposals based not just on the construction of an airfield, but on the provision of an air operator and a sustainable economy, built round the airport and based on tourism. The hon. Member for Totnes quite rightly referred to the tourist potential. That is the biggest potential of all and the one on which the Government should focus.

I am sceptical when I hear grand ideas about how, if Governments build this and that, all of a sudden the future will be transformed. The experience on some of the projects mentioned, such as windmills, and others shows that that tends not to work. Indeed, the diesel-generated power station is a bit of a disaster in itself. I therefore took an interest in these proposals. It is not my intention to express a preference for any one of them. It is for the Government to decide and to use the existing rules on competition to do so.

I thought it was important, however, to establish whether those bids were serious. By coincidence, one of them involves two major companies located in or near my constituency. I made a point of making contact with them, not to give them favourable access in consideration of their bids, but to find out whether they were serious. I wanted to ensure that we were not talking about a company bidding for the airport, rushing in, pouring lots of concrete and then rushing out again, leaving the islanders with an airport that was never used, or not used enough, which would end up requiring an even greater subsidy from the British Government. I am delighted to be able to say that at least one of the bids is extremely serious, and it involves an air operator with a track record and some of the world's best specialists in construction and in the provision of sustainable economies.

One air operator that has expressed an interest is TBI, which is based in Wales. It runs the airport in my constituency and has a wide portfolio of successful airports throughout the world. I am not saying that it should undertake this project, but it is the sort of company that should be involved, because it delivers on air services. A company with such a worldwide reputation would not become involved in a project unless it was likely to succeed.

Similarly, Ove Arup, which is involved in at least one of the bids, has its international office in Cardiff. I recently met with Mr. Steven Luke, not to indicate any preference towards that bidder rather than another, but to find out whether the bid was serious, and I am delighted to say that it most definitely is. Ove Arup has some of the best experts in the world, who have visited the site and assessed its potential, with regard not only to the construction of the airport and the civil engineering involved, but to the operation of the airport and the development of a viable large commercial hotel that would attract the low-volume, high value-added tourism that the island needs. The company has done its homework—it is not just using business-speak or Government-speak.

This project can be successful, and the only criterion to which I should draw attention—I am sure that my colleagues who accompanied me on the visit agree—is that there should not be any unnecessary delay in considering the bids that are now before the Government, because that would put off the sort of high-quality contractors that are interested.

[Mr. John Smith]

We must solve the geographical problem: access to the rest of the world. If there were a direct flight to Paris, that would attract the rich French tourists who want to come and see where Napoleon spent his last few days and died in somewhat questionable circumstances—I am sure that those will be debated for another 100 years or so. We have been there, and it is worth seeing.

The future of St. Helena is the airport, the airport, the airport, and a decision on it must be made quickly. I know that there is a risk, and that the Government must consult widely. Moreover, the Saints must be encouraged to share the ownership of the project. As someone with some experience in this field, I advise the Government to tread carefully because, when we were on the island, we heard concerns expressed about the "threat" that large-scale investment, especially that based on foreign tourism, could present to the islanders' cultural values and heritage. Coming from Wales, where we have similar problems, and the associated problem of language, I know that people from small communities are sometimes fearful of that type of investment, but in fact its effect is often the opposite of what is feared.

The biggest challenge facing the island is depopulation. If it continues at its current rate, only the elderly and young will be left on the island, and that will make the provision of a sustainable economy impossible. My colleagues and I were immensely impressed with the skills, talent and ability of the young people. We all regularly visit schools in our constituencies, but when we visited Prince Andrew school, I was astounded and impressed by the ability and latent talent of the young people. The future of the island depends on exploiting those talents. The only way to do that is through investment, and the only way to attract investment is through the construction of the airport. The honey was delicious—I refuse to say, on the grounds that it may incriminate me, whether I brought any home—but it is not the solution to the island's problems. The solution for the future of St. Helena, and this is my one plea to the Minister, is to get on with that construction project. It can work and it will work, as long as we do it in good time.

Mr. Roger Gale (in the Chair): Order. It may be convenient to tell hon. Members that, if there are no further Divisions in the House, the debate is scheduled to finish at 3.47 pm. Three Front-Bench spokesmen have suggested that they want 10 minutes each to wind up. I shall therefore call the hon. Member for Cheltenham (Mr. Jones) at about 3.17 pm. Two hon. Members who are not on the Front Bench wish to speak, and if they pay attention to the fact that 15 minutes remain, they will both be called.

3.1 pm

Mr. Andrew Rosindell (Romford): Thank you, Mr. Gale, for allowing me to make a brief contribution. I begin by thanking my hon. Friend the Member for Totnes (Mr. Steen) and commending him for raising the issue of St. Helena.

It is vital not to forget that we, as Members of Parliament, represent not only people on the UK mainland, but British citizens living overseas. It is sad that the Minister replying today represents the Department for International Development, because St. Helena is British; it is not a foreign territory. St. Helena, and all remaining British overseas territories, should be treated as we would expect our constituents to be treated, so this debate is vital. During business questions last week, I suggested that we should debate issues relating to overseas territories more regularly. There is no annual debate on overseas territories but there should be.

Today we have the opportunity to focus on St. Helena, a territory I have not had the privilege to visit, although I hope some day to have that opportunity, and I have visited several other British overseas territories. However, having spoken to many people from St. Helena, including Calvin Thomas, who is one of our distinguished doormen in the House of Commons, I know how proud they are of being British. They want to feel like they are part of our country, just like every one of us and each of our constituents.

The hon. Member for The Wrekin (Peter Bradley), who has since left the Chamber, stated that the people of St. Helena were granted British citizenship only in 2002. That is correct, but it does not devalue the fact that those people were British subjects long before then. St. Helena remains a British territory. It seeks not independence or greater autonomy, but the opportunity to make its own decisions and govern itself. British Governments of all parties have let down the people of St. Helena. How can it be right that the people of that wonderful territory do not have access to an airport and are treated as second-best British subjects?

Mr. Steen: Is my hon. Friend aware that if a St. Helenian wants to study at a university in Britain, he pays between eight and 10 times more than a British subject from the UK? He also pays substantially more than some students coming from Europe. Does that make sense?

Mr. Rosindell: That makes no sense to me at all. As Members of Parliament, our job is to ensure that all British people are treated in the same way and given the same opportunities, and it is disgraceful that someone from St. Helena is not given the same opportunities as our constituents.

My hon. Friend referred on several occasions to the attitude of France, the Netherlands and Spain towards their overseas territories, which is different from the attitude that our Foreign Office has adopted over the years. I am afraid to say that I suspect that the Foreign Office has long hoped that our overseas territories would seek independence or join another country. I hope that that does not happen, as the remaining territories want to, and should, remain British. We should encourage them, and we should value and cherish the overseas territories that we have.

I want to commend the hon. Member for Colchester (Bob Russell), who chairs the all-party group on St. Helena, of which I am proud to be a member. I hope that more prominence is given to the needs of St. Helena and that the British Government will ensure that the EU does not impose restrictions on our overseas territories without giving them the advantages that the overseas territories of other European countries are given. I

accept that St. Helena is not part of the EU, so how can it be right that restrictions and regulations are imposed on it? I know that the same is true for other overseas territories. The Falkland Islands have had similar restrictions imposed on them while receiving no benefit—how can that possibly be justified?

I endorse everything that has been said about the need to push ahead with the development of the airport. St. Helena is a honeypot for the future, which we should encourage to develop in tourism and trade. We should give it the advantages that it needs to be self-sufficient while retaining its unique British status.

I hope that the Minister will consider one important point that has not been mentioned—democracy. The people of St. Helena are British, like us, but they have no vote in British elections. They cannot send a representative, or even part of a representative, to this place. How can it be right that we can debate, make laws for and effectively decide the future of that territory, when its people have no vote or say in how this place is elected? That cannot be right in democratic terms, and it is not how France, Spain, the Netherlands and Denmark treat their overseas territories, all of which have votes in elections to their Parliaments.

Our system is undemocratic and wrong, and I hope that that and all the other valid points made by my hon. Friend the Member for Totnes and other hon. Members will be taken into account and that the Foreign Office will change its attitude. I hope that St. Helena will remain British, like Gibraltar, in perpetuity.

3.8 pm

Bob Russell (Colchester): I apologise to you, Mr. Gale, and to the Chamber for not being here at the commencement of this debate. I was in the House presenting a ten-minute Bill.

I congratulate the hon. Member for Totnes (Mr. Steen) on securing the debate and I thank the hon. Members who have spoken, in particular the three Members who have recently returned from St. Helena, an island that I had the great pleasure of visiting four years ago on the previous Commonwealth Parliamentary Association visit. By all accounts, the economic situation on the island has deteriorated in that time, and the population has fallen, arguably to below break-even point. Clearly, something has to be done.

The airfield is a vital—if not the most vital—aspect. However, there is more to the matter than that, because by my reckoning more citizens of St. Helena now live off the island than live on it. Get-up-and-go people are getting up and going, and one reason is that, given the education on the island, if a youngster is to progress through higher or further education, it is in the family's interest to move away to the United Kingdom.

Families establish residence here to qualify for an education system that is currently denied them, although, ironically—and I am sure that Napoleon would have been amused by this—a young man or woman from France can attend university in the United Kingdom for a fraction of what it costs a young person from the island of St. Helena, who is British. There is a difference between this country's treatment of its citizens who live on St. Helena and its treatment of those who live on the mainland of the United Kingdom.

It is not as if St. Helena is a rich country. It is not a third world country, but per capita income is considerably lower than in this country. I should explain that my interest in the island involves an extraordinary coincidence, in that the patron saint of Colchester is St. Helena. The spelling is the same, but the pronunciation is different. My wife and I and our three children all attended St. Helena school. That fact and a couple of constituents with connections with St. Helena are the reason for my keen interest in the island and its future.

We have a historical obligation to the people of St. Helena because the island played an integral part in sustaining empire for between 200 and 400 years. We have an obligation to the citizens who live there; I hope that we can create an economic climate such that some of those who have left will feel that they can return, and those already living there will be able to remain. I commend all that has been done. I suspect that per head of population the island of St. Helena has more spokespersons in this House than any other part of the Commonwealth or, indeed, the United Kingdom.

Something has to be done. We treat children differently if they come from St. Helena, but interestingly we are more than happy as a nation to recruit young people from St. Helena into Her Majesty's armed forces. There are more Saints per head of population serving in the British Army—about 50 young men and women from a population of fewer than 4,000 people—than there are from any other part of this country. If that sort of recruitment could be replicated across the UK, we would not have a shortfall in the Army.

This has been a welcome debate. I hope for some encouraging answers from the Minister. He is relatively new to his post, so he is not saddled with the baggage of those who have gone before. Four years ago, the new airport was on the agenda and a decision was imminent. Four years later, it is on the agenda and a decision is imminent. The best thing that I can suggest to the Minister is to tell us that the airfield is progressing. If he cannot give that assurance today, I recommend that he make an early visit to St. Helena. He would then make history; he would be the first Minister of any generation ever to visit the island. Royalty has been there, but no Minister has.

3.14 pm

Mr. Nigel Jones (Cheltenham): It is a great pleasure to speak after the hon. Members for Totnes (Mr. Steen) and for Vale of Glamorgan (Mr. Smith), who were interesting and enthusiastic travelling companions—as, indeed, are you, Mr. Gale.

In the last 25 years the British taxpayer has spent £250 million—a quarter of a billion pounds—on St. Helena, without the island becoming remotely financially self-sufficient. We have heard that the population of the island is declining rapidly. There were 5,000 people on the island 18 months ago. When we were there last month, the population was 3,800. It has lost almost a quarter of its population in 18 months. Something is seriously wrong, and something needs to be done. St. Helena has lost its raison d'être, to use an expression that Napoleon might have used. The island used to be a great strategic asset to the East India Company and the British Crown as a provisioning point for naval and

[Mr. Nigel Jones]

merchant ships. That has gone now, and the island has become a supplier of migrant labour to Ascension island, the Falkland Islands and the UK.

I should declare a constituency interest. St. Helena has enjoyed an education link for several decades with Cheltenham's colleges of higher education, which now form the university of Gloucestershire. Professor Tony Charlton, head of the link programme, sent me an e-mail at the weekend to say:

"Without sufficient numbers of well qualified teachers (in appropriate subject areas . . .) then education on St. Helena will fail to meet the diverse needs and aspirations of pupils and young students (and their parents). Similarly, even access to the best educational opportunities will fail unless the students' potentials are matched to local (and other) demands for employment. Employment has been one of the major concerns on the island for decades. If you take into account the large number in government employment, then few islanders are gainfully employed."

He continued:

"The island's most pressing needs are for: well trained teachers given attractive financial incentives to train and then remain on the island (. . . also . . . other professionals such as nurses, police, social services personnel); meaningful—and productive—employment opportunities especially for the young; a commercial, trading and training infrastructure so that the island can not only become less financially dependent upon the UK but will also be able to generate monies to help attract islanders to remain on island; improved transport to and from the island, for islanders, traders and tourists; and an improved communication infrastructure (e.g. electronic communication facilities) so islanders can access world-wide information."

Before I went to St. Helena, I sought out Saints in my constituency. Several of them came to see me. Most of them came to train in the UK as teachers; most did not return to St. Helena. Although we are delighted that they have made their homes here, they point to and underline the main problem of St. Helena, which is population loss.

The need for air access to St. Helena has been discussed for decades. It simply is not sustainable in the modern world to rely on a single ship, the RMS St. Helena, plying its way up and down the Atlantic ocean, making occasional calls at St. Helena with fresh supplies, islanders returning for, perhaps from holiday, and a few tourists. Air access is vital. To underline what the hon. Member for Vale of Glamorgan said, airport, airport, airport—those are our three priorities.

The Government have set aside £26.3 million. The island's people, including Members of the Legislative Council, believe that that is a firm commitment. I want an assurance from the Minister that it is, because the Government do not seem to have made the final commitment to providing air access. A study of the four bidders is under way; hopefully, that will soon be concluded. We want a statement from the Government that there will be air access to the island.

I want to question the sum of £26.3 million. That is apparently the likely cost of replacing RMS St. Helena at 1990 prices. What kind of economic basis is that for making international development decisions? The actual cost of RMS St. Helena was £33 million, as it overran its initial estimate of £19 million. The airport will certainly cost more than £26.3 million. I would like the Government to revisit those numbers. I do not want them to take the £26.3 million away; I want the figure nailed down and, if necessary, given to my hon. Friend the Member for Colchester (Bob Russell) for safe-keeping. It is important that the airport goes ahead.

The RMS St. Helena requires an annual subsidy of £1.5 million, which is set to increase. As evidenced in places such as the Scottish islands, airports, particularly small ones, require subsidies to support them. St. Helena is no different. The airport will require a subsidy, which will eventually be provided by the St. Helena Government when the economy picks up. The current subsidy for the RMS, or something like it, will need to continue in the early days of the airport. Do the Government propose to subsidise the airport in the early years?

We have heard about ship access. I have some video footage—for sale at an enormous price—of the hon. Member for Totnes descending from the RMS St. Helena on to a barge. There was an extraordinary swell, but he made a very good fist of it; it was a good landing. Even when there is an airport, the island will require ships to carry freight. Better provision, such as a deep-water jetty or wharf, is needed for landing freight and passengers. We have heard that cruise liners could not send passengers to the island last year because of the choppy water. Not for the first time, the island lost a considerable amount of income because of that. Is there a Government commitment to contribute to the building of a deep-water jetty or wharf?

With air access, there is a good prospect of attracting greater numbers of tourists to St. Helena. We have heard about Longwood house, where Napoleon died. Fans of Napoleon would be showing dereliction of duty if they did not visit Longwood. The museum on Elba attracts hundreds of thousands of visitors—

Mr. Steen: Eight hundred thousand.

Mr. Jones: As we have heard, it attracts 800,000 visitors a year. Longwood has far more authentic artefacts to offer. I do not suggest that St. Helena needs hundreds of thousands of visitors, but many would come if transport links were improved. People would visit St. Helena for the sea. The island has no beaches, but does have fishing and scuba diving. Sea lovers would find a host of attractions, including a wide range of sea life and numerous wrecks, which offer a fascinating opportunity for divers. However, it may be necessary to introduce measures to ensure that those wrecks are not stripped of anything valuable.

As far as eco-tourism is concerned, many of the endemic species have died out, but some have survived, such as the wire bird—a long-legged plover, which we have seen—and the gumwood tree. The St. Helena National Trust's efforts to plant their millennium forest deserve to be applauded and supported. The forest is to include a section named the Colchester plantation, which will be devoted to the gumwood. My hon. Friend the Member for Colchester has raised more than £500 for that, some of which was from me.

Eco-tourists might like to visit the phenomenon that is Jonathan the tortoise at Plantation house. He is almost 200 years old, is reputed to be the only living creature to have met Napoleon, and has a harem of five large lady tortoises. They are all thought to have come from Mauritius. It is believed that the island may cease to exist when Jonathan passes away. I hope that that will not be the case.

I was surprised to find so little agricultural or horticultural activity on the island, as it must be possible to grow vegetables or keep chickens there. Besides providing a fresh source of food, island-produced vegetables and chicken would reduce the need to import food from South Africa, and they would be something to offer to the visitors that the island hopes to attract.

One health problem on the island that was brought to my attention was the high incidence of hypertension. As someone who suffered a heart attack a year ago, I readily sympathise. My doctor tells me to eat five portions of fresh fruit a day, and I suspect that one of the reasons for the hypertension epidemic on St. Helena is the lack of fresh food. Tinned vegetables on display in shops contain a lot of salt, which is a major cause of hypertension. Growing more fruit and vegetables on the island would help to solve that problem.

The health system on the island is generally excellent. There is a well equipped cottage hospital and four doctors who can cope with most operations and run Government clinics. I had a titanium stent inserted into a coronary artery following a heart attack last year, and I was interested and comforted to be told that the procedure could have been carried out on St. Helena. However, if a medical emergency occurs for which the hospital is not equipped, there is no air ambulance to take the patient speedily to South Africa or the UK. On such occasions, the islanders become acutely aware of their isolation and the need for an airport.

We have heard little about the plan for a new constitution, which is provoking much thought and discussion. There is a disagreement between the island's Legislative Council, which wants a three-tier system of government, and the Minister, who wants a two-tier system. The only advice that I can give the Minister is that if the islanders get the system that they want, they are far more likely to make a success of it than if something is imposed on them from London. Members of the Legislative Council raised a range of issues with us, including the infrastructure, the wind turbines, illegal fishing—they really do want their 200-mile limit to be patrolled properly—and the EU regulations regarding illegally imported honey, which were mentioned. They also want a ministerial visit.

What struck me as the RMS St. Helena chugged gently towards the island is just how far it is from anywhere else. For somewhere this remote to have survived into the 21st century, with the sea as the only access, is a tribute to those who decided to stay. However, the shrinking population is a threat to a viable future. If the much discussed airport and wharf are built in the next few years, a more prosperous, albeit changed, future for this distant outpost of the Commonwealth should be secured. Without significant, dramatic and urgent change, including air access, Her Majesty's Government will be faced with another bill of £250 million, if not more, in the next 25 years.

3.26 pm

Mr. Gary Streeter (South-West Devon): It is a pleasure to take part in this important debate on St. Helena. I congratulate the hon. Member for Colchester (Bob Russell) on securing the debate and my hon. Friend the Member for Totnes (Mr. Steen) on his able and vivid speech about the issues. I was extremely interested to hear the first-hand accounts of three colleagues who visited St. Helena only a few weeks ago. Over the years, we have all learned that there is no substitute for seeing a place in the raw in order to learn about it. I have just returned from North Korea—an isolated country. It will be interesting to talk about another country that is isolated only for the completely different reason of geography, not for reasons of politics or demography.

I have abandoned my set speech, as I do not want to go over ground that has already been well trodden, and I want to give the Minister as much time as possible to reply to the several points that have been made. I shall row in behind some of those points. My hon. Friend the Member for Totnes, in his usual vivid and interesting style, asked several interesting questions, one of which is of particular concern to me: windmills and the Government's injection of capital into a project that seems to have failed. I hope that the Minister will tell us what went wrong, what he intends to do to put it right and in what time scale. I come from a part of the world—Devon and Cornwall—where there are many windmills that seem to work extremely well, much to the irritation of local people. I wonder why this project has failed.

Hon. Members also talked about the treatment of St. Helena compared with the overseas territories of other EU countries, especially in relation to access to EU structural funds. I hope that the Minister will tell us what rules apply to St. Helena in that regard and why funds have not been made available in recent years.

We also heard about the costs of accessing education in the United Kingdom, which seem to defy logic. I appreciate that that is not entirely within the Minister's remit, but in preparing for the debate I read that he had been made aware of the issue some time ago and that he would look into it. Can he tell us today why students from St. Helena have to pay the top rates to gain access to our institutions of further education, and much more than UK and EU students?

Finally, we have heard much about the airport. It is obvious that the airport is critical, and I shall return to the matter after I have made four points, which I hope will take the debate forward.

First, I agree with the hon. Member for Vale of Glamorgan (Mr. Smith) about changes to the strategic position of the island. Once upon a time, as the hon. Member for Cheltenham (Mr. Jones) said, it was almost in the centre of things. Ships had to pass the island, and it was a strategic refuelling stop, so people had a reason for going there. Such changes happen not only to islands and countries; they can happen even to towns. Market towns that have no market may start to struggle, and a coal mining town that no longer has a coal mine will certainly start to struggle. Places like that need to find a new, strategic raison d'être. That is what the island has been trying to do.

One does not need to be a genius to work out that tourism is obviously an important part of the island's future, but one cannot do tourism in today's high-flying, mass-communications age without an airport. How many people have the time to sit on a ship for a week, travelling from Europe to St. Helena, enjoy a week's holiday and then spend another week on the ship going

[Mr. Gary Streeter]

back? That is not a viable way to run a tourism industry. The issue seems to come down to the island having an airport.

Secondly, it is absolutely fundamental that the Government are responsible for infrastructure. We know that a capital project of that kind could not possibly be achieved by the island itself. The Government clearly have a responsibility for it. I do not propose a love-in with the hon. Member for Vale of Glamorgan, but I agree with him that it is a question not of there being more government but of the Government doing the right thing.

The Government should provide the infrastructure, even if it is the enhanced port and docking facilities that were so graphically described by my hon. Friend the Member for Totnes. I shall probably dream tonight of his legs waving around in the breeze as he tries to jump from a gangway on to the shore or on to a ship—it is a vivid impression. If the Government can move forward on proposals for the airport and the upgrading of the docking facilities, I am sure that the islanders will find the energy and enterprise to do the rest. I have read some of their websites recently, and it seems that they are not short of innovation and energy; they will provide the facilities to make the project work and come up with ways to attract tourists.

We have heard about Longwood house and Napoleon. We are all fascinated with that remarkable character, and that fascination will not go away. All tourist industries need a focal point; and the island has not only that but a beautiful climate. With the right sort of airport, it could become self-sufficient over a number of years if people focus on tourism. It is important that the Government deliver on that.

Thirdly, why has there been such delay? The issue has been raised many times in the House. I do not point the finger at the Minister, who is relatively new to his post; it is not his fault. However, the Government have taken an awfully long time deciding whether to back an airport proposal. For some time, it seemed that they were calculating whether it might be better to pump money into a new ship rather than an airport, but the advantages of an airport over a new ship cannot be compared.

The subject was raised in a debate in the House in 1997. It was explored again by my hon. Friend the Member for West Suffolk (Mr. Spring) in 2001, and it has been raised several times since. Each time the Government were pressed for a decision. Will the Minister say what has happened? How far forward are we in reviewing the bids that have apparently come in? What is the time scale for the start and completion of the project? We need definitive answers.

Finally, my hon. Friend the Member for Romford (Mr. Rosindell) said how sad he was that DFID should be dealing with one of our overseas territories. I wonder whether it is the right Department to oversee such a massive infrastructure project. Would it not be better, for example, if the Department for Trade and Industry were to be in charge of such a project? I am not saying anything negative about the Minister, but I wonder whether the Government's thinking is right. Was the transfer of responsibility for overseas territories from the Foreign Office to DFID a few years ago a step in the right direction, and did it affect our thinking about overseas territories? We do not want St. Helena to have handouts for ever and a day; we want to build self-sufficiency and give the islanders what they need.

The Government have often said that they want to make the island self-sufficient. That is clearly the right policy, but it has not yet happened and we have heard some alarming tales about population loss and a struggling economy. It has been obvious for many years that an airport is the main infrastructure project necessary to turn the island around, but it has been subject to dither and delay with the result that the island's economy is struggling. We look to the Minister today to give the residents of St. Helena some much-needed hope.

3.35 pm

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): I join other hon. Members in congratulating the hon. Member for Totnes (Mr. Steen) on securing this debate. He was, as ever, characteristically robust in his approach, but he was misguided in his conclusion that the Government are neglecting St. Helena. I completely reject that conclusion, but I welcome the opportunity to set out in more detail what the Government have been doing for the island. There is considerable interest in the House about St. Helena, and during oral questions in October I gave the hon. Member for Colchester (Bob Russell) the opportunity to come and have a longer conversation with me. I was toying with ways of offering other hon. Members the opportunity to consider the issues facing St. Helena and I am grateful to the hon. Gentleman for helping me out.

We heard an excellent contribution from my hon. Friend the Member for Vale of Glamorgan (Mr. Smith) and an interesting insight from my hon. Friend the Member for The Wrekin (Peter Bradley), as well as interesting speeches from the hon. Members for Colchester, for Romford (Mr. Rosindell), for Cheltenham (Mr. Jones) and for South-West Devon (Mr. Streeter).

St. Helena is one of the most isolated of our overseas territories, being equidistant in the south Atlantic ocean between the coasts of Africa and south America. St. Helenians are a proud people and I am privileged to have responsibility for the development issues facing them. I feel somewhat hurt that the hon. Member for South-West Devon might be seeking to take responsibility for St. Helena from my Department just as I am enjoying getting to grips with the issues facing it.

Many hon. Members rightly touched on the innovative spirit, skills and talents of the people of St. Helena. I have not been to the island, nor, as the hon. Member for Totnes said, do I have any immediate plans to do so, but I have been very lucky to have had two full and helpful discussions in London with visiting representatives from the island's Executive and Legislative Councils. I had the pleasure of meeting Councillor Eric George, a senior member of the island's Council, on both occasions. He was accompanied on the first occasion by Mr. John Newman, the Speaker of the island's elected Assembly, and on the second occasion by Councillor Eric Benjamin, another Member with long experience in the Assembly.

On both occasions, we discussed the challenges and constraints of the island's economic development. We reviewed progress towards the development of air access and reflected on the implications of the recent decline in the island's population. We considered the prospects for privatisation of some Government services to free up additional resources and examined the need for further assistance to help with the implementation of a proposed move towards a ministerial system of government, to which the hon. Member for Cheltenham referred. I look forward to further discussions on those and other issues with two other councillors who will be visiting London next month for the overseas territories consultative council.

Hon. Members are right to draw attention to St. Helena's difficult economic background. Indeed, over some five centuries St. Helena's economic fortunes have endured what can only be described as a roller-coaster ride. The real low point came in 1976 when Union-Castle Lines ceased the regular service between Southampton and Cape Town which had maintained St Helena's essential physical access to the outside world for decades.

As the island had no airport, the Labour Government stepped in to ensure that access was maintained, and the Conservative Government who followed rightly continued that. Ever since we have provided St. Helena with a cash subsidy of over £1 million a year to support regular calls by a dedicated passenger and cargo vessel. The present one was purpose-built for St Helena's needs in 1989 at a cost to the Government of some £32 million. It would have been cheaper but for the fact that the company making the vessel went into receivership in the middle of the process. The vessel will reach the end of its economic life by about the end of this decade, and we will have to look at the situation then.

The new ship, which was launched in 1990, represents just part of the Government's consistent and unflagging commitment to St. Helena over the past 30 to 40 years. Our contribution since 1997 alone, when DFID was established, amounts to over £50 million. In addition, during the current financial year, we expect to spend over £10.5 million on a combination of budgetary and technical assistance support for the island community. We have given the St. Helena Government assurances on a number of occasions that our support will continue for as long as it is reasonably required.

We are about to start negotiating a new three-year aid package with the St. Helena Government. It will take full account of their strategic development planning. St. Helenians potentially have access not only to British Government funds but to the European regional development fund. Some £9.5 million has been set aside through to 2007, and that has been earmarked by the St. Helena Government for wharf improvements, rock stabilisation on the wharf and possibly improvements in landing arrangements. I will come on to that in a little more detail shortly.

Our shared goal for St Helena, as it is for other overseas territories that still require our support, is to try to achieve sustainable economic and financial self-sufficiency for the island as soon as possible. In an increasingly competitive global world, however, we recognise that this will remain a major challenge for such a small, isolated island that has a declining population.

Like the St. Helena Government and hon. Members, we remain concerned about the decline in the island's population. St. Helena cannot continue to lose its people at the current rate, even if some have every intention of returning either on retirement or at some future point in their career. We are working closely with the island authorities to find ways of encouraging more Saints to stay on or to return to their island.

Bob Russell: What point must the population reach for the island no longer to be economic? Has the Department even considered the possibility of a total depopulation of the island of St. Helena as a cheaper option?

Mr. Thomas: No, we have not. It would be entirely wrong for us to do so. We should concentrate our efforts on what we can do to encourage people from St. Helena to stay on the island. With that in mind, and with the support of the St. Helena Government, we are considering advertising some key posts on enhanced remuneration terms to make them more attractive to St. Helenians. I am thinking, for example, of the post of financial secretary and the post of head of Prince Andrew school.

Hon. Members have rightly identified air access as the key issue. As the hon. Member for South-West Devon said, the issue has been around for some time. One company submitted proposals to us for establishing air access. We considered them in detail and did not feel that the proposition stacked up at that point. As hon. Members will know from written answers that I have given, in April we launched an international competition to attract further interest in the idea of establishing air access. We have made it clear that the advances in air transport technology make an airport on the island a real possibility, thus opening up much greater opportunities for tourism. The competition has received four expressions of interest, which are being evaluated. We expect to receive the evaluation and share it with the St. Helena Government on 17 December. We will then have to consider its results in detail. I understand the point about the need to progress as quickly as possible. Clearly, we will keep the House informed about what we can do.

If air access can be developed, it will be some time before it comes on stream. We are assisting the St. Helena Government with an important review of the existing scheduling and routing of the RMS St. Helena to try to achieve more time for it in the south Atlantic waters, perhaps with more regular and more frequent calls to St. Helena. Further decisions on that are needed. We are looking again at the issue of the breakwater, which a number of hon. Members have raised and which the St. Helena Government continue to press with us. The hon. Member for Totnes, in particular, raised a number of other issues. I will write to him in detail with the answers.

Travellers Sites

3.47 pm

Mr. James Paice (South-East Cambridgeshire): I have to confess that I am not a great fan of this Chamber, but one of its advantages is that one sees Ministers whom one has never set eyes on before. I am delighted that that does not apply to the Minister who will reply to this debate, with whom I debated some aspects of travellers on the Floor of the House on Monday evening. I am pleased to have this opportunity. I understand that some hon. Members apply for debates in this Chamber and get them willy-nilly. I have been applying for weeks for an hour-and-a-half or a half-hour slot. The debate could easily have lasted for an hour and a half, but I am grateful for the opportunity that I have got.

I have been fortunate enough to be the Member of Parliament for South-East Cambridgeshire for 16 and a half years. Throughout that time, travellers have been one of the most crucial issues. For centuries, Cambridgeshire has attracted travellers, and it goes back to the days when it was one of the leading fruit-growing and vegetable-growing counties in the country and large numbers of casual workers were needed. Interestingly, having just secured the debate, I received from the National Farmers Union a document that it has entitled, "Britain's Rural Outlaws"—I stress that the title is the NFU's. The document underlines some of the problems faced by my constituents and many other country people and rural dwellers throughout Britain. It states:

"Nearly 80 per cent. of farmers questioned by the NFU have suffered at the hands of these 'rural outlaws' over the past five years with the estimated cost to the industry a massive £100 million per year."

It continues:

"Over 20 per cent. reported that they have been the victim of physical threats, over half have had farm equipment stolen and nearly 10 per cent. have had their livestock injured."

The NFU extrapolated those results and applied them to the 270,000 farmers in England and Wales, estimating that the total cost to the rural community of unauthorised travellers could be as high as £98.8 million, nearly £100 million per annum.

The residents association of an area in my constituency called Smithy Fen, just outside the village of Cottenham, carefully listed for me some of the problems that residents have suffered in the past few weeks. It referred to

"Noise: we suffer daily, and particularly from 9.00pm through the early hours of the following morning, the blasting of car/van horns accompanied by loud music on an almost incessant basis."

It then listed

"Obstruction by day and night: cars/vans 'patrol' the area, half a dozen or more at a time, and when it suits they double/triple park thereby obstructing the single track droves,"

which are a feature of the fenland area,

"Speeding: the Fen Droves are narrow and straight. Once farm traffic has ceased for the day the speedsters are out . . . 50, 60, 70mph bursts from Porsches, Mercedes, BMWs . . . etc. Drove junctions, farmers' storage pads, private driveways are used as skidpans for hand-brake turns . . . daily occurrences.

Stoning: of cars and tractors.

Bullying: the school bus is no longer safe for residents' children"

and, finally, there was abuse of animals. The residents association said:

"The level of intimidation is such that it is no longer safe to walk the Fen."

Those are not one person's complaints but a document produced and signed by a large number of my constituents who live in the area.

A letter from an individual constituent who has lived in the area for a long time brings a sense of proportion to the issue. We are not talking about scaremongering, or, as is occasionally suggested, intolerance towards those who live another lifestyle. My constituent states:

"Travellers have been on the Fen for forty years or so and there are thirty-three officially approved sites. Not always 'angels'; they fly-tipped, burned-out the odd car, were guilty of some littering, and were not averse to fights and general disturbance, but they largely policed themselves or were properly policed at the appropriate times. In the past they have been guilty of certain breaches of planning . . . but such breaches were identified and, from memory, quickly remedied. In short, the authorities seemed to have control and such afforded a generally peaceful and mutually respectful co-existence. Earlier this year a large number of Irish travellers arrived . . . many of the 'olde English' were intimidated into departure, this time the breach was to status quo and as a consequence since the arrivals, and on-going as I write, we endure . . . littering . . . roadside damage . . . noise . . . 'joyriding'".

Those are all the issues to which I have just referred.

I stress that I do not seek to brand the large numbers of people who live a travelling lifestyle as criminal or antisocial or suggest that they engage in such behaviour. They are entitled to live that lifestyle. They have their own law and rules by which they abide and, as my constituent said, people have learned to co-exist with them.

However, my constituents expect travellers to abide by the same rules, and the same criminal, planning and other legislation as the rest of us. I stress that equality of treatment under the law is all that we seek. As a Front-Bench spokesman, I officially welcomed the measures in the Anti-social Behaviour Bill, which is shortly to be enacted—the Minister will know whether it has received Royal Assent since Monday night—but they refer to unauthorised camping on private land where the landowner has not given consent. I want to concentrate in this debate on the situation in which travellers are camping on land that they own, or which other travellers own. Travellers are increasingly buying land, legitimately—I hesitate to suggest where the money may be coming from to buy the land, but it usually comes in the form of notes from a back pocket. They buy land legitimately, create hard standings, often install services, and park a caravan.

Mr. James Gray (North Wiltshire): My hon. Friend is describing exactly what is happening in Startley and Minety in my constituency. These people turn up with disproportionately large amounts of money—goodness knows where they get it from—paying sometimes £25,000 or £50,000 an acre for the sites. Not surprisingly, the farmers sell the land to them. It is a real problem.

Mr. Paice: My hon. Friend illustrates that the problem is not unique to Cambridgeshire, but is happening increasingly in other parts of the country. I know that other hon. Members have experienced similar

situations. Travellers are buying up land; sometimes they then sell it off in smaller parcels. I cannot say where the money comes from; what concerns me is that legally these people know what they are doing. They are very clever, and understand the law and planning legislation. They know that in cases such as these, possession is half the battle. Once they own the site, have created a hard standing and have put the caravan there, they can nearly always stay there.

I shall now narrow the debate to the situation in the South Cambridgeshire district. It is important, because it underlines that, in my area at least, the local authority has done everything that it could be possibly be expected to do—indeed, more than some of my constituents would have liked—to meet travellers' needs. On the last six-monthly count, there were 290 caravans in the South Cambridgeshire district parked on approved, private pitches, and 30 more on approved sites provided by the local authority. There were 104 parked on unapproved sites. Those numbers continue to increase. With a total of 340 caravans on approved sites in South Cambridgeshire alone, I hardly think that anyone could suggest that South Cambridgeshire district council is not fulfilling its obligation.

That brings me to the planning guidance under which the council has to operate: circular 1/94, issued on 5 January 1994 by the then Department of the Environment, headed "Gypsy Sites and Planning". Paragraph 8 states:

"In preparing or amending their development plans, local planning authorities should indicate how they have taken account of their duty under the 1968 Act to make adequate provision for gypsies residing in or resorting to their areas."

Paragraph 10 says:

"It is important that policies for gypsy site provision are set out clearly in development plans . . . With such policies in place in plans, there will be more certainty for all concerned when planning applications are determined by local planning authorities or appeals are considered by the Secretary of State."

Critically, paragraph 26 states:

"The existence or absence of policies for gypsy sites in development plans could constitute a material consideration in matters of enforcement."

I am describing what has happened in the past few weeks and months. At Easter there was a massive influx into southern Cambridgeshire of what are known as Irish gypsies. They parked in a range of different places, sometimes on unauthorised property, often on private land. I shall not go into all those situations in detail but suffice to say that, after a while, they were moved on. A large number of them descended on the area known as Smithy Fen just outside the village of Cottenham, and they are still there. In some cases, they may have purchased other land from other travellers, but they have parked on land for which planning approval has not been granted.

The result was that the district council served a range of enforcement and stop notices. I have a list of them here; I shall not read them all out, but they all relate to land between Setchell drove and Water lane in the Smithy Fen area. It is not only that travellers descended on the place, parked there, that the council served notices and that they have now been to appeal; they also displaced a lot of people who were there.

Last night, a parish council meeting considered a planning application for eight caravans in the neighbouring parish of Rampton in my constituency. They are for a family of traditional travellers who have lived in Smithy Fen for a long time and have now been displaced. In a statement, the family said:

"We the Price family have resided within a 15 mile radius of Rampton for about 50 years, we are a close family unit and wish to live together collectively. Many in the village know us from the Black Horse public house and Friday's light and life gospel meetings, we have done jobbing work for many local farmers over the years and can supply character testimonials. We understand the fears of the village however unfortunately due to a ruling by a government planning inspector John Roberts on 14/10/03 who overruled an enforcement notice issued by SCDC regarding Pine Lane, Smithy Fen, Cottenham—we find ourselves in an unenviable position where we have a neighbouring travellers site that we did not want and places us in an intimidating and intolerable position we fear for our property and our safety, it is for this reason alone that we must leave the land which we have considered as home for the past 12 years."

I hope that the Minister fully comprehends the importance of that statement. They are a traditional travelling family who have lived in Smithy Fen for 12 years—lived in the whole area for 50 years—and they have been intimidated and forced out of their homes because of the influx of other travellers. That would be fine if the planning arrangements supported them in their time of need.

The district council served enforcement and stop notices and the inspector who heard the appeal came forward with his pronouncement. The inspector's report is a complete travesty of anything that could be called justice. He starts by making congratulatory statements about the district council—that is why I concentrated earlier on planning guidance and the need for provision within structure plans for travellers sites. He refers to policy SP 4/6 of the proposed revised structure plan, which

"requires adequate provision to be made for gypsies who reside in or resort to the County."

He refers to the fact that the council produced nine criteria that would have to be met, which had gone through the local planning inspector. He said that there is

"a new policy H29 which allows for caravan sites for gypsies and travelling show people outside the green belt in certain circumstances."

He states that there is no evidence that policy H29 is likely to be modified further, and he notes that

"It would normally, therefore, carry considerable weight."

The report continues:

"The criteria based policy H29 has the advantage of being capable of application to any number of sites, as part of an assessed need or otherwise."

In paragraph 14 of the report, the inspector says:

"The duty lies upon the local authority to assess need and facilitate provision."

I hope that by illustrating the total number of approved sites earlier I have shown that the local authority has facilitated provision.

Somewhat perversely, the report later states:

"The occupiers of the appeal site should not be required to prove that they, or their close relatives, have traditionally or habitually resorted to the area or resided in it."

That is despite the fact that people who have traditionally resided in the area in question have been displaced.

[Mr. Paice]

Of the appellant families, the inspector, Mr. Roberts, says that

"some of them at least have close family ties with people living on authorised pitches nearby".

If I bought a piece of land to build a home next to a member of my family because I wanted to be near my family, I would not have a prayer of getting planning consent if that plot were outside the village envelope. However, because of some purported family relationship—I have no idea whether it is true that there is one—that family will be given planning consent. Adding to the calumny, Mr. Roberts continues:

"Two publicly owned sites have had to be closed for reasons that were explained at the inquiry, including incidents of disorder."

He continues, perversely:

"In any event, the adequacy of public provision is not a good reason for refusing planning permission for private sites."

I could go on.

The inquiry result and the inspector's report have produced so much anger and distress in Cottenham and the surrounding areas, I cannot vouch that it will not cause further serious problems. There is a large number of other planning enforcement notices and appeals outstanding. I know that the Minister will probably tell me that this case does not set a precedent, but most of us are cynical enough to expect it to. The precedent it sets is horrendous. We could experience a doubling of the 33 approved pitches in this area.

The fact that the inspector approved it is beyond belief. In paragraph 33, Mr. Roberts says:

"I have concluded that the criteria of Policy H29 provide a useful checklist against which to assess the suitability of sites not allocated by the local plan."

In other words, he is supporting the policy of the district council. The council assessed the sites against that policy, and decided that they did not meet the criteria. That is why it served the enforcement notices. As I have intimated, the inspector upheld the appeal on several grounds, so families will now stay there. The Smithy Fen travellers site is now much larger, and will almost certainly get approval to become larger because the appeal is still outstanding.

I shall refer to one letter that I have received today, and I have received a large number. There has been some local publicity about today's debate, and this particular letter is from an individual who was at a meeting of the parish council. He says:

"I despair at Prescott's decision to disregard the wishes and undermine the powers of the district council and the parish council, notwithstanding Residents opposition. I grow weary of the daily erosion of life in this Country as I reflect (not through rose-tinted specs) on the daily changes that affect us all".

That is the heartfelt view of one of my constituents.

I conclude by saying that the whole purpose of planning guidance is to set a framework against which local planning authorities make their own judgments. The case of Smithy Fen and Cottenham fits across the board the planning guidance issued in 1994. The structure plan and the district plan also fit. The council has come up with a number of approved sites and has demonstrated that it is prepared to meet the needs of travellers.

In the case of my constituency, we were faced with a massive invasion by people who knew the law inside out and were prepared to flout it. They went to appeal and have got their way. Now, no one has any confidence that appeals will be rejected. No one has any confidence that anything that is said or done locally by parish or district councils will be upheld by the Government. I know that the Minister may claim that she cannot talk about one decision. However, the impact of the decision is catastrophic for local authorities trying to deal with the point that my hon. Friend the Member for North Wiltshire (Mr. Gray) has endorsed—the huge numbers of additional planning applications for land already owned by travellers. The Government have to get to grips with that, and I look forward to hearing what the Minister has to say. I want to reassure my constituents that the situation is not as bleak as it looks at present.

4.9 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I congratulate the hon. Member for South-East Cambridgeshire (Mr. Paice) on securing the debate—even though it has perhaps not taken place quite as early as he would have liked—and on raising the important issue of gypsies, travellers and the planning system, particularly in his constituency. He will know that there are thousands of gypsies and travellers in this country, many of whom have lived a nomadic lifestyle for generations. Like everyone else they have human rights, which must be respected, and like everyone else they have responsibilities to others, and to other communities. He will know the importance of ensuring that there is no unfair discrimination against gypsies and travellers. Certainly, that is a matter that the Commission for Racial Equality has been concerned about. Equally, he will be aware that settled communities, too, have rights that need to be respected.

Respect for those rights includes the obligation for gypsy and traveller communities and settlements to comply with the law, including planning law. It also includes the obligation for local authorities and the police to deal with concerns about fly-tipping, antisocial behaviour and the other problems that hon. Members have raised.

Mr. Gray: Of course, there must be no discrimination against gypsies—but does the Minister agree that there must be no discrimination against local people, either?

Yvette Cooper: Certainly; that was the point that I was making. Just as there should be no discrimination against gypsies and travellers, the settled community of towns and villages that have existed for many years, equally, has rights that should be respected.

Hon. Members will be aware that I cannot comment on the detail of specific planning cases, given the role of the Secretary of State in such cases. However, I shall talk briefly about the current planning system and related issues. Department of the Environment circular 1/94 set out planning policies concerning the provision of suitable locations for gypsy sites, whether private or provided by the local authority. In formulating development plans, local authorities are encouraged to discuss gypsies' accommodation needs with the gypsies themselves, with a view to identifying suitable locations

for gypsy sites in plans wherever possible. For many local authorities, especially in rural areas, the identification of specific sites is not easy. Where they have found it impossible to identify suitable locations, circular 1/94 says that they must define clear and realistic criteria as a basis for site provision.

Development plans must take account of local circumstances. Concern is increasingly expressed in Adjournment debates about gypsies establishing sites without first obtaining planning consent, often after choosing inappropriate locations in land-use terms, such as greenbelt land or open countryside, giving rise to enforcement action by local authorities.

Local authorities have a range of enforcement powers for dealing with breaches of planning control. First, they have the power to serve a planning contravention notice, when they require information. Secondly, there is the power to issue an enforcement notice, requiring steps to be taken. Thirdly, there is the power to serve a stop notice, with immediate effect. Fourthly, the authority can seek an injunction in the High Court or the county court to restrain any actual or expected breach of planning control. Finally, there are improved powers of entry to land for authorised officers of the local planning authority.

Powers exist under section 178 of the Town and Country Planning Act 1990 to enable a local planning authority to enter and remove unauthorised development undertaken in breach of an enforcement notice.

Separate issues arise in relation to unauthorised encampments—where the land is not owned by the campers. The hon. Member for South-East Cambridgeshire raised some issues about cases of that kind, and the discussions earlier this week about the Anti-social Behaviour Bill and the important improvements in police powers to remove illegally camped gypsies and travellers to authorised sites are relevant here. However, as he confined most of his remarks to planning issues when gypsies and travellers own the sites, I shall say a little more about that, and explain what issues I think we should consider further in the next few months.

The hon. Gentleman is one of many people who have raised concerns about the way in which the current system works. Such concerns have been raised not only by MPs but by the Gypsy Council, local authorities and the CRE. The Office of the Deputy Prime Minister has set in train a serious programme of work to examine those concerns in some detail.

For example, a serious problem raised by many is that there is not enough site provision throughout the UK. A study carried out by the university of Birmingham suggested that an extra 1,000 to 2,000 residential sites might be needed over the next five to 10 years. Whether those would be local authority sites, or whether they would be appropriate sites for gypsies and travellers to buy where development would be acceptable, many people are concerned that there is simply not enough site provision. We are examining that issue in some detail. The Government have allocated £33 million over five years to improve the sites provided by local authorities, but we continue to examine the issue.

We are also concerned about the nature of the enforcement system. We are conducting a review of the planning enforcement regime, and are due to report our conclusions over the next few months. Many of the cases raised by hon. Members concerned gypsies and travellers who have settled where local authorities have not given planning permission. Those cases give rise to issues that are distinct from the broader planning enforcement regime. Statistics show that gypsy and traveller planning applications are more likely to be turned down in the first place, but more likely to be successful at the appeal stage. There are also links between enforcement and the level of site provision.

We are examining the speed of the planning enforcement system, where planning is inappropriate, and a range of other issues related to enforcement against inappropriate development. Over the next few months, as the work under way in the Department continues, I will be happy to discuss this matter further with hon. Members, based on the experience that they have gained in their constituencies. Many hon. Members have raised concerns, and we must ensure that we get the balance right in addressing this complex issue.

A38 and A50

4.17 pm

Mrs. Janet Dean (Burton): I welcome the opportunity for a debate on traffic noise on the A50 and A38 in my constituency. I was very pleased when, in July 1998, the Government announced their quieter roads programme. That was a good step forward, because for too long, roads were built with materials such as concrete, which, although hard-wearing, was noisy both for local people and for road users.

Naturally, we can all argue for earlier dates, but I understand the need for the assessments that have taken place over recent years, and I know that we must make the best use of resources, by fitting the programme in with maintenance programmes due to take place. However, the A50 and the A38 have both been unfortunate with the assessment process and the timing of the programme. I shall discuss the two roads separately.

The A38, which passes through—indeed, in places, over—Burton upon Trent is, as the Minister will know, a major cross-country route from the west to the east midlands. I first received complaints from constituents in Burton upon Trent and Branston about the noise from the road in late 1998. The northbound carriageway of the road was surface-dressed in August 1998, which appears to have exacerbated the noise problem. According to a response that I received from Lord Whitty when he was Under-Secretary of State for Environment, Transport and the Regions, the work was ordered from the contractor in the spring of 1998, prior to the publication in July of the Government's new noise policy, set out in "A New Deal for Trunk Roads in England". That was the first instance of unfortunate timing.

In 1999, the new surface started to fail due to defective materials. Repairs were carried out at the contractor's expense, using the same materials. I raised my concerns with Ministers and the Highways Agency. I said that although the Government had announced their intention to introduce quieter roads, a noisier surface had been laid on a major trunk road. The difference was even more significant because in 1983, 1984 and 1987, porous asphalt had been used on a section of the A38 as a trial to evaluate the drainage performance of the material. One side effect of the porous asphalt was that noise levels were reduced. Although the northbound test surface was removed in 1996, there was incremental increase in noise between then and 1998, when my constituents complained to me.

Following an assessment of the scheme and the programme for road surfacing, I was advised by the Highways Agency in 2001 that the A38 Burton bypass was included in the programme for the 2003–04 financial year. I have received a further letter from the Highways Agency that says that work on the A38 between Branston junction and Clay Mills is scheduled to take place in the financial year 2004–05. I seek a reassurance that that work will be carried out in the next financial year, and not put back again.

I also ask for clarification on behalf of a Branston constituent, who tells me that he believes that the noise from which residents in the area of the village's main street suffer comes from the road south of the Branston junction. Will the Minister tell me whether resurfacing of that section will also be carried out in the near future?

The A50 is another major east-west route, which runs to the north of Uttoxeter in my constituency. I have received complaints about the noise from the road from residents of both Uttoxeter and the rural area of Leigh, to the west of the town. Again, I have been in contact with Ministers and the Highways Agency about my constituents' complaints for some time. The A50 has been improved in stages over the years, resulting in a great increase in traffic along its whole length. The parts of the A50 that most affect my constituents are the concrete section between Blythe Bridge and the New road—A522—junction in Uttoxeter, and the length between that junction and the Ashbourne road—B503—junction, which is surfaced with hot-rolled asphalt.

I am concerned that in the current programme for resurfacing concrete roads, the Blythe Bridge to Uttoxeter section will not be resurfaced until between 2007–08 and 2010–11. I have also been advised that the length between New road and Ashbourne road will be resurfaced in sections between 2004 and 2008. The Doveridge bypass, which is the section east of Uttoxeter, was opened after June 1988, so it is timetabled to have a quieter road surface applied between 2004–05 and 2006–07. Although I am pleased that the problems of residents of Doveridge in west Derbyshire are recognised, I do not believe that it is right that the Blythe Bridge to Uttoxeter section should have to wait longer than the Doveridge bypass, simply because of when the roads were built.

The opening of the Doveridge bypass in February 1998, along with other major improvements along the A50, resulted in the traffic increasing by 51.3 per cent. between 1997 and 1998 along the whole route. The increase along the Blythe Bridge to Uttoxeter section was even greater, at 57 per cent. The route total has risen from 19,075 vehicles for a 24-hour, seven-day-a-week average in 1997, to 43,132 in 2002. The Blythe Bridge to Uttoxeter section has risen from 15,657 to an average of 36,591.

As the traffic has more than doubled since the upgrading of the A50 was completed in 1998, the noise emanating from both the concrete section and the hot-rolled asphalt section in Uttoxeter has increased dramatically. The way in which schemes are assessed means that the length west of Uttoxeter may have to wait up to six years longer than the length east of Uttoxeter, yet the traffic and noise increase has been the same. That cannot be just or sensible.

I hope that the Minister will reassure me that the timetable for work on the Blythe Bridge to Uttoxeter section will be reviewed to take into account the impact of the improvements on the whole route. This is an exceptional case, and I believe that that should be recognised in the programme of works. I hope that the Minister will also reassure me that a quieter surface will be applied to the length between New road and Ashbourne road early in the period 2004 to 2008.

As I said, I know that everyone hopes that schemes in their particular area will be put at the start of any programme. In the case of the A38 and the A50, however, the arguments for the early relief of the difficulties that my constituents face are strong.

4.25 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): I congratulate my hon. Friend the Member for Burton (Mrs. Dean) on securing the debate and on recognising the benefits of the Government's policy on quieter roads. I also thank her for her proportionate opening remarks about the Government's need to ensure that work in progress is a priority. Her contribution today, and her correspondence with the Highways Agency and my Department, show her to be an effective voice for her constituents in Burton. Long may she continue to be so.

My hon. Friend wanted to be sure that our approach was just and sensible, which I believe it is, but before I go into the details of the two roads in question—the A38 and the A50—it would be helpful to say a little about the background to the development of the Government's quieter roads programme.

The strategic road network helps to support a healthy economy by providing the backbone for the effective distribution of goods and services and the easy movement of people, but it is not without disadvantages. People who live close to major roads sometimes experience the effects of increased noise, and the expansion of the road network inevitably disturbs the local environment, as my hon. Friend described.

A balance that satisfies our economic and environmental needs must be struck. Indeed, much can be done to minimise any negative impact on the environment. I often say that the Highways Agency is the second largest planter of trees in this country—second only to the Forestry Commission—so we do take environmental matters very seriously.

The Government recognise that traffic noise is a concern for many people, and in the White Paper, "A New Deal for Trunk Roads in England", which was published in July 1998, we gave a commitment that

> "In future, whenever a road needs to be resurfaced, we shall ensure that the most appropriate noise reducing surfaces are used for those areas where noise is a particular concern."

I am sure that that will be of comfort to my hon. Friend.

In March 1999, we announced sift criteria for identifying the most serious and pressing cases, and a ring-fenced budget of £5 million a year for dealing with the most serious cases in which practical, cost-effective noise mitigation measures could be found. The criteria are as follows. First, trunk roads must have been opened before June 1988, but priority attention is to be given to locations affected by roads that have remained unaltered since October 1969—the qualifying date for the first introduction of noise mitigation measures. Secondly, current—that is, 1998—noise levels immediately adjacent to the road must have been at least 80 dB. Thirdly, in the case of roads opened or altered after October 1969, noise levels must be at least 3 dB greater than predicted for the design when the road was being planned. The aim was to address people's disappointment that the noise levels mentioned during the planning process were different from those experienced when the road was eventually opened.

In November 1999, a list appeared in *Hansard* under cover of a letter from the chief executive of the Highways Agency, showing the most serious and pressing cases to be studied to ascertain the most practical and cost-effective solutions. That became familiarly known as the "Hansard list". By the time of the Government's 10-year plan, published in July 2000, the Highways Agency had been set the target of installing quieter surfaces on more than 60 per cent. of the trunk road and motorway network, including all concrete stretches, by 2010–11. That will benefit approximately 3 million people living within about one third of a mile from such roads.

The Government's trunk road noise reduction policy over the period of the 10-year plan can be summarised as follows: a noise mitigation programme costing £5 million a year to address sites that meet the "Hansard list" criteria; resurfacing all concrete roads with quieter materials; and resurfacing black-top roads with quieter materials when normal maintenance is required.

About 5 per cent. of the trunk road network at some 70 different locations is constructed with a concrete surface. Clearly, given the scale of the problem, the work cannot be completed overnight. To ensure that cases are dealt with in order of priority, we have established criteria to be used to phase in the work over the 10 years. That will also ensure the effective use of resources and minimise disruption to road users.

In October 2001, the Government announced the criteria to be used by the Highways Agency to determine the priority for different parts of the network to be resurfaced by 2010–11. I shall set out those criteria. Where possible, the application of quieter surfaces will fit in with normal maintenance needs. Priority will be given to sites where treatment will benefit the greatest number of people. Works will be carried out in such a way as to minimise disruption to the general public and users of the trunk road and motorway network. Priority will be given to roads opened since June 1988 where noise levels have turned out to be significantly higher than was predicted when they were planned.

Following the announcement, the Highways Agency continued study work to identify schemes that satisfied the criteria. The fourth criterion was introduced because the extra noise arising from concrete surfaces remained the most significant factor causing excess nuisance from traffic once we had rectified the under-prediction attributable to underestimating traffic growth in assessments made before 1988. The agency also identified 17 roads with concrete surfaces that had been open since 1988, and undertook a programme of noise surveys to identify those that satisfied the fourth criterion. Following completion of that work, the Government announced in April 2003 a timetable for removing all concrete surfaces on the motorway and trunk road network by 2010–11. The report on the surveys of the 17 lengths of concrete road was placed in the Library.

In the first phase, between 2004–05 and 2006–07, more than 11,500 homes throughout the country will benefit from reduced traffic noise, and journeys on those roads will, of course, be quieter for motorists, too. Priority for the first phase of the work has been given to the schemes where resurfacing will benefit more than 100 properties per kilometre or, if the road was opened after June 1988, where the current noise level is 3 dB greater than predicted. That is equivalent to the noise increase expected from doubling the volume of traffic on the road. Of necessity, the arrangements are somewhat complex, but they are designed to ensure that the resurfacing work is carried out as equitably as possible.

[Mr. David Jamieson]

My hon. Friend raised specific points about the A38 and A50 trunk roads, and I fully understand her concerns about the resurfacing of the A38. Because of pressure to undertake urgent maintenance elsewhere in the region, since 1998 we have had to carry out minor works to keep the surface of the A38 intact. My hon. Friend referred to that. The section involved is between Branston and Clay Mills, to the west of Burton on Trent, and is known as the Burton bypass.

That section of road does not have a concrete surface. Various forms of an experimental quiet surfacing material, now known generically as porous asphalt, were put on trial there between 1984 and 1994. The experimental sections, which were about 100 m long, were spread over a length of about 4 km along the southbound carriageway between the junctions at Branston and Clay Mills. The northbound carriageway was mainly constructed with conventional hot-rolled asphalt.

The original reason for the experiment was to test the effectiveness of such material at reducing spray, which was a problem on the road because of the relatively high number of heavy goods vehicles that used it. It was realised that the porous surface, originally designed for airport runways to stop aquaplaning, might be useful for roads, but might also deteriorate rather quickly. Because of wear and tear over the 10 years, most of the trial surfaces had to be replaced with hot-rolled asphalt, which generates considerably more tyre noise than the new porous asphalt.

The resurfacing undertaken on the Burton bypass in 1998 was necessary to restore its skid-resistance. The most cost-effective treatment selected was surface dressing, as the underlying carriageway construction was sound. It was inevitable that restoring the surface roughness would increase noise to some extent. However, surface dressing is recognised as a treatment with a relatively short life, and in due course, it would be necessary to undertake some major works on the carriageway and replace the whole surface layer.

I am pleased to say that, as part of the normal maintenance programme, this section of the A38 is included in a major resurfacing scheme between Branston and Clay Mills programmed to take place in 2004–05. That is subject to the availability of funding—and my hon. Friend knows that we have been generous in funding our roads. I can confirm that the work will go ahead in the time scale that she described. It will include the provision of the quieter road surface that she asked about, which is likely to reduce traffic noise by as much as 30 per cent. That will be welcome to her constituents, some of whom live close to the road, particularly in the northern section. I hope that that is a sign of good news on the horizon for my hon. Friend.

The announcement by the Secretary of State in April 2003 listed the concrete section of the A50 between Blythe Bridge and Uttoxeter among those scheduled for resurfacing in the period between 2007–08 and 2010–11, subject to the availability of funding. My hon. Friend expressed concern that the Blythe Bridge to Uttoxeter section was treated differently from the Doveridge bypass, which was listed among those to be treated in the preceding three-year period. I assure my hon. Friend that that was not the case. The resurfacing of the Blythe Bridge to Uttoxeter section has been prioritised on a consistent basis with all other concrete sections, according to the criteria outlined earlier.

Doveridge bypass is scheduled for resurfacing before the Blythe Bridge to Uttoxeter section. That is because the Doveridge bypass, which was opened in 1998, meets the criterion of having been opened after June 1988, and having a noise level 3 dB greater than predicted. The section from Blythe Bridge to Uttoxeter, which opened in 1985, does not meet that criterion. Furthermore, resurfacing would not benefit more than 100 properties per kilometre.

Mrs. Dean: Does my hon. Friend accept that the increase in traffic has been greater, if anything, on the Blythe Bridge to Uttoxeter section? I accept the way in which things were worked out using the criteria. However, I would suggest that the effect on the ground is that the section of road between Blythe Bridge and Uttoxeter has noisier concrete than the Doveridge section. I do not want to push Doveridge back at all, but we should look at the case again. When a road is made up of sections built at different times, as the Uttoxeter to Blythe Bridge section is, the increase in noise may be equivalent to the increase in noise when traffic more than doubles, as it has done on the Doveridge section.

Mr. Jamieson: I accept my hon. Friend's point. I undertake to examine the recent surveys to reassure her that the matter has been dealt with consistently. Although we try to be fair, those further back in the process always feel a little hard done by, which I accept because the stress and anxiety caused by noise make them impatient to get the work done.

The Blythe Bridge to Uttoxeter section was considered for noise mitigation measures under the criteria announced in March 1999 to identify the most serious and pressing cases that merited further detailed study, which was promised in "A New Deal for Trunk Roads in England". Because the A50 from Blythe Bridge to Uttoxeter met the sift criteria, a detailed study was completed in April this year. The study revealed that the wide scatter of affected properties makes replacement of the concrete surface the most appropriate treatment to address the noise issues. Given the nature of the road, I think that my hon. Friend would agree that other mitigation measures would have a marginal effect on the properties; the road needs a different surface.

Mrs. Dean: Is it possible to examine pockets of properties along the Blythe Bridge to Uttoxeter section to see whether specific areas would benefit from planting? For example, Leigh's residents are affected by the noise from the A50.

Mr. Jamieson: I imagine that that work has already been done. I undertake to examine the survey to see whether a proportionate amount of money can be spent. Obviously, we do not want to spend money disproportionately, because that might push back the programme for resurfacing the whole road. If there are particular hot spots and we can deal with them economically, however, I will be happy to examine them. I think that my hon. Friend accepts that the

answer is getting the road resurfaced, and when that happens, many of the other measures will become otiose. It was decided that resurfacing would be achieved within the commitment in the 10-year plan for transport, and priority was assigned according to the criteria that I have described.

It is too early to provide a more specific indication of when resurfacing may take place within the time frame set out by the Secretary of State for Transport in his April statement. However, I assure my hon. Friend that the Highways Agency will keep her informed as its detailed in-year programme develops. Although mitigating noise from trunk roads and motorways is a complex subject, I hope that she agrees that the Government are doing all they can to ensure that we have the fairest system that will benefit the greatest number of people over the next few years.

I congratulate my hon. Friend on raising this matter, because noise from roads intrudes on people's lives. It can cause a great deal of upset and makes people angry. That is especially true when traffic grows, which has clearly happened in Burton; Burton's economy is thriving, which means more vehicles on the road. I will make sure that my hon. Friend gets full and proper answers to the questions that she has raised.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Five o'clock.

PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 413 (Part 2)

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2002–03

COMPRISING PERIOD
10 November—20 November 2003

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10 November 2003

Written Ministerial Statements

Monday 10 November 2003

EDUCATIONS AND SKILLS

Teachers' Pay (2004–06)

The Secretary of State for Education and Skills (Mr. Charles Clarke): The thirteenth report of the School Teachers' Review Body is being published today. It covers all the major pay changes over the period April 2004 to September 2006.[1] Copies are available in the Vote Office and the Library of the House of Lords and at http://www.teachernet.gov.uk/management/payandperformance/

In making their recommendations, the review body were required to have regard to the matters set out in the remit letters of 1 August 2002 and 11 July 2003. The STRB report deals with a wide range of weighty and complex issues. The review body has also been working to a much quicker timetable than usual which has placed special pressures on it and on the consultation partners. I am indebted to the review body and to other partners for the high degree of professionalism, dedication and skill they have shown in tackling such an important and difficult remit on such a timescale. STRBfs recommendations are set out below, followed in each case by my response.

General Pay Matters

The STRB have recommended the following:

We recommend a multi-year award.

We recommend that, with effect from September 2006, changes in pay rates be implemented in September each year rather than in April each year.

We recommend the following changes to classroom teachers' salary levels:

an increase of 2.5 per cent. from April 2004 and of 3.25 per cent. from April 2005 to end August 2006 in the values of

the main scale and upper scale for qualified teachers

the pay spine for Advanced Skills Teachers; and

the pay scale for unqualified teachers.

These increases should also apply, in respect of all classroom teachers, to the values of the special needs allowances.

We further recommend that there be a re-opening clause under which any of the parties can ask us to review the matter of the above percentage increases awarded. This should take effect if the average rate of headline inflation for the respective preceding 12 months, April 2004—March 2005 or April 2005—March 2006, exceeds 3.25 per cent. or falls below 1.75 per cent.

[1] A further report from STRB on more technical matters will be published in February 2004 and be the subject of a separate consultation

I welcome the responsible and constructive way in which the STRB has tackled the issue of how to position an inflation-led, multi-year settlement. There is much here that I am able to endorse outright. Where I have not done so, it is to ensure changes are affordable for schools, as they also continue with workforce reform.

The background to the need for an inflation-led settlement is set out in detail in the recital of evidence in the STRB's report. In the Government's evidence document of 11 July we made clear that it is vital that heads and governors are enabled to meet the funding challenges of the next two years if the education of pupils is not to suffer. Pupils must always be our main concern.

I believe that the current recruitment and retention position is the healthiest one for many years. The statistics published today by the Teacher Training Agency, showing a rise of 8 per cent. in teacher training students, provide further evidence of the success story on recruitment. None the less, I concur with STRB that the position must be monitored and we must remain vigilant.

The STRB is also right, in my view, to highlight the importance, in trying to retain our best teachers, of tackling workload issues. That is why the national agreement on workforce reform is so important, with all that this agreement means for reducing excessive workload for teachers and helping them focus more exclusively on what matters most—teaching and learning. I am clear that, in looking at teachers' pay over the next two years, it is essential we do not allow the sort of increases that would have an adverse impact on teachers' jobs and workload and workforce reform.

The STRB's recommendations also respond imaginatively to the challenge of setting headline figures for several years in the future. Heads and Governors will reap very considerable benefit from such advance knowledge of what is overwhelmingly their main financial commitment, as teachers' pay is the largest call on their budget. I also note the STRB concern that teachers would worry if there were no safety valve if inflation turned out to be much higher than all reasonable forecasts are indicating.

I therefore endorse the recommendation that any of the statutory parties may ask the STRB to review the figures again if they are outside the parameters set by that recommendation. In such an event, I would expect the STRB to report to me and I would then consult on proposals in the usual way. Any recommendations would need to be considered carefully by the Government on merit and with due regard to affordability. In addition, in assessing the inflation position, I would want proper account to be taken of both RPI and RPIX.

I am also pleased to see that the STRB has supported the calls of my Department and the local authority employers that we should move to a September timing for all pay awards, ie headline increases should be paid from September at the same time as teachers receive any new incremental or performance-related increases. That will be another powerful boon to schools in aiding their financial planning and in giving them a buffer of five months in the early part of the financial year before their

increased paybills take effect. Indeed, my proposals below mean we would actually be introducing this change a year early, in September 2005.

I believe that the STRB recommendations on headline pay show prudence, creativity and a strong sense of the priorities and challenges facing schools. I am able to endorse outright the 2.5 per cent. pay award proposed for April 2004.

However, a 3.25 per cent. pay increase for the full 12 months of 2005–06 would be a heavy burden for some schools to bear. For those in deficit it would worsen their ability to turn round their finances; and even for others, it would use up the headroom they need to raise standards and tackle other issues facing teachers such as their workload and the wider workforce reforms. Therefore, I must propose a phased approach to the recommended 3.25 per cent. pay increase in 2005–06.

I propose a 2.5 per cent. increase from April 2005 topped up to 3.25 per cent. from September 2005 (as in the attached pay scales). The next increase after that would be from September 2006. As I stated on 29 October, I will keep under review the guaranteed minimum increase for schools for the financial year 2005–06 and announce a final figure in due course.

In addition to these headline increases over the next two and a half years, I should perhaps note that many teachers will naturally continue to receive other pay elements of pay. For example, over 100,000 main scale teachers will receive annual increments of up to £2,000 each year. An even higher number will have reached upper pay scale point 2. And some 200,000 teachers will receive management allowances of between £1,638 and £10,572.

Local Approaches to Pay

The STRB have recommended the following:

> We recommend that the existing pay spines and the Outer London Allowance be replaced by new Outer London pay spines for qualified teachers, unqualified teachers, the leadership group and ASTs. Likewise, the existing pay spines and the Fringe Allowance should be replaced by new Fringe pay spines for qualified teachers, unqualified teachers, the leadership group and ASTs.
>
> We recommend a differential increase for outer London effective from April 2005
>
> From April 2005 to end August 2006, we recommend an enhanced increase in the values of the main and upper scale for qualified teachers, the pay spine for Advanced Skills Teachers and the pay scale for unqualified teachers in outer London.
>
> We also recommend an enhanced increase to the starting pay of all qualified classroom teachers in inner and outer London from April 2005 to end August 2006.

I welcome the principles and motives behind the important recommendation to give outer London and the Fringe their own consolidated pay scale, on the same lines as was introduced for inner London this year. I endorse these changes, which take us further in the direction of a more local and regional dimension to pay, but within a nationally determined framework. I look forward to seeing the STRB's further recommendations early next year on how we should continue to develop local and regional pay for the medium and longer term.

I am more cautious about the recommendation to increase outer London pay differentially from April 2005, as there is further debate to be had about whether these changes are based on hard evidence of need. The same reservations apply to the recommendations about starting pay for inner and outer London.

Major pay changes were introduced in inner London only in April. There is an argument that these must be given time to bed in and have effect. We also need to ensure that changes designed to improve recruitment and retention in inner London are not undermined by countervailing changes in the outer London area. Moreover, other measures are currently working their way through the system which may help remedy the issues reflected in the STRB report. These measures include the £1 billion key worker housing scheme recently announced by the Deputy Prime Minister, which will benefit hundreds of London teachers with their accommodation.

None the less, I am currently minded to endorse the principle of STRB's proposals, but would expect the implementation to take place from September 2005, in line with the phased timetable set out above for other teachers. I propose that the changes recommended for April 2005 should actually come into effect from September 2005.

Recruitment and retention allowances

The STRB have recommended the following:

> We recommend that the recruitment and retention allowance scale be abolished with effect from 1 April 2004.
>
> We recommend that payments for recruitment purposes should be made for a fixed period of up to a maximum of three years. For retention purpose, a three-year maximum should also apply, but with scope for renewal in exceptional circumstances.

I endorse these proposals. The STRB have drawn attention to the fact that the School Teachers' Pay and Conditions Document makes separate provision for schools and LEAs to pay recruitment and retention incentives and benefits, and that there is a degree of duplication between this more wide-ranging provision and the recruitment and retention allowance scale set out elsewhere in the Document. The STRB have said that continuing or new payments can be made by means of the more wide-ranging provision, rather than by means of a set scale.

I interpret the STRB's recommendation to mean that, from April 2004, all allowances currently awarded under what is currently paragraph 24 of the pay document (which sets out the scales and arrangements for payment) should either be abolished, or renewed under paragraph 48 of the pay document, and this is the proposal on which I am consulting. I also endorse the proposals about time-limited allowances.

However, I propose that, in addition to changes needed to the pay document, supplementary guidance on handling the range of issues which are involved here is worked up in consultation with the parties, with the aim of ensuring that teachers currently in receipt of recruitment and retention allowances are treated fairly.

The Upper Pay Scale

The STRB have recommended the following:

> We recommend that consultations take place urgently on a new framework for progression to U3 in both England and Wales, including:
>
> rigorous criteria which enable schools to identify those teachers who are performing at the highest level;
>
> a grading system which enables schools to rank the performance of teachers in their school in relation to those criteria; and
>
> a system of external assessment, using the threshold model. We recommend that this new framework be completed by 5 January 2004.

The STRB preface these recommendations by setting out a compelling vision for schools, in which:

> governors, heads and teachers are comfortable with the concept of rewards related to performance;
>
> schools are able to make decisions without detailed rules and guidance;
>
> high-quality performance management and professional development are available to all teachers to help them improve standards;
>
> schools have the confidence and capability to assess performance and reward staff; and
>
> performance and reward systems are managed effectively, transparently and fairly.

I welcome this statement and the detailed commentary provided in the STRB report on where we are with the upper pay scale. I also welcome the STRB statement that:

"We wish to ensure that further progression up the scale is clearly based on merit. We believe this should result in a tapering pattern of progression in which teachers will have the opportunity, on performance grounds, to move up the scale but progressively fewer of them will do so. We see a more substantive role for continuing professional development in this model."

I must declare publicly my disappointment about the outcome on upper pay scale point 2, where too few schools made a serious attempt to differentiate between the relative performance of their teachers. If we go on in the same vein as UPS2 then schools will ultimately face a bill of £700 million by the time UPS5 has taken full effect, over and above a similar bill for threshold payments. That is not tenable.

In all walks of life people may perform competently, or highly effectively, or outstandingly well. We have the best ever generation of teachers. But to be clear that some are positively outstanding is no insult whatever to their able colleagues. The notion that every teacher is performing identically well fails to pay proper tribute to our very best teachers and defies common sense. I am grateful to those schools which have recognised this and showed the courage to administer UPS2 with appropriate rigour. The fact that some awarded points to only a minority of teachers disproves the argument made by others that this was impossible.

I now look to the pay partners to rally behind the STRB's proposals for where we should go now on UPS3, including the challenge to achieve a result by 5 January based on agreement with as many of the pay partners as is possible. I recognise that finding agreement will be difficult, but I am determined to succeed and am heartened by the success of the National Agreement on Workforce Reform. Therefore, I will be writing to all the statutory consultation partners today inviting them to work with us over the coming weeks to achieve a better way forward.

As these issues are taken forward, all parties should restrict any preconditions, so that all options can be considered thoroughly and frankly. As I made clear in my 11 July proposals, I must ensure that any outcomes are affordable and manageable for the school system; and I am committed to the tapered approach to progression advocated in the STRB report. We also need to take account of the legal position in Wales. But I do not rule out at this stage fundamental changes to the structure of the upper pay scale, albeit that these might need to be referred to the STRB for further consideration, which would have an additional impact on the timetable.

I have also been considering the issue of mainstreaming threshold and PRP monies into school budgets in England in 2005–06. Having taken account of representations from the headteacher associations, I am today announcing that no such transfer will take place and that these monies will instead go to schools as a Specific Formula Grant (paid via LEAs). That will enable the money to continue to be distributed to schools according to the numbers of threshold and post-threshold teachers, as at present, rather than through the more general local authority finance system.

Management Allowances

The STRB have recommended the following:

> We recommend that management allowances be increased in April 2004 and be frozen at this level thereafter. We further recommend that the parties discuss and agree as soon as possible a framework and guidance for new arrangements so that they can take effect by April 2005 to make payment for specific, additional, weighty responsibilities targeted on teaching and learning.
>
> We recommend that where management allowances are awarded in the transitional period until the implementation of the new arrangements, they should be awarded for a period of up to one year only.
>
> We recommend that the maximum level of payment available for duties under these new arrangements be £11,000. This value should apply from April 2005 or from such later date that the new arrangements are put into operation, in the event that the new arrangements are not ready to be implemented by April 2005.

We recommend there should be discussion, with resulting decisions and guidance, on the following aspects:

> The types of responsibilities for which payment should be made, advising on levels of payment, perhaps differentiated by type and size of school;
>
> Whether the payment scale should be open with only a minimum and a maximum amount specified (maximum to be the amount that we have recommended), leaving the actual payment to be decided by the school in line with agreed guidance; or
>
> Whether the payment scale should contain specific levels of payment (similar in concept to the current management allowance scale), leaving the school to decide on which specific level to pay, in line with agreed guidance;

Whether the payments should be made for a fixed term of up to three years, the term to be renewable if the teacher continues to undertake the duties;

Whether the minimum level should be lower than present management allowance 1; and

Whether there should be provision made for bonuses of up to £500 for teachers taking on one-off important learning and teaching projects, with smaller tasks and projects undertaken by teachers as part of their professional development, without payment.

The STRB report identifies a serious issue in schools that needs to be addressed over management allowances. There are now too many allowances in the system and too many of those that exist are really disguised retention or performance awards. An implausible 52 per cent. of teachers have such an allowance and the number of allowances is growing by 4 per cent. annually. Over £1 billion is currently being spent each year on all allowances. This development has begun to undermine confidence in the allowance system. It can also damagingly inflate a school's costs, at a time when budgets are already under pressure.

The school system needs to undergo a major sea change on staffing structures so that teachers are freed to teach and more and more administrative and managerial tasks are undertaken by non-teaching staff. That will help focus the precious resource of qualified teachers on the job they came into the profession to do - namely, teaching. And it will also help schools deal better wi[illegible]ding pressures.

The STRB's recommendations on management allowances are central to these wider changes. No one would argue against a substantial allowance being paid to, for example, a head of a subject department who is outside the leadership scale. But we must reverse the trend reported by the STRB and move rapidly to the new position they describe. That would freeze the financial level of current allowances and target future allowances on issues directly concerned with teaching and learning.

I therefore fully endorse the principle of the STRB's recommendations on the need to consult on a new system of management allowances to better reflect our teaching and learning priorities. However, I believe it is possible, through discussion with the parties, to make faster progress. Therefore, I propose bringing forward by one year to April 2004 the recommendation to freeze the value of management allowances – ie. there will be no further inflation-uprating of current allowances.

I believe that the new, targeted, allowances should be introduced either from April 2004, if the criteria and arrangements for them can be worked out with the consultation partners in time; or otherwise from as soon as possible thereafter. This more rapid timescale is essential if we are to nip this worrying trend in the bud; and if we are to minimise the uncertainty that would inevitably surround any "transitional" arrangement applying throughout 2004–05.

I endorse the recommendations to cap the new management allowances at £11,000. In the event that the new system cannot be introduced in time for April 2004, I endorse the recommendation that any old-style allowances awarded in 2004–05 should be for a maximum of one year only.

Leadership Group Pay

The STRB have recommended the following:

We recommend that the percentage increases in value to the pay scales for qualified teachers that we have recommended in paragraph 21 of chapter 4, be applied to the leadership group pay spine.

I welcome the STRB's careful consideration of the issues relating to leadership group pay. In reaching the decisions that there should be no specific changes to the leadership group pay spine other than those applying to pay scales for qualified teachers, they have looked carefully at labour market issues for heads, whether there was a need for action for particular groups, and the case for a change in the basis for calculating differentials.

I endorse the recommendation that there should be no specific changes for leadership group pay other than the general uplift. I propose, however, that the uplift should be adjusted as set out above and phased in the same way as my proposals in relation to other qualified teachers.

Next steps

I am now initiating consultation with the employer organisations, the teacher associations and other interested parties as required under section 126 of the Education Act 2002, before I make provision by order for teachers' pay and conditions in 2004–05.

Summary of Secretary of State's proposals

The national pay award should be as follows:

2.5 per cent. from April 2004

2.5 per cent. from April 2005, topped up to 3.25 per cent. from September 2005 (as in the attached pay scales)

All pay awards should run from September with effect from September 2005.

The figures above should be open to further STRB review if inflation is more than 3.25 per cent. or less than 1.75 per cent. on average over a 12 month period as specified by STRB.

Outer London allowance should be rolled into the basic pay to create a new outer London pay scale from April 2004 (as attached). Fringe Area allowance should be treated similarly to create a new Fringe Area pay scale from April 2004 (attached).

Outer London salaries should increase differentially from September 2005 (see attached scales).

Starting salaries in inner and outer London should increase differentially from September 2005 (see attached scales).

From April 2004, recruitment and retention allowances should not be subject to a scale as at present; but such allowances should then be payable to individuals only for periods of three years, except that the period for retention allowances could be extended in exceptional cases.

A new framework should be established for resolving issues on the upper pay scale.

Current management allowances will be frozen at their current cash values. Work will begin on a new type of management allowance to be introduced from April 2004 or as soon as possible thereafter.

There should be no specific changes for leadership group pay other than the general uplifts.

Responses to the consultation letter are required by 12 December 2003. However, in line with the STRB's proposals on the upper pay scale, as summarised above, discussions on that issue may continue if necessary until 5 January 2004 in the interests of reaching as broadly based an agreement as possible.

Detailed information on current and recommended pay levels April 2004 to August 2006 has been placed in the Library.

HEALTH

"Fighting Infection"

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): The Government's response to "Fighting Infection", the Fourth Report of the House of Lords Select Committee on Science and Technology, Cm 6012, was published on 7 November. Copies have been placed in the Library.

Written Ministerial Statements

Tuesday 11 November 2003

CULTURE, MEDIA AND SPORT

Television Licence Fees

The Secretary of State for Culture, Media and Sport (Tessa Jowell): The television licence fee settlement announced by the Government in February 2000 provides for changes in the licence fee of RPI plus 1.5 per cent. for each year from 2000–01 to 2006–07. This settlement is designed to enable the BBC to provide a strong and distinctive schedule of high quality programmes and remain at the forefront of broadcasting technology. The settlement includes a requirement for the Corporation to raise around £1.1 billion through efficiency savings and increased income over the same period.

Application of the RPI figure of 2.8 per cent. for the year to September 2003, plus 1.5 per cent. to the current unrounded licence fees produces new rounded totals of £121.00 for a colour licence and £40.50 for a black and white licence. The necessary regulations to bring these fees into force will be laid before the House in due course. The changes will come into effect from 1 April next year.

NORTHERN IRELAND

Fire Authority

The Parliamentary Under-Secretary of State for Northern Ireland (Angela Smith): The Annual Report and Statement of Accounts for the Fire Authority of Northern Ireland for the financial year 2002–03 were published today.

Copies have been placed in the Libraries of both Houses.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Rural Delivery

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): I am very pleased to welcome today the publication of Lord Haskins' report on Rural Delivery, copies of which are in the Libraries of both Houses. I would like to take this opportunity to thank Lord Haskins and his team for all their work. The report is compelling in its analysis of the rural delivery landscape as confusing for customers and too bureaucratic and centralised to meet our future challenges. This echoes the concerns which led us to commission his report. While we have already begun to address these concerns, this report helps us take our work forward.

Shortly we will also be publishing a review—three years on—of the Rural White Paper alongside a study of economic performance in rural areas from Birkbeck College. In the New Year, drawing on the three reports, we expect to publish a "refreshed" rural strategy.

I attach a copy of Lord Haskins' recommendations, but will single out for comment a few key issues.

Next steps

My first priority is an immediate full review of rural funding schemes to provide a clearer and simpler framework for applicants and to achieve a reduction in bureaucratic procedures.

In the principles he published in the summer Lord Haskins called for a clearer division of responsibility between policy making and delivery. Government's clear role is to set the framework for policy. But is clear that policy advice can be particularly valuable when it comes from those involved in delivery. I attach huge importance to independent advice from my Department's agencies and partners. I do not intend to lose that advice.

An Integrated Agency

A major challenge in the 21st century is the effective stewardship of land in England against the need to conserve and improve the natural environment, maintaining and enhancing biodiversity. Lord Haskins recommends bringing together elements of the work done by English Nature, the Countryside Agency and the Rural Development Service where those functions will most enable the agency to reflect its new remit. I accept that broad recommendation. We will also consider how to achieve alignment of the Forestry Commission with the integrated agency.

The integrated agency will build on the successes and expertise of its constituent parts, such as English Nature's worldwide reputation on biodiversity matters. It will create a single, stronger authoritative body, accelerating integration of work on biodiversity, natural resource protection and landscape issues in order to improve the environment across rural, urban, marine and coastal England. It will provide independent policy advice and implement policy within the framework of the Government's approach to sustainable development. I will look for a legislative opportunity as soon as possible to formalise arrangements for the agency, and am pleased the constituent bodies have agreed to work with DEFRA to make practical progress before that point. This will allow continuity for the organisations, their staff and stakeholders, while preparing for the future.

Countryside Agency

Lord Haskins recommended the abolition of the Countryside Agency. I do not, however, agree that there will be no role for it. There will be a continued need for a much smaller organisation, with a new, well focused role providing independent policy advice to Government from a national perspective on issues affecting people in rural communities, and analysing and reporting on best practice in the delivery of the Government's rural

policies. We also need to build on experience so far on rural proofing and embedding rural objectives in all relevant aspects of government policy.

REGIONAL AND LOCAL DELIVERY

Lord Haskins recommends devolution of the way in which the DEFRA family delivers its policies to achieve greater effectiveness and accountability at regional and local level. My Department will therefore be discussing with the Regional Development Agencies, the Government Offices for the Regions, local government, the Rural Affairs Forum and the voluntary sector how to define new mechanisms for delivering services to rural communities, which will be accompanied by strong and effective performance management arrangements.

Much work will be required to develop these proposals into a practical implementation plan, which we hope to publish in the spring. I want to work in partnership on this with all those concerned to secure real improvements in sustainable development from biodiversity to resource protection. This is not only in the interests of Britain's rural communities, but in the interests of us all.

LORD HASKINS, RECOMMENDATIONS

To improve accountability through a clearer separation of responsibility for policy and delivery functions (see Chapter 4):

DEFRA should review and clarify its rural policy remit in order to ensure that it is consistently understood by all concerned, including those who deliver its policies.

DEFRA's prime responsibility should be the development of policy, and it should arrange for the delivery of its policies through national, regional and local agencies. Policy and delivery functions should be managed separately so that accountability for policy and delivery is clearly defined.

The separation of policy and delivery functions will require DEFRA to consult delivery organisations at the earliest stages in policy formulation and to require the latter to put forward proposals for t he effective delivery of policy. I n this way the delivery organisations will be more accountable for effective management of programmes, and there should be less duplication of existing regional and local schemes. DEFRA will continue to appoint members of the various boards and to hold them accountable for their performance.

DEFRA policy officials should develop a good understanding of delivery issues through a programme of training and secondments to delivery organisations. An understanding of delivery issues must be given higher priority in the assessment of individual performance. Secondments and recruitment from delivery organisations should also be encouraged in order to improve mutual understanding.

Deliverers should agree targets with DEFRA, working with the Treasury, rather than having unrealistic ones imposed on them by Whitehall. This would include DEFRA's rural PSA. In this way delivery organisations will accept greater ownership of these targets, which will be more achievable and less vulnerable to manipulation. There should be greater emphasis on setting rural targets that are linked to outcomes (such as an increase in species numbers) rather than outputs (such as the number of grants processed).

Delivery organisation should have the maximum flexibility to allocate resources in the most effective ways, whilst keeping the necessary discipline over administrative costs.

DEFRA should agree shared targets with other government departments and their delivery organisations as an essential means of securing better delivery of its rural policy objectives. This will strengthen DEFRA's ability to influence outcomes.

DEFRA should improve the quality of its management information so that it can take better informed decisions and control the administrative costs associated with the schemes and services that it funds.

In pursuit of the objectives of separating policy from delivery and of devolving delivery, the functions of the Countryside Agency should be transferred to the appropriate specialist organisations. Thus:

policy development (including the commissioning of pilots and demonstration projects), together with the promotion of rural proofing would pass to DEFRA and the Government Offices;

social and economic programmes would pass to regional and local networks of Regional Development Agencies (RDAs), local authorities and the voluntary and community sector;

environmental, landscape, access and recreational programmes would pass to the new, integrated agency proposed below (see Recommendation 16);

review of rural proofing, challenge and external advice would pass to a reformed Rural Affairs Forum for England (see below).

In the light of these changes the Countryside Agency would cease to be required as a separate organisation.

To bring delivery closer to the customer by devolving greater power to regional and local organisations to deliver economic and social policy (see Chapter 5):

RDAs should play a key role in the devolved delivery of DEFRA's rural economic and social agenda. They must therefore demonstrate and develop their capacity to contribute to sustainable development in addressing rural needs.

A concordat with DEFRA should be established as a first step towards making the RDAs accountable for their part in achieving DEFRA's policy objectives on rural sustainable development.

The successors to the existing business and farm diversification schemes (the so-called "project-based schemes") that are administered by DEFRA's Rural Development Service under the England Rural Development Programme should become the responsibility of Regional Development Agencies, which will arrange for their delivery.

Regional Development Agencies should have the lead responsibility in co-ordinating public sector rural business support and advice. To that end they should take direct responsibility for Business Links. They should take steps to improve the quality and consistency of business support and advisory services.

Local authorities and local partnerships should assume the main responsibility for delivery of schemes and services to rural communities. They should be fully consulted by DEFRA and the RDAs about any changes to policy and delivery arrangements and should be given the necessary flexibility to address local needs. The potential of Rural Community Councils as partners in community based delivery is underestimated and should be enhanced.

As part of the next round of local public service agreements DEFRA, working with other government departments and the Local Government Association should agree joint Whitehall targets for the delivery of rural policies by local authorities.

To develop a more integrated approach to sustainable land management by rationalising agencies with overlapping agendas (see Chapter 6):

The government should establish an integrated agency to promote sustainable use of land and the natural environment. This is necessary in order to prepare for the expanding land management agenda and to improve co-ordination and service delivery to customers. This would be achieved through a merger of English Nature, DEFRA's Rural Development Service and some functions of the Countryside Agency. Its remit should embrace biodiversity, historical landscape, natural landscape, natural resources, access and recreation.

DEFRA should establish close collaboration between the Environment Agency and the new, integrated agency so that their activities complement each other.

Consistent with the principle of clear separation of policy from delivery functions, the policy development role of the Forestry Commission in England should be transferred to DEFRA.

Following the creation of the new integrated agency, it is logical to integrate or closely align the delivery functions (regulation, incentives, advice) of the Forestry Commission with those of the new agency.

I would also expect DEFRA to seek opportunities to rationalise the various levy-funded organisations that it sponsors in respect of certain agricultural sectors for marketing, developmental and other purposes. There is scope to share resources (administrative, economic and research) between the various boards and to strengthen support for industry programmes if savings are realised through rationalisation.

To improve the coordination of delivery by enhancing the role of Government Offices for the Regions as coordinators and monitors (see Chapter 7):

The Government Offices for the Regions should be given a stronger remit to promote co-ordination of and to monitor rural delivery and to promote rural proofing on behalf of DEFRA. Regional Rural Priority Boards, chaired by Government Offices and including key regional and local bodies responsible for rural regeneration and service delivery, should be set up to provide strategic coordination and monitoring.

Delivery agencies should strengthen joint working through the development of joint regional delivery plans. These would include designated lead delivery partners, agreed joint targets, shared resources and clear accountability for delivery.

DEFRA should consult earlier and more closely with the Government Offices to ensure more coordinated policy development and strategic planning at the national level and reduce the number of strategies that are handed down to the regions.

The Government Offices should focus on their role as coordinators and monitors of programmes affecting rural areas and not be involved in direct delivery. They should disengage from their current role in the administration of EU Structural Funds if and when these are replaced by a national programme of regional regeneration, as the government has proposed.

Regional Rural Affairs Forums (RRAFs), comprising representatives of rural customers and beneficiaries, should become the forums in which national and regional delivery of rural policies is reviewed and reported on. Their key duties would be:

to highlight important issues and priorities for rural development and service delivery;

to comment on the effectiveness of rural development and service delivery in their region and identify areas for improvement;

to comment on the impact and effectiveness of existing policy developments and rural proofing initiatives and to generate new ideas;

to provide leadership to help drive rural development at regional and local level. The RRAFs would receive secretariat services from the proposed Rural Priorities Board secretariat.

To make things better for the customer and get greater value for money for the taxpayer through a more integrated approach to regulation and through simpler services (see Chapter 8):

The Government Offices for the Regions should work with regional and local organisations to develop a more co-ordinated approach to front line delivery. This should include spreading best practice between regions on integrated delivery and facilitation, recognising what is practical and affordable.

DEFRA, as the lead body, should accelerate the development of a "whole farm approach" that will ensure better co-ordination of government regulation and compliance, subsidy, advice and financial incentives linked to farm businesses. This would require:

the development of an integrated rural database linked to land-based business (to which the Environment Agency would have access, subject to resolution of data privacy constraints);

Risk-based self-assessment backed up by audit, preferably using such independent bodies as FWAG and LEAF;

encouraging more rapid uptake of internet use by farmers and rural businesses in general;

the creation of a farm advisory service in the light of the recent settlement on CAP-reform; this would logically fall under the control of the new integrated agency.

In view of the expanding agri-environmental protection agenda, the Environment Agency should agree with local authorities a supplementary role on regulation and compliance. Local authorities should agree standards for delivery with the Agency and call in its support where the extent of a problem or the risks connected with it are beyond the authorities' capacity to manage.

Local authorities should take the lead local role in co-ordinating general regulation and compliance advice on farm premises.

DEFRA should rationalise its inspection functions, integrating them wherever possible with existing regulatory authorities to achieve administrative savings and avoid duplication of skills.

DEFRA should review all rural funding streams and schemes, to achieve a more rational, transparent and comprehensible approach to the administration of financial incentives and to ensure that all new initiatives are consistent with DEFRA's delivery strategy, add real value and do not duplicate.

DEFRA should review and simplify the current procedural rules connected with grants to rural businesses and communities in order to provide greater discretion in the execution and targeting of grants in a user-friendly way, consistent with state-aid rules.

Reporting on progress:

DEFRA should publish progress reports on the implementation of my recommendations in the spring or summer of 2004, 2005, 2006 and 2007.

TREASURY

Scotland Office/Wales Office (Financial Arrangements)

The Chief Secretary to the Treasury (Mr. Paul Boateng): The Secretaries of State for Scotland and Wales are responsible for the expenditure of the Scotland Office and the Wales Office within the Department for Constitutional Affairs, including payment of grant to the devolved administrations, although for normal accounting purposes the provision of the former Scotland and Wales Office Departments will be transferred to the Department for Constitutional Affairs. The expenditure for each Office will be contained within separate requests for resources in the DCA Estimate and the Heads of the Scotland and Wales Offices will be appointed as additional accounting officers by the Treasury. Any future changes in the provision for the Scotland Office or the Wales Office will be determined in spending reviews and will continue to be found within the aggregate Scotland and Wales funding in the normal way. The Secretaries of State will continue to represent the interests of Scotland and Wales, including in respect of financial aspects of the devolution settlement.

Home Reversion Plans

The Paymaster General (Dawn Primarolo): The Treasury is today publishing a consultation document seeking evidence to inform an in-depth analysis of the costs and benefits of regulation by the Financial Services Authority (FSA) of home reversion plans. Copies of the document have been placed in the Library. Responses to the consultation are requested by 13 February 2004.

WORK AND PENSIONS

Pension Credit

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I can now report further progress on the take-up of pension credit, which became payable on 6 October. I can also report the publication today of new research by my Department looking at pensioners' motivations and barriers to claiming the minimum income guarantee (MIG), the predecessor to pension credit, and their likely reactions to the new entitlement. Figures represent the period up to 31 October 2003, unless stated otherwise.

There are now 1.97 million pensioner households (around 2.3 million individuals) on our systems being paid pension credit, including 82,000 new pension credit households (over 96,000 individuals) in October. As at 17 October, there are over 1.2 million households (around 1.4 million individuals) now receiving more money as a result of the introduction of pension credit. The pension credit application line, at our four sites across the country, has received 1.3 million calls since it became operational on 7 April and 370,000 signed applications have been returned to pension centres. The average pension credit award is £47.10 per week.

Our direct mail campaign is continuing, supported by a major advertising campaign on TV and in the press which began in September. We are continuing to work with partner organisations, such as Help The Aged, Age Concern and Citizens Advice, among others, both at a national and local level, to encourage eligible people to take up their entitlement.

There is plenty of time for pensioners to apply for pension credit. To ensure that pensioners do not lose out, there is a 12 month backdating provision until October 2004. This will allow applications to be backdated to October 2003, where entitlement exists, or to the date entitlement begins if this is later.

I am placing in the Library a set of charts and tables showing progress so far, including regional breakdowns of the number of pension credit households. Copies are also available for hon. Members in the Vote Office. From this month onwards, I will provide monthly progress reports on take-up of pension credit.

A copy of the research report "Entitled but not claiming?: Pensioners, the Minimum Income Guarantee and Pension Credit" (DWP Research Report No. 197) has also been placed in the Library. The aims of the research were to further understand barriers to MIG take-up (and, potentially, pension credit take-up), in order to help identify ways of overcoming them, to explore likely reactions to the new pension credit, before its introduction, and to provide data to improve my Department's estimates of take-up of MIG.

Working Parents Payments

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): Currently small employers whose gross national insurance contribution payments in a tax year are £40,000 or less (the Small Employer's Relief Threshold) can recover 100 per cent. of the Statutory Maternity Pay (SMP) they pay out plus an additional amount of 4.5 per cent. in compensation for the employers' share of National Insurance contributions due on SMP payments. Small employers paying out Statutory Adoption Pay (SAP) and Statutory Paternity Pay (SPP) recover those payments on the same basis as for SMP.

The threshold has been £40,000 since April 2002 when it was doubled in anticipation of the recent improvements made to maternity pay. Doubling the threshold meant that around 60 per cent. of all employers paying SMP, SPP and SAP in a year will get full reimbursement. The increase in national insurance contributions from April 2003 will affect the number of small employers able to claim full reimbursement from 6 April 2004. The threshold is therefore being increased to £45,000 from 6 April 2004 to continue to ensure that around 60 per cent. of all employers paying SMP, SPP and SAP will get back 104.5 per cent. of the money they pay out. Regulations will shortly be laid to achieve this change.

FOREIGN AND COMMONWEALTH AFFAIRS

Kosovo

The Minister for Europe (Mr. Denis MacShane): Over the past months it has become clear that the stability of Kosovo, and the Balkans, is increasingly affected by a lack of a clear way forward on its final status within the terms of UNSCR 1244. The Contact-Group has therefore designed a new approach.

It is based on a review mechanism, conducted in consultation with UNMIK, the Contact Group and the PISG, to monitor Kosovo's progress on implementation of the internationally endorsed standards set by the UN. There will be quarterly reviews with a first opportunity for a formal assessment of progress in mid-2005, or earlier if sufficient progress has been made. If the assessment is positive then the UN Security Council will consider whether a process should be initiated for a final settlement as laid down in UNSCR 1244. In the event of a negative assessment, more work would need to be done on the standards, and a date set for a further review. The Contact Group's intention is not to express a view on final status itself. This would be premature. The aim is to advance standards, assess how much progress has been made on those standards, and judge whether or not such progress could justify addressing final status as UNSCR 1244 requires.

This approach was outlined on 4–5 November in Belgrade and Pristina by the United States' Under-Secretary for Political Affairs, Marc Grossman, with the Special Representative of the UN Secretary-General (SRSG) for Kosovo Harri Holkeri and local Contact Group representatives. UNMIK has a key role in this strategy. SRSG Holkeri has our full support. EU High Representative Javier Solana has also welcomed this strategy.

Written Ministerial Statements

Wednesday 12 November 2003

DEFENCE

Project Aquatrine

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I am pleased to inform the House that the C2C consortium has today been announced as the preferred bidder for the second of three contracts for the provision of water and wastewater services to Ministry of Defence sites in the North and East of England.

Project Aquatrine is one of the Government's leading and most significant Public Private Partnership (PPP) Projects and will transfer the responsibility for the operation and maintenance of the Department's water and wastewater assets and infrastructure throughout Great Britain to private sector providers. This Project will enable the transfer of environmental risk to those in the private sector who are best placed to manage it.

This contract is expected to go live in September 2004 following a pre-commencement period.

DEPUTY PRIME MINISTER

Best Value Authorities (Discretionary Services)

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): The Government has today published guidance for best value authorities in England on the general power to charge for discretionary services provided in the Local Government Act 2003. Copies of the guidance are available in the Libraries of both Houses. Separate guidance is to be issued for Wales.

The Local Government Act 2003 provides all best value authorities in England and Wales with a new power to charge for discretionary services (section 93). Charges made under the new general power are subject to certain restrictions including a duty to ensure that the income from charges does not exceed the costs of provision.

The guidance offers advice on:

- The scope of the general power to charge for discretionary services;
- Which authorities benefit from the power;
- Discretionary services;
- The limitation to cost recovery;
- Calculating the costs and setting the charge;
- The Competition Acts and the effect on local businesses;
- The power at section 94 to disapply the new power to charge; and
- The power at section 97–98 to modify existing legislation that in some way restricts an authority's ability to charge for the provision of a discretionary service under section 93.

This guidance applies only to the new power at section 93 of the Act to charge for discretionary services and to the related powers at sections 94 and 97–98 of the Act. It is issued under the power at section 93(6). Best value authorities must have regard to the advice it contains when charging for discretionary services using the new power. Copies are being sent to all best value authorities and other interested parties. The guidance builds on the draft published for consultation in March 2003 and takes account of the responses received to that consultation.

FOREIGN AND COMMONWEALTH AFFAIRS

Ascension Island

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The Wideawake Agreement between the United Kingdom and the United States Governments, which allows for the opening of Wideawake Airfield on Ascension Island to civilian charter traffic, was signed on 1 October.

At present access to Ascension Island for civilians is by ship, or on RAF flights between Brize Norton and the Falkland Islands. The UK Government wishes to improve access to Ascension Island, in order to provide an essential building block for its future economic development. The UK Government has therefore agreed with the US Government that the US Wideawake military airbase on Ascension Island may be used for a limited number of civilian charter flights every week.

It will be for airlines to decide on commercial grounds whether to take the opportunity to fly to Ascension Island. The UK Government will work closely with the Ascension Island Government to encourage airlines to fly there. A prospectus will be issued in early 2004.

The opening of the airfield is part of the modernisation process of Ascension Island. In 2002 a fiscal regime was introduced and the first ever Island Council was formed. The Ascension Island Government is working to continue this process and is preparing a strategic plan providing a vision for the Island for the next five years. A copy of the Wideawake Agreement will be laid before Parliament as a Command paper in due course.

HEALTH

Human Fertilisation and Embryology Authority

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): The Human Fertilisation and Embryology Authority's 12th annual report and accounts 2003 were laid before Parliament today.

Copies have been placed in the Library.

Written Ministerial Statements

Thursday 13 November 2003

HOME DEPARTMENT

Prison Service

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): The performance data for HMP Moorland and HMYOI Hatfield published in Appendix 1 of the Prison Service Annual Report and Accounts for 2002–03 are shown separately but should have been combined. In June 2002, HMYOI Hatfield became an integral part of HMP Moorland and it is not appropriate or accurate to show the figures separately. Indeed the figures for cost per prisoner and cost per place cannot be separated.

In Appendix 1 of the published Prison Service Annual Report and Accounts, establishments are categorised by their main role only. Establishments that have more than one role have been placed in the category that represents the primary or dominant function of the prison. For this reason, performance of prisons ostensibly within the same category cannot necessarily be compared on a like-for-like basis. Performance at the following establishments in particular during 2002–03 was affected by dual functionality:

Brinsford (YO/Juvenile)	Moorland (Closed/Open)
Castington (YO/Juvenile)	Onley (YO/Juvenile)
Durham (Adult Male/Female)	Stoke Heath (YO/Juvenile)
Feltham (YO/Juvenile)	Thorn Cross (YO/Juvenile)
Highpoint (Adult Male/Female)	Winchester (Adult Male/Female)
Lancaster Farms (YO/Juvenile)	Wealstun (Closed/Open)

A correction to the Prison Service Annual Report and Accounts 2002–03 covering these issues has been placed in the Library.

CABINET OFFICE

Regulatory Impact Assessments

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): The Government are committed to ensuring that regulations are necessary, give effective protection, balance cost and risk, are fair and command public confidence. In accordance with this, we require Departments to produce and publish RIAs for all regulatory proposals likely to have an impact on business, charities or voluntary bodies.

I have today presented to Parliament a Command Paper listing RIAs published between 1 January and 30 June 2003. Copies of those listed have been placed in the Libraries of both Houses. This is the 19th such Command Paper.

DEFENCE

Defence Industrial Policy

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The Government launched their Defence Industrial Policy in October 2002. We sought to maximise the economic benefit to the United Kingdom from our investment in defence and to enhance the competitiveness and global sustainability of our defence industry. Since we launched the policy we have worked closely with industry to develop and pursue a joint implementation plan. We have completed a review of progress over the first year. During this time our close and productive relationship with industry has developed further and we have agreed how we will take forward our common aims over the next few years.

The policy has been a significant driver in bringing together Government and industry, resulting in better communication and access to information. We both recognise that the policy is for the long-term and that it will take some time to measure the full effects on defence programmes and the industry that supports them. We remain committed to the policy and will continue to monitor its effectiveness and to develop best practice in this area among the MOD acquisition community. We will also continue to work to improve access to overseas defence markets and to maximise the benefits from our investment in research and technology. We will conduct a further review of progress in a year's time. Copies of the review have been placed in the Libraries of both Houses and on the Ministry of Defence and DTI websites.

Written Ministerial Statements

Monday 17 November 2003

EDUCATION AND SKILLS

Examinations System

The Secretary of State for Education and Skills (Mr. Charles Clarke): I am grateful to the Qualifications and Curriculum Authority (QCA), the other regulatory authorities and the examination boards for their hard work in ensuring that the exam system ran smoothly this year. It is nonetheless a system under strain. QCA has therefore developed proposals to ensure we have an examinations system fit for the 21st century which will support rising standards in schools and colleges.

I am announcing today that I shall be making some £50 million available to QCA in each of 2004–05 and 2005–06 by reprioritising from within my existing resources. In doing so, I remain committed to ensuring that schools are properly funded. The resources released for modernisation will not impact on the money available for school funding.

The overall programme will include improving the supply and quality of examiners; upgrading examinations offices in schools and colleges and supporting the work of examinations officers; improving the system for the transfer of information between schools, colleges and awarding bodies; and streamlining and making more secure the movement of examination papers and scripts between awarding bodies, schools and colleges, and examiners. It will also cover some developmental work on increased use of ICT in the examinations system, including some piloting of e-marking. The programme will also cover some short-term work aimed at reducing the assessment load and complexity.

QCA are also proposing to establish a new National Assessment Agency. This body would still be accountable to QCA's Chief Executive and Board. It would work with the examination boards to secure the long-term viability of the examination system and lead the way in modernising it through the five strands of work which I have announced today, including through the use of its own ring-fenced budget. It would also be responsible for administering the tests that take place at the end of each key stage, but not for the regulatory functions which would remain with the main QCA. The establishment of the new agency would thus ensure that these two potentially conflicting responsibilities are kept apart.

This programme of work represents a considerable investment in the examinations system. I believe it will make for an efficient, robust and modern examinations system such that our young people deserve.

DEPUTY PRIME MINISTER

Homeless Households

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I am pleased to announce today that in the light of positive responses to the public consultation on the Government's proposals to improve standards of temporary accommodation for homeless households we intend to:

Make an Order under s.210 of the 1996 Housing Act to come into force on 1 April 2004 to end the long-term (defined as more than six weeks) use of Bed and Breakfast (B&B) accommodation as temporary accommodation for homeless families with children or where a member of the household is pregnant;

Issue statutory guidance to bring together and re-state existing minimum standards for all temporary accommodation used by housing authorities to accommodate homeless families and individuals under the legislation;

Issue statutory guidance on additional standards that should apply to B&B accommodation where this is used by housing authorities to accommodate homeless families and individuals under the legislation; and

Issue statutory guidance on the arrangements that should be put in place to ensure that all households placed in temporary accommodation by housing authorities under the legislation receive support to ensure that their health, education and welfare needs are met.

A summary of responses to the consultation will be made available on the Office of the Deputy Prime Minister's website http://www.odpm.gov.uk/.

Written Ministerial Statements

Tuesday 18 November 2003

HOME DEPARTMENT

Anti-Terrorism, Crime and Security Act (Detentions)

The Secretary of State for the Home Department (Mr. David Blunkett): Sixteen foreign nationals have so far been detained using powers in Part IV of the Anti-terrorism, Crime and Security Act 2001. Eight were detained in December 2001, one in February 2002, two in April 2002, one in October 2002, one in November 2002, two in January 2002 and one in October 2003. One further individual has been certified under Part IV of the ATCS Act in August 2003 but is detained under other powers.

Of the total detained, two have voluntarily left the United Kingdom. The other fourteen remain in detention.

My decisions to detain these individuals were made on the basis of detailed and compelling evidence. That evidence is being examined by the Special Immigration Appeals Commission as the individuals' appeals are heard, as provided for under the ATCS Act. The Commission is equivalent to the High Court. It has the power to overturn my decisions.

Where terrorism is concerned, our paramount responsibility is to ensure public safety and national security. So long as the public emergency subsists, where a person is suspected of terrorism but cannot currently be removed and for whom a criminal prosecution is not an option, we believe that it is necessary and proportionate to provide for extended detention, pending removal.

DEPUTY PRIME MINISTER

Housing Revenue Account Subsidy (2004–2005)

The Minister for Housing and Planning (Keith Hill): The Office of the Deputy Prime Minister consulted local authorities and others over the summer on proposals to introduce a new and fairer way of allocating management and maintenance (M&M) allowances within Housing Revenue Account (HRA) subsidy. The new approach was designed to take better account of the challenges now facing local authorities, including low demand and tackling anti-social behaviour. We also consulted on proposals about the treatment of debt charges within the HRA subsidy system in light of the new prudential borrowing regime. There was general support for our objectives, and we are today issuing final proposals for 2004–05 for consultation. These take account of a number of changes made in response to suggestions made to us by local government.

The proposed M&M allocations see significant increases for many authorities, with national increases in both management and maintenance allowances of 6 per cent. in real terms. This, and associated technical changes to the allowances to take account of rent restructuring, will provide local government with an extra £133 per dwelling compared with 2003–04.

To protect those authorities that would otherwise see a reduction in M&M allowances, the Office of the Deputy Prime Minister is proposing generous transitional protection so that all authorities receive at least an inflation level increase per dwelling for both 2004–05 and 2005–06. We intend that transitional protection should continue beyond that period, subject to the outcome of the next Spending Review.

We are also proposing that the Major Repairs Allowance should increase in line with inflation next year, and that local authorities should move their rents gradually towards their restructured rents, with average increases nationally of 1.5 per cent. in real terms.

From 2004–05, rent rebates will no longer be accounted for in the Housing Revenue Account and will no longer be subsidised through the HRA subsidy system. Instead, my right hon. Friend the Secretary of State for Work and Pensions will allocate subsidy for rent rebates alongside his responsibilities in respect of subsidy for rent allowances and council tax benefit. Rent rebate subsidy limitation will continue to operate. There will be transitional arrangements to prevent this move from the HRA to the General Fund affecting council tax payers in 2004–05.

On the capital side, the redistributive mechanism of set-aside is being replaced by pooling. Housing capital receipts will be pooled in the year they arise. Following consultation on the new subsidy arrangements, therefore, reserved receipts that have arisen in 2002–03 and 2003–04 (except those arising from large scale and small scale voluntary transfers) will not now be taken into account in the calculation of HRA subsidy entitlement.

The requirement to set aside funds from revenue for debt repayment has been abolished in the HRA, along with the corresponding subsidy element. In some cases, this will have a negative effect on authorities' finances. We are therefore proposing a new allowance, which will compensate authorities over the next three with a reducing proportion of any loss.

Copies of the draft HRA subsidy and Item 8 determinations for 2004–05, as well as the draft general determination of administration of HRA subsidy 2003 and supporting material, are being placed in the Libraries of the House, and will be available on the Office of the Deputy Prime Minister's web site www.odpm.gov.uk/housing/consult/. These allocations are based on the most up-to-date information available to us from authorities, and may change as that information is refined. Authorities have until 16 December to comment on the draft determinations.

FOREIGN AND COMMONWEALTH AFFAIRS

Man-portable Air Defence Systems

The Minister for Europe (Mr. Denis MacShane): Man-Portable Air Defence Systems (MANPADS) are surface to air missiles, usually shoulder-launched and fired by an individual or more than one individual, acting as a crew. The Government are committed to preventing them from falling into the wrong hands. They are designed for military air defence use, but, in the hands of terrorists, they have been, and could again be, used against civil aviation. The House will recall that in November 2002 in Mombasa terrorists only narrowly missed downing a commercial aircraft using such a weapon.

The international community is responding to this threat by a range of actions including strengthening export controls on MANPADS. The Prime Minister and other G8 Leaders, meeting at Evian in June 2003, expressed their deep concern about the threat posed to civil aviation by MANPADS, especially in the hands of terrorists or countries that harbour them. The G8 meeting agreed an Action Plan to Enhance Transport Security and Control of MANPADS. The Action Plan contains five measures, including an agreement to: "ban the transfer of MANPADS to non-state end users, MANPADS should only be exported to foreign governments or to agents authorised by a Government"

The Government assess export licence applications on a case-by-case basis against the Consolidated EU and National Arms Export Licensing Criteria. This involves considering amongst other factors, the risk of diversion or re-export under undesirable conditions, including to terrorists. The Consolidated Criteria also provide that the Government will not issue an export licence if approval would be inconsistent with the UK's international commitments regarding the application of strategic export controls.

Taking the criterion of UK adherence to international commitments into account, the Government will therefore consider any licence applications for the export of MANPADS to any non-government body in the light of the G8 Action Plan commitment mentioned above. This is consistent with our current export control practice.

In the case of any licence application for the export of MANPADS to Governments or to any agents authorised by governments, the Government's assessment under the Consolidated Criteria will also be informed by consideration of the proposed export against the "*Elements for Export Controls of Man-Portable Air Defence Systems (MANPADS)*" agreed in the Wassenaar Arrangement on Conventional Arms and Dual-Use Goods and Technologies. These provide that exports of MANPADS may only take place if a range of strict conditions to prevent diversion or leakage of these weapons to unauthorised end-users are met. This document is available at http://www.wassenaar.org/. The Government are playing an active role in discussions to update and strengthen the Wassenaar document.

The Action Plan also commits G8 countries to "ensure strong national regulation of production, transfer and brokering" (of MANPADS). The Government's secondary legislation under the Export Control Act 2002, laid before Parliament on 31 October 2003, implements this commitment. This legislation introduces controls on the brokering of all equipment on the UK's military list, including MANPADS, where any part of the transaction is carried out in the United Kingdom. It represents a very significant step in preventing the involvement of UK persons in undesirable arms transfers. To counter the terrorist threat from MANPADS the Government will decide over the next few months whether anything further needs to be done to control brokering of these weapons.

CULTURE, MEDIA AND SPORT

Export of Objects of Cultural Interest (Control) Order 2003

The Secretary of State for Culture, Media and Sport (Tessa Jowell): I have today laid The Export of Objects of Cultural Interest (Control) Order 2003 (SI 2003/2759) made under the auspices of the Export Control Act 2002 before Parliament. In addition to this the Statutory Guidance required under the same Act about the general principles to be followed when exercising licensing powers on objects of cultural interest was also laid.

DEFENCE

Ministry of Defence Police

The Secretary of State for Defence (Mr. Geoffrey Hoon): In light of the recommendations made by the House of Commons Defence Committee as a result of the introduction of the Anti-Terrorism, Crime and Security Act 2001, I am pleased to place in the Library of the House on behalf of the Ministry of Defence Police their Operational Report for the year 2002–03.

Written Ministerial Statements

Wednesday 19 November 2003

HOME DEPARTMENT

Police Funding (Allocations of Grant)

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): I have today placed in the Library a copy of the Home Secretary's proposals for allocation of police grant for England and Wales in 2004–05. The Home Secretary and I intend to implement the proposals subject to consideration of any representations we receive about them, and to the approval of the House.

Funding the police properly remains a top priority for this Government. The settlement for 2004–05 builds on significant extra resources for policing in England and Wales over the last three years. Since 2000–01 total provision for policing to be supported by grant or spent centrally on services for the police has risen by over £2.3 billion or over 30 per cent.

Total provision for policing to be supported by grant in 2004–05 will be £10,086 million. This is a cash rise of £403 million or 4.2 per cent. over the provision for 2003–04. This includes principal formula police grant, specific grants, capital related grants, direct Home Office spending and the formula spending on which revenue support grant is based.

I have decided, exceptionally this year, to provide a standard general grant increase of 3.25 per cent. for each police authority in England and Wales. I recognise the financial pressures on police authorities and I am concerned to avoid excessive burdens on local taxpayers. My approach should help ensure that precepts are kept at a sustainable level and that policing services continue to improve. The grant increase is sufficient to cover inflation, in particular the pay increases announced for next year.

In order to do this, I have added £140 million from wider Home Office resources and I have transferred into general police grant provision amounting to £100 million from existing and planned specific grants and central spending. These transfers will give police authorities greater scope to determine their own spending. We launched the National Policing Plan 2004–07 earlier this month. The overarching aim of the plan is to deliver enhanced police performance and public reassurance. Particular regard is given to the Home Secretary's priorities to provide a citizen focused service and to tackle the crimes that blight the lives of many. Other key priorities include tackling anti-social behaviour and disorder; continuing to reduce burglary, vehicle crime, robbery and drug-related crime and combating serious and organised crime. This settlement will support the priorities outlined in the National Policing Plan and continue to support our reform and modernisation process.

There is continuation funding for recruits under the Crime Fighting Fund and Community Support Officers who are playing an important role reassuring the public on our streets; more funding from the Street Crime Initiative that has seen street crime reduce by an estimated 7 per cent. in England and Wales in April—June 2003 compared with the same period last year; Basic Command Unit funding to deal with policing problems most effectively at local level; continuation of the Rural Policing Fund to improve policing for communities with the most widespread populations; funding from the DNA Expansion Programme and other schemes to allow forces to make the most of new technology.

In this statement, I want to outline the wider provision for support for the police service in England and Wales.

THE POLICE GRANT SETTLEMENT

We propose to distribute the settlement as follows:

Table 1: Police funding settlement for 2004–05 compared to 2003–04

£ million[1]

	2003–04	*Provision 2004–05*	*Variance £ million*	*Variance Per cent*
1. Direct funding for police authorities:				
Home Office Police grant	4,288	4,380	92	2.1
Formula spending share[2]	3,776	3,988	212	5.6
Specific grants for police authorities	663	657	−6	−0.9
2. Capital Grants and Support	333	355	22	6.6
3. Central spending on policing[3]	623	706	83	13.3
Grand total	9,683	10,086	403	4.2

[1] Rounded to £ million

[2] Includes Revenue Support Grant/National Non Domestic Rates grants and product of assumed national council tax precept. Both years' figures exclude technical adjustment for resource equalisation (£600 million).

[3] Includes provision for NCS/NCIS and Airwave core service charges.

Police funding proposals within the Local Government finance system are being announced by my right hon. Friend Ministerial title the member for Greenwich and Woolwich today, and by the Welsh Assembly Government.

Provisional general policing grants (ie Home Office Police Grant, Revenue Support Grant and National Non Domestic Rates) for English and Welsh police authorities in 2004–05 compared with 2003–04 are given in Table 2.

METROPOLITAN POLICE FUNDING

Grant for the MPA will increase from £1,764.1 million to £1,822.3 million; a cash increase of 3.25 per cent. in line with all other police authorities. I have increased the formula provision for the MPA national and capital city functions from £202 million to £207 million to keep the formula up to date so that the MPA will receive appropriate benefit in future years. The MPA will receive separately provision for counter-terrorism, continuing funding made available this year. Details will be announced at a later stage. £15 million will also be made available to fund 750 CSOs recruited since 2002. The MPA will be eligible for specific grants from the Crime Fighting Fund, the Basic Command Unit Fund and the Street Crime Initiative.

SPECIFIC GRANTS FOR POLICE AUTHORITIES

In addition to increased general grant, police authorities will continue to receive extra funding through several specific grants for particular schemes. Targeted grants were introduced as a direct response to what the police service and the public told us they wanted. Specific grants enable us to target funds to the areas where they are particularly needed.

The measure of the success of specific funding is now clear. We have record police numbers helped by the Crime Fighting Fund; increased support for those living in rural areas; the Street Crime Initiative has helped reduce street crime; recruitment problems in London and the South East have been tackled through increased or new allowances for officers; the presence on our streets of Community Support Officers is providing the public with reassurance.

Provision for specific grants in 2004–05 will be £657 million, a little lower than in 2003–04. This has enabled us to maximise general grant which may be spent at the discretion of police authorities.

THE MAIN SPECIFIC GRANTS ARE:

Crime Fighting Fund: £277 million will be provided to forces in 2004–05. This Fund has been a remarkable success. With the help of this Fund the Home Secretary's target of 132,500 officers by March 2004 was exceeded by nearly 4,000 this August. We will continue to pay for the 9,000 police officers recruited between April 2000 and March 2003 through the Crime Fighting Fund. I intend to pay for 60 per cent of the cost of the further 650 officers recruited under the Fund in 2003–04. The scheme will not be expanded further in 2004–05.

Counter Terrorism: As last year, we will continue to provide additional funding to the Police Service to enable it to respond to the increased threat from international terrorism. This funding will be provided to both the Metropolitan Police Service and provincial forces in England and Wales and is in addition to existing funding streams for Counter Terrorism and Security.

Basic Command Unit (BCU) funds: £50 million will be provided for BCUs. These are at the forefront of local policing. The grant is targeted towards forces with BCUs in high crime areas to help reduce crime in partnership with Crime and Disorder Reduction Partnerships. The money is directed so that all forces in England and Wales receive a proportion of the pot.

Special Priority Payments: The pay and conditions package agreed by the PNB in May 2002 introduced new elements into police pay such as payments for the most experienced officers who can demonstrate a high level of professional competence and extra rewards for officers in the most difficult and demanding posts. I have split the allocation for 2004–05. £50 million will be available as a specific grant for special priority payments in 2004–05. A further £9 million has been rolled back into general grant.

Community Support Officers (CSOs): £41 million funding will be available to support the costs of CSOs who free up police officer time, play a crucial role in providing reassurance and who have some powers to deal with low level crime and anti-social behaviour. The provision will continue to fund CSOs recruited in 2002–03 and 2003–04.

Rural Policing Fund: £30 million is again provided for the particular needs of the 31 forces with the most widespread populations.

Street Crime Initiative: Additional funding of around £25 million is being made available to support continued police operations against street crime. Distribution will be determined in December 2003.

We will, as well, make available funding for the following:

Seventy five per cent. of the cost of the London and South East Allowances (£49 million).

Funding support for the cost of free travel for Metropolitan and City of London officers (£3.2 million).

Promotion of volunteering within the Police Service (£7 million).

Workforce Modernisation Implementation Fund. We have allocated £5 million in 2004–05 to support forces in developing an effective skills mix of police staff and police officers.

The Home Secretary is committed to the DNA Expansion Programme and the benefits that it is delivering. Funding is provided for the continuation Programme.

POLICE AUTHORITY CAPITAL

The Home Secretary and I intend to allocate provision of capital grant for 2004–05 in December.

In addition capital grants for the introduction of Airwave will be made available to those authorities taking up the radio communications service in 2004–05.

There will be capital provision for the case and custody project of the Criminal Justice IT system. This will be supported by resource funding.

£40 million is being provided for the capital costs of developing the Metropolitan Police Authority's Command Control and Communications Information (C3i) System. In total £140 million is being provided towards this project.

CENTRAL SPENDING ON POLICING

Central spending on policing will total £706 million. The main specific items are the DNA expansion programme, the National Strategy for Police Information Systems and the Airwave contractor's core charges. In addition, provision is made for the costs of organisations supporting policing, mainly the Police Information Technology Organisation (PITO), Centrex (the Central Police Training and Development Authority), National Criminal Intelligence Service/ National Crime Squad and scientific and technical facilities.

EFFICIENCY

The settlement continues to take account of the Home Secretary's commitment to improve efficiency and effectiveness in the police service. Guidance on efficiency plans for 2004–05 will be issued shortly. Future Police Grant allocations will be considered in the light of police authorities meeting the current target for 2 per cent. efficiency improvements. The efficiency target will be examined during the Spending Review 2004. Targets reflecting each authority's circumstances may be more appropriate than a universal one. We shall also be considering the balance between cash releasing efficiencies and those which are the result of service improvements.

CONCLUSION

We are continuing to invest substantially in the police service to ensure delivery of an effective and efficient police service that has the support and confidence of all communities. We have listened carefully to the concerns of police authorities in determining this settlement. We have ensured that all forces will receive an increase of 3.25 per cent. in general grant which is well above general inflation of 2.6 per cent. This settlement provides the resources to help the police do their job more effectively, building on a strong platform of record police officer numbers, a growing policing community and reduced levels of crime.

Table 2: Police grant allocations by English and Welsh police authority

Police Authority	*2003–2004 Allocation*[1] *£m*	*2004–2005 Allocation*[1] *£m*	*% Change*[4]
English Shire forces			
Avon & Somerset	157.1	162.2	3.3%
Bedfordshire	60.1	62.1	3.3%
Cambridgeshire	71.1	73.4	3.3%
Cheshire	103.9	107.2	3.3%
Cleveland	84.1	86.8	3.3%
Cumbria	57.7	59.6	3.3%
Derbyshire	97.9	101.2	3.3%
Devon & Cornwall	161.5	166.7	3.3%
Dorset	61.6	63.6	3.3%
Durham	81.5	84.2	3.3%
Essex	155.9	160.9	3.3%
Gloucestershire	57.0	58.9	3.3%
Hampshire	184.5	190.5	3.3%
Hertfordshire	101.5	104.8	3.3%
Humberside	110.9	114.6	3.3%
Kent	176.8	182.6	3.3%
Lancashire	177.1	182.9	3.3%
Leicestershire	98.8	102.0	3.3%
Lincolnshire	58.7	60.6	3.3%
Norfolk	79.6	82.2	3.3%
North Yorkshire	70.4	72.7	3.3%
Northamptonshire	62.2	64.3	3.3%
Nottinghamshire	123.6	127.6	3.3%
Staffordshire	105.8	109.2	3.3%
Suffolk	63.9	66.0	3.3%
Surrey	85.4	88.2	3.3%
Sussex	153.1	158.1	3.3%
Thames Valley	205.9	212.6	3.3%
Warwickshire	48.2	49.8	3.3%
West Mercia	104.4	107.7	3.3%
Wiltshire	58.7	60.6	3.3%
English Metropolitan forces[2]			
Greater Manchester	380.8	393.3	3.3%
Merseyside	240.5	248.4	3.3%
Northumbria	214.3	221.4	3.3%
South Yorkshire	172.3	178.0	3.3%
West Midlands	386.5	399.4	3.3%
West Yorkshire	289.4	298.9	3.3%
London forces			
GLA-Police	1764.1	1822.3	3.3%
City of London	32.5	32.7	N/A
English Total	6,699.2	6918.2	3.3%
Welsh forces[3]			
Dyfed-Powys	49.3	50.9	3.3%
Gwent	69.6	71.8	3.3%
North Wales	73.3	75.7	3.3%
South Wales	162.9	168.2	3.3%
Welsh total	355.1	366.6	3.3%
Total	7,054.3	7,284.9	3.3%

Notes:

[1]. Rounded to the nearest £100,000. Grant as calculated under the Local Government Finance Report (England) and Local Government Finance Report (Wales). This includes the Metropolitan Police special payment, and the effects of floors and ceilings.

[2]. Figures for the City of London are Police Grant only. RSG is allocated to the City of London in respect of all functions and is unhypothecated. The City of London is grouped with education authorities for the calculation of grant floors and ceilings and receives an increase of 10.57 per cent.

[3]. Figures for Welsh exclude any adjustments for capital financing. In addition to the general grant increase, North Wales will receive support for a new PFI project.

[4]. A "Floor" increase of 3.25 per cent. has been applied to all police authorities. Minor variations from 3.25 per cent. in the increase in grant occur mainly due to capital financing adjustments. Percentage increases are rounded to one decimal place.

CULTURE, MEDIA AND SPORT

Draft Gambling Bill

The Secretary of State for Culture, Media and Sport (Tessa Jowell): I have today published the major sections of the draft Gambling Bill for pre-legislative scrutiny.

The Bill will make major changes to the way in which gambling is regulated and controlled in Great Britain. It will build on the work undertaken by Sir Alan Budd and the Gambling Review Body that he led.

It is based on the three key principles:

First, the principle that the system of gambling law and regulation must keep the gambling industry free of crime. Our industry has a high international reputation for integrity, which must not be put at risk;

Second, the law must ensure that gambling is conducted fairly, so that players know what to expect; and

Third, there must be effective protection for children and the vulnerable.

The current laws on gambling dating back to the 1960s have failed to keep pace with rapid technological change. Attitudes to gambling have changed too. The law needs to be modernised but we must make sure that it is flexible enough to cope with further change.

However, modernisation does not mean a gambling free for all and reform must not be allowed to generate an upsurge in problem gambling. The provisions published today combine a managed relaxation of outdated restrictions with the strongest protections for children and the vulnerable. Following reform, there will be greater choice for adults but there will remain important limitations on what types of gambling are available and where they can be located.

INVESTOR IN PEOPLE

In A Safe Bet for Success (published in March 2002, Cm 5397) we accepted the vast majority of the Gambling Review's recommendations. Since then, we have been working closely with the interested industries, representatives of groups encouraging responsible gambling, local authorities, consumer groups, other Government Departments and the devolved administrations to prepare draft legislation that would give effect to this new system of regulation.

The proposals published today build on and subsume the draft clauses published in July 2003. They will simplify regulation by establishing a single regulator for commercial gambling. The Gambling Commission will have wider functions, greater flexibility to act and stronger enforcement powers than the Gaming board that it will replace. Local authorities will license all types of gambling premises, to ensure that local people have a say in where gambling outlets are sited. The draft Bill will keep crime out of gambling and protect the industry's reputation for integrity and excellence. The Gambling Commission will be a strong, effective regulator and will root out illegal gambling; its staff will have statutory powers of entry, search and seizure.

The draft Bill also removes unnecessary restrictions on the ability of business to meet consumers' wishes. The rule allowing casinos to be established only in designated parts of the country will be abolished, as will the rule requiring membership of a casino or bingo club at least 24 hours before playing. Remote gambling, for example on the Internet, interactive TV and through mobile telephones, will be licensed and regulated effectively in Great Britain for the first time.

The published clauses also strengthen safeguards protecting children and the vulnerable. The current minimum age limits for access to gambling products will be retained and enforced strongly. The draft Bill also includes reserve powers for a statutory levy on gambling operators. These powers will be used if the gambling industry does not keep its promises to contribute to a charitable trust funding research, prevention and treatment programmes for problem gambling.

A Joint Committee of both Houses has been convened to examine the Government's draft proposals. I am confident that what they will scrutinise is a set of mature proposals that will achieve a sensible reform of the law on gambling. Such scrutiny will improve the legislation and build parliamentary understanding and public confidence, enabling us to strike the right balance between deregulation and the protection of young and vulnerable people.

I intend to publish the remaining sections of the draft Bill early next year.

DEFENCE

Medical Supply Agency

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Key targets have been set for the Chief Executive of the MSA for Financial Year 2003–04. The targets build on the progress already made by the Agency since it formed in March 1996 and are as follows:

KEY TARGET 1

Meeting Operational Medical Equipment and Materiel Requirements

To build and deliver, to schedule and within budget, all modules on the Operational Build programme as agreed with our key customers, the Defence Medical Services Department (DMSD), and to meet all authorised operational requirements for equipment, medical consumables and blood products.

KEY TARGET 2

Meeting the Medical Equipment and Materiel Requirements for the in-year Exercise and Training Programme

To build and deliver, to schedule and within budget, all modules on the Exercise and Training Build Programme as agreed with DMSD, and to meet all authorised requirements for equipment, medical consumables and blood products.

KEY TARGET 3

Meeting Customer Requirements

To meet demands for Category B items (commonly used items with a unit cost of less than £100 and approved by DMSD) from units and authorised demanders in the UK and overseas within the MSA Charter Response Times (Next Day, 3 Days), as follows:

	Per cent
(a) Top 250 by value	
Within Charter Response Time	95
Follow up (within 5 days)	97
(b) Overall	
Within Charter Response Time	90
Follow up (within 5 days)	97

KEY TARGET 4

Procurement of Medical Equipment

Develop and implement a strategy to improve medical equipment and materiel Whole Life Management with our customers.

KEY TARGET 5

MS A Change Programme

To work with our customers and stakeholders with the objective of delivering the key elements of the MS A Change Programme which will deliver significant

improvements in the effectiveness and efficiency of the medical supply chain, contribute to CDL's strategic objectives, and improve delivery to our customers.

Armed Forces Pension Scheme

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): After the introduction of the Armed Forces Pension Scheme (AFPS) in 1973, the Royal Air Force has, for the purposes of awarding pensions, been reviewing War Pension Scheme decisions on whether injuries, ill-health or deaths were due to service using the normal civil standard of proof ("balance of probabilities"). The War Pension Scheme uses a "beyond reasonable doubt" standard in favour of the claimant for the first seven years after leaving service. This interpretation of AFPS scheme regulations was challenged in a complaint to the Pensions Ombudsman who found in favour of the claimant, Mrs Hulme. The Ombudsman's decision was upheld on appeal in the High Court and has today been further upheld in the Court of Appeal on the basis that the relevant regulations required AFPS administrators to accept the decision on attributability taken under the War Pension Scheme. I have decided that the Ministry of Defence will not seek leave to appeal the Court of Appeal judgement further to the House of Lords.

Following this decision, the Department will now review previous decisions on entitlement to attributable pensions for those conditions that led to invaliding or to death-in-service where AFPS administrators have previously not accepted War Pension Scheme decisions on attributability. Awards will be backdated and the Department will consider compensation to reflect the effect of inflation on the value of pensions over the period of non-payment. I expect to make a further announcement on this matter early in the New Year.

Initial research indicates that the incorrect interpretation of the regulations is likely to have affected Royal Air Force compensation payments since soon after 1973, and Army and perhaps some Royal Navy claims since 2000.

We do not know how many pensioners are likely to have been affected or the likely cost. However, a substantial number of pension award decisions will need to be reviewed to ensure that all those at risk are identified. At present, we expect it to take around a year to complete this review. Payments will be made as soon as possible. We will also be using appropriate advertising to publicise to the ex-Service community those categories of pensioner who might be affected and how claims can be lodged. We will consider these as quickly as possible. The judgement does not affect the benefits paid under the War Pension Scheme.

The Department will abide fully by the Court of Appeal decision with respect to claims from the past or where a decision is still pending. However, I have decided that, for the future, as soon as the relevant changes can be made to secondary legislation, the Department should establish the right of AFPS administrators to take a second decision on attributability, using the balance of probabilities standard of proof. This is the standard of proof used for other public service occupational schemes, as well as for decisions in the civil courts and for the recently proposed new Armed Forces Compensation Scheme.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Autumn Performance Report

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): The 2003 Autumn Performance Report, which highlights my Department's progress against all its outstanding Public Service Agreement targets, will be published on 21 November. Copies will be placed both Libraries of the House.

Written Ministerial Statements

Thursday 20 November 2003

INTERNATIONAL DEVELOPMENT

Rwanda

The Secretary of State for International Development (Hilary Benn): I am today placing a copy in the Library of DFID's Country Assistance Plan for Rwanda over the next three years.

Rwanda has made extraordinary progress since the 1994 genocide, which claimed the lives of over 800,000 Rwandans—1 in 10 of the population. The country is at peace, the economy is stable and growing, access to quality education and health services is increasing rapidly, and the incidence of poverty is declining, from around 70 per cent. in 1994 to under 60 per cent. in 2001. But the challenge remains immense. All of Government's actions are driven by the need to reconcile the people and build a new "Rwandan" (rather than ethnic) identity. This will take time. Meanwhile, it must balance the need to open up space for legitimate political debate with the reality of extreme social fragility. The price of failure may be renewed conflict.

The UK will remain Rwanda's major bilateral development partner. Recognising Rwanda's traumatic past, its continuing severe needs, the potential for instability in the region, and the Government of Rwanda's commitment to poverty reduction and to establishing a democratic and inclusive state, DFID's programme will rise from £37 million in this financial year to £42 million next year and £47 million the year after. Two-thirds of our programme will continue to be delivered as direct budgetary support, to help finance the Government of Rwanda's own strategy. DFID believes that where adequate government structures and systems are in place, such support can have the greatest impact on poverty. We will continue our support for capacity building around Government's strategic planning and budgeting processes, revenue collection and education. We will also develop two major new programmes, aimed at supporting rural livelihoods and at strengthening the capacity of civil society organisations to represent Rwandan citizens and progressively secure their human rights.

Our engagement with the Government of Rwanda will continue to be based upon the joint commitments set down in the UK/Rwanda Memorandum of Understanding. These commitments include: the promotion of peace and stability within the Great Lakes region, including the promotion of transparency and legality of the exploitation of the region's natural resources; the promotion and protection of all human rights, and; establishing a democratic and inclusive state. We have a substantive and honest dialogue with the Government of Rwanda on progress towards these commitments, supported by an annual independent review. Should we believe that the Government of Rwanda is not honouring the commitments made in the Memorandum of Understanding, and where the consultation process provided for within the Memorandum of Understanding fails to satisfy our concern, then the UK Government reserve the right to amend or suspend our engagement with the Government of Rwanda. Our analysis, and that of the independent review, is that the Government of Rwanda remains committed to progressively securing all human rights for its citizens and to establishing a democratic and inclusive state. Our engagement will help the Government of Rwanda to make good on those commitments.

TRANSPORT

Streetworks

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): Regulations under section 74A of the New Road and Street Works Act 1991 allow highway authorities to charge utility companies a daily rate, commonly known as "lane rental", whenever the latter carry out works in the street. The powers have not, as yet, been activated nationally, but are being tested in pilot schemes in the London Borough of Camden and in Middlesbrough.

The Department for Transport appointed consultants, Halcrow, to monitor the effectiveness of the powers in reducing disruption on the highway. Halcrow have now produced their first annual report, covering the period March 2002 to February 2003. The report consists of two volumes; Volume 1 is the main report and Volume 2 contains accompanying tables and charts. Copies of each have been placed in the Libraries of both Houses.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): On 15 November, Jalal Talabani, President of the Iraqi Governing Council, announced a programme and timetable for a new constitution and elections in Iraq. Under the plan, the Governing Council will draft a Fundamental Law by February 2004, which will be based on the respect of human rights, freedom of speech and religious tolerance. The Fundamental Law will apply for the transitional period until full national elections.

A Transitional National Assembly will be established by June 2004 through transparent and democratic caucuses at provincial and local level, facilitated by the Governing Council and the Coalition Provisional Authority (CPA). The Assembly will elect an executive and ministers as the Iraqi Transitional Government by July 2004, by then, the progressive handover of executive and legal authority from the CPA will be complete, and the Coalition's legal occupation will come to an end. The Transitional Government will oversee elections to a Constitutional Convention by March 2005, which will promulgate a new permanent

constitution for Iraq. A referendum on the new constitution will take place before full elections of a new representative Iraqi government at the end of 2005.

The programme announced by Mr. Talabani is an important and welcome step forward, and comes in response to the wishes of Iraqis themselves. It should enable the coalition to fulfil the shared goal of ensuring a progressive transfer of executive and legislative authority to the Iraqi people as soon as possible. It responds to the Iraqi people's wish that the body tasked with writing a permanent constitution be elected. The plan will bring an earlier end to the status of the UK and US as occupying powers, and will enable the Iraqis to develop their democratic institutions leading to full direct elections for a new government.

The plan announced by Mr. Talabani will also meet the requirement under UN Resolution 1511 for the Iraqi Governing Council to report to the Security Council by 15 December with

"a timetable and a programme for the drafting of a new constitution for Iraq and for the holding of democratic elections under that constitution".

The Secretary-General of the UN, Kofi Annan, has said he is heartened by the announcement. I have already spoken to him and stressed that we will work with him to ensure the UN plays a vital role as set out in Resolution 1511.

Alongside this political progress, everyday life for Iraqis on the ground is steadily improving. Over 14,000 reconstruction projects have been launched. Almost all 240 hospitals and more than 1200 clinics are open, as are almost all schools. More than 200 newspapers have appeared. Satellite dishes, which were illegal under Saddam's regime, are now freely available and widely used. Electricity production has surpassed pre-conflict levels.

This announcement does not mean any reduction of our long-term commitment to Iraq. We stand ready to assist the Transitional Government in the task of rebuilding the country and its civilian institutions. We hope that other countries, international organisations, particularly the UN, and NGOs will continue to support us in this task, as envisaged at the Madrid donors' conference. Our military contribution to the multinational force of over 30 countries in Iraq will also continue, in agreement with the Iraqi Governing Council and Transitional Government, until the Iraqis themselves are able to assume full responsibility for their own security. Already Iraq's own security forces—so far 40,000 police, plus the Iraqi Civil Defence Corps and the New Iraqi Army—are growing in strength. They are working courageously with the support of coalition troops to combat the reactionary forces who want to deny the Iraqi people the security, representative government and prosperity they deserve. They can be confident of our support for as long as they feel it is required.

TREASURY

Inland Revenue

The Paymaster General (Dawn Primarolo): On 8 September 2003, I announced legislation for Finance Bill 2004 to ensure that, for Inland Revenue taxation matters, the usual six year time limits apply to common law actions for relief from the consequences of a mistake of law as apply for other actions to recover direct tax. The change applies to court actions brought on or after 8 September 2003. The intended effect is to restore balance to the tax system so that broadly similar time limits apply to assessments and repayments. Draft clauses for inclusion in Finance Bill 2004 were published at the time of the announcement.

Some claimants who had commenced proceedings before 8 September 2003 are seeking to amend their claims to add in years beyond the normal time limits. They are doing so because, under existing law, if the courts allow an amendment of this sort, it is deemed to be a new action started on the date of the original action. So it is arguable that the legislation announced on 8 September would not apply to such an amendment. And, other claimants may also seek to amend their existing claims to add in years beyond the normal time limits.

This places tax revenues at risk. And whilst the Inland Revenue may well succeed in opposing amendments to existing claims in the courts, I believe that this risk is unacceptable.

I am therefore announcing today amended draft legislation to ensure that tax revenues are further protected. The amended draft legislation will prevent amendments being made to proceedings for relief from the consequences of a mistake of law, commenced before 8 September, to introduce new periods of claim for years beyond the normal time limits. The change announced today will not, however, affect applications made to the court before today.

This draft clause is applicable to England, Wales and Northern Ireland. The draft legislation applying to Scotland is unchanged. This is because the new issue that has arisen is not relevant in Scotland.

Today's Inland Revenue News Release giving the relevant background to this measure and the amended draft clause for inclusion in Finance Bill 2004 have been deposited in the Library of the House and are also accessible on the Inland Revenue's website http://www.inlandrevenue.gov.uk/.

Written Answers to Questions

Monday 10 November 2003

CHURCH COMMISSIONERS

Church Repairs (VAT)

28. **Miss McIntosh:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners what recent representations the Church Commissioners have made on the reduction of VAT on church repairs. [137050]

Mr. Bell: The hon. Lady will be interested to hear that I am going to Brussels tomorrow with members of the Church of England VAT Group for meetings with UK representative officials and with Commissioner Frits Bolkestein.

I have also had a meeting with the Economic Secretary, who has been most helpful and supportive.

Clergy

29. **Mr. Ben Chapman:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners when the McClean review of clergy terms of service is expected to deliver its final report. [137051]

Mr. Bell: The review group will submit its first full report to the Archbishops' Council in December. It will look at ways of improving security for clergy who do not have freehold of office or employment contracts. The group hopes to submit its final report, which will consider the future of the freehold, by the end of 2004.

ELECTORAL COMMISSION

Parliamentary Boundaries

26. **Michael Fabricant:** To ask the hon. Member for Gosport, representing the Speaker's Committee on the Electoral Commission when he expects the Commission to absorb the functions of the bodies responsible for reviewing parliamentary boundaries. [137048]

27. **Mr. Steen:** To ask the hon. Member for Gosport, representing the Speaker's Committee on the Electoral Commission when the Electoral Commission will absorb the functions of bodies responsible for reviewing parliamentary boundaries. [137049]

Mr. Malins: I have been asked to reply.

I understand that the Government have not yet announced a date for the transfer to the Electoral Commission of the functions of the Parliamentary Boundary Commissions, as provided for in section 16 of the Political Parties, Elections and Referendums Act 2000.

Postal Voting

30. **Mr. Allen:** To ask the hon. Member for Gosport, representing the Speaker's Committee on the Electoral Commission if he will make a statement on progress with extension of postal voting. [137052]

Mr. Malins: I have been asked to reply.

It is for the Government, not the Electoral Commission, to take steps to extend the availability of all-postal voting. However, the Electoral Commission submitted recommendations to Government on the future use of postal voting at local elections in their report "The shape of elections to come" in July 2003. It has also been directed by Government to recommend up to three European Parliamentary regions where all postal pilots would take place at the European Parliamentary elections in 2004.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Packaging

Mr. Blizzard: To ask the Secretary of State for Environment, Food and Rural Affairs if she will take steps to require fast food outlets to use only biodegradable packaging. [134847]

Mr. Morley: We have no plans at present to require fast food outlets to use only biodegradable packaging. The concept of degradable plastics that are made from mineral oil (a fossil fuel resource) and specifically designed for disposal with no beneficial recovery potential, runs counter to the aim to increase recycling. In addition, if disposed of in landfill rather than, for example, being composted, biodegradable waste breaks down to release greenhouse gases. It is for this reason that the Landfill Directive requires member states to significantly reduce the amount of biodegradable waste going to landfill.

The Government do support the development of biodegradable plastics from non-fossil sources. The Government-Industry Forum on Non-Food Uses of Crops has concluded that there is a opportunity to produce compostable packaging materials in the UK. Defra is currently drawing up a Non-Food Crops Strategy. A draft is expected to be issued for consultation early in 2004.

The Government are also committed to reducing the incidents of fast food litter. We recently launched a consultation document entitled "Voluntary Code of Practice for the Fast Food Industry—Options for Reducing Fast Food Litter and Waste in the Local Environment". The consultation closes on 30 January 2004.

Climate Change

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the steps the Government is taking to ensure that the Kyoto Protocol becomes legally binding. [136111]

Mr. Morley: When the Kyoto Protocol enters into force, the targets it sets will become binding on the parties involved. In order for the Protocol to enter into force it must be signed by at least 55 countries including Annex 1 (developed) countries representing 55 per cent. of developed countries carbon dioxide emissions in 1990. Currently 119 countries representing 44.2 per cent. of emissions have ratified. Following withdrawal of the US from Kyoto in 2001, ratification by Russia is crucial to meet the 55 per cent. target and bring the Protocol into force.

The Prime Minister has written to President Putin twice this year to stress the importance of Russian ratification in the near future, and other ministerial colleagues press their Russian counterparts on the issue whenever appropriate. Officials also meet regularly with Russian counterparts and we have highlighted the significant economic, as well as environmental benefits to Russia if they ratify. We are confident that the Protocol will come into force in 2004.

Commercial Lobbyists

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what guidance her Department has issued on the *(a)* formal and *(b)* informal interaction between civil servants and commercial lobbyists. [137267]

Alun Michael: Matters of propriety and conduct such as formal and informal interaction between employees of Defra and commercial lobbyists are covered by the general requirements of the Civil Service Code. The Code, along with further detailed guidance and advice is reproduced in the department's staff handbooks. The Cabinet Office also issued formal guidance on contact with lobbyists and this was made available to ex-MAFF staff via Office Notice and is replicated in the ex-DETR Staff Handbook.

Crop Spraying

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs when her Department plans to introduce crop spray buffer zones for land next to housing. [137567]

Alun Michael: No decision has been taken to introduce crop spray buffer zones for land next to housing. A public consultation on the viability of no spray buffer zones closed on 31 October. A copy of the consultation paper will be placed in the House of Commons Library shortly.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effect on farmers of the introduction of crop spray buffer zones for land next to housing. [137568]

Alun Michael: The public consultation on the viability of the introduction of no spray buffer zones closed on 31 October. The responses will help to inform a full Regulatory Impact Assessment including a cost/benefit analysis of effects on farmers.

Export Health Certificates

Mr. Prosser: To ask the Secretary of State for Environment, Food and Rural Affairs how many export health certificates have been issued since 1 February. [135928]

Mr. Bradshaw: Since 1 February 2003, 207 export health certificates have been issued by the Department for Environment, Food and Rural Affairs (Defra) for exports of sheep. 145 of these certificates have been certified to enable exports to take place. Details of the number of certificates issued for exports to each country are set out in the following table. These figures are derived from the computer system used to issue export health certificates and are subject to updating and amendment. Figures for certificates issued by the Department of Agriculture and Rural Development, Northern Ireland (DARDNI) for exports of sheep will follow shortly.

Country of destination	*Breeding*	*Fattening*	*Slaughter*
Belgium	5	0	0
Denmark	1	0	0
France	12	49	0
Germany	4	2	0
Ireland	21	0	0
Netherlands	11	19	0
Sweden	1	0	0
Isle of Man	18	0	0
Oman	1	0	0
St. Helena	1	0	0
Total	75	70	0

Flooding

Mr Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what the flood defence budget will be in the next three financial years. [136555]

Mr. Morley: The Government is committed to maintenance and improvement of flood and coastal defences, including those to reduce the risk of coastal erosion as well as flooding. Central Government's spending plans for flood and coastal defence remain as announced following the 2002 Spending Review:

	£ million
2004–05	469
2005–06	564

These figures include Defra funding and funding from the Office of the Deputy Prime Minister through local authority mechanisms as well as an estimated £20 million revenue from a new funding stream in 2005–06.

Provision for 2006–07 will be set in the Government's next Spending Review in 2004.

Mr. Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what fiscal contribution district councils are required to make to flood defence capital projects. [136556]

Mr. Morley: District councils are empowered under the Land Drainage Act 1991 to undertake works to manage flood risk on watercourses which have not been

designated as "main rivers" (for which the Environment Agency has the requisite powers) and which are not in an internal drainage district (for which the relevant internal drainage board would have powers).

The district council is responsible for funding those projects which it directly promotes but Defra makes available grant aid at a rate of 45 per cent. for capital flood defence projects which meet the Department's criteria and (for those projects only) the council can also apply to the Department for a Supplementary Credit Approval to cover borrowing for the balance of expenditure after grant. The latter results in support from the Office of the Deputy Prime Minister (ODPM) through its local authority funding mechanism.

The authority primarily responsible for managing flood risk in England is the Environment Agency. The Agency obtains part of its funding for capital flood defence projects along with other aspects of this activity from county councils and unitary authorities in the form of levies agreed annually by the relevant Flood Defence Committee. However, it is the intention that these levies should be largely replaced from April 2004 by direct funding from Defra as my right hon. Friend the Secretary of State announced to the House on 12 March. An appropriate transfer of resource from ODPM to Defra will take place to reflect this change in funding. A further change we are making is to transfer responsibility from district councils to the Agency of those ordinary watercourses identified as creating the greatest flood risk.

Foot and Mouth

Mr. Beith: To ask the Secretary of State for Environment, Food and Rural Affairs which of the farms in the Alnwick area of Northumberland declared to be infected places in the foot and mouth epidemic were subsequently found to have no positive blood test results. [135916]

Mr. Bradshaw: Information relating to individual premises or farms is held by Defra in strict confidence and, in accordance with the Data Protection Act, cannot be released. Statistical information below county level cannot be released for the same reason, as it may enable premises to be identified. I can, however, report that in Northumberland, during the 2001 outbreak of foot and mouth disease, 75 out of 88 infected premises were sampled and 17 returned negative results.

A negative lab result does not mean that infection was absent. Each case was confirmed on the basis of a clinical diagnosis of foot and mouth disease by the vet on the farm, supported by convincing clinical evidence.

Landfill

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs how many incidents of pollution from landfill sites have been investigated in each of the last three years; how many prosecutions resulted; and what amount of fines was levied. [136110]

Mr. Morley: I refer the hon. Member to the reply given on 30 October 2003, *Official Report*, column 374W. All of the incidents referred to in that reply were investigated by the Environment Agency.

Large Combustion Plant Directive

Mr. Nicholas Brown: To ask the Secretary of State for Environment, Food and Rural Affairs which United Kingdom power stations have been granted derogation from the Large Combustion Plant Directive. [136025]

Mr. Bradshaw: So far the revised Large Combustion Plants Directive (2001/80/EC) has been implemented in the UK only for plants subject to it that were first licensed after July 1987, and it will not apply to other plants until 1 January 2008. Derogations under the Directive for these plants will be a matter for Environment Agency in England and Wales and their equivalents in rest of the United Kingdom. Operators of plants licensed before July 1987 may apply for a limited hours derogation before 30 June 2004. Such a derogation would allow the plant to be exempt from complying with the emission limits or the national emission reduction plan established under the Directive, but it would mean that the plant could operate for no more than 20,000 operational hours between 1 January 2008 and 31 December 2015. Other applications for derogations would be made nearer the time that the Directive applies.

Mr. Nicholas Brown: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to implement the Large Combustion Plant Directive in the north-east region. [136026]

Mr. Bradshaw: The Large Combustion Plants Directive (2001/80/EC) applies thoughout the United Kingdom. It has already been implemented for plants first licensed after July 1987. The Government have just completed a consultation on proposals to implement this Directive for plants first licensed before July 1987. We are considering the responses to that consultation and the Government will take a decision shortly on the most appropriate implementation approach; whichever approach is adopted would apply in the north-east region.

Nuclear Waste

Mr. David: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had about the possible siting of a new nuclear waste facility. [136048]

Mr. Morley: None.

Ozone Depleting Substances

Mr. Quentin Davies: To ask the Secretary of State for Environment, Food and Rural Affairs what quantities of CFC have been collected and safely destroyed from the licensed facilities operating in the UK under EU Regulation 2037/2000 on Ozone Depleting Substances in each year since implementation of the regulations. [133302]

Mr. Morley *[holding answer 30 October 2003]:* We are currently collating the figures and we will write to the hon. Member as soon as they are available.

Mr. Quentin Davies: To ask the Secretary of State for Environment, Food and Rural Affairs what the cost to public funds has been of implementing EU Regulation 2037/2000 on Ozone Depleting Substances in each year since implementation of the regulations. [133303]

Mr. Morley *[holding answer 30 October 2003]:* Most of the enforcement of EC Regulation 2037/2000 is carried out by agencies during the normal course of their duties. There are no estimates available of costs specifically related to this. The Environment Agency does not monitor the costs of implementing individual regulations. Charges are levied for applications and subsistence on waste management licences for storage and treatment sites and the Agency seeks to recover relevant costs, including site supervision.

However, with respect to waste implications of the Regulation, the principal public costs have fallen on local authorities. Local authorities in England received £40 million to assist with the costs of storing and processing refrigerators and freezers in 2002–03. This was in addition to £6 million provided for the period 1 January 2002 to 31 March 2002. Spending Review 2002 included future funding within the Environmental, Protective and Cultural Services block which will be distributed through Formula Standard Shares (FSAs).

Mr. Quentin Davies: To ask the Secretary of State for Environment, Food and Rural Affairs whether local authorities are permitted to offer contracts for the purpose of compliance with EU Regulation 2037/2000 on Ozone Depleting Substances to licensed facilities whose recycling plants have not passed validation tests. [133305]

Mr. Morley *[holding answer 30 October 2003]:* This issue is regulated through the duty of care under section 34 of the Environmental Protection Act 1990 which requires that the holder of waste: *(a)* may only pass it on to an authorised person such as a waste management licence holder or a person authorised for transport purposes, for example a registered carrier of controlled waste, and *(b)* should take all reasonable measures to prevent the fly tipping of waste or the escape of the waste from his control or that of any other person.

Generally, a fridge recycler cannot treat fridges until the recycling plant has been licensed and validated. However, the recycler or another party might properly store such fridges at a licensed storage site, pending treatment. Up until October 2002, the Environment Agency allowed operators to make applications and store fridges pending their determination. A local authority, for instance, could lawfully establish contracts with such operators in the expectation that their fridges would not be treated immediately.

Parrett Catchment Project

Mr Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what the level of capital funding from central government for the Parrett sluice is in 2003–04; and what role the Parrett catchment project has in the Parrett sluice. [136354]

Mr. Morley: Defra provides funding to operating authorities for capital flood defence schemes and related studies that meet set criteria and achieve an appropriate priority score. No applications have been received for capital works on the Parrett Sluice, but I understand the Environment Agency will be seeking grant on related studies in 2003–04.

Defra has provided funding to the Environment Agency for both the preparation of a Catchment Flood Management Plan for the River Parrett and strategic studies for the Lower Parrett and Tone. I understand that the Agency are consulting on the outcome of those studies, and that the Parrett Sluice is one of the options being considered. However the flood management strategy for the Lower Parrett and Tone has yet to be submitted formally to Defra for consideration, and it would therefore be inappropriate for me to comment on the options at this stage.

The Parrett Catchment Project is a partnership of all stakeholders with an interest on Flood Risk Management in the area, and will therefore be key to forming proposals which will be prepared by the Environment Agency.

Pesticides

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs how many pesticides are approved for use in the UK; and how many have *(a)* full approval and *(b)* provisional approval. [137262]

Alun Michael: A total of 4,096 pesticides are approved for use in the UK. Of these, 2,783 hold full approval and 1,313 are provisionally approved.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment the Pesticides Safety Directorate has made of the safety of the use of pesticides in school grounds and playing fields. [137263]

Alun Michael: The assessment of the safety of the use of pesticides in school grounds and playing fields is covered by the specific assessments carried out by the Pesticides Safety Directorate (PSD) when evaluating risks to human health prior to any decision to grant approval for the marketing and use of a pesticide.

There are an extensive range of legislative and administrative controls over the approval, storage, marketing and use of pesticides. Applicants for pesticide approvals must show that their products are effective, humane, and pose no unacceptable risks to human beings, non-target species, or the wider environment before approval will be granted. All pesticide manufacturers are required to provide a wide range of scientific data that are evaluated by scientific experts in the PSD or the Health and Safety Executive (HSE). These evaluations are then scrutinised by the independent experts of the Advisory Committee on Pesticides (ACP), who make recommendations to Ministers. Only when the Ministers responsible for pesticides, are satisfied on the basis of this expert advice that a pesticide can be used without unacceptable risk to people, animals, and the environment, will approval be given to put it on the market.

As part of the risk assessment process, the exposure of bystanders and persons re-entering the treated area is considered. Specific estimates of potential dermal and inhalation exposure are made and the risk assessed directly.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs how many of the pesticides in use in the United Kingdom which have only provisional approval have had this status for *(a)* one to three years, *(b)* three to five years and *(c)* more than five years; and if she will make a statement. [137264]

Alun Michael: As at 5 November 2003, of the pesticides currently holding provisional approval status in the UK,

(a) 450 have been provisionally approved for periods of one to three years;

(b) 308 have been provisionally approved for periods of three to five years;

(c) 344 have been provisionally approved for more than five years.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the amounts of pesticides used in grain stores in the United Kingdom. [137266]

Alun Michael: Assessments of the amounts of pesticides used in grain stores are carried out every four years, as a part of the Government's regular programme of surveys of pesticide use.

The most recent published results relate to grain harvested in 1998 and stored in the 1998–99 season. In total 13.31 tonnes of pesticides were used to treat the fabric of buildings, and 10.95 tonnes were used to treat stored grain.

The survey has been repeated for grain harvested in 2002 and stored in the 2002–03 season. Data from this survey are currently being assessed and it is expected that the results will be published early in 2004.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what procedures her Department has for monitoring the use of pesticides in food produce entering the United Kingdom. [137268]

Alun Michael: Pesticide residues in both imported and domestically-produced food are controlled through UK Regulations, which lay down Maximum Residue Levels (MRLs) for pesticide/commodity combinations covering the components of the UK diet.

The Government's monitoring programme for pesticide residues in both home produced and imported food is overseen by the independent Pesticide Residues Committee (PRC). Some 4,105 food samples were analysed in 2002 for a wide range of pesticides with the result that the number of individual pesticide/commodity combinations analysed was in excess of 180,000. The proportion of imports in each survey varies depending on the balance of imports and domestic produce on the market. Overall in 2002, 52 per cent. of the samples tested were imports.

All the monitoring results are published on a website: www.pesticides.gov.uk/committees/PRC/prc.htm

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs which EU countries impose a pesticide tax; and at what levels. [137286]

Alun Michael: We are aware of pesticide taxes in Belgium, Denmark, France, Norway and Sweden. To the best of our knowledge, the current tax rates applied are:

Belgium:
Two hundred and forty eight euros per kg of active ingredient for non-agricultural uses of pesticides containing atrazine, diuron, isoproturon, simazine and pentachlorophenol.

Denmark:
Tax levied as a percentage of retail price excluding VAT. Insecticides attract a 54 per cent. tax, herbicides 33 per cent. and non-agricultural pesticides 3 per cent.

France:
Seven tax bands for different active ingredients. Tax rate ranges from zero to about €1.68 euros per kg.

Norway:
Basic rate is NOK 15 per treated hectare multiplied by a banding factor of 0.5, 1, 4 or 8.

Sweden:
SEK 20 per kg of active ingredient.

Printer Cartridges

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the change in waste to UK landfills of excluding printer cartridges from the Waste Electrical and Electronic Equipment Directive; and if she will make a statement. [135888]

Mr. Morley: The Government have not undertaken an assessment on the change in waste to UK landfills as a result of not including printer cartridges in the scope of the WEEE Directive. The Directive applies to whole products placed on to the market and not to individual components, sub-assemblies or consumables, such as printer cartridges.

There are currently a large number of businesses which refill printer cartridges, and the Government would like to see this continue. Further, cartridges which are in a printer at the time it is discarded will have to be reused or recycled.

Recycling Plants

Mr. Quentin Davies: To ask the Secretary of State for Environment, Food and Rural Affairs whether licences have been issued to recycling plants before validation of plants has been completed. [133306]

Mr. Morley *[holding answer 30 October 2003]:* Yes. Licences for all such plant are issued before validation, so that the plant may store fridges at the site, and abide by the duty of care. However, validation is required before the plant can begin fridge reprocessing.

Renewable Energy

Mr. Djanogly: To ask the Secretary of State for Environment, Food and Rural Affairs what reviews have been undertaken in each of the last three years of renewable energy schemes in Cambridgeshire; and what the associated cost to public funds was of the reviews. [134871]

Mr. Timms: I have been asked to reply.

During 1999, Government Offices were asked to facilitate the production of studies into the potential for generation of renewable energy in their region. For the East of England, the findings were made available towards the end of 2000. The cost of professional assistance for the Region as a whole was about £50,000, but it is not realistic to apportion this across the six counties concerned.

Subsequently, Government Offices were invited to bid for monies for a two year period from March 2002 to raise awareness and activity on renewable energy generation with special reference to the planning system. For the East of England, the sum involved is around £250,000, with other matched funds, but again this cannot be taken down to county level.

Rural Services

Mr. Martlew: To ask the Secretary of State for Environment, Food and Rural Affairs when Lord Haskins' report on reform of Government delivery of rural services will be made public; and if she will make a statement. [137120]

Alun Michael: Lord Haskins was asked to review the way the Government delivers its rural policy. We have recently received his report and are considering his recommendations carefully. We intend to publish the report, and the Government's interim response to it, shortly.

Sewerage

Virginia Bottomley: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she has taken to introduce first time sewerage schemes in rural areas. [136279]

Mr. Morley: Sewerage undertakers have a statutory duty to provide, improve and extend their public sewer network. It is a matter for each sewerage company to decide on its programme of work in relation to this duty.

Companies have submitted their draft business plans for 2005–10 to the Office of Water Services (Ofwat). It was open to companies to include costed proposals to extend or improve their sewerage network, these could also include first time sewerage schemes. Ofwat will examine their plans, and decide the appropriate revenue requirement, having taken advice from other stakeholders, particularly the Environment Agency, for companies when it sets price limits in 2004.

Ofwat have published a summary of companies' proposals and the issues that arise from these plans. It will publish its draft determination in July 2004 for consultation before making its final decisions in November 2004.

Virginia Bottomley: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received from Hambledon and Wormley residents concerning recent statements by Southern Water on first time sewerage schemes. [136280]

Mr. Morley: The Department has received no recent representations from Hambledon and Wormley residents concerning recent statements by Southern Water on first time sewerage schemes.

Animal Welfare

Mr. Prosser: To ask the Secretary of State for Environment, Food and Rural Affairs how many live sheep have been exported from the United Kingdom since 1 February for *(a)* slaughter and *(b)* further fattening. [135929]

Mr. Bradshaw: The total number of live sheep certified for export from Great Britain since 1 February 2003 is shown in the following table. These figures are derived from the computer system used to issue export health certificates and are subject to updating and amendment. The figures for sheep certified for export from Northern Ireland will follow shortly.

Country of destination	*Breeding*	*Fattening*	*Slaughter*
Belgium	22	0	0
Denmark	3	0	0
France	912	16,664	0
Germany	28	24	0
Ireland	54	0	0
Netherlands	72	5,506	0
Sweden	1	0	0
Isle of Man	100	0	0
Oman	1	0	0
St. Helena	6	0	0
Total	1,199	22,194	0

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy to reject the draft Regulation on the Transportation of Animals unless it allows the United Kingdom *(a)* to continue to enforce the Minimum Values legislation and *(b)* to refuse to permit live equines to be exported for slaughter; and if she will make a statement. [136106]

Mr. Bradshaw: Defra are playing a full role in the discussions in Brussels on the draft proposals on the transport of animals. We are reviewing the options available to us to achieve controls that are similar in effect to those in our current rules.

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the progress the Government have made in ensuring that the welfare of *(a)* equines and *(b)* livestock will be improved in the Regulation on the Transportation of Animals. [136109]

Mr. Bradshaw: We are playing a full role in the discussion in Brussels on these draft proposals which are likely to come before the Council of Ministers in December.

Water Industry

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the changes in the overall environmental impact of water consumption by *(a)* consumers and *(b)* industry since 1997; and what measures are being taken to reduce consumption. [136113]

Mr. Morley: The Environment Agency has a duty to secure the proper use of water resources, ensuring that a balance is maintained between the needs of water consumers and the environment. Between 1997 and 2003, household water use remained fairly stable at about 8,600 Megalitres per day, whilst non-household use fell from 4320 to 3823 Megalitres per day. The Government undertakes a range of activities to encourage sustainable water use. The Water Supply (Water Fittings) Regulations were introduced in 1999 and set the maximum water consumption of certain domestic fittings and appliances. The Envirowise programme provides practical environmental advice to businesses to help reduce their water consumption, and the Enhanced Capital Allowance scheme has recently been extended to include designated water efficient technologies. Water companies have been set annual leakage targets since 1998 and are also under a statutory duty to promote the efficient use of water by their customers.

Wild Birds (Imports)

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) on how many occasions the importation of wild caught birds has been stopped and enforcement action taken in the last five years; [135819]

(2) how many people have been successfully prosecuted under existing *(a)* international and *(b)* UK regulations for the illegal importation of wild caught (i) parrots and (ii) other birds in the last five years for which figures are available. [135821]

Mr. Morley: For the period in question, one person has been successfully prosecuted for the illegal importation of parrots, and two people for the illegal importation of birds of prey. The prosecutions were for international import offences under the Customs and Excise Management Act 1979.

PRIME MINISTER

Correspondence

Mr. Collins: To ask the Prime Minister which Department will answer the letter from the hon. Member for Westmorland and Lonsdale to him of 21 October concerning the proposed closure of the Holehird Leonard Cheshire home for the disabled in Windermere; and when it will do so. [137920]

The Prime Minister: My hon. Friend the Under-Secretary of State for Health will be replying to the letter this week.

GM Trials

Dr. Gibson: To ask the Prime Minister what response he has made to the letter sent to him by 114 United Kingdom scientists relating to GM trials. [137703]

The Prime Minister: I strongly believe that science and technology are vital to our country's future prosperity. As a government, we need to ensure that the UK continues to be one of the top countries in the world for scientific research.

I read the letter from Professor Burke and others with interest. In light of this, I have responded to the letter re-iterating that this government's approach is to make decisions on GM crops on the basis of sound science. The reason why we have not yet made a formal response to the results of the farm-scale evaluations is that we are waiting to hear the assessment of the Advisory Committee on Releases to the Environment, which we expect to receive around the end of this year.

Government Prospectus

Mr. Andrew Turner: To ask the Prime Minister (1) when the Government will publish a prospectus setting out its progress and the challenges facing the country; [134538]

(2) what arrangements the Government proposes for consultation on its progress and response to challenges; and what resources it will commit to this exercise. [134539]

The Prime Minister: The prospectus will be a Labour Party publication. Individual departments account for their progress annually and regularly publish consultation documents on policy issues that are funded by those departments.

Kenny Richey

Mr. Carmichael: To ask the Prime Minister if he intends to make representations for clemency to the President of the United States in the event that the appeal on behalf of Mr. Kenny Richey to the 6th Circuit Court of Appeals is unsuccessful. [136816]

The Prime Minister: I refer the hon. Member to the answer my hon. Friend the Under-Secretary of State gave him today.

SOLICITOR-GENERAL

Serious Fraud Office

Mr. Simon Thomas: To ask the Solicitor-General for what reasons the Serious Fraud Office did not initiate an investigation into whether payments made by a firm whose name has been communicated to her were authorised in the UK. [135892]

The Solicitor-General: If the hon. Member will write to me, outlining in full his concerns, I should be happy to provide him with a substantive reply.

TRANSPORT

Foreign-registered Lorries

Mr. David Marshall: To ask the Secretary of State for Transport how many foreign-registered lorries used British roads in the last 12 months. [136187]

Mr. Jamieson: During the 12 months ending June 2003, the latest period for which figures are available, foreign-registered lorries made 1.4 million trips to Great Britain. However, the number of vehicles was much less than this because individual lorries may make more than one trip.

Lime Street Station

Mrs. Ellman: To ask the Secretary of State for Transport when he expects the negotiations on Network Rail taking operational control of Lime Street station to be concluded. [137113]

Mr. McNulty: This is an operational matter for Network Rail. At this stage there is nothing further I can add to my answer of 4 November 2003, *Official Report*, column 540W, to my hon. Friend.

Montreal Convention

Mr. John Smith: To ask the Secretary of State for Transport what plans he has to amend the Montreal Convention by substituting *(a)* incident for accident and *(b)* personal injury for bodily injury. [136998]

Mr. McNulty: Under the terms of the international 1999 Montreal Convention, in the case of death or injury to passengers airlines are strictly liable for claims up to 100,000 SDKs, and may be exonerated only from higher claims if they can prove absence of negligence.

Within such a regime it would be inappropriate to broaden the scope of airline liability by substituting *(a)* incident for accident or *(b)* personal injury for bodily injury, and I have no plans to propose amendments to the Convention.

Mr. John Smith: To ask the Secretary of State for Transport if he will press the European Union not to ratify the Montreal Protocol until airline liability is extended to include the health of air passengers. [136999]

Mr. McNulty: No. In the interests of airline passengers we look forward to the ratification of the Montreal Convention by the Community and by the member states as soon as possible.

National Rail Training Centre

Mr. Martlew: To ask the Secretary of State for Transport what plans he has to set up a National Rail Training Centre; and if he will make a statement. [137124]

Mr. McNulty: The Centre for Rail Skills was established in July 2003 as the industry-wide training organisation. The CfRS does not itself provide training courses but is responsible for co-ordinating and facilitating them. This training takes place across the whole of the rail industry and throughout the country and is therefore delivered at a wide range of venues rather than from a single location.

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for Transport what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136125]

Mr. McNulty: The Department for Transport is responsible for the following statutory investigatory powers:

Sections 179 and 180 of the Road Traffic Act 1988, 76 and 77 of the Public Passenger Vehicles Act 1981, 129 of the Transport Act 1985 and 128 and 129 of the Road Traffic Regulation Act 1984, to require production of documents and to call witnesses in the course of an inquiry.[1]

Section 180 of the Road Traffic Act 1988, to inspect a vehicle that has been involved in a road accident.

Section 75 of the Civil Aviation Act 1982, to obtain information in connection with investigations of air accidents.

Sections 257 to 260, 267 and 268 of the Merchant Shipping Act 1995, to require the production of documents and call witnesses under a formal inquiry, and require production of ships' documents and other documents necessary for inspections and examinations.

Section 119 of the Railways Act 1933, to require the production of information to make directions to railway operators about safety.

The Department for Transport does not have any statutory investigatory powers that would be superseded by the use of the Regulation of Investigatory Powers Act 2000 or plans to amend or repeal any of its powers to that end. The above powers will continue to be used to compel the necessary and proportionate production of information, other than communications data, for the purposes described above. The draft Regulation of Investigatory Powers (Communications Data) Order would give access to communications data to selected officers of the Maritime and Coastguard Agency for the purposes of protecting public safety and preventing and detecting maritime crime.

Powers under section 259(2)(k) the Merchant Shipping Act 1995 to compel people to assist the Maritime and Coastguard Agency will be retained as they are used for other purposes not relating to accessing communications data. If the draft Order is enacted, these powers will not be used or attempted to be used for obtaining communications data.

[1] Similar powers exist under sections 249 and 249 of the Road Traffic Act 1960 and section 56 of the Goods Vehicle (Licensing of Operators) Act 1995, due to legislative changes these provisions will soon be repealed.

Road Safety

Miss McIntosh: To ask the Secretary of State for Transport what research his Department *(a)* has carried out and *(b)* has collated on the effect on the risk of collision of (i) hand-held and (ii) hands-free mobile phone use when driving. [137182]

Mr. Jamieson: The Department commissioned the Royal Society for the Prevention of Accidents to review the relevant research on the use of any mobile phone while driving. The report, was published in 2001 and is available on-line at:

www.rospa.com/pdfs/road.mobiles/report.pdf.

Miss McIntosh: To ask the Secretary of State for Transport what discussions he has had with representatives of police forces concerning the enforcement of the Road Vehicles (Construction and Use) (Amendment) (No 4) Regulations 2003; and if he will make a statement. [137183]

Mr. Jamieson: The Department consulted representative police organisations prior to making the new regulation introducing an offence of using a hand-held mobile phone when driving. Enforcement will be a matter for the police.

Miss McIntosh: To ask the Secretary of State for Transport what steps he is taking to publicise the new regulations concerning the use of mobile phones when driving. [137184]

Mr. Jamieson: My Department is publicising the new hand-held mobile phone legislation in a number of ways:

National radio advertising will begin on 17 November 2003 and run for four weeks.

National press advertising will appear in late November 2003 and early December 2003.

Information will be emailed to the top 1,000 UK companies/ Central and Local Government Departments in November 2003 encouraging them to cascade messages to employees.

National press release will be issued on 17 November 2003 and journalists approached to generate national and regional media coverage.

Variable message signs on motorways will carry messages regarding the new legislation.

Public relations activity will target relevant HR, business, personnel, office management, legal and auto-fleet magazines in November 2003.

Promotional materials including posters and leaflets are now available and will be disseminated by Road Safety Officers around the country.

Detailed information about the new legislation is available on the Think! website www.thinkroadsafety.gov.uk and the DfT website.

The Department is also re-iterating the dangers of driver distraction surrounding the use of all mobiles phones, focusing on the simple message "Switch off before you drive off" in the following ways:

In January 2004 national radio advertising will run for two weeks.

National cinema advertising will begin in February 2004 and run for eight weeks.

Miss McIntosh: To ask the Secretary of State for Transport what plans he has to publish further guidance regarding the new regulations on the use of mobile phones when driving, in addition to the guidance on the Department for Transport website. [137185]

Mr. Jamieson: The Department's advice leaflet on mobile phones and driving has been updated to take account of the new regulations and the text was recently added to the THINK Road Safety site at www.thinkroadsafety.gov.uk/mobile/index.htm. Printed copies (product code T/INF/885) will shortly be available free of charge from the Department's distribution centre, telephone 0870 122 6236.

Mr. Jenkins: To ask the Secretary of State for Transport how many children under 16 *(a)* received a serious head injury as a result of a cycling accident and *(b)* died in each of the last 10 years. [136423]

Dr. Ladyman: I have been asked to reply.

The available information is shown in the tables.

Financial year	*Number of admissions of children under 16*
1995–96	2,333
1996–97	2,781
1997–98	3,349
1998–99	2,711
1999–2000	3,115
2000–01	3,489
2001–02	3,372

Due to changes in coding methodology it is only possible to provide the last seven years of data.

Calendar year	*Deaths from head injuries in cyclists*	*All deaths in cyclists*
1993	19	30
1994	27	39
1995	31	43
1996	34	47
1997	25	35
1998	18	29
1999	20	32
2000	14	24
2001	12	19
2002	10	19

Data for 2001 and 2002 may not be directly comparable to those for previous years, due to changes in coding methodology in 2001. The figures should therefore be interpreted with caution.

South Coast Study

Dr. Murrison: To ask the Secretary of State for Transport when he will publish his response to the Bristol/Bath to South Coast Study. [137624]

Mr. McNulty: The study is yet to be completed, but it is anticipated that the final report will be finished by the end of this month. The South West Regional Assembly has indicated that they wish to comment on the report, in particular regarding the de-trunking issue which gave rise to the study being commissioned.

Following receipt of the study report and comments from the Regional Assembly, I will be in a position to make a response.

TRADE AND INDUSTRY

Consumer Debt

Mr. Drew: To ask the Secretary of State for Trade and Industry what recent discussions she has had with *(a)* the National Association of Citizens Advice Bureaux, *(b)* representatives of high street banks and building societies and *(c)* the Financial Services Authority on the issue of consumer debt [136756]

Mr. Sutcliffe: My officials and I have had a number of meetings with Citizens Advice, representatives of high street banks and building societies (including trade associations such as the British Banking Association and the Finance and Leasing Association) and the Financial Services Authority to discuss the issue of consumer debt.

These discussions have covered a number of areas, including how to enshrine responsible landing, joining up Government policy on over-indebtedness, improving access to and the quality of debt advice etc. Government proposals on these issues will be laid out in the White Paper on Consumer Credit.

International Atomic Energy Agency

Mr. Hancock: To ask the Secretary of State for Trade and Industry if she will make it her policy to agree voluntarily to International Atomic Energy Agency inspections as provided for in the Additional Protocol; and if she will make a statement. [136699]

Nigel Griffiths: The protocol additional to the UK/Euratom/IAEA safeguards agreement was approved by the IAEA Board of Governors in June 1998 and was signed by the UK Governor and the European Commission on 22 September 1998. The legislation necessary to implement the protocol in the UK, the Nuclear Safeguards Act 2000, will enter into force when the European Commission has confirmed that it is ready to implement the protocol. Voluntary declarations of the type of information that the UK will be required to provide under Article 2 of the protocol have been provided to the IAEA since 1999. We have also indicated our willingness to allow complementary access visits to locations in the UK, as provided for in our protocol, on a voluntary basis. Prior to entry into force of the Nuclear Safeguards Act, any such access will require the agreement of those responsible for the location concerned.

London Development Agency

Linda Perham: To ask the Secretary of State for Trade and Industry if she will require the London Development Agency to *(a)* set an annual target for increasing the total of start-up units in London and *(b)* publish an annual register showing where such business premises are located. [136617]

Jacqui Smith: The London Development Agency currently has an annual target for creating or attracting new businesses in London, set at 900 for the current year. The LDA Corporate Plan 2003–06 envisages this annual target being increased to 950 in 2005–06. The Agency also monitors the number of VAT registrations in London's most deprived wards.

The Government does not publish figures relating to the number of business start-ups or closures, and there are no plans to do so. VAT registrations and de-registrations are the best official guide to the pattern of business start-up and closure, and are published by the Small Business Service and Office for National Statistics on an annual basis.

Arms Fairs

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what plans she has to support arms fairs in the future. [136300]

Jacqui Smith: My Department represents the interests of UK-based defence manufacturers in their legitimate manufacturing and export interests. My Department also has no plans to change its long-standing arrangement whereby Ministers and Officials will attend exhibitions and fairs where armaments may be displayed and promoted. UK Trade & Investment (UKTI), through the Defence Manufacturers Association, supports the presence of UK companies at overseas exhibitions, seminars and in outward missions.

Details of grants provided by UKTI to DMA were given to the hon. Member for Blaenau Gwent (Llew Smith), on 20 October 2003, *Official Report*, column 439W.

British Energy

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will place in the Library the Government's responses to each of the submissions from interested parties to the European Commission regarding the British Energy restructuring application. [137021]

Mr. Timms: No. Correspondence between the United Kingdom and the European Commission concerning current state aid cases, and that relating to specific undertakings, is confidential in accordance with the terms of Exemption l(c) information received in confidence from international organisations of the Code of Practice on Access to Government Information.

Broadband

Mr. Martlew: To ask the Secretary of State for Trade and Industry what plans she has to provide extra funds to allow access to broadband for rural areas of *(a)* England and *(b)* Cumbria. [137123]

Mr. Timms: The Government intends spending £1 billion on broadband connectivity for the public sector between 2003–2006. The Broadband Aggregation Project will set up nine Regional Aggregation Bodies (RABs), which will aggregate and procure public sector demand for broadband. Each RAB will work closely with stakeholders in their region to develop an appropriate regional strategy that will offer best value for money and the widest availability to surrounding communities.

The North West Regional Development Agency Corporate Plan has allocated £106 million between 2003–06 to promote a comprehensive broadband infrastructure throughout the region and maximise its usage. A project to procure broadband services for Cumbrian residents and businesses is currently awaiting approval by the Capital Projects Review Group and HM Treasury.

Business Support Schemes

Brian Cotter: To ask the Secretary of State for Trade and Industry how many business support schemes are in existence; and if she will list the schemes that have been closed down by her Department since November 2002. [135900]

Ms Hewitt *[holding answer 3 November 2003]:* The DTI funds 52 schemes that are currently open to new business. In addition two other schemes, the Broadband Fund and the Regional Innovation Fund have had funding provision re-allocated from DTI to the Regional Development Agencies. The Department is in the process of closing all schemes in order to replace them with 10 business support products by April 2004.

Since 30 November 2002, 39 schemes have closed to new business. Eight of these schemes have closed down completely and 31 have closed to new business but have a tail of activities to which the department has made legal commitments.

Schemes that have closed down completely

Partnership in Plastics Programme
Waste Management Resources
Partners in Innovation Fast Track
Financial Advisory Service
Business Incubation Service
Coal Operating Aid
Manufacturing in IST
Corn-met

Schemes that have closed to new business but have successor schemes or a tail of activities to which the department has made legal commitments

Acorn
Work-Life Balance
Genetic Knowledge Parks
Automotive College
Smart
Teaching Company Scheme
ITEC Skills
Partners in Innovation
Partnership for Process Competitiveness Chemicals
Biotechnology Exploitation Programme
Recycling Programme
Biotechnology Mentoring
Building Research Establishment Framework
Manufacturing for Bio-technology
Bio-wise
Building up Bio-materials
Local Partnership Fund
s@tcom Programme
MOSAIC
Service Mission Support
NEWTON (New Observing Technologies)
GIFTSS (Government Information for space sector)
CPP (Customer Partnership Programme)
MEP (Market Entry Programme)
ICP2 (International Co-operation Programme)
GMES (Global Monitoring for Environmental Security)
Electronics Design Programme
Digital Broadcasting Test Bed
ICT Carrier
NESTA Industry Placement Scheme
Internet Incubator Fund

Coal Production (Scotland)

David Hamilton: To ask the Secretary of State for Trade and Industry how much *(a)* deep mined coal and *(b)* open cast coal was produced in Scotland in (i) 2000–01, (ii) 2001–02 and (iii) 2002–03. [137128]

Mr. Timms: The information available on the amount of deep mined and opencast coal produced in Scotland, relates to financial years and, in millions of tonnes, is as follows.

	Deep Mine	*Opencast*
2000–01	0.7	7.1
2001–02	0.8	8.1
2002–03	0	7.1

Source:
Coal Authority data as published in the Digest of United Kingdom Energy Statistics, 2003 (The Stationery Office), which is accessible through the DTI website. Output is the tonnage declared by operators to the Coal Authority, including estimated tonnages.

Cold Calling

Mr. Sheerman: To ask the Secretary of State for Trade and Industry what regulatory framework protects the public from cold callers; and what plans the Government has for further regulation of the practice of cold calling. [136598]

Mr. Timms: The regulatory framework for unsolicited direct marketing by phone currently gives individual subscribers the right to opt-out of sales calls if they do not wish to receive them. Under the Telecommunications (Data Protection and Privacy) Regulations 1999 (which will shortly be replaced by the Privacy and Electronic Communications (EC Directive) Regulations 2003), no-one may make a sales call to a subscriber who has previously notified them that they do not wish to receive such calls from them, or who has been registered with the Telephone Preference Service for twenty-eight days or more.

Both the Distance Selling Regulations and the Consumer Protection (Cancellation of Contracts Concluded away from Business Premises) Regulations provide rights to consumers over distance and doorstep selling. The Distance Selling Regulations require that consumers are provided with clear, comprehensible information about the goods or services offered. Where a business uses cold calling by telephone to sell to consumers, the caller must clearly identify the business they represent and the commercial purpose of the call at the start of a conversation. The Regulations also provide for a seven-day cooling off period (except for certain goods and services which are excluded) in which to withdraw from any contract.

The Consumer Protection (Cancellation of Contracts Concluded away from Business Premises) Regulations, commonly known as the "doorstep selling regulations" provide the right to a seven day cooling-off period during which an agreement to buy goods or services worth more than £35 from a trader whose visit is unsolicited may by cancelled, and the same right where a visit by a trader follows an unsolicited doorstep or telephone approach.

The Office of Fair Trading is currently investigating the doorstep selling market under powers provided by the Enterprise Act 2002. The OFT expect to report on their investigation early in the New Year. All recommendations will be carefully considered.

Concorde

Mr. Gale: To ask the Secretary of State for Trade and Industry (1) what role she has in determining the final destinations for each of the Concorde aircraft; and if she will make a statement;. [135331]

(2) what estimate she has made of the final public cost of the project to *(a)* develop, *(b)* produce and *(c)* maintain, while in public ownership, the Concorde aircraft since 1973; and if she will make a statement. [135333]

Ms Hewitt *[holding answers 5 November 2003]:* Total UK Government expenditure in support of Concorde was £1,358 million gross, £1,062 million net of receipts in prices of the day. These data were compiled from information taken from the appropriation accounts over the period 1956–57 to 1986–87.

Public ownership ceased in 1984 when British Airways became the owner and operator of the UK Concorde fleet. The Government is therefore not in a position to make a decision on the final destinations for each of the Concorde aircraft. That remains a decision for British Airways, the legal owner of the UK Concorde fleet.

Construction Industry

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry what policies she is following to ensure an adequate supply of skilled construction engineers; and if she will make a statement on the effect of current employment legislation on training of the under-18s. [134239]

Nigel Griffiths: The Government provide approximately £35 million to the Construction Industry Training Board in respect of various contracts and schemes administered by them. £3 million support their role as a Sector Skills Council and sponsors events like National Construction Week to encourage young people to make construction a first choice career.

The DTI also works closely with the Department for Education and Skills to take forward actions arising from the recent Skills White Paper, and Work Permits UK, which administers the work permits regime. The Government are fully committed to Modern Apprenticeships as a means of preparing young people for an economy based on high-level skills.

The Department for Education and Skills on the matter of training for the under-18s, which is a matter primarily for them.

Consumer Credit

Mr. Gardiner: To ask the Secretary of State for Trade and Industry (1) what action she will take to amend consumer credit law to stop shopping vouchers being used as a first contact for those selling doorstep loans; [136290]

(2) what representations she has received about loan companies using shopping vouchers as a means of avoiding consumer credit legislation which forbids unsolicited selling of loans; [136291]

(3) what discussions she has had with *(a)* high street stores and *(b)* trading standards departments to stop loan companies using store discount vouchers to avoid the consumer credit legislation which forbids unsolicited selling of loans. [136292]

Mr. Sutcliffe: As you are no doubt aware, my Department is currently undertaking a major review of the Consumer Credit Act to bring it up to date so that it continues to provide appropriate consumer protection. A major aspect of this will be the publication in December 2003 of a Consumer Credit White Paper.

The review has been characterised by consultation, and decisions on the content and focus of the White Paper have been made after comprehensive discussions with key stakeholders—industry, consumer groups and enforcement agencies—including the Office of Fair Trading, which has responsibility for monitoring social and commercial developments in the provision of credit.

In addition, my Department has also received comments and opinions during the course of the review from many organisations and individuals—including on the issue of doorstep lending techniques—that have contributed to the development of the proposals that will be set out in the White Paper.

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what steps her Department is taking in *(a)* the review of the Consumer Credit Act 1974 and *(b)* the preparation of the forthcoming Credit White Paper to require companies to make more accessible the language used in their (i) promotional and (ii) contractual material. [136631]

Mr. Sutcliffe: As the hon. Gentleman is aware, my Department is nearing the conclusion of its review of the Consumer Credit Act 1974. I have announced that a Consumer Credit White Paper, outlining our proposals will be published in December of this year.

Among other things, the White Paper, will set out proposals for reform in two key areas where clear and accessible information for consumers is required, the advertising of consumer credit products and the form and content of credit agreements. Alongside the White Paper we will publish consultation draft legislation to reform the law in these areas.

Estate Agents

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will make a statement on the protection given to consumers and their right to financial compensation under *(a)* the Property Misdescriptions Act 1991, *(b)* the Estate Agents Act 1979 and *(c)* other legislation governing housing transactions. [136797]

Mr. Sutcliffe *[holding answer 6 November 2003]:* The Estate Agents Act 1979 regulates the conduct of estate agents in the buying and selling of property and seeks to ensure that consumers as either buyers or sellers are treated honestly and fairly. The Office of Fair Trading can, if satisfied that a person is unfit to carry on estate agency work, make an order prohibiting that person from carrying on estate agency work. Under the Property Misdescriptions Act 1991 it is a criminal offence to make a false or misleading statement about a number of specified matters concerning a property in either written or verbal communication with a prospective client.

Neither of these Acts provides directly for the payment of compensation to consumers. However, those who suffer a financial loss as a result of malpractice by estate agents or misdescriptions of property may be able to make a claim for compensation in the civil courts. If the estate agent is a member of the Ombudsman for Estate Agents Scheme, consumers may also be able to make a claim for compensation to the ombudsman.

The Department is not responsible for any other legislation specifically governing housing transactions.

Correspondence

Mr. Steen: To ask the Secretary of State for Trade and Industry when she will respond to the letter of 2 September from the honourable Member for Totnes concerning Mr. Trevor Sams of Scope Communications UK Ltd, Totnes. [136971]

Ms Hewitt: My office has no record of the hon. Member's letter. If he writes to me again I will ensure that the letter will be dealt with as quickly as possible.

Departmental Expenditure (Official Residencies)

Mr. Flight: To ask the Secretary of State for Trade and Industry how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by ministers and officials in each year since 1997. [134698]

Ms Hewitt: My Department has not had any costs relating to Government-owned official residences used by DTI Ministers since 1998. Information about the costs for previous financial years is already in the public domain.

Direct Payment

Malcolm Bruce: To ask the Secretary of State for Trade and Industry which financial institutions have committed to providing a universal banking service through post office branches; how much each institution has committed to pay towards the cost of the Post Office card account; how much remains to be paid; and what the deadline is for payment. [137022]

Mr. Timms: The financial institutions supporting universal banking are Barclays, Lloyds TSB Bank, Royal Bank of Scotland/Nat West, HSBC, Abbey National, HBOS, Alliance and Leicester, NAG, the Co-operative Bank, First Trust, the Bank of Ireland and the Nationwide Building Society. They are each making a basic bank account accessible at post offices, and together they are contributing £180 million to the costs of the Post Office card account. Individual contributions and the schedule of payments are matters of commercial confidentiality.

Energy Policy

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry how much *(a)* electricity and *(b)* other energy her Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans she has to reduce usage; and if she will make a statement. [135058]

Ms Hewitt: My right hon. Friend the Secretary of State for Environment, Food and Rural Affairs has answered part A and B on 3 November 2003, *Official Report*, column 404W. The Government's strategy with regard to long term carbon dioxide emissions is set out in the Energy White Paper published in February 2003. The Department of Trade and Industry will play its full part in delivering through its own operations the energy efficiency and carob reduction aims set out in the white paper. Forecasts of energy use for future years are not available, but we have committed to reducing CO_2 emissions by at least 1 per cent. per annum. From 1 November all new DTI contracts will meet minimum energy efficiency standards, as well as value for money in line with the commitments laid out in the Energy White Paper.

On top of this the Department purchases electricity from renewables sources equating to almost 30 per cent. of its HQ estate requirement compared to a target of 5 per cent. The Department is also continuing to work toward the Sustainable Development in Government green energy targets, which are to be published by the end of this year.

European Union

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry what changes have taken place in the balance of trade in manufactures with the EU since the UK joined the organisation. [134097]

Mr. Mike O'Brien *[holding answer 6 November 2003]:* The UK's trade with the EU has grown steadily since UK membership in 1973. The value of the deficit in trade of manufacturers with the EU in 1973 was 0.3 per cent. of GDP. This grew to 3.0 per cent of GDP in 1989. In 2002 the deficit was 2.1 per cent. of GDP.

These changes since 1973 in the balance of trade with the EU are smaller than those seen with non-EU countries. Over the same period the trade of manufacturers with non-EU countries has gone from a surplus of 2.3 per cent. in 1973, to a deficit of 1.8 per cent. of GDP in 2002.

The UK's membership and increasing economic integration with the EU has generated considerable opportunities for UK businesses and contributed positively to UK prosperity. This has helped drive the twenty fold increase in UK trade in goods with the EU since 1973, compared to the twelve fold rise in trade in goods with non-EU countries.

Gas Act Order

Mr. Gardiner: To ask the Secretary of State for Trade and Industry why there is no requirement that changes to the Gas Act Order go on the public register before they come into force. [136173]

Mr. Timms: The requirements in the Gas Act for Ofgem to keep a Public Register are expressed in broad terms. I understand that it is Ofgem's intention to place a wide range of relevant information on the Public Register once such information is in final form.

Generators

Gregory Barker: To ask the Secretary of State for Trade and Industry how many generators burn biomass and wood residues in the United Kingdom; and what her forecast is for the number so doing in *(a)* 2006, *(b)* 2010 and *(c)* 2012. [137096]

Mr. Timms: In 2002, there were eight generating stations in the United Kingdom that burned biomass or wood residues. Figures are not yet available for 2003 but we are aware that up to 17 more biomass schemes could generate electricity in 2003. Forecasts of future electricity generation are not made at this level of detail.

International Thermonuclear Experimental Reactor

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what research her Department has *(a)* commissioned and *(b)* evaluated on a United Kingdom bid to build the International Thermonuclear Experimental Reactor. [136156]

Ms Hewitt *[holding answer 3 November 2003]:* There has been no research commissioned or evaluated on such a United Kingdom bid and no such bid has ever been made. The previous Government decided not to bid for ITER on cost grounds and on the basis that the United Kingdom currently hosts the Joint European Torus (JET) fusion experiment and would be very unlikely to win a bid to host its successor.

Internet

Brian Cotter: To ask the Secretary of State for Trade and Industry how many guidance booklets produced by her Department are only accessible via the internet; and if she will make a statement. [137303]

Ms Hewitt: I have understood a guidance booklet to be a publication produced by my Department to give information to the general public. To distinguish the guidance booklets from other DTI publications could be done only at disproportionate cost.

Of 3,306 publications currently available, and notified to my Department's Publications Unit, 847 (25.6 per cent.) are accessible only via the internet. These include publications previously available in hard copy but now out of print.

Iraq

Mr. Hepburn: To ask the Secretary of State for Trade and Industry what the value of contracts awarded for the reconstruction of Iraq to date is; what outstanding contracts remain to be awarded; and to which countries contracts have been awarded, broken down by *(a)* value and *(b)* type of contract. [135343]

Ms Hewitt: Contracts for the reconstruction in Iraq are awarded by a number of different agencies. We have information on many of the contracts awarded, (see appendix A) but there is no comprehensive breakdown giving the details requested. We continue to monitor the issuing and awarding of contracts to alert UK companies as appropriate.

Appendix A: List of contracts won by UK firms in Iraq

Who	*What*
Olive Security	Contract for providing Security Services to Bechtel, Great Lakes Dredging, Titan Salvage, SSA and GE.
ArmorGroup (Global risk management company)	Contracted by Bechtel to guard construction sites and deal with unexploded ordinance
Crown Agents Washington based company Crown Agents Consultancy Inc. (CACI)	International Resources Group (IRG), acting as United States Agency for International Development (USAID) prime contractor contracted CACI , to assist with the procurement, transport and warehouse management of a wide range of goods and materials in support of the setting up of the USAID mission in Kuwait and, as the situation develops, in Iraq.
Aggreko International	Contracted by Bechtel to supply and install generators for temporary power at Umm Qasr. Other possible contracts but no details available.
Halcrow	Bechtel have awarded them two contracts so far: 1. to provide marine engineering services at Umm Qasr 2. to provide miscellaneous civil engineering services such as damage assessment of bridges.
Cummins UK	Contracted by Bechtel to provide generators for Baghdad International airport and other facilities in Iraq.
Weir Group	Have picked up a small contract from Kellog Brown Root doing assessments for oil field rehabilitation. They hope that this will position them for when actual contacts for the work are let.
Mowlem	Believed to have won a £3 million contract to refurbish a hotel in Basra for use by troops (*Source:* Building magazine).
Mott MacDonald	Secured undisclosed contract in Iraq (*Source:* Building magazine).
Baker Wilkins	Secured undisclosed contract in Iraq (*Source:* Building magazine).
European Land Solutions	Contract for the provision of EOD services to Bechtel country-wide Contract for the provision of clearance diving and EOD services to Great Lakes Dredge & Dock Company at Umm Qasr Contract for munitions clearance for the United Nations in Northern Iraq
Siemens (UK)	Contract to provide a 22 MW power plant for the refinery in Basra
Solace Enterprises Ltd.	Appointed by RTI (USAID prime contractor) as the sole UK subcontractor providing practitioners to the USAID funded-project to support the development of local institutions in Iraq.
Standard Chartered	Part of consortium that was awarded the contract to run the new Trade Bank in Iraq.
De La Rue Currency	Contract for printing of new Iraqi Dinar
Erinys	Oilfield Security
Datasat	Working on several projects all around data and voice communications infrastructure and services
Kroll Associates	Security for USAID

Manufacturing Industry

Mr. Hoyle: To ask the Secretary of State for Trade and Industry if she will make a statement on manufacturing industry in *(a)* the North West and *(b)* Lancashire. [136917]

Jacqui Smith: Manufacturing in the North West—and especially in Lancashire—remains vitally important to the regional and national economy. It contributes around £19 billion to the region's GDP, accounts for some £14 billion worth of exports and employs around 500,000 people, and its importance is reflected in the Regional Economic Strategy and Manufacturing Strategy. North West manufacturers have identified a number of key issues, including the need for more skilled personnel, greater availability of financial support for business start-ups and better product and process development. The North West Development Agency (NWDA) is piloting closer working with the Small Business Service and the Local Learning and Skills Councils to better address these issues. I recently announced an expansion of the successful Manufacturing Advisory Service in the region. This is an £18 million project supported by an initial investment of £5 million from the NWDA, and aims to deliver assistance to an additional 2,500 businesses in the region, and to achieve productivity increases of £50 million. In addition to benefiting from these initiatives, businesses in Lancashire have access to the services provided by the Lancashire West Partnership Productivity Centre, which helps companies, particularly Small and Medium-sized Enterprises, to achieve significant productivity improvements.

Mobile Phones

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what recent discussions her Department has held with the Department for Environment, Food and Rural Affairs about recycling mobile phones; and what steps are being taken to encourage such recycling. [136810]

Mr. Timms: The recycling of mobile phones is covered by the EC Directive on Waste from Electrical and Electronic Equipment. The Directive is currently being transposed into UK legislation and this work is being overseen by an inter Departmental team, which includes officials from Defra. Although the recycling of mobile phones has not been discussed specifically, we are aware of a number of initiatives around the UK that take back, refurbish and reuse mobile phones or that recycle them.

The Department welcomes the reuse and recycling of mobile phones through these initiatives, as a useful contribution to sustainable consumption and production, but does not operate a promotional programme specifically aimed at encouraging mobile phone reuse or recycling. We believe that the WEEE Directive will offer the incentive for more schemes of this type to be established, especially since mobile phones contain potentially high value materials such as precious metals and chips.

National Minimum Wage

Hugh Bayley: To ask the Secretary of State for Trade and Industry how many *(a)* men and *(b)* women in (i) York unitary authority area and (ii) the City of York parliamentary constituency benefited from the national minimum wage in the last year for which figures are available. [135938]

Mr. Sutcliffe: It is not possible to provide estimates specifically for the York unitary authority area or for the City of York parliamentary constituency. However, based on the Office for National Statistics' Low Pay data for 2003, the DTI estimates that between 110,000 and 140,000 people in Yorkshire and the Humber are expected to benefit from the increase in minimum wage rates in October 2003.

It is not possible to provide a gender breakdown for Yorkshire and the Humber. For the UK as a whole, around 70 per cent. of those who are expected to benefit from the October 2003 uprating are women.

Mr. Battle: To ask the Secretary of State for Trade and Industry what estimate she has made of the number of people in *(a)* Leeds and *(b)* Leeds, West who will gain from the latest minimum wage increase. [136056]

Mr. Sutcliffe: It is not possible to provide estimates specifically for Leeds or for Leeds, West. However, based on the Office for National Statistics' Low Pay data for 2003, the DTI estimates that between 110,000 and 140,000 people in Yorkshire and the Humber are expected to benefit from the increase in minimum wage rates in October 2003.

Postal Services

Mr. Lazarowicz: To ask the Secretary of State for Trade and Industry what steps she is taking to ensure that Post Office Limited follows the procedures agreed with Postwatch to integrate consideration of proposals to close branch offices with area network reinvention plans. [136498]

Mr. Timms: Proposals for post office closures under the urban network reinvention programme are put out to public consultation in accordance with the code of practice agreed with Postwatch. Final decisions on closure, after consideration of representations received, are an operational matter for Post Office Ltd and I have asked the Chief Executive to reply direct to the hon. Member.

Property Rights

Mr. Gardiner: To ask the Secretary of State for Trade and Industry pursuant to her answer of 18 September, *Official Report*, column 880W, on property rights in developing countries, if she will make such an assessment. [135111]

Mr. Mike O'Brien: We have no plans to make such a formal assessment but we are willing to consider any proposals the hon. Member may wish to make on the feasibility of doing so.

Radioactive Waste

Llew Smith: To ask the Secretary of State for Trade and Industry if she will make it her policy to *(a)* retain access to the Radioactive Waste Management Advisory Committee website from DEFRA's site if RWMAC is wound up and *(b)* arrange for pre-2000 RWMAC reports to be posted on the RWMAC website as an accessible archive. [135625]

Mr. Morley: Whatever decision is taken concerning its future, the Radioactive Waste Management Advisory Committee (RWMAC) component of the Defra website will continue to operate to provide access to the committee's post-2000 advice. The current arrangement is for the copies of the pre-2000 advice to be supplied upon written request if they are still available. Again, this arrangement will be maintained.

SBX Project

Angus Robertson: To ask the Secretary of State for Trade and Industry how many UK companies have been involved in the bidding process for the Boeing Company's Sea-Based Test X-Band Radar (SBX) project; what assistance her department *(a)* offered and *(b)* gave to each company; and if she will make a statement. [136932]

Jacqui Smith: The number and identification of any UK companies bidding for Boeing's Sea-Based Test X-Band Radar (SBX) project would of course be a commercial matter between Boeing and the specific companies involved. I am not aware of any approach for assistance in relation to this programme. The lead on UK defence export activities is the responsibility of MoD's Defence Export Services Organisation (DESO).

Textiles

Sir Archy Kirkwood: To ask the Secretary of State for Trade and Industry how many textile and clothing companies there are in *(a)* the United Kingdom and *(b)* Scotland. [137352]

Jacqui Smith: The number of VAT based local units in the textile and clothing industry in March 2003 was:

Local Units	*Textiles*[1]	*Clothing*[2]
United Kingdom	5,210	4,840
of which:		
Scotland	480	215

[1] Standard Industrial Classification division 17
[2] Standard Industrial Classification division 18

Source:
Office for National Statistics Size Analysis of UK Businesses PA 1003. All figures rounded to the nearest 5. Local units give a better indication of regional distribution as enterprises would be classified by head office location.

Sir Archy Kirkwood: To ask the Secretary of State for Trade and Industry how many people are employed in the textile industry in *(a)* the United Kingdom and *(b)* Scotland. [137353]

Jacqui Smith: In December 2001 there were 124,000 employee jobs in the textile industry in the United Kingdom, of which 12,000 were in Scotland.

Source:
Office for National Statistics Annual Business Inquiry and the Department of Enterprise, Trade and Investment Northern Ireland Quarterly Employment Survey. Textiles as defined by Standard Industrial Classification division 17.

Trade

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what she is doing to promote trade between Britain and *(a)* Saudi Arabia, *(b)* Oman, *(c)* the United Arab Emirates, *(d)* Qatar and *(e)* Bahrain. [135513]

Mr. Mike O'Brien: UK Trade and Investment sponsors a range of activities to alert UK companies to opportunities in the countries listed. These include a programme of inward and outward trade mission, exhibitions, the provision of market information and tailored assistance to UK companies through our network of posts in the region.

Trade Links

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what plans she has to set up trading links that would benefit third world countries in Africa. [135507]

Mr. Mike O'Brien: Africa faces many challenges. Nearly half of the 600 million people in sub-Saharan Africa live on less than $1 dollar a day. The United Nations estimates that over 14 million people in the region will be dependent on food aid by March 2003.

Since September 2001 the UK government has committed over £80 million to humanitarian assistance and recovery programmes in Southern Africa. But aid also is not the answer.

We also provide assistance to British companies wishing to trade with Africa through services available from UK Trade and Investment and our network of posts in the region. We also support events in Africa designed to enable UK companies to assess the prospects for trade and investment in African countries.

This is why we are working hard, with our EU colleagues, to deliver a development round in line with the promises made at Doha. All countries will benefit, but the poorest stand to gain the most.

Unmanned Air Vehicles

Angus Robertson: To ask the Secretary of State for Trade and Industry which UK companies produce *(a)* unmanned air vehicles and *(b)* components for unmanned air vehicles; and if she will make a statement. [136933]

Jacqui Smith: There are a wide number companies engaged in the development, production and support of un-manned air vehicles (UAVs) and their components in the UK. This Department does not however maintain an exhaustive listing of such companies. Such data is readily available through commercial sources.

Angus Robertson: To ask the Secretary of State for Trade and Industry what discussions she has had in 2003 with UK companies interested in participating in future

bidding processes for US requirement contracts for unmanned air vehicle projects; and if she will make a statement. [136934]

Jacqui Smith: I have had no specific discussions with UK companies in relation to the bidding process for the US requirement contracts for unmanned air vehicles (UAVs). UK Trade and Investment did however support, through the outward missions scheme, in May of this year a Society of British Aerospace Companies (SB AC) industry mission to the US and this included UAV technology within its remit. The lead on UK defence export activities is the responsibility of MoD's Defence Export Services Organisation (DESO).

TREASURY

Cross-border Payments

Mr. Gardiner: To ask the Chancellor of the Exchequer what assessment he has made of compliance by banks in the United Kingdom with the Cross-Border Payments Regulation adopted by the United Kingdom on 1 July 2002. [136660]

Ruth Kelly: The Cross-Border Payments in Euro Regulations 2003 provide for civil proceedings and create criminal offences for breaches of the Regulation on cross-border payments in euro. The Association for Payment Clearing Services has produced compliance guidelines for the banking industry. My officials will contribute to the report on the impact of the Regulation which the European Commission is required to produce by 1 July 2004.

Advisers and Consultants

Dr. Cable: To ask the Chancellor of the Exchequer how much *(a)* HM Treasury, *(b)* Customs and Excise and *(c)* the Inland Revenue spent on (i) advisers and (ii) consultants in the last financial year; and if he will make a statement. [134223]

Ruth Kelly: HM Treasury expenditure in 2002–03 on consultants was £2.8 million (excluding VAT). Inland Revenue had in place four framework agreements, through which it obtained a range of advisory and consultancy services including on IT, human resources, market research, social and economic research, and learning services. Departmental spend on these services for 2002–03 was in the region of £35 million (excluding VAT). Customs and Excise expenditure for consultants and advisors was £29.3 million (excluding VAT).

Banking Ombudsman

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer how many cases were considered by the Banking Ombudsman in the last year for which figures are available; how many cases were *(a)* upheld and *(b)* rejected; what was the average time taken to consider cases; and what the average cost was per case. [137193]

Ruth Kelly: The Financial Ombudsman Service tell me that in the financial year ending 31 March 2000, the Office of the Banking Ombudsman received a total of 4,375 cases.

The table shows a breakdown of the outcome of all cases resolved during the period:

Breakdown of cases—year ended 31 March 2000

Outcome of cases	*Percentage*
Resolved by mediation or conciliation	66
Resolved after investigation by an adjudicator	20
Of which:	
In favour of the consumer	50
In favour of the firm	50
Resolved by final decision of an ombudsman	14
Of which:	
In favour of the consumer	50
In favour of the firm	50

The average time taken to resolve cases in the year ending 31 March 2000 was 162 days.

The unit cost per case (calculated by dividing the total expenditure—less financing costs by the number of cases closed) for the year ending 31 March 2000 was £730, the average unit cost per cases across all of the predecessor schemes.

Creative Industries/Tourism

Mr. Sanders: To ask the Chancellor of the Exchequer what percentage of *(a)* the United Kingdom's and *(b)* London's GDP was generated by (i) creative tourism and (ii) the tourism industry in 2002–03. [135835]

Mr. Caborn: I have been asked to reply.

(i) The term 'creative tourism' is not recognised.

(ii) *(a)* Tourism was estimated to have accounted for 4.4 per cent. of UK GDP in 2002.

(b) The Greater London Authority is currently leading a review of methodologies used to estimate London's tourism GDP in order to produce an agreed estimate.

Mr. Sanders: To ask the Chancellor of the Exchequer what percentage of gross domestic product was generated by the tourism industry in *(a)* the south east, *(b)* the south west, *(c)* the west Midlands, *(d)* the east Midlands, *(e)* the north west, *(f)* the north east and *(g)* Wales in 2002–03. [135837]

Mr. Caborn: I have been asked to reply.

(a)-(f) Reliable estimates of tourism GDP are not currently available for the English Regions. There is one exception, namely the north east. The report Tourism Impact—A pilot study for the North East estimated tourism to account for 3.5 per cent. of the north-east's GDP in 2000.

Plans for a Tourism Satellite Account project for the English regions are currently being considered. This will develop methodologies to calculate tourism figures including GDP. It is being conducted on behalf of, and being jointly funded by, all Regional Development Agencies in England, and it is anticipated that it will report in late 2004.

(g) Currently there are no official data available on the contribution of the tourist industry to Welsh GDP. The National Assembly for Wales is involved

in Tourism Satellite Account development work, including a UK development project which is being co-ordinated by the Department, and which will report in Summer 2004.

Economy (York)

Hugh Bayley: To ask the Chancellor of the Exchequer what the annual per capita GDP for York unitary authority area was in each year since 1995. [135948]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Colin Mowl to Mr. Hugh Bayley, dated 10 November 2003:

The National Statistician has been asked to reply to your recent question on annual per capita GDP for York unitary authority. I am replying in his absence. (135948)

The latest available data on Gross Domestic Product (GDP) for York unitary authority were published by the Office for National Statistics (ONS) in April 2001 and relate to the period up to 1998 and the area of York on the "NUTS3" area classification.

ONS published estimates of Gross Value Added (GVA) for the larger "NUTS2" area of North Yorkshire, of which York is a part, for the period 1995 to 2001, in October 2003. Both sets of estimates are shown in the table.

GDP per head in York, and GVA per head in North Yorkshire

At current basic prices, £ per head of population

	GDP per head in York (NUTS3 area)	*GVA per head North Yorkshire (NUTS2 area)*
1995	11,750	*10,077
1996	12,565	*10,622
1997	13,742	11,192
1998	14,305	11,719
1999	—	12,119
2000	—	12,585
2001	—	13,031

Notes:

1. All estimates are provisional except where indicated with an asterisk.
2. Estimates of workplace based GVA allocate income to the region in which commuters work.
3. GVA estimates are calculated using a five-period moving average.
4. GDP = GVA + taxes on products—subsidies on products.

Estimates of NUTS3 GVA, including for York, for the period 1995–01 are planned for publication by ONS in December 2003.

ECOFIN

Bob Russell: To ask the Chancellor of the Exchequer what the outcome was of the ECOFIN held on 7 October; and if he will place in the Library the Government's position on the issues discussed, including its voting record. [137633]

Ruth Kelly: The Chief Secretary to the Treasury wrote to the Chairmen of the European Scrutiny Committees in both Houses on 20 October informing them of the outcome of the 7 October ECOFIN. Copies of the Chief Secretary's letter were deposited in the House of Commons Library.

Bob Russell: To ask the Chancellor of the Exchequer what the outcome was of the ECOFIN held on 12 and 13 September; and if he will place in the Library the Government's position on the issues discussed, including its voting record. [137634]

Ruth Kelly: The ECOFIN on 12–13 September was an informal meeting. No formal conclusions or notes were taken and there were no votes taken.

Employment (London)

Simon Hughes: To ask the Chancellor of the Exchequer how many *(a)* private sector jobs broken down by (i) agricultural, (ii) manufacturing and (iii) service sector and *(b)* public sector jobs there were in London in each year since 1997. [135163]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Simon Hughes, dated 10 November 2003:

As National Statistician, I have been asked to reply to your recent question about jobs in London. (135163)

Statistics of private sector jobs in the United Kingdom were published in the September 2003 issue of Labour Market Trends. However on a consistent basis figures for London are not available.

The Workforce Jobs series can provide a regional breakdown of jobs by industry. Table 1 shows jobs in agriculture, manufacturing and service industries in London for the three months to December of each year between 1997 and 2002. These figures include both public and private sector jobs.

The Labour Force Survey is an alternative source of information on public sector employment, although the public sector classification of employment is based on respondents' own perceptions and is not necessarily consistent with the official classification of the organisations they work for.

Table 2 shows the numbers of people in employment in the public sector in London for the Autumn quarters (September to November) of each year from 1997 to 2002. The figures are not directly comparable with those in Table 1.

Table 1: Jobs in London by industry sector

Thousand[1]

	Agriculture	*Manufacturing*	*Services*
1997	4	297	3,203
1998	4	284	3,362
1999	3	296	3,538
2000	5	288	3,635
2001	4	263	3,615
2002	4	256	3,613

[1] Not seasonally adjusted.

Notes:

1. Industrial classifications are defined in the Standard Industrial Classification of Economic Activities UK SIC(92).
2. Agriculture is defined as sections A and B of SIC(92), Manufacturing as section D, and Services as sections G to Q.

Source:

Workforce Jobs

Table 2: Public sector employment in London

Thousand[1]

Date[2]	*Public sector employment*
September 1997 to August 1998	840
September 1998 to August 1999	855
September 1999 to August 2000	849
September 2000 to August 2001	856
September 2001 to August 2002	886
September 2002 to August 2003	857

[1] Not seasonally adjusted.

[2] Data is averaged over four consecutive quarters.

Source:

Labour force survey.

Housing

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what economic instruments he has available to him to moderate the rise in house prices; and if he will make a statement. [137572]

Ruth Kelly: Developments in the housing market are part of the overall assessment in setting economic policy. In particular, the 2003 Budget announced the establishment of the Barker and Miles reviews to consider issues on housing supply and finance respectively. Both reviews will submit interim reports at the time of the pre-Budget report.

Mr. Sheerman: To ask the Chancellor of the Exchequer what plans he has to increase the resources available for the expansion of the housing market renewal initiatives, with particular reference to initiatives in west Yorkshire. [136413]

Keith Hill: I have been asked to reply.

I refer my hon. Friend to the answer given on 5 November 2003, *Official Report*, column 679W.

Insurance Ombudsman

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer how many cases were considered by the Insurance Ombudsman in the last year for which figures are available; how many cases were *(a)* upheld and *(b)* rejected; what the average time taken was to consider cases; and the average cost per case. [137198]

Ruth Kelly: The Financial Ombudsman Service tell me that for the year ending 31 December 1999, the last year for which figures are recorded against it as a separate scheme, the Insurance Bureau received a total of 7,061 cases.

The table shows a breakdown of the outcome of all cases resolved during the period:

Breakdown of cases—year ended 31 December 1999

Outcome of cases	*Percentage*
Resolved by mediation or conciliation	26
Resolved after investigation by an adjudicator	59
Of which:	
In favour of the consumer	31
In favour of the firm	69
Resolved by final decision of an ombudsman	15
Of which:	
In favour of the consumer	47
In favour of the firm	53

The average time taken to resolve cases in the year ending 31 December 1999 was 140 days.

The unit cost per case (calculated by dividing the total expenditure—less financing costs—by the number of cases closed) for the year ending 31 March 2000 was £730, the average unit cost per case across all of the predecessor schemes.

Financial Services Authority

Mr. Bellingham: To ask the Chancellor of the Exchequer what steps he is taking to improve the procedure for *(a)* consumers and *(b)* businesses wishing to make a complaint against the Financial Services Authority. [137424]

Ruth Kelly: The Financial Services Authority (FSA) is required to establish a scheme to handle complaints against it and to specify the procedures to be followed when complaints are made. The FSA is also required to appoint an independent person, whose appointment or dismissal requires Treasury approval, to investigate complaints.

The FSA is reviewing the effectiveness of its complaints scheme including the scheme's procedures. The FSA is required to consult publicly on any proposed alterations to the scheme. I welcome the FSA's review.

Regulation of Investigatory Powers Act

Brian White: To ask the Chancellor of the Exchequer what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136116]

Ruth Kelly: The Revenue Departments (Inland Revenue and Customs and Excise) have a wide range of investigatory powers to access communications data, as defined by the Regulation of Investigatory Powers Act, (RIPA) Pt 1, Chapter 2, Section 21(4), within the following legislation: Taxes Management Act 1970, Drugs Trafficking Act 1994, Police and Criminal Evidence Act 1984, Customs and Excise Management Act 1979, VAT Act 1994, Criminal Justice (International Co-operation) Act 1990 and Proceeds Of Crime Act 2002. The Treasury does not itself have investigatory powers to access communications data.

When Part One Chapter Two of RIPA, 2000 is implemented, the Revenue Departments expect in line with Home Office policy to use only powers contained in that Act to access communications data. The powers currently used are not exclusive to communications data and the Revenue Departments do not propose to seek their repeal.

FOREIGN AND COMMONWEALTH

Iraq

Linda Perham: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to prevent tensions arising between Sunni and Shia Muslims in Iraq. [136583]

Mr. Rammell: The Government and Coalition Provisional Authority officials have had regular meetings with representatives of many Iraqi political and religious groups, including the Sunni and Shia communities, to hear their views and to encourage dialogue between them. The Iraqi Governing Council contains representatives from both communities.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations took place between Her Majesty's Government and *(a)* the UN, *(b)* the United States and

(c) the Coalition Provisional Authority prior to the signing of Order 39 by Mr. Paul Bremer in Iraq; and if he will make a statement. [136578]

Mr. Straw: Order 39 of the Coalition Provisional Authority is the product of consultations between the Government and the Coalition Provisional Authority, relevant Departments of the US Administration, the United Nations Secretary General's Special Representative, the International Financial Institutions and the Iraqi Governing Council. Such consultations, called for under the terms of UNSCR 1483, are a necessary and normal part of the preparation of legislation by the coalition.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give the *(a)* name, *(b)* rank and *(c)* role of the senior British personnel employed by the Coalition Provisional Authority; and if he will make a statement. [136579]

Mr. Straw: The senior British personnel seconded to the Coalition Provisional Authority (CPA) are: Andy Bearpark, Director of Operations and Infrastructure (formerly United Nations Deputy Special Representative of the Secretary General and Representative of the EU/EC, Kosovo); Sir Hilary Synnott, Regional Coordinator, CPA South (formerly High Commissioner, Pakistan); John Tesh, Senior Advisor to the Iraqi Defence Support Agency (formerly Director Balkans, MOD); Jim Daniell, Senior Advisor to the Ministry of Interior (formerly Director of Crime Reduction and Policing Policy, Home Office); Deputy Chief Constable Douglas Brand, Senior Police Advisor to the Ministry of Interior; Deputy Chief Constable Steve White, Senior Advisor, Law and Order, CPA South; Brigadier John Riley, Deputy Commanding General, Coalition Military Advisory Training Team (CMATT); and Brigadier Bruce Brealey, Senior Military Advisor, CPA South.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the remit of the UK's special envoy to Iraq. [136580]

Mr. Straw: As the British Government's Special Representative in Iraq, Sir Jeremy Greenstock, is the senior British official there. In that independent capacity, he is working with, and in full support of, ambassador Bremer to facilitate a political process aimed at the swiftest possible establishment of a sovereign, stable, respresentative and internationally recognised Iraqi government; and to ensure the interim administration, assistance and reconstruction which are necessary for that goal.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 28 October 2003, *Official Report*, column 186W, on the Iraq Survey Group, what role the Government played in *(a)* setting up and *(b)* drawing up the mandate of the Iraq Survey Group; and if he will make a statement. [136813]

Mr. Straw: Government officials were consulted from the outset on the establishment of the Iraq Survey Group (ISG). We were able to respond positively to a request for the United Kingdom to provide the Group's second in command.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government are taking, other than through the work of the Iraq Survey Group, to find weapons of mass destruction in Iraq; whether the Government's assessment of Iraq's weapons programmes differs from that contained in the report of the Group; and if he will make a statement. [136814]

Mr. Straw: The function of the Iraq Survey Group (ISG) is to conduct the post-conflict audit of Iraq's weapons of mass destruction programmes. All the UK's effort on the audit of Iraq's WMD programmes is directed into support for the ISG, including by providing personnel in the field in Iraq. All UK elements in the coalition support the search for WMD as required.

Since the work of the ISG is ongoing, it would not be appropriate for the Government to make a full assessment of the interim results presented so far.

Democratic Republic of Congo

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports his Department has received on whether Rwandan troops remain in the Democratic Republic of Congo. [136381]

Mr. Mullin: Since the withdrawal of the Rwandan Defence Force (RDF) from the Democratic Republic of Congo (DRC) in October 2002 we have received several unconfirmed reports from a variety of sources about the continued presence of RDF personnel in eastern DRC. The UN Mission in the DRC (MONUC) has investigated these reports but has found no compelling evidence to support them. The Rwandan government, with whom we have raised these allegations, have denied they have forces in the DRC.

Tom Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer to the hon. Member for Moray (Angus Robertson) of 28 October 2003, *Official Report*, column 184W, on the Democratic Republic of Congo, what reports his Department has received of Rwandan *(a)* military, *(b)* financial and *(c)* political support for armed groups operating within the DRC; and if he will make a statement. [136401]

Mr. Mullin: Since the withdrawal of the Rwandan Defence Force (RDF) from the Democratic Republic of Congo (DRC) in October 2002 we have received several unconfirmed reports from a variety of sources alleging continued presence of RDF personnel in eastern DRC and military and financial support for some armed groups there. The UN Mission in the DRC (MONUC) has found no compelling evidence to support such reports. The Rassemblement Congolais pour la Democratic, RCD-G, were politically allied to Rwanda during the conflict in DRC which preceded the formation of the Transitional National Government in Kinshasa.

Tom Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanisms are available to *(a)* the Government and *(b)* the EU to put pressure on Uganda and Rwanda to stop their involvement in the internal affairs of the Democratic Republic of Congo; and if he will make a statement. [136402]

Mr. Mullin: From the outset of the conflict we urged all parties to bring an immediate end to hostilities and called for an immediate ceasefire. These calls were incorporated in Security Council Resolutions, EU statements and the EU Common Position on the Democratic Republic of Congo (DRC). Ugandan and Rwandan Defence Force personnel were withdrawn from DRC in May/June 2003 and October 2002 respectively.

Tom Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs what support *(a)* the Government and *(b)* the EU is providing to the Transitional National Government in Kinshasa to enable them effectively to (i) disarm and (ii) demobilise the (A) Interahamwe militia and (B) ex-Forces Armées Rwandaises. [136403]

Mr. Mullin: Disarmament, demobilisation, repatriation, resettlement and reintegration (DDRRR) of the ex-FAR/Interahamwe is crucial to the future peace and stability of the Democratic Republic of Congo (DRC) and the Great Lakes region and is one of the key tasks of the UN Mission in DRC (MONUC). The UK is contributing $25million over five years to the World Bank's Multi-Country Demobilisation and Reintegration Programme, as well as supporting a wide range of other DDRRR-related and peace-building projects in the DRC, and the Demobilisation and Reintegration Programme in Rwanda.

The UK also supports diplomatic efforts to improve relations between the Governments of DRC and Rwanda, which include looking at how they can work together on tackling the problem caused to both countries by the ex-FAR/Interahamwe. This will help move DDRRR forward.

European Constitution

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy on extensions of co-decision in the draft Constitutional Treaty in articles concerning the European Union's budget. [136538]

Mr. Straw: As we set out in our White Paper on the IGC, we will seek to ensure value for money for UK taxpayers by working to strengthen discipline and proper accountability in spending from the EU Budget. In this regard, we welcome the European Convention's proposals for a legally binding Multi-Annual Financial Framework and a streamlined annual budget procedure. We also welcome the consensus proposals by ECOFIN Ministers regarding the budgetary provisions of the draft constitutional treaty and we will support these proposals in the IGC.

Kenny Richey

Mr. Carmichael: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department intends to make to *(a)* the Governor of Ohio, *(b)* the President of the United States and *(c)* other US authorities in the event that the appeal on behalf of Mr.Kenny Richey to the 6th Circuit Court of Appeals is unsuccessful. [136815]

Mr. Mullin: The Government are opposed to the death penalty in all circumstances. The Ohio authorities are well aware of this. The Governor of the State of Ohio has the sole authority to grant clemency in death penalty cases in Ohio. The President has no role in the legal proceedings in Ohio. We are in touch with Mr. Richey's lawyers both in the USA and the UK. as well as with Ohio state officials. We continue to monitor his case closely to determine what representations we might make on his behalf, and we will do all we properly can to try to prevent his execution.

Richard and Enid Eyeington

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance his Department has *(a)* offered and *(b)* given to the Government of Somaliland in their investigation into the murder of Richard and Enid Eyeington; and if he will make a statement. [134723]

Mr. Mullin: Our consular staff in London, Addis Ababa and Nairobi are providing all proper consular assistance to the Eyeington family after this outrageous attack. Staff are also in contact with SOS Kindersdorf International. Our thoughts and condolences are with the family.

We welcome the commitment of the Somaliland authorities to track down the killers. We cannot undertake any direct investigatory work abroad. However, we are discussing with the Somaliland authorities the possibility of a visit by Scotland Yard detectives to assist with the investigation.

St Helena

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs to what extent the Government provide air surveillance of St.Helena's 200 mile exclusive fishing zone to determine the number of fishing vessels fishing *(a)* legally and *(b)* illegally in this zone. [136972]

Mr. Rammell: The Government do not provide any air surveillance of St. Helena's fishing zone. Both the Government and St.Helena are looking at other methods of control of illegal fishing, including the possibility of using satellite surveillance to identify individual vessels within the 200 mile zone.

United Nations

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the remarks by Ambassador Jeremy Greenstock on identifying terrorism. [135464]

Mr. MacShane: During his address to the UN General Assembly debate on 1 October 2001 our then Permanent Representative, Sir Jeremy Greenstock, remarked that "what looks, smells and kills like terrorism is terrorism". An internationally agreed definition of terrorism would be beneficial and we are working in the UN to achieve one. But so deep is the controversy surrounding certain groups, an internationally agreed definition does not seem possible in the short term. Sir Jeremy Greenstock's formulation

was a means to unite UN members—at a vital time—around practical steps to counter the threat, rather than on debating the definition of terrorism.

NORTHERN IRELAND

British-Irish/North-South Ministerial Councils

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many meetings of the *(a)* British-Irish Council and *(b)* North-South Ministerial Council have taken place since they were established; and what additional meetings of each have taken place in other sectoral formats. [121089]

Mr. Paul Murphy: The total number of meetings is as follows:

Institution	*Type of meeting*	*Number of meetings*
British-Irish Council	Summit	4
	Sectoral	6
North/South Ministerial Council	Plenary	4
	Institutional	1
	Sectoral	60

The following sectoral meetings have taken place:

Institution	*Sector*	*Number of meetings*
BIC	Drugs	2
	Environment	3
	Transport	1
NSMC	Agriculture	7
	Education	4
	Environment	6
	Food Safety and Health	5
	Foyle, Carlingford and Irish Lights Commission	8
	Inland Waterways	5
	Language	4
	Special EU Programmes	7
	Tourism	5
	Trade and Business Development	7
	Transport	2

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many staff are employed in the secretariat of the *(a)* North-South Ministerial Council, *(b)* British-Irish Council and *(c)* Civic Forum; and what the costs are in respect of such staff. [100724]

Mr. Paul Murphy: The information is as follows:

(a) North-South Ministerial Council:

There are 25.5 whole time equivalent staff employed in the Joint Secretariat of the North-South Ministerial Council drawn from the Northern Ireland Civil Service and the Irish Civil Service. The North-South Ministerial Council cannot meet during suspension. The staff employed in the Joint Secretariat are currently engaged in providing administrative support associated with the care and maintenance of the North-South Implementation Bodies, and a range of other duties.

The costs in respect of the staff drawn from the Northern Ireland Civil Service for 2002–03 were £412,929 (latest available figure). This figure includes salaries, travel and subsistence costs.

(b) British-Irish Council:

The British and Irish Governments provide the Secretariat for the British-Irish Council in co-ordination with officials from each of the other members. In addition to servicing the work of the Council, the officials are involved in carrying out a range of other duties. It is therefore not possible to identify detailed staff numbers and costings in respect of those functions which relate to the Secretariat.

(c) Civic Forum:

Funding for the Civic Forum ceased during suspension. As a result staff in the Civic Forum Secretariat have been redeployed on other duties. At the latest date for which costs are available, the figure for the staff costs of Civic Forum Secretariat for 2002–03 were £158,526. This figure includes salaries and travel costs.

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for Northern Ireland how much has been spent in each year by his Department in preparing for UK entry to the euro; how much his Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131590]

Mr. Paul Murphy: I refer the hon. Member to the response given by my hon. Friend the Financial Secretary to the Treasury, on 14 October 2003, *Official Report*, column 142W.

Museums and Galleries

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will make a statement on the review of Museums and Galleries Northern Ireland's business management strategy. [137670]

Angela Smith: A report on the way the Museums and Galleries of Northern Ireland (MAGNI) conducts its business is currently with the Department of Culture, Arts and Leisure for consideration. It would not be appropriate for me to make a statement about the outcome of the Review at this time.

Pensioners

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the average time taken in the last 12 months was to process assessments on low income pensioners' entitlements to an alternative to coal fired heating; and what plans he has to introduce targets to speed up the assessment process. [137663]

Mr. Spellar: The Warm Homes Plus Scheme provides the free installation of an oil or natural gas central heating system for low-income people over 60 years of age, living in owner occupied or privately rented accommodation, and who are entitled to certain passport benefits. In the last 12 months, the assessment process (from initial referral, to survey of the property) has taken, on average 31 days. This process is continually kept under review to ensure the optimum response time to the large number of applications for assistance from the Scheme.

The Housing Executive's heating replacement programme for its housing stock does not involve an assessment of the tenants' entitlements; work is carried out on the basis of the age and condition of the appliance which is to be upgraded.

Performance Targets

Mr. Flight: To ask the Secretary of State for Northern Ireland what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137954]

Jane Kennedy: Performance targets for the department were agreed as part of Spending Review 2002. The monitoring and measurement of PS A targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the department, and as such it is not possible to separate the specific costs out. The monitoring of progress towards and performance against, the department's PS A targets is undertaken by a wide variety of staff at all levels of the organisation.

Scottish Television

Mr. Gregory Campbell: To ask the Secretary of State for Northern Ireland if he will take steps to introduce more Scottish television in Northern Ireland on the same basis as his commitment to help introduce greater availability in Northern Ireland of Irish language programmes. [134270]

Estelle Morris: I have been asked to reply.

The BBC Scotland television service and ITV Scottish, Grampian and Border services are already available to those consumers in Northern Ireland with digital satellite receiving equipment. The extension of Scottish region television services to other areas in the UK is not possible on terrestrial television because of technical and licensing constraints.

DEFENCE

Allenby Private Finance Initiative Project

Sue Doughty: To ask the Secretary of State for Defence what requirements he proposes setting for the energy efficiency standards of homes to be constructed within the Allenby Private Finance Initiative project; and what penalties will be incurred by contractors should there be non-compliance with these standards. [136985]

Mr. Caplin: Project Allenby/Connaught will deliver major redevelopment of the Army estate on Salisbury Plain and at Aldershot, and includes the provision of around 11,000 single en-suite bed spaces for personnel living in barracks. These bed spaces will be provided through new and converted accommodation. The contract requires assessment of this accommodation in accordance with the Building Research Establishment's Environmental Assessment Method (BREEAM). This system scores a building against a wide range of sustainability criteria, including those relating to energy efficiency and results in a BREEAM grading for the building. The contract will require the highest grading, 'Excellent', for new accommodation and the next highest grading, 'Very Good', for the converted buildings. If these grades are not achieved the contractor's monthly payments for the accommodation will be abated throughout the life of the contract.

Armed Forces

Mr. Hoyle: To ask the Secretary of State for Defence (1) how many women officers there are in the *(a)* Army, *(b)* Navy and *(c)* Royal Air Force, broken down by rank; [137340]

(2) how many women other ranks there are in the *(a)* Army, *(b)* Navy and *(c)* Royal Air Force, broken down by rank. [137341]

Mr. Caplin: I refer my hon. Friend to the Tri-Service Publication 9 'UK Regular Forces Rank Structure', a copy of which is held in the Library of the House.

Mr. Jenkin: To ask the Secretary of State for Defence when he last published the armed forces monthly manning state; and when it will next be published. [137729]

Mr. Caplin: I refer the hon. Member to Tri-Service Publication (TSP) 1: "UK Regular Forces Strengths and Changes", and Tri-Service Publication (TSP) 3: "UK Armed Forces Strengths and Requirements".

These are both available in the House of Commons Library and are updated on a monthly basis.

TSP 1 and 3 for 1 September 2003 were published on 10 October 2003. The 1 October 2003 issues are due for publication between 6 and 20 November 2003.

Breathalyser Tests

Angus Robertson: To ask the Secretary of State for Defence what breathalyser equipment is issued to military police in Scotland; when the adequacy of this equipment was last reviewed; and if he will make a statement. [135799]

Mr. Caplin: Breathalyser equipment is not issued to the Service police in Scotland.

Chinook

Mr. Gray: To ask the Secretary of State for Defence what plans he has to relocate the Chinook helicopter fleet away from RAF Odiham. [137003]

Mr. Ingram: There are currently no plans to relocate the Chinook helicopter fleet away from RAF Odiham.

Colombia

Lynne Jones: To ask the Secretary of State for Defence pursuant to his answer to the hon. Member for Portsmouth, South (Mr. Hancock) of 16 October 2003, *Official Report*, column 322W, what the mechanisms are for checking that UK military units are not implicated in human rights violations, internal repression or collusion with paramilitary organisations. [136306]

Mr. Ingram: The Government use the best information available at the time to assure themselves that Colombian military units benefiting from United

Kingdom assistance are not engaged in activities that violate human rights, in internal repression or in collusion with paramilitary organisations.

Commonwealth Recruits

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many people were recruited from Commonwealth countries into each of the three services in each year since 1999; and if he will make a statement. [136733]

Mr. Caplin: For the last five years, the intake of personnel from Commonwealth countries (excluding United Kingdom and UK dependent territories) into the Army was as follows:

Financial year	*Number*
1998–99	140
1999–2000	445
2000–01	715
2001–02	1,115
2002–03	1,960

Figures for the Naval Service and Royal Air Force are not available, as this information is not held centrally.

Conventional Weapons

Norman Lamb: To ask the Secretary of State for Defence (1) what his Department's aims are at the Convention on Conventional Weapons negotiations in November; and if he will make a statement; [135859]

(2) whether his Department's representatives at the Convention on Conventional Weapons negotiations in November will seek agreement on a mandate for future negotiations on cluster munitions. [135860]

Mr. Ingram: I refer the hon. Member to the answer given on 4 November 2003, *Official Report*, columns 541–42W, by my hon. Friend the Minister of State, Foreign and Commonwealth Office.

Dean Hill SSSI

Mr. Key: To ask the Secretary of State for Defence what discussions Defence Estates has had with *(a)* the Wiltshire Wildlife Trust and *(b)* the Hampshire Wildlife Trust about the future of the Dean Hill site of special scientific interest. [137462]

Mr. Caplin: English Nature have nominated the Hampshire and Isle of Wight Wildlife Trust as a potential purchaser of land of high conservation value, including that part of Defence Munitions Dean Hill, which falls within the Brickworth Down and Dean Hill SSSI. Ministry of Defence officials have therefore had preliminary discussions with it and not with the Wiltshire Wildlife Trust.

Defence Budget (Wales)

Mr. Llwyd: To ask the Secretary of State for Defence how much of the defence budget was spent in Wales in the most recent year for which figures are available *(a)* in actual terms and *(b)* as a percentage of the total defence budget; and if he will make a statement. [137310]

Mr. Ingram: This information is not held centrally in the form requested and could be provided only at disproportionate cost.

Defence Export Contracts

Angus Robertson: To ask the Secretary of State for Defence how many defence export contracts have been approved to each of the member states of the Economic Community of Central African States in each year since 1997; and if he will make a statement. [136636]

Mr. Ingram: Government approval is not required for defence export contracts.

The Government do, however, control the transfer overseas of defence related goods through the export licensing system. Licence applications by country are reported in the Government's Annual Report on Strategic Export Controls. Reports covering the period from May 1997 to December 2002 are available in the Library of the House.

Defence Fire Service

Miss McIntosh: To ask the Secretary of State for Defence what representations he has received on the future of the Defence Fire Service; and if he will make a statement. [136729]

Mr. Ingram: I have received a number of representations about the future of the Defence Fire Service from Members of Parliament, trade unions and members of the Defence Fire Service. These have been in the form of an Adjournment debate, an early-day motion, parliamentary questions, letters and face to face meetings. The future of the Defence Fire Service will be determined by the outcome of the Airfield Support Services Project and the recommendations of Fire Study 2000.

Departmental Budget

Mr. Blunt: To ask the Secretary of State for Defence what his Department's budget was in the *(a)* 1998–99 financial year and *(b)* 2003–04 financial year at 1998–99 prices, excluding expenditure from the contingency reserve. [136740]

Mr. Ingram: The figure for 1998–99 is £22,240 million. That is a cash figure as the Department was controlled on a cash basis until the end of financial year 2000–01.

From 2001–02 onwards, Resource Accounting and Budgeting became the basis for planning and controlling public expenditure. From that year the Defence budget has been set on a Resource basis, which includes accrued costs rather than cash. The Budget figures for 2003–04 are therefore set on a completely different basis to those for 1998–99, and the two sets of figures are not directly comparable. The 2003–04 Budget consists of two separate elements, a Net Resource Cost budget of £31,903 billion and a Capital budget of £6,128 billion.

These figures are at current prices as there is little merit in providing them at the 1998–99 price base.

Figures for both years are exclusive of Armed Forces Pension Scheme amounts.

Departmental Energy Use

Mr. Laurence Robertson: To ask the Secretary of State for Defence how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135050]

Mr. Caplin: I refer the hon. Member to the answer given to him on 3 November 2003, *Official Report*, columns 403–08W, by my hon. Friend the Under-Secretary of State.

The current cross-government target is an on-going one per cent. per annum reduction in greenhouse gas emissions from buildings, expressed in terms of carbon saving. Since the target was introduced in 2000, the MOD has exceeded the target year on year and I expect this trend to continue. New targets for energy use on the Government Estate are being developed under the Framework for Sustainable Development on the Government Estate. Once the new targets have been agreed, the MOD will publish an energy strategy outlining how they will be met.

Medical Discharges

Mr. Hancock: To ask the Secretary of State for Defence how many female members of the *(a)* Army, *(b)* Royal Navy and *(c)* Royal Air Force received early discharges on medical grounds in each of the last five years; how many complained of sexual harassment or assault; what (i) pension and (ii) benefit they received on discharge; and if he will make a statement. [136514]

Mr. Caplin: Medical discharges for female members of the armed forces (both trained and untrained United Kingdom regular personnel) in each of the last five years are as follows:

Female medical discharges in the armed forces, 1998–2002

	Navy	*Army*	*RAF*	*Total*
1998	39	222	20	281
1999	52	259	35	346
2000	61	183	36	280
2001	52	160	29	241
2002[1]	56	130	28	214

[1] Figures for 2002 have not yet been finalised and may be subject to alteration.

Information on whether any of the individuals complained of sexual harassment or assault is not held centrally and could be provided only at disproportionate cost.

Members of the armed forces who are medically discharged after at least two years' Service for reasons not attributable to their Service are awarded a Service Invaliding Pension (SIP) and a lump sum payment. Where the Veterans Agency accept the reasons for discharge as attributable to Service and pay a War Disablement Pension (WDP) under the War Pensions Scheme, the Armed Forces Pension Scheme (AFPS) separately considers whether the injury or condition is due to Service. If this is accepted by the AFPS, the SIP is replaced by an enhanced Service Attributable Pension and an attributable lump sum is paid. These benefits are paid in addition to the Veterans Agency's WDP.

Expenditure

Mr. Jenkin: To ask the Secretary of State for Defence if he will list the adjustments to in-year expenditure to remain within his Department's expenditure limits for the current year, showing in each case *(a)* what action is being taken and *(b)* what savings will be made. [137724]

Mr. Ingram: As my right hon. Friend the Secretary of State for Defence made clear in the debate on Defence Policy on 16 October 2003, Departments have to deal with fluctuating financial pressures while living within their budgets. This year the Ministry of Defence is facing, among other factors, better than expected recruiting and adverse exchange rate movements. The introduction this year of full Resource Accounting and Budgeting has also raised new issues. We are therefore making a range of mostly relatively small adjustments to previous expenditure plans across the Ministry of Defence's budgetary areas. These include reduction in training activities where this is not essential to sustain operations, and re-profiling some spending on new equipments and equipment support. These adjustments do not affect our commitment to operations in Iraq and elsewhere, the net additional costs of which are funded separately.

Halliburton (Contracts)

Mr. Keetch: To ask the Secretary of State for Defence if he will list the contracts *(a)* awarded to and *(b)* carried out by Halliburton since 1997, stating in each case (i) the nature of the work, (ii) the value of the contract and (iii) the duration; and if he will make a statement. [136576]

Mr. Ingram *[holding answer 6 November 2003]:* The Ministry of Defence's business dealings have been with the Halliburton Brown and Root part of this company. Excluding a low value contract for the short-term lease of equipment, MOD has placed the following direct contract since 1997:

Contract No. CSVHC/04

Nature of Work: Provision of Heavy Equipment Transporter (HET) Services.

Duration: 2001 to 2021

Value: £290 million

In addition, the Halliburton company also performs a substantial amount of work for the MOD under joint venture arrangements, most notable are the operation of the Devonport Royal Dockyard and the multi activity contract at RAF Valley, Anglesey in North Wales.

Humanitarian Emergencies

Angus Robertson: To ask the Secretary of State for Defence what programmes his Department is *(a)* running and *(b)* supporting aimed at (i) introducing the humanitarian community to the military and security technology available and (ii) familiarising the technology community with the scope and problems of those dealing

with complex humanitarian emergencies and international refugee crises; how long these programmes have been running; and if he will make a statement. [136665]

Mr. Ingram: The Ministry of Defence research and technology programme is geared towards providing the UK armed forces with battle-winning technology. A number of technologies developed under the auspices of this programme may have humanitarian applications, though the development of the technology for humanitarian purposes would fall to the Department for International Development (DfID).

Where possible the MOD aims to make the results of its research available to industry, through technology transfer and technology spin-out, where commercial development of the technology is best carried out.

International Military Services

Mr. Cousins: To ask the Secretary of State for Defence how long the arbitration case involving International Military Services has been going on; and when he expects it to reach a conclusion. [137369]

Mr. Hoon: Proceedings in the arbitration case involving International Military Services Ltd. commenced in late 1992 and, depending on the appeals process, may not be concluded for about four years.

Iraq

Mr. Rosindell: To ask the Secretary of State for Defence what amendments he will make to the Strategic Defence Review following operations in Iraq. [136768]

Mr. Hoon: The White Paper that I intend to publish later this year will build on the Strategic Defence Review (and the New Chapter to it published in 2002) and provide an updated statement of defence policy in light of operational experience since 1998.

Mr. Rosindell: To ask the Secretary of State for Defence how regularly he holds discussions with the US Defense Secretary on the activities of coalition forces in Iraq. [132126]

Mr. Hoon: I am in frequent contact with the US Defense Secretary on Iraq and other matters.

Military Exercises

Mr. Jenkin: To ask the Secretary of State for Defence if he will list the military exercises which have been cancelled in this financial year, setting out the *(a)* date, *(b)* purpose and *(c)* reason for cancellation in each case. [137728]

Mr. Ingram: The Ministry of Defence's Defence Exercise Programme lists some 350 planned exercises each year. These exercises range from smaller scale unit exercises, through to larger events involving joint inter-Service and/or international involvement. Inevitably, a larger number of those planned exercises have been cancelled so far this year than is usual: 72 per cent. owing to increased level operational activity, predominantly Operations Telic and Fresco, and 11 per cent. owing to decisions by host nations (other than the UK). A further 11 per cent. have been cancelled after being subsumed into other exercises or re-scheduled for the next financial year.

Information on tactical training exercises organised by the Front Line Commands, the Permanent Joint HQ, the Defence Logistic Organisation HQ and by individual units is not held centrally and could be provided only at disproportionate cost.

Military Exports

Angus Robertson: To ask the Secretary of State for Defence what the highest value deals of military exports from the UK were that were concluded and delivered in 2003; what the *(a)* manufacturer, *(b)* name of the export company, *(c)* official buyer and *(d)* equipment involved was in each case; whether any of the deals included offset arrangements; and if he will make a statement. [136307]

Mr. Ingram: The highest value contract for military exports from the United Kingdom signed so far this year is in respect of the sale of Typhoon to Austria. The aircraft is manufactured by the Eurofighter GmbH consortium, with the UK element contributed by BAE Systems. No delivery has yet taken place under the contract. Offset will be included.

The highest value delivery made this year of which the Ministry of Defence is aware, against a contract signed in the same year, is the Government-to-Government sale to Chile of the former HMS Sheffield. Regeneration work was undertaken by DML Plymouth on the ship built by Swan-Hunter Shipbuilders Ltd. No offset is associated with the contract.

Ministerial Visits

Mr. Hoyle: To ask the Secretary of State for Defence if he will list ministerial visits to Chorley in each of the last five years. [135808]

Mr. Caplin: From available information, Ministers have made no visits on official business to Chorley.

Munitions

Mr. Hoyle: To ask the Secretary of State for Defence from which countries munitions have been procured in the last five years, broken down by amounts paid. [135807]

Mr. Ingram: During Financial Year's 1998–99 to 2002–03 inclusive, munitions have been procured from the following countries at the values shown. It should be noted that complete data for Financial Year 1998–99 is not available. Consequently, these figures do not show the complete spend on munitions during the period.

Country	£ million
Austria	2.834
Belgium	0.979
Canada	6.463
Germany	3.382
Israel	6.802
Italy	4.594
Netherlands	4.228
Singapore	0.431
Spain	0.353
South Africa	1.408
Sweden	300.949
Switzerland	2.069
Norway	3.287
United Kingdom	2,476.321
United States	530.401

Northern Ireland

Mr. Jenkin: To ask the Secretary of State for Defence what assessment he has made of the future size of the British Army garrison in Northern Ireland; and what plans he has to reduce the number of army personnel in Northern Ireland. [135394]

Mr. Ingram: As envisioned in the Joint Declaration, military force levels in Northern Ireland are dependent on the evolving, enabling security environment.

Pension/Compensation Schemes

Mr. Djanogly: To ask the Secretary of State for Defence what the level of in-Service death benefits is in the new Armed Forces *(a)* Pension Scheme and *(b)* Compensation Scheme. [135823]

Mr. Caplin: For those members that choose to join the new Armed Forces Pension Scheme (AFPS) and for new entrants after the date of its initial implementation, in-Service death benefits will be:

a death-in-service lump sum of four times pensionable pay to member's nominee;

a widow(er)'s (including partners in a substantial relationship) non-attributable pension normally worth 62.5 per cent. of the member's pension and paid for life, irrespective of marriage or cohabitation; and

all dependent children will be eligible for a non-attributable pension below the age of 17 or until they complete full-time education.

For all in-Service deaths that are due to Service and caused after the date of the introduction of the new Compensation Scheme, benefits will be:

a Guaranteed Income Stream (GIS) for widow(er)s (including partners in a substantial relationship) payable for life and equating to 60 per cent. of the GIS calculation for the deceased, abated by 75 per cent. of any non-attributable pension (to avoid double compensation);

a GIS will also be payable to dependent children (abated by non-attributable pension); and

a bereavement grant (currently set at £20,000) will be paid to those whose partner remained in the current AFPS, as they would not benefit from the improved death in-Service benefit under the new AFPS. However, there will be a bereavement grant guarantee set so that if three times pensionable pay and £20,000 is greater than the new AFPS death in-Service lump sum, the Compensation Scheme will pay the balance.

A non-attributable pension is the pension paid where a death is not caused or significantly hastened by Service.

Suez Canal Zone Medals

Bob Russell: To ask the Secretary of State for Defence how many Suez Canal Zone medals will have been issued in time for this year's Remembrance Day services; how many applications have been made for the medal; when he expects that all will have been issued; and if he will make a statement. [135412]

Mr. Caplin: I refer the hon. Member to the answer I gave on 3 November 2003, *Official Report*, column 417W, to my hon. Friend the Member for Crawley (Ms Moffatt).

It is not possible to estimate when all the medals will have been issued because this will depend entirely on when veterans and their families decide to apply.

Territorial Army

Mr. Keetch: To ask the Secretary of State for Defence how many Territorial Army troops have refused to serve after being called up since 1 January; and if he will make a statement. [136608]

Mr. Ingram: No members of the Territorial Army have refused to serve after being called up since 1 January.

Members of the TA can appeal against their call-out order and the Reserve Forces Act 1996 provides the right to both Reservists and employers to seek revocation, exemption from or deferral of mobilisation. Where appeals have not been approved, no member of the TA has refused to serve.

Mr. Jenkin: To ask the Secretary of State for Defence what representations from employers he has received expressing concern about how often members of the Territorial Army and the Reserves are called up for military service; and what reports he has received of employers refusing to employ such people. [137725]

Mr. Caplin: To date, the Ministry of Defence has only received one representation from an employer expressing concern about how often members of the Reserve Forces are called-out for military service.

Our experience of Operation Telic has shown that employers are very supportive of the Reserve Forces. Only a very small number of employers have stated that they would not wish to employ reservists. Indeed, as a result of the call-out of reservists to support Operation Telic, the Supporting Britain's Reservists and Employers campaign team continues to be contacted by employers who wish to register as a supportive employer.

Angus Robertson: To ask the Secretary of State for Defence (1) where each unit of each *(a)* regular and *(b)* Territorial Army Royal Engineer Regiment is (i) based and (ii) deployed; and if he will make a statement; [136637]

(2) if he will list the units deployed in Iraq of each *(a)* regular and *(b)* Territorial Army Royal Engineer Regiment; where in Iraq they are deployed; what their mission goals are; and if he will make a statement. [136638]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Unmanned Air Vehicles

Angus Robertson: To ask the Secretary of State for Defence what assessment his Department has made of the future role of unmanned air vehicles in the UK armed forces; and if he will make a statement. [136938]

Mr. Ingram: We currently expect unmanned aerial vehicles (UAVs) to contribute significantly to future military capability in a number of areas. The WATCHKEEPER programme is on track to deliver a tactical UAV capability from 2006 which will provide UK commanders with accurate, timely and high quality imagery and support Network Enabled Capability. To explore the wider operational utility of UAV systems in the joint battlespace, we have established the Joint UAV Experimentation Programme (JUEP). Under the Future Offensive Air System programme, which is currently in its Concept Phase, we expect to look at a potential mix of platforms, including Unmanned Combat Aerial Vehicles (UCAVs), to meet our future strike capability from around the end of the next decade.

War Widows

Andrew Selous: To ask the Secretary of State for Defence what the cost has been for each year since 1997 of widows' pensions to war widows who became widows in *(a)* the Second World War, *(b)* from 1946 to 1973 and *(c)* since 1973. [136822]

Mr. Caplin: The information is not available in the format requested and could be provided only at disproportionate cost.

A range of statistics on War Pensions, including an analysis by age of the numbers of widows receiving war widows' pensions, is published quarterly. A copy is available in the Library of the House.

INTERNATIONAL DEVELOPMENT

Afghanistan

Keith Vaz: To ask the Secretary of State for International Development what assessment his Department has made of the security of people in Afghanistan; in what ways it is proposed that the rebels' opposition will be prevented; and if he will make a statement. [136557]

Hilary Benn: The security situation in Afghanistan continues to be a concern for both Afghans and the international community. There has been an increase in activity from Taliban insurgents in large areas of the south and east of the country, activity which the international coalition forces continue to counter.

On 13 October 2003, the United Nations Security Council passed Resolution 1510, authorising expansion, as resources permit, of the ISAF beyond Kabul. Additionally, there is an active programme of Security Sector Reform, including a new Disarmament, Demobilisation and Reintegration (DDR) Programme, which commenced with a pilot project in Kunduz on 24 October. Coupled with the four existing Provincial Reconstruction Teams (PRTs), and the additional four or five due to deploy in the coming months, these measures form a coherent package by which the international community is helping the Afghan people secure a stable and peaceful country for themselves.

Africa Forest Law Enforcement and Governance Process Conference, Cameroon

Mr. Gardiner: To ask the Secretary of State for International Development if he will make a statement on the African Forest Law Enforcement and Government Ministerial Conference recently held in Cameroon. [136632]

Mr. Gareth Thomas: I represented the UK at the Africa Forest Law Enforcement and Governance Conference which took place in Yaounde, Cameroon, from 13 to 16 October. Officials from DFID, Defra and the FCO also attended. The UK private sector and British NGOs sent strong delegations.

The purpose of the Conference was to build commitment to improve governance and strengthen law enforcement capacity. There was a particular focus on illegal logging, associated trade and bushmeat.

Ministers from 40 countries adopted a Declaration that commits governments from Africa and those of trading and development partners to work together to address these problems. The Declaration contains a series of indicative actions to be taken forward by these governments together with the private sector and NGOs. Independent monitoring of forestry operations and greater transparency in the allocation of forest resources were identified as critical elements for improving governance and countering corruption. Participants concerned with wildlife and the trade in bushmeat were pleased with the attention given to this subject and acknowledged that it cannot be disassociated from wider concerns about the livelihoods of poor people.

There was considerable interest in the EU Action Plan on forest law enforcement, governance and trade that the European Council endorsed on 13 October. Several African countries are keen to discuss the development of voluntary partnership agreements with the EU. Officials from my Department, Defra and FCO will now take this up with colleagues from the EC, other Member States and the African countries concerned.

Child/Maternal Mortality

Mr. Best: To ask the Secretary of State for International Development what progress has been made in meeting the Millennium Development Goal targets for reducing *(a)* child and *(b)* maternal mortality. [137657]

Hilary Benn: Assuming progress continues at the same rate as over the 1990s, the Millennium Development Goals 2015 targets of reductions in child and maternal mortality will not be met.

Child mortality is declining but on current trends will have fallen by only one quarter by 2015, far short of the two thirds reduction aimed for. There is considerable regional variation. Latin America is expected to meet

the target but there has been much slower progress in south Asia and the Arab states, and virtually no progress in sub-Saharan Africa.

Maternal mortality is difficult to measure but the available data suggest that little progress has been made in reducing mortality in recent years, and show an increase in maternal mortality in parts of Africa. In developing countries the coverage of the proxy indicator, the proportion of women who give birth with the assistance of a skilled health worker, increased from 42 per cent. in 1990 to 52 per cent. by 2000. Coverage in east and south east Asia, and northern Africa rose significantly. Coverage is highest in Latin America, at 85 per cent. In contrast, there was little progress in sub-Saharan Africa.

DFID has put the achievement of the MDGs at the heart of its work, and is working with its partners to do all it can to meet these targets. The MDG targets for child and maternal mortality in Africa and Asia form part of DFIDs Public Service Agreement. Supporting progress in sub-Saharan Africa is a particular priority for DFID.

A more comprehensive assessment of progress towards the goals is provided in the UN Secretary General's 2003 report on the implementation of the Millennium Declaration: http://ods-dds-ny.un.org/doc/UNDOC/GEN/N03/481/57/PDF/N0348157. pdf?OpenElement.

Conventional Weapons

Norman Lamb: To ask the Secretary of State for International Development what his Department's aims are at the Convention on Conventional Weapons negotiations in November; and if he will make a statement. [135851]

Hilary Benn: I refer the hon. Member the answer given by my right hon. friend the Minister of State, Foreign and Commonwealth Office on 4 November 2003, *Official Report*, column 542W.

Norman Lamb: To ask the Secretary of State for International Development whether his Department's representative at the Convention on Conventional Weapons negotiations in November will seek agreement on a mandate for future negotiations on cluster munitions. [135852]

Hilary Benn: I refer the hon. Member the answer given by my right hon. friend the Minister of State, Foreign and Commonwealth Office on 4 November 2003, *Official Report*, column 542W.

Deforestation

Mr. Gardiner: To ask the Secretary of State for International Development what steps he is taking to assist the Brazilian Government in preventing deforestation in the Amazon rainforest. [136663]

Hilary Benn: DFID is an active member of the G7 Pilot Programme for the Conservation of the Brazilian Rain Forests (a joint undertaking of the Brazilian Government, Brazil's civil society and the international community). DFID's currently is helping to:

strengthen the capacity of the indigenous movement to protect themselves from illegal logging through land demarcation and support to pursue sustainable livelihoods;

enhance the sustainable management of the Amazon Floodplains by local communicates and government;

enhance the Ministry of Environment's research on how to improve the economic and regulatory environment for sustainable forestry management;

design the transition of this Pilot Phase to a Programme that is more mainstreamed and rooted in Brazilian policies for the region.

The total contribution of DFID to the Pilot Programme for the Conservation of the Amazon Rain Forest is £16 million out of a total budget of US$410 million for the Pilot Programme.

DFID also supports other activities outside the G7 Programme including:

strengthening the ability of the Brazilian Agriculture Research Institute (EMBRAPA) to examine ways of improving sustainable forest management relevant to forest users and to improve the understanding by small farmers and disadvantaged groups of the benefits of sustainable forestry management; and

giving a greater emphasis to forestry management for small scale farmers in agricultural extension courses provided by the Federal Agricultural University of Para.

Many of these programmes are scheduled to end in 2004–05. The future of those planned to continue into 2005–06 will have to be reviewed in the light of the reallocation of DFID resources within middle income countries for that year.

Democratic Republic of Congo

Mrs. Spelman: To ask the Secretary of State for International Development what discussions have been held with the Governments of *(a)* Rwanda and *(b)* Uganda concerning their involvement in the future of the Democratic Republic of Congo. [136344]

Hilary Benn: We have maintained a close dialogue with the Governments of Rwanda and Uganda, and indeed with the former government and now the Transitional National Government (TNG) in Kinshasa, on the need for good neighbourly relations as the basis for national and regional stability. We continue to do so.

Both Rwanda and Uganda have taken positive steps recently to normalise their relations with the TNG in DRC, including mutual ministerial visits and the signing in New York on 25 September 2003 of a Good Neighbourly Pact, which included commitments that all support for armed groups should end and that there should be no illegal exploitation of natural resources of the DRC.

Ghana

Dr. Tonge: To ask the Secretary of State for International Development what progress has been made with the privatisation of water supplies in Ghana. [136204]

Hilary Benn: I refer the hon. Lady to my answer of 3 June 2003 *Official Report* column. 270W. The Government of Ghana has made no further announcement in respect of private sector participation in urban water supply.

Guinea Bissau

John Barrett: To ask the Secretary of State for International Development if he will make a statement on the recent flooding in the eastern regions of Guinea Bissau. [136528]

Hilary Benn: I understand that wide-spread flooding caused by very heavy rainfall (the wettest rainy season in the Sahel for 30 years) has destroyed vast areas of cropland in the east of Guinea-Bissau. Up to 80 per cent. of Guinea-Bissau's peasant farmers may have been affected. Large areas of rice planted along the banks of the Geba river have been destroyed. Elsewhere in Bafata and Gabu provinces fields of maize and beans were rotting underwater. The Guinea-Bissau Agricultural Minister is quoted as saying that an extra 60,000 tonnes of rice will need to be imported to make up for the expected shortfall in local food production.

A team from the UN World Food Programme (WFP) is evaluating the situation and preparing a response.

Iraq

Linda Perham: To ask the Secretary of State for International Development what plans the Government have to aid the rebuilding of the Iraqi education system. [136589]

Hilary Benn: DFID is funding two education advisers who will assist the Coalition Provisional Authority southern regional office and three governorates assess educational needs in the south of the country, and to plan an appropriate response. DFID has also supported the recovery of the education system through assistance to UNICEF and the NGO Muslim Hands.

DFID is currently preparing an interim Country Assistance Plan. As part of this process we will explore how best to help the Iraqis meet their human development needs, taking into account the recent sector assessments prepared by the UN/World bank and the results of the donor conference in Madrid.

Kosovo

Angus Robertson: To ask the Secretary of State for International Development how many *(a)* casualties and *(b)* injuries in Kosovo were directly attributable to (i) mines, (ii) de-mining activities and (iii) cluster bomb submunition in each year since 1999; and if he will make a statement. [131794]

Mr. MacShane: I have been asked to reply.

The Government do not keep detailed records of this type of information. The figures in the following table have been provided by the UN Mine Action Co-ordination Centre (UNMACC) in Kosovo.

The UK was the first country to have de-miners on the ground in Kosovo. Their de-mining activities have included clearance of unexploded munitions such as cluster bomb submunitions. The Government have spent over £10 million on de-mining activities in the Balkans, over £5 million of which was spent in 1999–2000 on de-mining in Kosovo.

	Mines		*Unexploded ordnance*		*Cluster bomb submunitions*		*Totals*	
	Killed	*Injured*	*Killed*	*Injured*	*Killed*	*Injured*	*Killed*	*Injured*
June 1999-December 2000	35	227	6	10	51	106		[1]476
2001	2	3	4	10	3	0	9	13
2002	0	1	5	7	3	0	8	8
2003 (1 January -30 September	0	3	1	9	2	0	3	12

[1] Collection of statistics began in 2000 and was backdated to June 1999. It is known that 101 persons were killed and 375 were injured between June 1999 and December 2000. However, of these 476 deaths or injuries, only 435, shown in the appropriate columns, can be attributed with certainty to a particular type of weapon, the remaining 13 deaths and 28 injuries having been caused by an unknown type. One deminer was killed by a cluster bomb submunition and 36 injured by mines between 1999 and 2001.

Lesotho

John Barrett: To ask the Secretary of State for International Development what assessment he has made of the impact of the current drought on the humanitarian situation in Lesotho; and if he will make a statement. [136526]

Hilary Benn: The 2003 winter cropping season has been seriously affected by drought. It is clear that vulnerable groups will continue to require humanitarian assistance. DFID will continue to work closely with the World Food Programme and other donors, and has already committed £3 million in assistance for feeding programmes and for agricultural recovery in Lesotho.

St. Helena

Mr. Steen: To ask the Secretary of State, Department for International Development, when he intends to re-negotiate the present three-year aid package for St. Helena; and when the last three-year package expired. [137226]

Mr. Gareth Thomas: Officials will visit St. Helena for this purpose early next year. The previous three-year aid package, which provided St. Helena with some £29 million, expired last March. This is being supplemented in the current (2003–04) Financial Year with further provision of over £10.5 million.

Mr. Anthony Steen: To ask the Secretary of State, Department for International Development, if he will make a statement on the progress with building the airport in St. Helena. [137228]

Mr. Gareth Thomas: Evaluation is continuing of the four expressions of interest, in response to the international invitation issued in April of this year, concerning possible private sector participation and potential investment in developing air access for St. Helena. I refer the hon. Gentleman to my written statement to this House on 16 September 2003, *Official Report*, column 43WS.

Mr. Steen: To ask the Secretary of State for International Development what plans he has to make an

official visit to St. Helena in 2004; and when a Minister from his Department last made a visit. [136974]

Mr. Gareth Thomas: I have no plans at present to visit St. Helena, and St. Helena has never had a visit by a DFID Minister. But DFID staff visit regularly; and official visitors from the island are always welcome at DFID. For example, in addition to several calls this year by officials from St. Helena, I have held two meetings since June with representatives of St. Helena's Executive and Legislative Councils. I am expecting to host another such meeting next month, when our colleagues from the Overseas Territories gather in London for the annual Overseas Territories Consultative Council.

Sudan

Linda Perham: To ask the Secretary of State for International Development what plans he has to help the refugees of the civil war in Sudan who have fled into Chad. [136582]

Hilary Benn: I refer my hon. Friend to my answer of 23 October 2003 to the hon. Member for Moray (Angus Robertson), *Official Report*, column 691W.

Angus Robertson: To ask the Secretary of State for International Development what discussions *(a)* he, *(b)* members of his Department and *(c)* other representatives of the United Kingdom government have had with non-governmental organisations since the beginning of October concerning the humanitarian situation in West Darfur in Sudan; and if he will make a statement. [136642]

Hilary Benn: The British Embassy in Khartoum, which includes DFID staff, continues to liaise closely with non-governmental organisations operational throughout Darfur—including those in West Darfur, such as Medair. DFID staff in London have also been in contact with non-governmental organisations working in this region.

The situation in West Darfur, as across the region, is of paramount concern to the international community.

We continue to support the work of key humanitarian agencies throughout the region—including UN, Red Cross and NGOs—and to raise the issue of access and security for humanitarian workers throughout Darfur with the Government of Sudan.

WTO Ministerial Conference

Mr. Salmond: To ask the Secretary of State for International Development when he will reply to the letter dated 6 October from the Member for Banff and Buchan regarding the World Trade Organisation Ministerial Conference. [137581]

Hilary Benn: Unfortunately, the Department has no record of having received this letter of 6 October. If the hon. Member would kindly re-send the letter I will ensure that he receives a prompt reply.

Zimbabwe

Keith Vaz: To ask the Secretary of State for International Development if he will make a statement on the *(a)* effectiveness and *(b)* outcomes of the additional fund of emergency support to Zimbabwe announced on 23 October 2003. [136560]

Hilary Benn: On 23 October DFID pledged a further £5 million for food assistance in Zimbabwe, through the World Food Programme (WFP), and £1.88 million for essential childhood vaccines, through UNICEF. These pledges bring British Government assistance in addressing the current humanitarian crisis in Zimbabwe to over £62 million since September 2001.

I am confident that our financial assistance is being used effectively. The WFP has agreed a Memorandum of Understanding with the Government of Zimbabwe which clearly sets out the humanitarian principles governing the identification of beneficiaries for WFP's ongoing emergency operation. Distribution procedures have been agreed with Government which give WFP's implementing partners (NGOs) a clear role in ensuring that donor-funded food aid reaches only those for whom it is intended. UNICEF has similarly robust procedures for ensuring that vaccines are used effectively for protecting vulnerable children from potentially fatal diseases, including tuberculosis, pertussis (whooping cough), tetanus, diphtheria, polio and measles.

The DFID team based in Zimbabwe is closely monitoring both the effectiveness and the outcomes of UK humanitarian support. The UK's recent contribution to WFP includes a provision of £0.5 million to strengthen WFP's monitoring systems for donor-funded food distribution. This will enable WFP to produce comprehensive monthly reports on the processes and the impact of all food aid distributed by them, as well as providing a basis upon which to improve the design of future operations.

Mr. Robathan: To ask the Secretary of State for International Development what the outcome was of the contract awarded to Oxford Policy Management Ltd. for a Zimbabwe Trade Policy Capacity Project; and what action he took to ensure that none of this money went to the Government of Zimbabwe and its officials. [137732]

Hilary Benn: The contract was terminated in July 2001 due to the political situation in Zimbabwe. The total spend was £10,100, paid to Oxford Policy Management Ltd.

CULTURE, MEDIA AND SPORT

Digital Television

10. **Mr. Carmichael:** To ask the Secretary of State for Culture, Media and Sport what discussions her Department has had with the Treasury concerning the free provision of the new viewing card to former Solus card users aged 75 and over. [137032]

Tessa Jowell: My Department has had no such discussions with the Treasury. While the Government appreciate the importance of television to many pensioners. the provision of a Solus "viewing card" is a matter for the broadcasters.

Film Initiatives (Schools and Colleges)

11. **John Robertson:** To ask the Secretary of State for Culture, Media and Sport what support her Department is giving to film initiatives in schools and colleges. [137033]

Estelle Morris: The UK Film Council, charged by the Government to support education about, and access to, film culture, runs the First Light initiative to help young people in schools and colleges make short films. The Creative Partnerships Programme has also run a number of film projects in schools, some in partnership with First Light.

The British Film Institute, funded by the UK Film Council, runs a number of education projects in schools and colleges across the UK about film and the moving image.

Amateur Sport

12. **Mr. Wyatt:** To ask the Secretary of State for Culture, Media and Sport when amateur sporting clubs will be able to access rate relief. [137034]

Mr. Caborn: Clubs may register with the Inland Revenue for Community Amateur Sport Club status immediately. Registered clubs will receive mandatory rate relief from 1 April 2004.

Monuments (Preferential Charging)

13. **Dr. Cable:** To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the number of cultural and historical monuments which set preferential charges for *(a)* local residents and *(b)* UK nationals; and whether it is her policy to continue to permit such preferences. [137035]

Estelle Morris: If such preferential charges exist at cultural and historic sites owned by or managed on behalf of the state, my right hon. Friend the Secretary of State will not permit their continuance as this would be in breach of EU law.

Casinos

14. **Jeff Ennis:** To ask the Secretary of State for Culture, Media and Sport what measures her Department will put in place to limit the proliferation of gaming in the planned liberalisation of casinos. [137036]

Tessa Jowell: Liberalisation of casinos must be controlled and balanced. We consulted about our proposals in August. We see real possibilities of using large resort casinos to secure regeneration benefits, but we do not want to see the proliferation of small casinos.

The consultation ended recently. We are considering the responses.

Tourism

15. **Mr. Sanders:** To ask the Secretary of State for Culture, Media and Sport how many press releases her Department has issued since April that relate directly to tourism. [137037]

Mr. Caborn: The Department has issued four press releases since April relating directly to tourism.

We have also issued three press releases on the reform of the licensing system, which impacts directly on the tourism and hospitality sector.

Mr. Best: To ask the Secretary of State for Culture, Media and Sport what plans her Department has to improve the skills base in the tourism industry. [136653]

Mr. Caborn: The Hospitality, Leisure, Travel and Tourism sectors are working with my Department and the Sector Skills Development Agency to set up a Sector Skills Council (SSC) for the industry. The SSC will be industry led and will co-ordinate the sectors approach to reducing the skills gaps and shortages and anticipate future needs. It will provide a one-stop shop for advice on learning and skills and sign post employers to other sources of help. The SSC will investigate the needs of both large and small employers and develop tailored support to help them achieve business objectives.

BBC

17. **Huw Irranca-Davies:** To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the Office of Fair Trading report on independent productions transmitted by the BBC. [137039]

Tessa Jowell: I was very disappointed that the BBC failed to meet its 25 per cent. independent production quota for 2002–03. I take this extremely seriously and have written to the BBC Chairman, Gavyn Davies, to say so. In future, it will be a matter for Ofcom to enforce this quota and they will have powers to fine in cases of non-compliance.

20. **Mr. Gordon Prentice:** To ask the Secretary of State for Culture, Media and Sport what recent discussions she has had with the BBC on using the licence fee to fund the future development of its on-line services. [137042]

Tessa Jowell: I have had no recent discussions with the BBC on this matter. The BBC's online service is currently the subject of an independent review by Philip Graf. The findings of this review will feed into the forthcoming review of the BBC's Charter, and as such, will have a bearing on the funding arrangements for the future developments of BBC online services.

School Sport

18. **Mrs. Calton:** To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the Department for Education and Skills about widening the range of *(a)* competitive and *(b)* non-competitive sports in schools. [137040]

Mr. Caborn: My right hon. Friend the Secretary of State meets regularly with my right hon. Friend the Secretary of State for Education and Skills to discuss issues of mutual concern. These include the Public Service Agreement target, shared by both departments, to increase the percentage of school children who spend a minimum of two hours each week on high quality PE and school sport—both competitive and non-competitive—within and beyond the curriculum to 75 per cent. by 2006.

Regional Theatre

19. **Mr. Cameron:** To ask the Secretary of State for Culture, Media and Sport what steps she has taken to

ensure that small theatres in the regions of England receive a larger share of support from funding organisations; and if she will make a statement. [137041]

Estelle Morris: As a consequence of the theatre review in 2001, Arts Council England is allocating substantially more funding to regional theatre across England. From April this year the total budget for theatre is, £100 million and will increase further by 2005–06. This is exceptionally good news and will lead to more and better theatre for audiences across the country.

Tote

Mr. Laurence Robertson: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on her plans to change the status of the Tote. [137038]

Tessa Jowell: We intend to bring forward legislative proposals when parliamentary time allows. These proposals will enable the Tote to be sold to a horse racing trust.

Lottery Grant (Telford)

David Wright: To ask the Secretary of State for Culture, Media and Sport what level of Lottery grant money has been provided to organisations in Telford since 1997. [136882]

Estelle Morris: Since 1 January 1997, £14,163,229 has been allocated to 194 projects in the constituency of Telford.

This is derived from the Department's Awards Database, which is based on information supplied by the distributing bodies.

David Wright: To ask the Secretary of State for Culture, Media and Sport what resources have been raised by the National Lottery for charitable purposes in Telford; and what money has been allocated to local projects there. [136883]

Estelle Morris: Since the start of the Lottery, £16,889,359 has been allocated to 214 projects in the constituency of Telford.

This is derived from the Department's Awards Database, which is based on information supplied by the distributing bodies.

Information about National Lottery ticket sales is not broken down by constituency, but the National Lottery Commission is able to provide information about sales broken down by postcode area. I shall write to my hon. Friend with it as soon as possible, placing copies of my letter in the Libraries both Houses.

There is only an indirect link between ticket sales and money available for charitable purposes. Unclaimed prizes and interest earned are two factors that influence the overall amount of money available to the good causes. For this reason it is not possible to specify money for good causes as having come from particular area, geographical or otherwise.

Overseas Visitors

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport how many overseas visitors she estimates visited *(a)* the North West, *(b)* Lancashire and *(c)* Chorley in the last 12 months. [136908]

Mr. Caborn: According to the North West Tourist Board, in 2002, an estimated 1.62 million overseas visitors visited the North West which includes Cumbria; an estimated 0.23 million overseas visits were made to Lancashire and approximately 6,380 overseas visits were made to Chorley.

Note:
The figures have been supplied by the North West Tourist Board and are based on a visit Britain survey of overseas visits called the International Passenger Survey which collates information at national level.

Racing

Mr. Whittingdale: To ask the Secretary of State for Culture, Media and Sport what discussions her Department has had with racing authorities about the preliminary conclusion by the Office of Fair Trading on British racing; and if she will make a statement. [137138]

Mr. Caborn: I met representatives of the Jockey Club on 5 November and will be meeting British Horseracing Board representatives on 11 November. Previously, my right hon. Friend the Secretary of State discussed the matter with the racing industry at a seminar organised by the Department in July. Both the Jockey Club and the BHB have briefed my Department about the submissions which they have made to the Office of Fair Trading in response to the Rule 14 notice; but I cannot comment on a matter which is subject to a statutory process, yet to be completed, between the competition authorities and the parties.

School Sports Co-ordinator

Mr. Best: To ask the Secretary of State for Culture, Media and Sport (1) if she will make a statement on the School Sports Co-ordinator programme; [136644]

(2) how many school sports co-ordinators are in post; [136645]

(3) what steps she is taking to improve school sports facilities; [136646]

(4) what steps her Department is taking in conjunction with local authorities to strengthen school sports; [136647]

(5) if she will make a statement on recent progress in highlighting the importance of sport in schools. [136655]

Mr. Caborn: The Government is investing more than £1 billion in England to transform PE and school sport. This funding will help deliver an ambitious Public Service Agreement target, shared by DCMS and DfES, to increase the percentage of school children who spend a minimum of two hours each week on high quality PE and school sport within and beyond the curriculum to 75 per cent. by 2006.

Spearheading action is a massive expansion of the School Sport Co-ordinator programme. There are currently some 1,200 School Sport Co-ordinators and 6,000 Primary and Special School Link Teachers. This

means that 30 per cent. of all schools in England now belong to one of the 222 School Sport Partnerships. We are working closely with local education authorities to ensure a continued strategic roll-out of this element of the national strategy for PE, school sport and club links.

The investment also includes expenditure of £581 million from the New Opportunities Fund over the period 2002–03 to 2005–06 to bring about a step change in the provision of sports facilities for young people and the community generally; £130 million from the Space for Sport and Arts programme since 2000–01 for new or modernised sports and arts facilities in primary schools in 65 deprived LEAs; and £10 million from the Sporting Playgrounds programme to enhance primary school playgrounds in 27 deprived LEAs.

Sports (One Stop Planning)

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport if she will list the sports that will be given specific One Stop Planning support; and what criteria were used in selecting the sports. [137074]

Mr. Caborn: The following sports will be accorded UK-wide One Stop Planning support:

athletics
canoeing
cycling
equestrianism
gymnastics/trampolining
judo
rowing
sailing
swimming/diving
triathlon

The primary criteria against which UK Sport selected these sports were: potential to deliver medals at the 2008 Olympic and Paralympic Games, track record of delivery against targets at previous Games, and capacity to provide high quality support for athletes. UK Sport's secondary criteria were public profile, and significance in contributing to wider sports participation targets. These criteria were agreed with the Home Nations Sports Councils.

Television Licence Fee

Mr. Peter Duncan: To ask the Secretary of State for Culture, Media and Sport what proportion of Freeview is paid for by the television licence fee. [135270]

Estelle Morris: Under the terms of the shareholder agreement which established Freeview (DTVS Ltd.), the BBC, BSkyB and Crown Castle each pay one third of the company's costs. These costs cover marketing and customer support for Freeview including the cost of liaising with manufacturers and retailers. In common with other broadcasters on the digital terrestrial platform, the BBC must also, separately, pay for the technical costs of broadcasting its channels, and make payments to the ITC for its multiplex licence, but these payments are not made to or through Freeview (DTVS Ltd.).

Work-related Stress

Dr. Cable: To ask the Secretary of State for Culture, Media and Sport how many cases of work related stress have been reported in her Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work related stress, and at what cost; what procedures have been put in place to reduce work related stress, and at what cost; and if she will make a statement. [136856]

Mr. Caborn: DCMS does not hold data which separately identifies work-related sickness absence. DCMS has a legal obligation to provide a safe working environment for employees.

The Department is committed to meeting targets for reducing the number of working days lost generally due to sickness absence and due to work related injuries and illness arising from the Government's Revitalising Health and Safety initiative. Guidance is available for all staff on how to manage stress effectively.

EDUCATION AND SKILLS

Sure Start

Chris Grayling: To ask the Secretary of State for Education and Skills how many Sure Start programmes are running; and how many children are involved. [133908]

Margaret Hodge: There are now 521 Sure Start programmes up and running, providing services to around 390,000 children aged under four and their families in the most disadvantaged areas of the country.

Universal Children's Day

Mr. Hancock: To ask the Secretary of State for Education and Skills if he will make it his policy to accept UN Resolution 836 and establish and promote a Universal Children's day in the United Kingdom; and if he will make a statement. [133731]

Margaret Hodge: The Government's commitment to children and young people has been demonstrated by the creation of the post of Minister for Children, Young People and Families, the pulling together within DfES, from across Government of a range of services for children and families, and the publication of the green paper "Every Child Matters", which sets out a comprehensive programme of reform and improvement for the care of children.

Both the Minister and officials work closely with children and young people themselves. A special edition of the Green Paper specifically aimed at children has been issued, and 50 separate consultation events are being held with children as a part in the consultation process, which lasts until 1 December.

We consider that these measures are likely to be of greater value to children and young people than a Universal Children's Day.

Breakfast Clubs

Dr. Tonge: To ask the Secretary of State for Education and Skills how many schools in the UK provide breakfast clubs, broken down by education authority. [136208]

Mr. Miliband: The Department does not keep a record of the number of breakfast clubs operating in any given area of the country. Breakfast clubs are available in a number of schools, and may form part of a school's study support or childcare provision for which Government funding is available. They can not only provide learning opportunities for pupils, but also help support the needs of working parents by offering food in a safe and stimulating environment for their children.

CAFCASS

Mr. Hawkins: To ask the Secretary of State for Education and Skills what plans he has to reform the management and organisation of CAFCASS. [137479]

Margaret Hodge: In response to one of the recommendations of the Committee on the Lord Chancellor's Department in their report on the Children and Family Court Advisory and Support Service (CAFCASS) (HC 614–1), I appointed Professor Sir Clive Booth to carry out a review of the skills required by the CAFCASS Board. I will consider his report before taking any decisions on the organisation of the Board.

Child Protection

Sir Teddy Taylor: To ask the Secretary of State for Education and Skills what response he has made to the letter of 3 November from the Chief Executive of Southend Borough Council relating to child protection. [137770]

Mr. Stephen Twigg: The Secretary of State has not received this letter.

Children and Young People's Unit

Mr. Steen: To ask the Secretary of State for Education and Skills what the annual budget was for *(a)* staffing and *(b)* administering the Children and Young People's Unit in each year since it was established; and how much funding has been allocated by the CYPU to projects referred by the Children's Fund over the same period, broken down by region. [135028]

Margaret Hodge *[holding answer 28 October 2003]:* The information requested is as follows.

Staffing/Admin

The Children's and Young People's Unit had a combined staffing and administration budget over financial years 2001–02, 2002–03 & 2003–04 of:

Financial year 2001–02: £2.66 million

Financial year 2002–03: £4.43 million

Financial year 2003–04: £4.40 million

This equates to approximately 2.6 per cent. of the Unit's overall budget.

Children's Fund

There are 149 Children's Fund partnership areas in England and individual partnership allocations were based on a formula derived from the number of children in households claiming means-tested benefit/allowance (as defined by Income Support, income-based Jobseekers Allowance, Family Credit and Disability Working Allowance).

The Children's Fund was rolled out across England in three waves. £67.65 million was allocated to partnerships in 2001–02; £121.37 million in 2002–03; and £166.78 million in 2003–04. The attached table lists each of the 149 partnerships and their annual allocation since each partnership was implemented. Partnership allocations are the same for SR2000 and SR2002. Wave 1 partnerships began operating from 1 July 2001. Wave 2 partnerships began operating from 1 April 2002. Wave 3 partnerships began operating from 1 April 2003.

Partnership (Wave 1)	*Annual allocation(£)*
Birmingham	6,000,000.00
Blackburn with Darwen	900,000.00
Blackpool	600,000.00
Bolton	1,200,000.00
Bradford	2,750,000.00
Bristol	1,610,000.00
Camden	800,000.00
Cornwall	1,770,000.00
Doncaster	1,350,000.00
Gateshead	800,000.00
Greenwich	1,290,000.00
Hackney	1,400,000.00
Halton	600,000.00
Haringey	1,410,000.00
Hartlepool	500,000.00
Islington	900,000.00
Kent	3,700,000.00
Kingston upon Hull	1,550,000.00
Knowsley	1,050,000.00
Lancashire	4,000,000.00
Leeds	2,650,000.00
Leicester	1,600,000.00
Lincolnshire	1,750,000.00
Liverpool	2,800,000.00
Manchester	2,960,000.00
Middlesbrough	850,000.00
Newcastle upon Tyne	1,250,000.00
Newham	1,900,000.00
Norfolk	2,100,000.00
Nottingham	1,700,000.00
Oldham*	1,370,000.00
Portsmouth	1,010,000.00
Rochdale	1,330,000.00
Salford	1,100,000.00
Sandwell	1,610,000.00
Sheffield	2,060,000.00
Southwark	1,450,000.00
Stockton-on-Tees	750,000.00
Sunderland	1,530,000.00
Tower Hamlets	1,700,000.00
Total	67,650,000.00

Partnership (Wave 2)	*Average annual allocation (£)*
Barking and Dagenham	800,000.00
Barnsley	900,000.00
Bournemouth	400,000.00
Brent	1,250,000.00
Brighton	1,010,000.00

Partnership (Wave 2)	Average annual allocation (£)
Calderdale	700,000.00
Cheshire	1,600,000.00
County Durham	1,890,000.00
Coventry	1,200,000.00
Cumbria	1,300,000.00
Darlington	407,000.00
Derby	1,000,000.00
Derbyshire	1,900,000.00
Devon	1,800,000.00
East Sussex	1,300,000.00
Hammersmith and Fulham	3,008,006.00
Isle of Wight	400,000.00
Kirklees	1,600,000.00
Lambeth	1,300,000.00
Lewisham	1,100,000.00
Luton	1,090,000.00
Medway	800,000.00
North East Lincolnshire	700,000.00
North Lincolnshire	500,000.00
North Tyneside	700,000.00
North Yorkshire	1,410,000.00
Northamptonshire	1,810,000.00
Northumberland	900,000.00
Nottinghamshire	2,200,000.00
Peterborough	700,000.00
Plymouth	900,000.00
Redcar and Cleveland	600,000.00
Rotherham	1,100,000.00
Sefton	1,000,000.00
Solihull	850,000.00
South Tyneside	700,000.00
Southampton	800,000.00
St. Helens	700,000.00
Stoke-on-Trent	1,100,000.00
Suffolk	1,730,000.00
Tameside	900,000.00
Telford and Wrekin	600,000.00
Torbay	400,000.00
Trafford	600,000.00
Walsall	1,200,000.00
Waltham Forest	1,000,000.00
Wandsworth	700,000.00
Westminster	500,000.00
Wirral	1,570,000.00
Wolverhampton	1,100,000.00
Total	53,725,006.00

Partnership (Wave 3)	Average annual allocation (£)
Barnet	700,000.00
Bath and North East Somerset	360,000.00
Bedfordshire	800,000.00
Bexley	500,000.00
Bracknell Forest	194,000.00
Bromley	600,000.00
Buckinghamshire	800,000.00
Bury	600,000.00
Cambridgeshire	1,000,000.00
City of London	35,000.00
Croydon	1,100,000.00
Dorset	800,000.00
Dudley	900,000.00
Ealing	1,000,000.00
East Riding of Yorkshire	700,000.00
Enfield	900,000.00
Essex	3,100,000.00
Gloucestershire	1,200,000.00
Hampshire	2,400,000.00
Harrow	479,000.00
Havering	500,000.00
Herefordshire	448,000.00
Hertfordshire	2,000,000.00

Partnership (Wave 3)	Average annual allocation (£)
Hillingdon	600,000.00
Hounslow	700,000.00
Kensington and Chelsea*	360,000.00
Kingston upon Thames	236,000.00
Leicestershire	1,100,000.00
Merton	488,000.00
Milton Keynes	600,000.00
North Somerset	398,000.00
Oxfordshire	1,100,000.00
Poole	355,000.00
Reading	445,000.00
Redbridge	700,000.00
Richmond uponThames	222,000.00
Rutland	40,000.00
Shropshire	600,000.00
Slough	443,000.00
Somerset	1,200,000.00
Southend-on-Sea	500,000.00
South Gloucestershire	461,000.00
Staffordshire	2,000,000.00
Stockport	800,000.00
Surrey	1,300,000.00
Sutton	400,000.00
Swindon	494,000.00
Thurrock	451,000.00
Wakefield	1,200,000.00
Warrington	500,000.00
Warwickshire	1,100,000.00
West Sussex	1,400,000.00
West Berkshire	224,000.00
Wigan	1,000,000.00
Wiltshire	800,000.00
Windsor and Maidenhead	187,000.00
Wokingham	144,000.00
Worcestershire	1,300,000.00
York	450,000.00
Total	45,414,000.00

Child Protection

Mr. Hancock: To ask the Secretary of State for Education and Skills what assessment he has made of the *(a)* need for and *(b)* costs of enabling children's services in refuges to meet the national standards for under eights day care; and if he will make a statement. [136394]

Margaret Hodge: Where refuges offer day care they will need to be registered and inspected by Ofsted, and the national standards for under eights day care would apply. Under an agreed protocol between Ofsted and the Women's Aid Federation of England (WAFE), the unique position of women's refuges is recognised and Ofsted's guidance to its child care inspectors indicates that their special circumstances should be taken into account in applying the national standards.

Local authorities are funded to promote growth in the number of child care places generally and to provide information, training and advice to providers to help them meet the national standards. They work in partnership with refuges where appropriate.

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills what checks are carried out into private companies who run children's homes. [136545]

Margaret Hodge: The requirements of the Children's Homes Regulations 2001 and the Children's Homes National Minimum Standards must be complied with

before an organisation can be registered with the National Care Standards Commission. A copy of the Children's Homes Regulations 2001 and the National Minimum Standards have been placed in the Library.

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills what role social services departments have in setting up children's homes. [136546]

Margaret Hodge: Social Services departments no longer register and inspect children's homes in their area. Any residential children's homes that are provided by local authorities are registered and inspected by the National Care Standards Commission in the same way as any other private or voluntary organisation providing residential children's homes. Each service provider must comply with the Children's Homes Regulations 2001 and Children's Homes National Minimum Standards.

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills what consultation in the local area is required to be carried out for a proposed children's home for three or fewer children. [136547]

Margaret Hodge: There is no requirement for the consultation of local residents in relation to a proposed children's home. The NCSC does not distinguish between small children's homes and large children's homes for the purpose of registration.

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills how many children were in privately-run children's homes in Somerset in the last year for which figures are available. [136548]

Margaret Hodge: The information requested is not available.

The National Care Standards Commission's records show that as of 3 November 2003 there are places for 229 children in total in privately run children's homes in Somerset.

Condover Hall School

Mr. Paul Marsden: To ask the Secretary of State for Education and Skills (1) what discussions his Department has had with the Royal National Institute for the Blind on the closure of Condover Hall School; [134358]

(2) if he will list the schools in England which provide the same education services as Condover Hall School for multisensory-disabled children; [134359]

(3) what discussion his Department has had with Shropshire county council LEA regarding the closure of Condover Hall School; [134360]

(4) how many children are taught at Condover Hall School; [134361]

(5) how many teachers he estimates will lose their jobs when Condover Hall School closes; [134362]

(6) what provision is being made to continue the education of the children taught at Condover Hall School when it closes. [134363]

Margaret Hodge: There are many schools in England, approved to make provision for pupils with profound and multiple learning difficulties and severe learning difficulties which are able to provide services for multi-disabled pupils. We understand from the Royal National Institute for the Blind (RNIB) that its school, Rushton Hall, provides education services very similar to those provided at Condover Hall. Other schools which provide services for mulit-sensory disabled children, but with different patterns of residential provision are: St. David's Unit at the West of England School, Exeter; and the Royal School for the Blind in Liverpool. Liden Lodge School in the London borough of Wandsworth is also developing support for multi-sensory disabled children.

Official at the DfES have had no discussions to date with Shropshire county council about the closure of Condover Hall School. We do of course stand ready to discuss the matter with any interested party, including local education authorities which currently make use of the school, if asked to do so.

Officials have however asked the RNIB to clarify its plans for the closure of Condover Hall School, and in particular to explain how the RNIB intends to ensure that appropriate and realistic plans for the placement of children currently attending the school are in place. We are currently awaiting a response.

Condover Hall School currently has 34 pupils of statutory school age. There are no primary age pupils. Six pupils are in year 13 and are due to leave school at the end of the summer term 2004. In addition there are 12 young adults, aged from 19–24, in the Adult Education Centre at Condover Hall School.

Condover Hall School currently has 11 teachers, including the Principal and Deputy Headteacher. Nine teachers are employed in the main school and two in the Adult Education Centre. RNIB has stated its intention of exploring opportunities for redeployment of staff currently employed at Condover Hall.

It will be for the home LEA of each child currently placed at Condover Hall to decide, based on the special educational needs of that child, the most suitable placement for them following the closure of the school.

Connexions

Mr. Willis: To ask the Secretary of State for Education and Skills how many Connexions personal advisers were allocated to *(a)* information and advice in schools and colleges, *(b)* targeted preventative work in schools and colleges and *(c)* information and advice to those not engaged in education or training in (i) 2002–03 and (ii) 2003–04, in each Connexions region; and if he will make a statement. [134110]

Margaret Hodge *[holding answer 23 October 2003]:* Statistics relating to the specific areas listed in this question are not available from Connexions partnerships. Partnerships are required to show the percentages of total expenditure on both pre-16 and post-16 work. These figures include staff as well as other costs and give some indication of the balance of expenditure on young people during compulsory education and beyond. It can be assumed that the majority of pre-16 expenditure is devoted to young people wholly engaged in learning.

The role of the personal adviser is very broad, covering initial information and advice through to more in-depth support. The specific roles of personal advisers within schools and colleges are determined via a partnership agreement signed between each institution and the partnership. This is a further reason why it is not possible to supply information in the forms requested.

Analysis of Connexions grant spend

	Percentage of grant spent by age group			
	April 2002–March 2003		April 2003–June 2003[1]	
Partnership	*13–16s*	*16–19s*	*13–16s*	*16–19s*
Milton Keynes, Oxfordshire and Buckinghamshire	46	54	49	51
Berkshire	46	54	47	53
Surrey	52	48	52	48
Kent and Medway[2]	56	44	—	—
Sussex	58	42	51	49
South Central	51	49	53	47
London				
West London	44	56	47	53
Central London	32	68	42	58
North London	46	54	51	49
East London	51	49	51	49
South London	38	62	38	62
East of England				
Norfolk	58	42	58	42
Cambridgeshire and Peterborough	57	43	50	50
Suffolk	42	58	40	60
Bedfordshire and Luton	46	54	46	54
Hertfordshire	53	47	53	47
Essex, Southend and Thurrock	49	51	52	48
South West				
Gloucestershire	51	49	42	58
Wiltshire and Swindon	40	60	48	52
West of England	62	38	57	43
Somerset	45	55	50	50
Bournemouth, Dorset and Poole	54	46	53	47
Cornwall and Devon	41	59	43	57
West Midlands				
Shropshire, Telford and Wrekin	65	35	65	35
Staffordshire	48	52	42	58
Black Country	40	60	46	54
Birmingham and Solihull	47	53	48	52
Coventry and Warwickshire	63	37	63	37
Hereford and Worcester	54	46	54	46
East Midlands				
Derbyshire	62	38	62	38
Nottinghamshire	60	40	54	46
Lincolnshire and Rutland	42	58	40	60
Leicestershire	45	55	45	55
Northamptonshire	36	64	50	50
Yorks and the Humber				
York and North Yorkshire	55	45	54	46
West Yorkshire	53	47	53	47
Humber	45	55	44	56
South Yorkshire	45	55	45	55
North West				
Cumbria	41	59	41	59
Lancashire	54	46	52	48
Greater Manchester	50	50	50	50
Greater Merseyside	44	56	45	55
Cheshire and Warrington	58	42	58	42
North East				
Northumberland (started 1 April 2003)	0	0	49	51
Tyne and Wear	45	55	45	55
County Durham	57	43	56	44
Tees Valley	44	56	44	56
England total	49	51	50	50

[1] The latest available information

[2] Details not available for Q1 2003–04

Source:

Partnerships' Income and Expenditure Tables

Departmental Energy Use

Mr. Laurence Robertson: To ask the Secretary of State for Education and Skills how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135051]

Mr. Stephen Twigg: In response to parts *(a)* and *(b)* parts (i) and (ii) of this question, I refer the hon. Member to the reply given by Defra on 3 November 2003 (*Official Report* column 404W). Targets for future energy use on the Government Estate are being developed under the Framework for Sustainable Development on the Government Estate.

Recent and planned changes to our estate due to the rationalisation of the use of our headquarters buildings have meant that we cannot accurately predict our energy consumption in the near future. My Department remains committed to reducing energy use as part of our own sustainable development plan, and as part of the government-wide programme to improve performance in this area.

Domestic Violence

Ms Shipley: To ask the Secretary of State for Education and Skills what plans he has to ensure that the findings of the Government's "Safety and Justice" consultation on domestic violence are included in the outcome of the "Every Child Matters" consultation process. [134911]

Margaret Hodge: Responses to "Safety and Justice: The Government's Proposals on Domestic Violence" are currently being analysed and will be considered by Ministers shortly. I shall ask for details of those responses to "Safety and Justice" which have a bearing on our proposals for improving services to children and young people, as set out in the Green Paper "Every Child Matters", to be considered together with the responses received to that Green Paper.

Ms Shipley: To ask the Secretary of State for Education and Skills whether issues relating to domestic violence will be included in the remit of the proposed Commissioner for Children. [134998]

Margaret Hodge *[holding answer 28 October 2003]:* The Government set out in the Green Paper 'Every Child Matters' our intention to legislate for the appointment of a Children's Commissioner as a new voice for all children and young people, especially the disadvantaged. The Commissioner would ensure that the views of children and young people are heard, and report to Parliament through the Secretary of State for Education and Skills on progress against the outcomes for children set out in the Green Paper. Further details on the remit and responsibilities of the Commissioner will be made available in the light of the consultation which runs until 1 December.

Ms Shipley: To ask the Secretary of State for Education and Skills how cross-departmental policy implementation on issues relating to children and domestic violence will be organised. [135007]

Margaret Hodge *[holding answer 29 October 2003]:* Cross-departmental issues relating to domestic violence, including those affecting children and young people, are overseen by the Inter-Ministerial Group for Domestic Violence chaired by Baroness Scotland of Asthal. Baroness Ashton of Upholland represents the Department for Education and Skills on the Inter-Ministerial Group.

When necessary, issues relating to domestic violence and children and young people will be considered by the children, young people and family services Cabinet Committee MISC9 chaired by the Chancellor. The Secretary of State for Education and Skills has Cabinet-level responsibility for both policy and delivery of services for children and young people and is a member of MISC9. He is also chair of the Cabinet sub-Committee MISC9(D) which is responsible for ordinating the delivery of services to children, young people and families. I am a member of both MISC9 and MISC9(D).

Edexcel

Mr. Gibb: To ask the Secretary of State for Education and Skills if he will make a statement on *(a)* the role of coursework in the GCSE examination and *(b)* the International GCSE qualification developed by Edexcel exam board. [136709]

Mr. Miliband: Coursework can be a valuable way of assessing achievement that cannot readily be demonstrated in an examination. The setting and assessment of coursework can help teaching and learning processes by measuring and encouraging the development of important skills not easily tested in timed written examinations, like the ability to tackle extended pieces of written work. The 14–19 Reform Group is considering the place of coursework in the 14–19 curriculum.

The concept of an IGCSE is not a new one. The University of Cambridge Local Examinations Syndicate has offered this type of examination since 1986. IGSEs have been designed as qualifications primarily for overseas candidates, with some take up in the independent sector. Unlike GCSEs they are not approved for use in maintained schools and are not subject to any regulatory mechanisms.

Education Formula Spending

Mr. Jack: To ask the Secretary of State for Education and Skills in annex D of his Department's policy guidance note, School and local education authority funding in 2003–04, what increase in the education formula spending was indicated for local education authority budget forecasters to use for 2004–05; and how this was determined. [136886]

Mr. Miliband: The Department's guidance note, sent to local education authorities on 10 December 2003, included advice to authorities to help them in forecasting their budget over the period 2003–04 to 2005–06, so they could set indicative three-year budgets for schools.

Based on the outcome of the 2002 Spending Review, the guidance noted that Education Formula Spending was planned to increase between 2003–04 and 2004–05 by 5.5 per cent. in cash, and approximately 6.0 per cent. per pupil, based on pupil number estimates from the Department's pupil projection model. It also noted that the floor and ceiling arrangements, introduced in 2003–04, would continue to operate in future years.

The guidance explicitly recognised that the Department is unable to provide firm estimates of EFSS increases for future years for each authority.

Educational Psychologists

Mr. Laurence Robertson: To ask the Secretary of State for Education and Skills what changes he has made to the work of educational psychologists in schools by grouping schools together; and if he will make a statement. [134991]

Mr. Stephen Twigg: Educational psychologists are employed by local education authorities. Decisions on their deployment and use are therefore matters for LEAs to determine in the light of local circumstances and available resources. The grouping of schools in federations should not significantly affect the role or responsibilities of educational psychologists.

Simon Hughes: To ask the Secretary of State for Education and Skills how many educational psychologists are employed by each local education authority in London; and *(a)* how many were employed by, *(b)* how many retired *(c)* how many were recruited in and *(d)* what the vacancy rates were in each local authority in London for each of the last six years. [135149]

Mr. Stephen Twigg: The latest available information on the number of educational psychologists employed by local education authorities in London, and the number of vacant posts is given in the following table:

Educational psychologists (full-time equivalent) London

LEA	Vacancies						In Service		
	1998	*1999*	*2000*	*2001*	*2002*	*2003*	*2001*	*2002*	*2003*
City of London	0.1	0.1	0.2	0.2	0.3	0.3	0	0	0
Camden	7.5	7.5	10.9	12.0	11.2	13.0	0	0	0
Greenwich	16.9	15.9	12.9	14.5	15.5	20.8	1	0	0
Hackney	10.0	10.5	11.7	12.5	11.5	11.0	1	2	0
Hammersmith and Fulham	7.5	9.3	7.5	5.9	8.4	10.1	1	0	0
Islington	13.0	12.3	14.1	12.0	10.3	9.3	0	0	0
Kensington and Chelsea	10.0	8.0	8.0	6.0	7.0	6.5	0	0	0
Lambeth	8.0	10.7	13.4	15.1	14.8	14.3	0	0	0
Lewisham	13.5	12.5	12.5	13.5	14.0	12.0	0	0	0
Southwark	11.1	12.3	12.3	11.7	13.3	11.7	2	3	4
Tower Hamlets	29.6	15.7	15.3	14.4	13.0	13.0	0	1	2
Wandsworth	11.6	10.7	11.3	11.0	12.4	11.7	0	1	1
City of Westminster	7.0	7.0	7.0	9.4	8.8	8.8	0	1	1
Barking and Dagenham	10.9	11.9	14.0	11.9	13.2	12.7	3	2	2
Barnet	15.5	15.5	14.4	15.5	12.0	15.7	1	4	0
Bexley	10.0	11.0	10.6	10.1	9.0	8.8	0	0	0
Brent	10.0	9.4	10.0	11.0	12.0	11.0	0	0	3
Bromley	12.0	12.0	11.0	11.5	10.0	10.0	1	2	0
Croydon	14.6	13.9	13.4	11.6	14.4	12.1	1	0	0
Ealing	13.8	23.8	14.7	13.7	16.2	11.7	1	0	2
Enfield	12.7	17.6	20.6	19.2	21.0	16.5	3	1	3
Haringey	13.3	15.0	14.1	11.6	10.3	10.1	2	2	3
Harrow	4.6	8.7	10.3	10.9	9.6	9.3	1	1	1
Havering	9.6	9.5	9.5	9.5	9.5	10.5	0	0	0
Hillingdon	13.8	15.3	14.2	15.5	14.1	15.6	0	0	0
Hounslow	10.5	10.0	10.5	10.5	9.8	8.4	0	0	1
Kingston upon Thames	6.9	5.7	6.8	5.4	7.6	7.6	1	0	0
Merton	6.5	6.5	6.8	9.6	9.9	6.9	0	0	1
Newham	12.8	15.5	19.0	17.7	16.0	12.5	4	5	9
Redbridge	8.2	10.0	10.4	7.4	10.2	9.8	2	0	0
Richmond upon Thames	7.6	7.6	7.1	6.1	0.0	6.1	1	0	1
Sutton	5.0	6.5	8.9	10.8	8.7	8.2	0	0	1
Waltham Forest	13.0	13.0	13.0	8.3	11.5	17.5	1	0	0
Total London	357.1	370.9	376.4	366.0	365.5	363.5	27	25	35

Source:
Annual form 618G surveys of teachers in service and teacher vacancies.

The Department does not collect information on the number of new recruits or retirements in any given period. Manpower planning issues fall to local education authorities, as employers, to determine in light of local circumstances and available resources. Data on vacancy rates are only available from 2001.

First Aid

Mr. Burstow: To ask the Secretary of State for Education and Skills (1) if he will amend the OFSTED requirements of the first aid training standard for pre-school and nursery settings to ensure that there is a paediatric component in first aid courses; [136600]

(2) if he will set out for each setting inspected by OFSTED *(a)* the published standard for first aid training, *(b)* the length of training required and *(c)* the areas to be covered by the training. [136602]

Margaret Hodge: Ofsted registers and inspects pre-schools, day nurseries and childminders having regard to national standards set by the Department for Education and Skills. Revised national standards for under eights day care and childminding came into force in September 2003. For pre-school and nursery settings the standards specify that there is at least one member of staff with a current first aid training certificate on the premises or on outings at any one time, and that the first aid qualification includes training in first aid for infants and young children. The revisions make it clear that this training has to be consistent with any guidance issued by the Secretary of State to local authorities, who are responsible for making training available to settings.

We will issue guidance shortly, and this will include advice on the length of training and areas to be covered.

Foster Carers

Mr. Wray: To ask the Secretary of State for Education and Skills what plans he has to allow for short break provision to be granted to foster carers; what additional support can be given in cases where foster parents have allegations made against them; and if he will make a statement. [133124]

Margaret Hodge: Foster carers can already receive "short breaks" and the Fostering Services National Minimum Standards (March 2002) require the provision of independent support to foster carers during an investigation. The Green Paper, "Every Child Matters" contains a number of proposals to improve the recruitment and retention of foster carers. These include improving support for carers facing allegations and improved short break provision. The Green Paper is now out for consultation until 1 December 2003.

Graduate Tax

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) for what reason it was stated in his circular, The Government's Higher Education Proposals Explained, of 5 November, that the proceeds of a graduate tax cannot be earmarked by statute for use in the funding of higher education alone; [137748]

(2) for what reason it was stated in his circular, The Government's Higher Education Proposals Explained, of 5 November, that a graduate tax is necessarily payable throughout a graduate's life; [137749]

(3) for what reason it was stated in his circular, The Government's Higher Education Proposals Explained, of 5 November, that a graduate tax would necessarily not have an earnings threshold below which no repayments are made; [137750]

(4) for what reason it was stated in his circular, The Government's Higher Education Proposals Explained, of 5 November, that a graduate tax would necessarily not recover the money for higher education funding for at least 20 years; [137751]

(5) for what reason it was stated that a graduate tax would have to run alongside the student loan system in his circular, The Government's Higher Education Proposals Explained, of 5 November. [137752]

Alan Johnson: The circular referred to is a party political document. I will write to my hon. Friend separately.

Licensed Deficit Arrangements

Mr. Jack: To ask the Secretary of State for Education and Skills if he will make a statement on how he estimates the granting of additional transitional funds to a local education authority will affect its obligations under the licensed deficit arrangements. [136888]

Mr. Miliband: Local education authorities which allow licensed deficits for schools have various obligations specified in their schemes, including the maintenance of limits on the repayment periods and adherence to a maximum proportion of total school balances used to underwrite the deficits. None of these obligations will be directly affected by transitional support grant announced on 29 October, except insofar as use of such grant is likely to produce less pressure on local resources since the transitional grant is to be targeted specifically at those schools facing the greatest difficulty in bringing their budgets back into balance, on the basis of costed plans produced by those schools.

National Healthy School Award

Dr. Tonge: To ask the Secretary of State for Education and Skills (1) what the costs have been of setting up the National Healthy School Award; [136209]

(2) how many schools have signed up to the Healthy Schools programme; and how many of those schools have been accredited with the National Healthy School Standards, broken down by local education authority. [136210]

Mr. Stephen Twigg: The table shows the level of direct financial support for the National Healthy Schools Standard (NHSS) from central Government sources since its launch in 1999–2000. Information on any additional support from the local NHSS or from Local Education Authorities is not held centrally.

£ million

Year (allocations)	*From the Department of Health*	*From the Department for Education and Skills*	*Total*
1999–2000	2	2	4
2000–01	6	2	8
2001–02	5.8	2	7.8
2002–03	5.5	2	7.5
2003–04	5.5	2	7.5

Over 14,000 schools have signed up to the Healthy Schools programme of which we expect 9,482 to be accredited as working at the most intensive level of involvement of level 3 by March 2004. The table attached shows the number of schools accredited with the standard and the breakdown by each local education authority.

Ofsted

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many people have been employed by OFSTED on a *(a)* part-time, *(b)* full-time and *(c)* contractual basis in each year since 1997. [137170]

Mr. Miliband: This is a matter for OFSTED. HM Chief Inspector, David Bell, will write to the hon. Member and place a copy of his letter in the Library.

Retained Funding

Mr. Jack: To ask the Secretary of State for Education and Skills if he will make a statement on his assessment of whether its proposed levels of retained funding for 2004–05 will leave local education authorities with sufficient funds to meet their obligations to provide universal support for all three-year-olds from April 2004. [136891]

Mr. Miliband: Draft Regulations placing limits on the sums that local education authorities can retain for central expenditure within their Schools Budget in 2004–05 were published, for consultation, on 29 October. A copy of the draft Regulations has been placed in the Library of the House.

The draft Regulations recognise that some authorities will need to increase their central expenditure in order to deliver universal three year-old nursery provision, and, in placing limits on central expenditure, specifically allow for such increases.

School Meals

Helen Jones: To ask the Secretary of State for Education and Skills what steps he is taking to ensure that the content and quality of school meals is regularly monitored and evaluated. [136735]

Mr. Stephen Twigg: It is the responsibility of the local education authority or, where a budgetary element for school meals has been delegated to them, a school's governing body to ensure that the statutory nutritional standards for school lunches are met. The Department for Education and Skills, in partnership with the Food Standards Agency, has commissioned research by Kings College London to assess whether food provided for and consumed during school lunches in a sample of

maintained secondary schools in England complies with statutory nutritional standards and associated guidance. We expect that the findings of this survey will be available in spring 2004.

Helen Jones: To ask the Secretary of State for Education and Skills if he will make it his policy to prevent school meals providers from advertising or promoting food or drink with a high fat or sugar content; and if he will make a statement. [136736]

Mr. Stephen Twigg: It is the responsibility of the governing body to decide what food and drink products should be available or promoted on school premises.

The Department in conjunction with the Incorporated Society of British Advertisers and the National Consumers' Association has published 'Commercial Activities in Schools: best Practice Principles'. The purpose of this guidance is to identify best practice and to ensure that educational benefits are not compromised by commercial considerations.

Helen Jones: To ask the Secretary of State for Education and Skills what training is provided for school governors on *(a)* their responsibility for ensuring that school meals meet the required standards and *(b)* the methods to be used for evaluating the quality of school meals. [136737]

Mr. Stephen Twigg: The Department for Education and Skills has produced the 'Healthy School Guidance' to help governors and caterers implement the nutritional standards.

The October 2002 newsletter for governors contains a section on nutrition and further information on food related programmes operated by this Department and other organisations. A copy of the governors newsletter can be viewed on the website—www.dfes.gov.uk/governor.

In the publication 'A Guide to the Law for School Governors', chapter five contains information on support and training for governors. This can also be viewed on the website.

Helen Jones: To ask the Secretary of State for Education and Skills what steps he is taking to promote the use of new technology to provide a menu assessment tool for primary school meals. [136738]

Mr. Stephen Twigg: The Department for Education and Skills has no plans to introduce a menu assessment tool for school meals.

In the Department's Healthy School Lunches guidance for school caterers on implementing the national minimum nutritional standards, there is an example of a self monitoring checklist for compulsory requirements. The guidance includes enough information to monitor the nutritional standards. The guidance can be viewed on the Department's website—www.dfes.gov.uk/schoollunches.

School Funding

Mr. Hunter: To ask the Secretary of State for Education and Skills whether it is his policy to adhere to the 2002 spending review increase in the national control total for 2004–05. [134671]

Mr. Miliband: Yes.

Skills for Life Survey

Mr. Gibb: To ask the Secretary of State for Education and Skills what assessment he has made of the finding in the recent Skills for Life survey carried out by his Department that the expansion to access in higher education has not led to marked improvements in literacy and numeracy. [136716]

Alan Johnson: The Skills for Life survey shows that education is highly correlated with literacy and numeracy skills—both in terms of age of completing full time education and the highest qualification. The vast majority of those with degrees have Level 2 or higher literacy and numeracy, and the converse is true for those with low level or no qualifications.

The survey provides the first national profile of adult literacy and numeracy skills and demonstrates the need for the Government to continue its sustained drive to improve adult basic skills training and school standards. To date over 1.8 million adults have started basic skills courses as part of the Government's 'Skills for Life' programme.

Student Finance

Mr. Damian Green: To ask the Secretary of State for Education and Skills how much will be spent by his Department on maintenance grants for students at university in financial years *(a)* 2004–05 and *(b)* 2005–06. [137164]

Alan Johnson: The Higher Education Grant is being introduced for new students starting in the 2004/05 academic year and the cost will build up cohort by cohort. We estimate that the cost will be between £63–£75 million in the 2004–05 financial year and £146–£177 million in the 2005–06 financial year, depending on the actual number of students entering higher education in those years and their precise income distribution. We expect the steady state cost of the higher education grant to be around £300 million.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what assessment he has made of the average income from part-time or full-time work of students studying in higher education. [137201]

Alan Johnson: The Department has conducted a Student Income and Expenditure Survey (SIES) for the 2002–3 academic year. It will provide up-to-date information on students' employment patterns and their income from paid work in the 2002–03 academic year for full-time, young, single, childless, English and Welsh domiciled students who are undertaking an undergraduate degree at publicly funded Higher Education Institutions in England and Wales in 2002–3.

The Department will announce a date for publication once the research report has been finalised. Once published, the Department will use the data for further analysis of students' income and employment.

Teenage Pregnancy

Mr. Love: To ask the Secretary of State for Education and Skills what research has been conducted into the cost of the morning-after pill and its

affordability in *(a)* disadvantaged areas and *(b)* areas where the incidence of teenage pregnancy is higher than average. [134642]

Margaret Hodge *[holding answer 6 November 2003]:* Research into the affordability of emergency contraception is unnecessary because it is available free to all women from a number of services including General Practice, community family planning clinics, youth advisory clinics and community pharmacists working to Patient Group Direction's under NHS arrangements. All areas are looking at improving the accessibility of free emergency contraception particularly those where the incidence of teenage pregnancy is higher than average. In addition, women age 16 plus can buy emergency contraception as a pharmacy product. The price of emergency contraception is set by the manufacturer.

Mr. Love: To ask the Secretary of State for Education and Skills what his policy is on the over the counter provision of the morning-after pill free of charge, in areas where levels of teenage pregnancy are higher than average, to young people who have not received prior counselling on birth control. [134643]

Margaret Hodge *[holding answer 6 November 2003]:* There are three routes for the supply of emergency contraception: on prescription through a medical practitioner, as a prescription only medicine under a patient group direction (PGD) or as a pharmacy product.

Emergency contraception is only provided to young people under 16 under medical supervision. This includes the supply by other health professionals, such as school nurses and community pharmacists, working to PGDs. A Patient Group Direction is a written instruction for the supply or administration of medicines to groups of patients without an individualised doctor's prescription.

All health professionals providing emergency contraception are trained to ensure that young women are informed about and encouraged to visit local services that provide regular forms of contraception and condoms to protect against sexually transmitted infections.

Services aimed at improving early access to emergency contraception should be seen in the context of a much wider programme of the Government's Teenage Pregnancy and Sexual Health and HIV Strategies. This includes helping young people to resist pressure to have early sex through improved sex and relationship education, improving knowledge of risks of unprotected sex, increasing early uptake of contraceptive and sexual health advice by sexually active young people and involving parents and the wider community.

Training Links

Linda Perham: To ask the Secretary of State for Education and Skills what plans he has to develop stronger *(a)* links and *(b)* partnerships between higher education, training providers and the small business community. [136614]

Alan Johnson: Our plans for strengthening partnerships between higher education institutions, training providers and industry, including small business were set out in The future of higher education' published in January this year and also in '21st Century Skills: Realising Our Potential' published in July.

Our plans include expanding Foundation Degrees which are designed with employers to meet their needs; support via the Higher Education Innovation Fund (HEIF) which includes setting up a network of Knowledge Exchanges to benefit local business communities; and, New Technology Institutes (Nils) to provide advanced technology skills.

We are also establishing Sector Skills Councils which will address sector skills needs and are also developing stronger arrangements at regional level between Regional Development Agencies (RDAs), business and education and training providers to develop strategies for tackling local and regional skills needs.

Transitional Funding

Mr. Jack: To ask the Secretary of State for Education and Skills if he will *(a)* list the criteria that were used to determine which authorities should receive additional transitional funding for 2004–05, *(b)* set out the basis on which the amounts were calculated and *(c)* make a statement on why Lancashire did not receive an allocation of these monies. [136890]

Mr. Miliband: Details of the transitional support package for 2004–05, including details of the formula for calculating which local education authorities will be eligible, will be published at the time of the provisional Local Government Finance Settlement later this month.

On 29 October the Government published indicative figures for the targeted grant in 2004–05, which have been placed in the Library of the House. These assumed that grant would be available to authorities whose increase in Education Formula Spending and relevant DfES grant between 2002–03 and 2004–05 would otherwise be less than 12 per cent. per pupil. The increase in Lancashire LEA is expected to be above 12 per cent. per pupil over the relevant period, which means it would not be eligible for the targeted grant.

However, if Lancashire or any other LEA is able to put forward a compelling case that additional, transitional funds are needed in the short term—above and beyond those already available to the LEA—my right hon. Friend the Secretary of State will be prepared to consider bringing forward grant payments from my Department, so that the LEA will have funds available in 2004–05 for this purpose, with the expectation of a consequential reduction to what they will receive in future years. The maximum amount that might be made available in this way would be £300,000 per authority, or 0.2 per cent. of the authority's total education resources in 2004–05, if that is higher. For Lancashire, 0.2 per cent. of its education resources would be over £1.2 million.

Mr. Ian Taylor: To ask the Secretary of State for Education and Skills what the indicative allocation of targeted transitional grant 2004–05 is for Surrey. [137525]

Mr. Miliband: My right hon. Friend the Secretary of State announced, in his statement to the House on 29 October, that targeted transitional grant will be made available to about one third of local education

authorities next year, so that the total increase in education resources for every authority, over the two year period between 2002–03 and 2004–05, will be a minimum of 12 per cent. per pupil.

Final allocations of targeted transitional grant will be announced at the time of the provisional Local Government Finance Settlement. The indicative allocations published on 29 October made no allocation to Surrey, whose total increase in education resources between 2002–03 and 2004–05 was estimated to be above 12 per cent. per pupil. A list of indicative allocations has been placed in the Library of the House.

Tuition Fees

Mr. Boswell: To ask the Secretary of State for Education and Skills whether after the introduction of variable tuition fees in 2006, those higher education institutions wishing *(a)* to charge fees not exceeding the current standard flat-rate fees and *(b)* wishing to charge top-up fees for only some of their courses will be required to conclude a (i) full and (ii) partial access agreement. [136707]

Alan Johnson: As we set out in Widening participation in higher education, any higher education provider wishing to charge variable fees for any of its courses above the standard rate from 2006, will need to have an access agreement approved by the Office for Fair Access (OFFA). Institutions which do not charge fees above the standard rate for any of their courses will not be required to have an access agreement.

Mr. Cousins: To ask the Secretary of State for Education and Skills what estimate he has made of the public expenditure impact of including the income of cohabiting partners and new spouses in the assessment of residual income for tuition fee exemption from 2004–05; and what estimate he has made of the net change in the numbers paying full tuition fees which will result from the change. [137134]

Alan Johnson: We estimate that the change resulting from including the income of cohabiting partners and spouses will produce steady state savings of approximately £30 million on funding of tuition fees by 2007–08. The change is to be introduced for new students entering HE from 2004–05 onwards.

This estimate has been derived using income-data from a number of sources and is indicative. Our best indication is that it could account for an increase of approximately three percentage points in the proportion of dependent students paying full tuition fees. We cannot give a precise estimate at this stage since some families will benefit from other aspects of the new household income definition, such as the new £1000 disregard for children financially dependent on the household.

Paul Farrelly: To ask the Secretary of State for Education and Skills, from (1) how many universities he has received representations on allowing them to charge tuition fees of more than £5,000 per annum; [137158]

(2) which universities have indicated they wish to charge tuition fees above £3,000 a year; [137159]

(3) if he will list the universities which have made representations to him on the level of tuition fees they wish to be free to charge, broken down by level. [137160]

Alan Johnson: I have received numerous representations on a number of matters from universities, both by means of formal correspondence and in meetings with Vice Chancellors. The level of fee has been covered in general terms in a number of these discussions.

Paul Farrelly: To ask the Secretary of State for Education and Skills how much of the money raised by universities from variable tuition fees he estimates will be invested in *(a)* teaching, *(b)* research, *(c)* bursaries for poorer students and *(d)* other categories if his proposals are implemented. [137211]

Alan Johnson: It will be for universities to decide how to invest their income in teaching and in research. We are considering and discussing how access to higher education can be safeguarded—for example through bursaries for poorer students—at institutions which decide to charge tuition fees above the standard rate.

Paul Farrelly: To ask the Secretary of State for Education and Skills how many universities he estimates will charge the proposed maximum annual tuition fee in respect of courses covering up to *(a)* 10 per cent., *(b)* 20 per cent., *(c)* 30 per cent., *(d)* 40 per cent., *(e)* 50 per cent., *(f)* 60 per cent., *(g)* 70 per cent., *(h)* 80 per cent., *(i)* 90 per cent. and *(j)* 100 per cent. of their projected student intake within (i) one year, (ii) two years, (iii) three years and (iv) more than three years of the implementation of his proposals. [137217]

Alan Johnson: It will be up to universities themselves to set their fee levels, provided that they have an access agreement approved by the Office for Fair Access.

University Funding

Mr. Paul Farrelly: To ask the Secretary of State for Education and Skills what estimate he has made of the funding gap faced by universities in 2003–04. [137162]

Alan Johnson: The White Paper The future of higher education' highlighted studies showing that there was a need for some £8 billion of investment in infrastructure and referred to the continuing concerns about the ability of higher education institutions to recruit, retain and reward the best researchers. The funding announced in the White Paper and in the annual grant letter to the Higher Education Funding Council for England provides annual increases in higher education funding in England of 6 per cent. above inflation in each of the years to 2005–06.

Paul Farrelly: To ask the Secretary of State for Education and Skills what representations he has received from businesses on their preferred methods of contributing to more funding for teaching in universities. [137298]

Alan Johnson: None.

University Medical Schools

Mr. Clappison: To ask the Secretary of State for Education and Skills pursuant to his answer of 21 October, *Official Report*, column 502W, on university medical schools, if he will break down the sum of £126,092 by individual institution in receipt of such funding; how many of the full-time medical students were on a course that leads to registration with the General Medical Council and subsequent clinical practice as a doctor; and if he will break down such students on courses leading to registration with the GMC by university. [136730]

Alan Johnson: The sum referred to was allocated by the Higher Education Funding Council for England (HEFCE) which does not, as a matter of policy, publish sensitive student data at course level for individual institutions. Of the 480 full-time students under 21 in medical schools, only 81 are on a course that leads to registration with the General Medical Council and subsequent practice as a doctor.

HOME DEPARTMENT

Abuse

Mr. Rosindell: To ask the Secretary of State for the Home Department (1) how many offences of child abuse there were in Romford in each year since 1997; [133479]

(2) how many muggings there were in Romford in each year since 1997. [133517]

Paul Goggins: I refer the hon. Member to the reply I gave him on 14 October 2003, *Official Report*, column 18W.

ADD/ADHD

Mr. Burstow: To ask the Secretary of State for the Home Department (1) what research his Department has commissioned into ADD/ADHD in young offender institutions; [136229]

(2) what meetings have been held between his Department and the Departments for Health and Education and Skills on ADD/ADHD among inmates of young offender institutions; [136230]

(3) what steps his Department has taken to assess the implications on behavioural difficulties of ADD/ADHD in young people in young offender institutions; [136231]

(4) how many young people were diagnosed with *(a)* ADD, *(b)* ADHD and prescribed Ritalin in (i) young offender institutions and (ii) secure training centres in each of the last five years. [136232]

Paul Goggins: The Youth Justice Board (YJB) has commissioned Manchester University to undertake research at six sites, four of which are young offenders' institutions, into the prevalence of mental ill health, including Attention Deficit Hyper Activity Disorder (ADHD), and effective mental health practice. The YJB has developed a Mental Health Screening Tool and guidance on effective mental health practice. It is also developing a mental health awareness training pack for use by teams working with young people who come into contact with the criminal justice system.

Officials in the Home Office and the Department of Health regularly discuss the whole range of health care issues in prisons and young offender institutions. The extent to which Attention Deficit Disorder (ADD)/ADHD may be a significant problem in individual prison establishments would be expected to emerge from the regular health needs assessments undertaken jointly by prisons and their national health service partners.

The Department of Health, the Prison Service and the YJB have created a new post of Programme Manager for Juvenile Health. This post will enable a greater focus on health issues such as ADD/ADHD, which are of potentially great significance in young offender institutions. The Government are investing significant additional resources, rising to around an extra £46 million in England by 2005–06, in prison health services over the next three years. Information is not collected centrally about the number of young people in young offenders' institutions and the juvenile secure estate who have been diagnosed with ADD/ADHD or the particular treatments prescribed for them.

Administrative Staff (Police)

Mr. Rosindell: To ask the Secretary of State for the Home Department how much of the budget for personnel within the London borough of Havering Police Force was spent on administrative employees in 2002–03. [136480]

Ms Blears: The Commissioner of the Metropolis informs me that £1,630,520 was spent on police staff in Havering in the financial year 2002–03. This was 12 per cent. of the total pay bill for the year.

Antisocial Behaviour

Clive Efford: To ask the Secretary of State for the Home Department what recent discussions there have been between his Department and the Office of the Solicitor General regarding the involvement of the Crown Prosecution Service in local antisocial behaviour strategies. [136165]

Ms Blears: My officials have liased directly, and have worked closely with the Crown Prosecution Service on the Anti-Social Behaviour Bill and the development of Anti-Social Behaviour Prosecutors.

Child Abuse

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what recent meetings he has held with the Association of Chief Police Officers on safeguards for historical child abuse investigations. [136261]

Ms Blears: In June 2003, following the debate on the Home Affairs Committee (HAC)'s report on "The Investigation of Past Cases of Abuse in Children's Homes," Discussions should be held between the Association of Chief Police Officers (ACPO) and the Home Office to determine whether further safeguards could be built into the dip sampling process and to reconsider the issue of recording witness statements in video in these cases.

I am corresponding with ACPO regarding these matters.

Cognitive Skills Programme (Offenders)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the Home Office Research Study on cognitive skills programmes and two-year reconviction rates for offenders. [136259]

Paul Goggins: The latest evaluation of prison-based cognitive skills programmes was reported in Home Office Research Finding 206 published in July 2003. The study found no difference in two-year reconviction rates for offenders who participated in programmes and a matched comparison group for the period 1996 to 1998. This study contrasted with Home Office Research Finding 161 published in 2002, which found a statistically significant reduction in two-year

reconviction rates for programme participants between 1994 and 1996 compared to a matched comparison group. Both studies involved adult male prisoners.

The latest findings relate to a period when programmes were rapidly expanded and this may have affected their delivery and outcomes. Further research is needed to determine in greater detail which programmes are suitable for particular offenders. A third Home Office study of cognitive skills programmes in prisons for the period 1998 to 2000 is expected to be published before the end of the year. A Home Office study evaluating cognitive skills programmes in the community between 2000 and 2001 is expected to report reconviction outcomes before the end of 2004.

Compensation

Mr. Battle: To ask the Secretary of State for the Home Department how much compensation has been paid by *(a)* the police, *(b)* the Prison Service and *(c)* his Department in each year since 1990. [132737]

Ms Blears: The information requested is set out in the following table. However the information is available only for the last five years because the cost of interrogating records beyond that would be disproportionate.

The Home Office does not collate and hold information regarding compensation paid by individual police authorities and forces.

Police

The Police do not hold detailed information centrally and each area is responsible for its own compensation reporting.

	£
Prison Service	
2002–03	9,691,283.06
2001–02	12,321,679.[illegible]
2000–01	15,305,570.11
1999–2000	6,498,507.33
1998–99	477,497.50
Home Office total	
2002–03	238,515,530.61
2001–02	243,085,189.62
2000–01	220,759,992.63
1999–2000	123,274,145.86
1998–99	142,423,165.39
of which:	
Criminal Injuries Compensation Authority	
2002–03	237,264,000.00
2001–02	233,264,000.00
2000–01	200,500,000.00
1999–2000	121,500,000.00
1998–99	106,500,000.00

Corporate Killing

Dr. Cable: To ask the Secretary of State for the Home Department if he will set out his timetable for introducing legislation to tackle corporate killing. [130923]

Paul Goggins: The Government has made a commitment to publish firm proposals for reforming the law on corporate manslaughter before the end of the year. A Bill will be introduced as soon as Parliamentary time allows.

Mr. Dismore: To ask the Secretary of State for the Home Department when he expects to publish the draft Bill on corporate manslaughter; and if he will make a statement. [132581]

Paul Goggins: A Bill will be introduced as soon as Parliamentary time allows. The Government have made a commitment to publish draft proposals for reforming the law on corporate manslaughter before the end of the year.

Correspondence

Keith Vaz: To ask the Secretary of State for the Home Department whether he has received a copy of a letter dated 25 September from UK Visas, concerning the case of Jaswinder Singh,(ECR88274102S); and when he will inform the Foreign Office of the outcome of this case. [134922]

Mr. Mullin: I have been asked to reply.

UK Visas's letter of 25 September was not passed to my right hon. Friend the Home Secretary since this referred to an entry clearance matter, which is primarily a Foreign and Commonwealth Office matter.

It is not our practice to disclose details of individual entry clearance cases in a public forum. I am withholding the information requested about the outcome of this case under exemption 5 of Part 2 of the Code of Practice on Access to Government Information. However, I will shortly write to my hon. Friend with regard to this matter.

Mr. Laws: To ask the Secretary of State for the Home Department when he will reply to the letter sent to him by the hon. Member for Yeovil on 7 October. [136571]

Beverley Hughes *[holding answer 5 November 2003]:* My hon. Friend the Member for Slough (Fiona Mactaggart) wrote to hon. Member on 4 November 2003.

Mr. Salmond: To ask the Secretary of State for the Home Department when he will reply to the letter of 2 September from the Member for Banff and Buchan to the hon. Member for Stretford and Urmston regarding his constituent, Mrs. N. Cook, of Ash Recruitment Services. [136758]

Beverley Hughes: I apologise to the hon. Member that he was not kept informed of progress in replying to his letter. Initially it was unclear whether the response should come from the Home Office, or the Foreign and Commonwealth Office (FCO). However, this letter has since been accepted by the FCO who will reply shortly.

Mr. Salmond: To ask the Secretary of State for the Home Department when he will reply to the letter of 9 September from the Member for Banff and Buchan to the hon. Member for Stretford and Urmston concerning HIV testing of asylum seekers. [136760]

Beverley Hughes: My hon. Friend the Member for Slough (Fiona Mactaggart) wrote to the hon. Member on 6 November 2003.

Mr. Grieve: To ask the Secretary of State for the Home Department when he will reply to the letters of 25 October 2001 and 17 July 2002 from the hon. Member for Beaconsfield. [137094]

Beverley Hughes: I replied to the hon. Member on 15 August 2002.

Crime Statistics

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the reasons for trends in robbery in Nottinghamshire between December 2001 and 2002. [136245]

Ms Blears: There was an increase in robbery across England and Wales in 2001–02, which occurred principally in urban areas. Nottinghamshire was one of the areas affected. According to Home Office research, the increase in robbery over this period is attributable to several factors, in particular, the rise in the number of young people robbing other young people allied to the sharp increase in mobile phone ownership providing easy targets for offenders. While Nottinghamshire was not one of the areas that the research drew data from, it aimed to consider a sufficiently large sample to gain an impression of the nature of robbery in different areas of England and Wales. On 14 October 2002, the Home Office published figures for the first six months of the Street Crime Initiative (April to September 2002), which showed that there had been 19 per cent. more robberies in Nottinghamshire in the six-month period April to September 2002 compared to the same period in 2001. By the end of the year, the increase had reduced to 3 per cent. (comparing the 12-month period with the previous year).

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what trends there have been in the level of street crime in the areas targeted by the Street Crime Initiative since December 2002. [136246]

Ms Blears: The Home Office Statistical Bulletin, "Crime in England and Wales: Quarterly Update to June 2003", published on 16 October 2003, shows that recorded robbery fell by an estimated seven per cent. in April to June 2003 compared with the same period in the previous year. This quarterly update does not give figures for individual forces. Data for individual forces will be available in the Home Office Statistical Bulletin for the financial year 2003–04, expected to be published in the summer of 2004.

The latest published figures for individual forces relate to 2002–03, published in July. I refer my hon. Friend to the answer I gave on 16 September 2003, *Official Report*, column 674W.

Crime Victims

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what plans he has to develop a list of services to victims of crime which are available from the *(a)* probation and *(b)* prison service. [135489]

Paul Goggins: General information about the National Probation Service's (NPS) statutory victim contact scheme is already available on the probation service website at www.probation.homeoffice.gov.uk and in the Home Office leaflet: "Release of Prisoners: Information for victims of sexual or other violent offences". The leaflet is free and is available in a range of languages and is given, by the police, to victims who are eligible for the statutory scheme. The leaflet also contains information about the Prison Service Victims' Helpline and the services available from Victim Support. More detailed information about probation service work with victims can be obtained from local probation area offices. There are no plans to develop or publish a separate list of services for victims of crime available from either service as this information is already in the public domain.

Criminal Records Bureau

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his answer of 1 September 2003, *Official Report*, column 961W, how many disclosures were issued each month; and what the average length of time was it took each month to issue them. [129438]

Paul Goggins *[holding answer 11 September 2003]:* The information requested is shown in the table:

Issued by month and average turnaround times

Month	*Standard disclosures issued*	*Enhanced disclosures issued*	*Total disclosures issued*	*Average turnaround time*
March 2002	22	20	42	[1]
April 2002	409	2,389	2,798	19.91
May 2002	2,070	17,376	19,446	25.57
June 2002	4,315	30,585	34,900	33.91
July 2002	12,828	76,258	89,086	20.48
August 2002	14,116	96,295	110,411	26.22
September 2002	16,613	118,505	135,118	31.98
October 2002	22,620	159,226	181,846	30.25
November 2002	23,257	159,199	182,456	34.22
December 2002	22,347	148,707	171,054	34.29
January 2003	18,251	152,442	170,693	45.54
February 2003	20,816	142,330	163,146	40.45
March 2003	21,814	158,915	180,729	33.00
April 2003	19,700	140,259	159,959	22.03
May 2003	19,535	139,962	159,497	23.54
June 2003	23,644	152,363	176,007	25.39
July 2003	28,388	196,538	224,926	25.11
Total	270,745	1,891,369	2,162,114	29.49

[1] No data

The figures show the Criminal Records Bureau's steadily improving performance in recent months as regards turnaround times and output. The increase in July's turnaround time figure can be attributed to a surge in applications during the last two weeks in June in advance of the increase in fees taking effect.

The Criminal Records Bureau received approximately 50,000 more applications than its usual intake during this period. While this increase in applications temporarily

increased the turnaround times for applications, the Criminal Records Bureau has continued to meet its standard of service targets.

Custody (Deaths)

Chris Ruane: To ask the Secretary of State for the Home Department (1) what steps he is taking to ensure that families whose children have died in custody are informed of developments in investigations; [135788]

(2) what measures are in place to prevent death of young people in custody. [135790]

Paul Goggins: All deaths in prison custody are subject to a police investigation and a coroner's inquest before a jury, in which the family can be involved. The Prison Service conducts an internal investigation and is currently trialling new guidelines designed to incorporate independence and ensure greater participation of the family, for example, by commenting on the terms of reference of the investigation and having discussions with members of the investigatory team.

In the case of a juvenile death (15–17 year-old) it is the practice to invite the Youth Justice Board (YJB), social services and either the Chief Inspector of Prisons or the Prisons and Probation Ombudsman to advise the investigation. More generally I am considering whether from a future date the Prisons and Probation Ombudsman should provide independent scrutiny of all deaths in prison custody. Families may interact more readily with an independent investigator.

The Prison Service, in conjunction with the Youth Justice Board, Social Services Inspectorate, the Chief Inspector of Prisons and Social Services has just completed a review of "safeguarding" arrangements within the Juvenile Estate. Safeguarding is an inclusive approach to the care of juveniles in custody and includes suicide prevention and self-harm management anti-bullying, child protection, anti-discrimination and an overall holistic approach to care in custody. This Child Protection and Safeguards Review also considered the role of other statutory agencies in light of the High Court judgement by Lord Justice Munby in November 2002, which judged that the Children's Act 1989 applies to children in custody. The results of the review, which will include considerations and recommendations at strategic and local levels to further improve the service which can offered to juveniles in custody, are to be published in the New Year, and a copy placed in the House Library.

As you will be aware from my earlier Answer (133050 and 133052), the YJB has fully embraced the Prison Service safer custody strategy (which is applicable to all prisoners, regardless of gender and age). This strategy includes a series of inter-related projects to improve pre-reception, reception and induction arrangements; inter-agency information exchange; prisoner care; or the Prisons and Probation Ombudsman to advise the investigation. More generally I am considering whether from a future date the Prisons and Probation Ombudsman should provide independent scrutiny of all deaths in prison custody. Families may interact more readily with an independent investigator. The Prison Service, in conjunction with the Youth Justice Board, Social Services Inspectorate, the Chief Inspector of Prisons and Social Services has just completed a review of "safeguarding" arrangements within the Juvenile Estate. Safeguarding is an inclusive approach to the care of juveniles in custody and includes suicide prevention and self-harm management anti-bullying, child protection, anti-discrimination and an overall holistic approach to care in custody. This Child Protection and Safeguards Review also considered the role of other statutory agencies in light of the High Court judgement by Lord Justice Munby in November 2002, which judged that the Children's Act 1989 applies to children in custody. The results of the review, which will include considerations and recommendations at strategic and local levels to further improve the service which can offered to juveniles in custody, are to be published in the New Year, and a copy placed in the House Library.

As you will be aware from my earlier Answer (133050 and 133052), the YJB has fully embraced the Prison Service safer custody strategy (which is applicable to all prisoners, regardless of gender and age). This strategy includes a series of inter-related projects to improve pre-reception, reception and induction arrangements; inter-agency information exchange; prisoner care; detoxification; prisoner peer support, and the learning from investigations into deaths in custody. There is also a programme piloted in six establishments, including Feltham young offender institution which holds young offenders and juveniles, which has invested £21.69 million over the three year programme from April 2001 on improvements to areas such as reception and induction.

Chris Ruane: To ask the Secretary of State for the Home Department if he will establish a departmental investigation into each death in custody of a young person in prison in the past ten years. [135789]

Paul Goggins: I have no current plans further to review these deaths. More generally I am considering whether from a future date the Prisons and Probation Ombudsman should provide independent scrutiny of all deaths in prison custody.

All deaths in prison custody are subject to a police investigation and a coroner's inquest before a jury. From August 1998 there has been a mandatory requirement for an internal investigation to be commissioned into all apparent self-inflicted deaths in custody or "non-natural" causes. A clinical audit is undertaken in respect of a natural causes death in custody. It is now the practice in respect of juvenile death (15–17 year olds) in prison to invite the Youth Justice Board and social services to participate in the investigation.

Custody Plus

Mr. Oaten: To ask the Secretary of State for the Home Department when he expects to implement Custody Plus, as outlined in the Criminal Justice Bill. [135996]

Paul Goggins: Final decisions about implementation have not been made.

Cyclists

Mr. Hammond: To ask the Secretary of State for the Home Department how many pedal cyclists were

prosecuted for failure to stop at traffic signals in the most recent 12 month period for which data are available. [136391]

Paul Goggins: There were 38 pedal cyclists proceeded against in England and Wales in 2001 for the offence of neglect of traffic directions (which will include failing to stop at traffic signals).

David Blaine

Mr. Oaten: To ask the Secretary of State for the Home Department what the total cost was to *(a)* the Metropolitan Police and *(b)* the local authority of policing Mr.David Blaine's recent activities near Tower Bridge; and if he will make a statement. [134096]

Ms Blears: I understand from the Commissioner of Police for the Metropolis that the additional policing cost is currently estimated at £64,135. The final day's costs have still to be calculated. Over half the cost will be offset by income from a television company.

Southwark Council have informed me that all their costs, for parking, cleaning etc. will be met by income from the television company.

Departmental Energy Use

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135055]

Fiona Mactaggart: I refer my hon. Friend to the answer given by my hon. Friend the Under Secretary of State for the Environment, Food and Rural Affairs on 3 November 2003, *Official Report*, columns. 403W, which answers the first part of the question.

The Home Office is covered by the Government's target of reducing carbon emissions from buildings on the Government estate by 1 per cent. per annum. However, the prison service is anticipating that its energy consumption will rise over the next few years due to an increase in the prison population with a consequent increase in the size of the estate and the rollout of new IT systems throughout the prison service. They are also anticipating that increased education, training and other regime opportunities for prisoners and more intensive use of existing facilities will also cause consumption to rise.

Although the prison service is anticipating a rise in total consumption for the reasons outlined above, they are aiming at reducing their consumption per inmate. They have set emission targets for each establishment using benchmarks. Efforts to improve energy efficiency are concentrated on those establishments with the worst benchmarked energy performance with a view to all establishments achieving the best practice benchmark.

The core Department is currently planning a publicity campaign aimed at encouraging its office based staff to switch off lights, IT and office machinery when not in use. Environmental Management Systems are also being introduced across the estate and these will address issues such as energy efficiency. The new Home Office headquarters building includes a contractual requirement to achieve energy consumption at least 10 per cent. below the best practice benchmark for headquarters buildings in the Government's energy efficient best practice programme energy consumption guide.

Drug Addiction Treatment

Mr. Battle: To ask the Secretary of State for the Home Department what funding is available for drug addiction treatment of *(a)* prisoners and *(b)* ex-prisoners in 2003–04; and what change has been recorded in reoffending rates for those who complete their treatment. [136057]

Paul Goggins: In 2003–04 £136,617,000 has been allocated to provide drug treatment for prisoners in England and Wales. It is not possible to differentiate between funding provided to treat ex-prisoners and others who access treatment in the community. The following table details the funding allocations for treating prisoners and those leaving custody. Research evidence shows that intensive drug treatment linked to good aftercare can result in reductions in reoffending of upto 11 per cent. compared with expected levels of offending.

Department	*Funding*	*Usage*
Prison Service	118,117,000	Detox, Rehab, TCs[1], Short Programmes, CARATs[2]
Department of Health	3,500,000	Improving Clinical Detoxification outcomes
Home Office	5,000,000	CJIP Throughcare and Aftercare of prisoners[3]
Youth Justice Board	10,000,000	ASSET[4], treatment, throughcare, aftercare
Total	136,617,000	

[1] Therapeutic Communities

[2] Counselling, Assessment, Referral, Advice & Through-care services—a low-level intervention that provides gateway assessment, referral and support services to prisoners in custody, and establishes through-care links prior to and on release.

[3] Relates to the 25 DATs included in the Criminal Justice Intervention Programme

[4] ASSET: generic assessment tool call to identify the factors that contribute to a young persons offending.

Drugs

Mr. Steinberg: To ask the Secretary of State for the Home Department what percentage of *(a)* male and *(b)* female prisoners have been imprisoned for reoffending for drugs offences on more than three occasions in the last five years. [135654]

Paul Goggins: There is no information held centrally by the Home Office.

Female Rape

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what factors underlie the increase in female rape in the year leading up to March 2003. [136243]

Beverley Hughes: Sexual offences are significantly under-reported to the authorities. Police and Government action to support the victims of sexual assaults is likely to have increased the number of such incidents being brought to the attention of the police and therefore recorded by them. The introduction of the new National Crime Recording Standard (NCRS) for all forces in April 2002 has further increased the recording rate because it requires the police to record all reported offences even if there is insufficient evidence to prosecute. Trends in the number of recorded sexual offences does not, therefore, necessarily reflect the real experience of such crimes. The Government are taking action on a variety of fronts to reduce the actual incidence of rape.

Football (Policing Costs)

Kate Hoey: To ask the Secretary of State for the Home Department what the total cost was of policing football matches in the 2002–03 season; and how much of the total cost was paid by football clubs. [135751]

Ms Blears: This information is not collected centrally by the Home Office.

Kate Hoey: To ask the Secretary of State for the Home Department when he expects the working group on policing at football matches to report; and if he will list the membership of the working group. [135752]

Ms Blears: The working group set up to consider matters associated with the resources deployed, and cost of, policing football is still considering a range of complex issues. The group has met on a number of occasions but has not concluded its deliberations. It would be premature to speculate on the outcome but a final or interim report will be sought early next year.

The group's core membership is Home Office, Department for Culture, Media and Sport, Association of Chief Police Officers, Association of Police Authorities, Football Association, Football League, Premier League and Football Licensing Authority.

Football Matches (Policing)

Mr. Hoyle: To ask the Secretary of State for the Home Department what the total cost of policing football matches in the 2002–03 season was in Lancashire; and how much of the cost was paid for by football clubs. [136981]

Ms Blears: This information is not collected centrally by the Home Office.

Foreign National Prisoners

Mr. Jenkins: To ask the Secretary of State for the Home Department how many people held in Her Majesty's Prisons *(a)* are non-EU foreign nationals, *(b)* are seeking leave to remain in the United Kingdom and *(c)* have been a United Kingdom resident for less than 10 years. [136425]

Paul Goggins: At 30 April 2003, the population in Prison Service establishments in England and Wales who were known to be non-EU nationals was 4,513.

Information on the number seeking leave to remain in the United Kingdom or the number who have been a United Kingdom resident for less than 10 years is not held centrally.

Frozen Assets (Charities)

Mr. Jenkins: To ask the Secretary of State for the Home Department what the total value is of the accounts frozen by the Charity Commission on the basis of possible links of these charities to terrorist organisations. [136426]

Fiona Mactaggart: This is a matter for the Charity Commission as the Department responsible for the regulation of charities in England and Wales. The Chief Charity Commissioner will write to my hon. Friend and a copy of his reply will be placed in the Library.

Information Technology

Mr. Oaten: To ask the Secretary of State for the Home Department how much the Prison Service spent on purchasing and upgrading IT equipment *(a)* in 2003 and *(b)* in 2002; and what this cost per prison employee. [135897]

Paul Goggins: The Prison Service entered into a contract with EDS in 2000 for the provision of a fully managed information technology and telephony service. Payment is based on the number of personal computers supported under the contract. The cost of the IT element only of the contract, together with the cost of non-IT activities, amounted to £32,094,111 in 2001–02 and £47,471,074 in 2002–2003. This is equivalent to £728 per average full time equivalent employee in 2001–2002 and £1,045 in 2002–2003.

Staff Vacancies at Prisons and Young Offenders Institutions (YOIs) at 30 June 2003[1]

Area	*Establishment*	*Officers and Senior Operational Managers*	*Others*
High Security Prisons	Belmarsh	49	28
East Midlands (South)	Durham	6	-
	Frankland	30	16
	Full Sutton	49	-
	Long Lartin	25	2
	Manchester	14	27
	Wakefield	9	-
	Whitemoor	52	22
	Woodhill	23	22
Juvenile Establishments	Huntercombe	12	-
	Warren Hill	10	7
	Werrington	6	8
	Wetherby	4	1
Women's Prisons and YOIs	Askham Grange	-	1
	Brockhill	1	5
	Buckley Hall	4	-
	Bullwood Hall	14	
	Cookham Wood	6	-
	Downview	18	6
	Drake Hall	9	-
	East Sutton Park	-	-
	Eastwood Park	15	1
	Foston Hall	1	
	Edmunds Hill	44	41
	Holloway	19	17
	Low Newton	-	-
	Morton Hall	-	2

Staff Vacancies at Prisons and Young Offenders Institutions (YOIs) at 30 June 2003[1]

Area	Establishment	Officers and Senior Operational Managers	Others
	New Hall	-9	13
	Send	6	10
	Styal	-	23
East Midlands (North)	Lincoln	11	-
	North Sea Camp	2	-
	Nottingham	8	-
	Ranby	-	-
	Sudbury	1	1
	Whatton	1	-
East Midlands (North)	Ashwell	1	9
	Gartree	-	-
	Glen Parva	-	-
	Leicester	-	-
	Onley	13	7
	Stocken	9	5
	Wellingborough	13	4
Eastern	Bedford	15	15
	Blundeston	-	-
	Chelmsford	4	6
	Highpoint	-	18
	Hollesley Bay	1	1
	Littlehey	14	16
	Norwich	11	16
Kent, Surrey and Sussex	The Mount	11	6
	Wayland	2	5
	Blantyre House	1	-
	Canterbury	-	3
	Coldingley	-	4
	Dover	5	11
	Elmley	-	5
	Ford	3	6
	High Down	18	10
	Lewes	5	19
	Maidstone	4	-
	Rochester	11	8
	Standford Hill	3	4
	Swaleside	12	-
London	Brixton	22	23
	Feltham	31	15
	Latchmere House	1	3
	Pentonville	11	27
	Wandsworth	31	8
	Wormwood Scrubs	43	30
North East	Acklington	3	-
	Castington	11	4
	Deerbolt	-	7
	Holme House	3	-
	Kirklevington Grange	-	-
North West	Garth	16	-
	Haverigg	2	3
	Hindley	45	18
	Kirkham	-	4
	Lancaster	9	-
	Lancaster Farms	35	-
	Liverpool	22	-
	Preston	15	-
	Risley	-	11
	Thorn Cross	7	-
	Wymott	6	-
South West	Bristol	36	28
	Channings Wood	-	-
	Dartmoor	7	-
	Dorchester	13	3
	Erlestoke	16	3
	Exeter	-	6
	Gloucester	10	2
	Guys Marsh	6	2
	Leyhill	8	-
	Portland	-	-
	Shepton Mallet	-	-
	The Verne	1	2
	Weare	4	
Thames Valley and Hampshire	Albany	14	-
	Aylesbury	6	-
	Bullingdon	40	16
	Camp Hill	2	
	Grendon	7	8
	Haslar	7	5
Wales	Kingston	-	1
	Parkhurst	10	11
	Reading	-	2
	Winchester	7	12
	Cardiff	7	13
	Swansea	3	-
	Usk/Prescoed	3	6
West Midlands	Birmingham	99	5
	Blakenhurst	-	-
	Brinsford	7	-
	Featherstone	2	2
	Hewell Grange	1	6
	Shrewsbury	-	-
	Stafford	2	-
	Stoke Heath	6	-
	Swinfen Hall	-	-
Yorkshire and Humberside	Everthorpe	-	-
	Hull	7	-
	Leeds	4	-
	Lindholme	5	-
	Moorland	-	-
	Northallerton	-	1
	Wealstun	2	-
Total:		1,247	700

[1] Figures do not take into account new staff who were still in the recruitment process at 30 June 2003

Inner London Probation Service

Dr. Cable: To ask the Secretary of State for the Home Department how many vacancies there are in the Inner London Probation Service; and if he will make a statement. [136863]

Paul Goggins: The information requested is as follows:

London Probation Area	Number of Vacancies[1] Vacancies as at 30 June[2] (FTE)
Senior Probation Officers	4.00
Senior Practitioners	0.00
Probation Officers	0.00
Trainee Probation Officers	0.00
Probation Services Officers	160.00
Psychologists	0.50
Other Operational Staff	0.00
Total Operational Staff	164.50
Deputy Chief Officers/Directors	0.00
Assistant Chief Officers or Equivalent	2.00
Area/District Managers or Equivalent	0.00
Managers—Section or Function Heads	0.00
Support Staff—Administration	0.00
Support Staff—Others	0.00
Other Specialist Workers	0.00
Total Support Staff	2.00
Total[3]	166.50

[1] Figures shown as a Full-time Equivalent (FTE)

[2] Unable to obtain information from 3 (out of 42) Areas in time to make this response.

[3] Figures exclude those employed within and by the National Probation Directorate

Note:

The levels of vacancies across Area amount to 5.26 per cent. of the total workforce of the service. This is slightly below the national average of vacancies across the service of 5.43 per cent.

Lancashire Constabulary

Mr. Evans: To ask the Secretary of State for the Home Department what central Government spending was on the Lancashire Constabulary in each year since 1992. [134901]

Ms Blears: The information available is set out in the tables.

	Government Grant[1] *Thousands*
1992–93[2]	N/a
1993–94[2]	N/a
1994–95[2]	N/A
1995–96	136,337
1996–97	143,926
1997–98	146,860
1998–99	153,628
1999–2000	155,938
2000–01	163,676
2001–02[3]	172,966
2002–03[3]	177,420
2003–04	187,365

[1] Government Grant includes Home Office Police grant, Office of the Deputy Prime Minister (ODPM) Revenue Support Grant and national non domestic rates, Crime Fighting Fund, Rural Policing Grant, Basic Command Unit funding, Community Support Officer funding, DNA Expansion Programme, Street Crime Initiative and Special Priority payments.

[2] Before 1995–96, when most Police Authorities became independent local authorities, revenue support grant and non-national domestic rates were paid as part of respective county council grant funding.

[3] The grant figures for 2001–02 and 2002–03 are not directly comparable, as the National Crime Squad and the National Criminal Intelligence Service became centrally rather than locally funded from 2002–3. Based on the new arrangements, the comparable grant figure for 2001–02 would have been £168,818,571.

In addition, Lancashire received the following funding in capital grant, including Airwave and the Premises Improvement Fund.

	Thousands
1995–96	4,148
1996–97	2,730
1997–98	2,208
1998–99	2,414
1999–2000	2,183
2000–01	5,141
2001–02	13,395
2002–03	6,441
2003–04	5,094

Leyhill Prison

Mr. Webb: To ask the Secretary of State for the Home Department what changes have been made to the criteria for allocating inmates to HMP Leyhill; and if he will make a statement. [136450]

Paul Goggins *[holding answer 4 November 2003]:* Leyhill prison is an open training prison. Sentenced prisoners may be assessed for categorisation and allocation to open conditions either on initial categorisation following sentencing or during their sentence following a review of their security category.

Initial categorisation procedures consider: current offence, sentence length, previous offending, previous escapes or absconds and previous breaches of non-custodial disposals. For prisoners indicated for category D, consideration is also given to issues such as: current drug use: any previous breaches of bail; the circumstances of the offence and vulnerability to bullying or coercion.

Prisoners have their security category reviewed at regular intervals. Prisoners must be able to demonstrate that their risk is reduced sufficiently to warrant recategorisation to conditions of lower security. Where category D is indicated, consideration is given to any other issues which might suggest that the prisoner is otherwise unsuitable for open conditions.

Revised initial categorisation and recategorisation forms were introduced in April 2003 and their use is being monitored. However, the procedures detailed above remain unchanged. No changes have been made locally to the acceptance criteria at Leyhill prison.

Ministerial Visits

Mr. Hoyle: To ask the Secretary of State for the Home Department if he will list the visits within the UK made by Ministers in his Department in each of the last five years, broken down by constituency. [136951]

Fiona Mactaggart: Detailed information for all Ministers in respect of UK travel is not held centrally and could be provided only at disproportionate cost. All travel is undertaken fully in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are in the Library.

Mobile Phone Theft

Mr. Rosindell: To ask the Secretary of State for the Home Department what percentage of reported street crime involved the theft of mobile phones in each of the London boroughs in 2002–03. [136473]

Ms Blears: The Home Office does not centrally collect or collate national statistics on the numbers of mobile phone thefts as mobile phone theft is not a separate crime category. Mobile phone theft crime figures are included within the crime categories of robbery, snatch theft and theft from the person.

Home Office Research ("Mobile Phone Theft", HORS 235) published in January 2002 estimated that mobile phones were stolen in 28 per cent. of all robberies in 2000–01. The Metropolitan Police Service estimate that around 50 per cent. of street crime in London involved the theft of a mobile phone.

National Probation Service

Mr. Oaten: To ask the Secretary of State for the Home Department how many probation staff were in post on 30 June, broken down by grade; and how many vacancies there were in the National Probation Service on the same date. [135998]

Paul Goggins: The information requested is as follows.

Number of staff in post and vacancies[1]

England and Wales

	Staff in post as at 30 June (FTE)	*Vacancies as at 30 June*[2] *(FTE)*
Senior Probation Officers	1,172.90	36.10
Senior Practitioners	279.50	23.30
Probation Officers	5,073.67	323.20
Trainee Probation Officers	1,519.70	58.20
Probation Services Officers	4,925.43	326.10
Psychologists	34.00	0.50
Other operational Staff	735.00	22.70
Total Operational Staff	13,740.70	790.10
Deputy Chief Officers/Directors	41.70	2.00
Assistant Chief Officers or Equivalent	281.20	7.70
Area/District Managers or Equivalent	93.50	0.60
Managers—Section or Function Heads	374.90	10.90
Support Staff—Administration	3,533.30	199.87
Support Staff—Others	363.40	53.80
Other Specialist Workers	194.30	4.70
Total Support Staff	4,882.70	279.57
Total[3]	18,623.40	1,069.67

[1] Figures shown as a Full-time Equivalent (FTE)

[2] Unable to obtain information from 3 (out of 42) Areas in time to make this response.

[3] Figures exclude those employed within and by the National Probation Directorate

Note:

The levels of vacancies across the National Probation Service (NPS) amount to 5.43 per cent. of the total workforce of the service.

Mr. Oaten: To ask the Secretary of State for the Home Department how many persons *(a)* joined and *(b)* left the National Probation Service for England and Wales in 2002–03, broken down by grade. [135999]

Paul Goggins: The information requested is as follows:

England and Wales	*Persons joining the National Probation Service*	*Number of leavers and joiners*[1] *persons leaving the National Probation Service*
Deputy Chief Officers	4	3
Assistant Chief Officers[2]	30	13
Senior Probation Officers	43	78
Probation Officers[3]	723	642
All other staff	2,079	1,670
Total	2,879	2,406

[1] Figures shown in Headcount

[2] Includes area managers

[3] Includes senior practitioners, trainee probation officers, temporary probation officers

Mr. Oaten: To ask the Secretary of State for the Home Department which probation areas in England and Wales expect a budget deficit for the current financial year; and what staffing consequences he expects as a result. [136000]

Paul Goggins: The following probation areas in England and Wales are currently forecasting a budget deficit in excess of one per cent. of the budget allocation:

Cumbria, Gloucestershire, Lancashire, Northamptonshire, Staffordshire, Surrey, Teesside, London and South Wales.

The National Probation Directorate is currently in discussion with these areas and they are being asked to explain the reasons for the forecast budget deficits in order that action can be taken to reduce or eliminate the deficits.

Other areas, which are currently forecasting a deficit below one per cent. of their budget allocation, will be expected to manage their operations in such a way that any deficit is avoided.

Overall, the probation areas are expected to spend within budget.

No staffing consequences are expected.

Mr. Oaten: To ask the Secretary of State for the Home Department how many trainee probation officers were appointed in each of the last five years; and how many left *(a)* less than 12 months after appointment, *(b)* between one and two years after appointment and *(c)* between two and three years after appointment. [136003]

Paul Goggins: In the last five years a total of 3,269 trainee probation officers have been appointed with a further 159 due to start in January 2004 as part of the 2003 recruitment process. This will make a total of 3,374.

A total of 268 trainees were recruited in 1999; 282 in 2000; 931 in 2001; 780 in 2002; 1,113 will be the final total of the 2003 recruitment of which 954 have already commenced training.

Of the 3,269 trainees who have so far commenced or completed the training a total of 125 (3.8 per cent.) left less than 12 months after appointment and 45 (1.4 per cent.) left between one and two years after appointment.

Within the past five years a total of 1,481 trainees have completed the programme and become newly qualified officers: the most up to date information shows that of these 35 (2.4 per cent.) left the probation service between two and three years after appointment.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what resources he will provide to the National Probation Service to help it meet its obligations in the new sentencing plans under the Criminal Justice Bill. [136256]

Paul Goggins: Final decisions about both the timing of implementation of the sentencing measures in the Criminal Justice Bill, and the allocation of supporting financial provision to the National Probation Service (NPS) beyond the current financial year, have not yet been made.

The major resource demand for the NPS will arise from the implementation of custody plus. The NPS has begun recruiting additional trainee probation officers to its two-year training programme. We have allocated £11.5 million in this financial year to support this capacity building.

New Prisons

Mr. Oaten: To ask the Secretary of State for the Home Department whether he has obtained funds from the Treasury to enable him to commence the construction of new prisons. [135994]

Paul Goggins: The Treasury have provided funding to acquire at least two sites in 2004–05 for the future development of large multi-function prisons.

A further 1,290 prison places will also be provided through the new prisons currently under construction at Ashford (near Heathrow) and at Peterborough.

Passport Charges

Mr. Robathan: To ask the Secretary of State for the Home Department, (1) when it was decided to change the date of the recent increase of passport charges; [136744]

(2) how many people have complained about the earlier than advertised rise in passport charges; [136745]

(3) Department how much he estimates will have been generated in extra revenue from the rise in passport charges on 2 October rather than 1 November. [136747]

(4) how many people he estimates have been affected by the earlier than advertised rise in passport charges. [136748]

Beverley Hughes: The new fees that became effective on 2 October 2003 were set by the Consular Fees Order 2003, a statutory instrument which was approved by the Privy Council on 17 July and approved by Parliament on 18 July 2003.

Since the announcement was made, 774 complaints have been received at United Kingdom Passport Service (UKPS) Headquarters and the seven Regional Offices via telephone, fax, letter, e-mail and complaint forms submitted at our counters.

The effect of implementing the rise in passport fees on 2 October as opposed to 1 November is estimated to be £2.6 million additional revenues.

Unfortunately we have no data which enables us to determine how many people have been affected by the earlier than advertised rise in passport charges;

Between 2 October 2003 and 2 November 2003, UKPS has issued 407,800 passports. The number of complaints received therefore represent approximately 0.189 per cent. of the total of all passports issued since the fee increase.

Persistent Offenders

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on his Department's initiatives for tackling persistent offenders. [136244]

Paul Goggins: The Persistent Offender Scheme came into effect in April 2003. It is an obligatory component of Local Criminal Justice Boards' action plans to increase the number of offences brought to justice, aimed at targeting a small group of prolific offenders who are responsible for a disproportionate amount of crime. Areas have devised their own premium service protocols which include elements of proactive policing, improved investigations and case management, priority court listings, and strategies for rehabilitation. As well as targeting core persistent offenders, who are over 18 and have been convicted of six or more recordable offences in the last year, as part of their wider crime reduction strategies areas are also using the scheme flexibly to target persistent offenders defined on the basis of local intelligence.

The scheme is supported by an information system which is shared between criminal justice agencies, enabling persistent offenders to be tracked as their cases progress through the criminal justice system, and attrition points in the system to be identified and targeted for intervention.

In addition, the Government have given the courts new secure remand and tagging powers for 12 to 16-year-olds who repeatedly offend on bail, funded the Youth Justice Board's intensive supervision and surveillance programmes for the most prolific young offenders and renewed its commitment to maintain the time from arrest to sentence for persistent young offenders at or below 71 days.

Police

Mr. Norman: To ask the Secretary of State for the Home Department how many police *(a)* constables, *(b)* sergeants and *(c)* inspectors transferred from the Kent Police Force to the Metropolitan Police Force in 2003–04. [135795]

Ms Blears: I am told by the Acting Chief Constable Kent (Mr. Robert Ayling QPM) that, between April and November 2003, 26 constables and two sergeants transferred voluntarily from Kent Constabulary to the Metropolitan Police Service.

Mr. Oaten: To ask the Secretary of State for the Home Department how much was spent by the police in each of the last three years on *(a)* stationery and *(b)* IT equipment. [135869]

Ms Blears: The information is as follows:

(a) Information on police authority stationery purchases is not held centrally.

(b) Expenditure by police authorities on IT equipment is set out in the following table.

Capital expenditure on information communication and technology[1] (England and Wales)

	£000
2001–02	87,655
2002–03	241,358
2003–04	203,826

[1] ICT expenditure includes expenditure on the Airwave communications system.

Sources:
2001–02 figures—CIPFA Police Statistics 2001–02 Actuals
2002–03 figures—CIPFA Police Statistics 2002–03 Estimates
2003–04 figures—CIPFA Police Statistics 2003–04 Estimates

Chris Grayling: To ask the Secretary of State for the Home Department if he will increase the budget for Surrey Police for financial year 2004–05. [137119]

Ms Blears: I shall announce details of the provisional police funding settlement for 2004–05 later this month. It is for Surrey Police Authority to determine its budget for next year.

Police

Mr. Flook: To ask the Secretary of State for the Home Department how many police officers there were in each basic command unit of Avon and Somerset constabulary in each of the last five years. [134553]

Ms Blears: Avon and Somerset Constabulary had 2,989 officers on 31 March 1997, which has increased by 315 to 3,304 in August this year, a record number.

Information on police officer numbers for each Basic Command Unit (BCU) is only available for March 2002 and 2003 and is set out in the table.

Avon and Somerset Constabulary—Number of officers allocated to Basic Command Units

Basic Command Unit	*March 2002*	*March 2003*
Bath and North-east Somerset	228	224
Central Bristol	367	378
North Bristol	263	255
North Somerset	203	213
Somerset East	255	257
Somerset West	295	295
South Bristol	251	251
South Gloucester	265	263
Total BCU Strength	2,127	2,136

Mr. Djanogly: To ask the Secretary of State for the Home Department what in-service death benefits are payable to members of the Police. [136195]

Ms Blears: Death in-service benefits include a lump sum ranging from a death grant for all in-service deaths to a death gratuity for any death as a result of an injury in the execution of duty, where death occurs within one year of the injury. The lump sum death grant is twice the annual value of the officer's pensionable pay. The death grant will be the lesser of either five times the annual value of the officer's pensionable pay or four times his total remuneration during the last 12 months as an officer and his or her total pension contributions for that period.

These lump sums are payable in addition to a widow or widower's pension and any other dependant's benefits where applicable. The surviving spouse's pension will range from half the officer's pension, had he or she been medically retired and not died in service, to a special award of 45 per cent. of the officer's average pensionable pay where death is as a result of an injury in the execution of duty. The special award will be augmented to 50 per cent. where death occurred in particular circumstances such as in the course of trying to save another's life.

Mr. Jenkins: To ask the Secretary of State for the Home Department what plans he has to improve the performance of the police forces that have come bottom of the league tables. [136414]

Ms Blears: The police performance monitors, which were published on 21 October 2003 are not league tables, but show performance across key areas of policing for each force in England and Wales, and show a comparison with similar forces.

Our regular monitoring of police performance enables us to identify those forces whose performance needs to be improved. Her Majesty's Inspector Constabulary (HMIC) and the Police Standards Unit are currently working with a number of forces, whose performance is significantly below the average for their most similar forces, to help them address performance issues. This can involve assistance with performance management systems, improved use of forensics processes across a force, or more targeted assistance. This could take the form of the establishment of a policing priority area, or specific projects targeting an individual crime, such as burglary.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what his policy is on *(a)* audio and *(b)* visual recording of police interviews. [136262]

Ms Blears: The information requested is as follows:

(a) Section 60 of the Police and Criminal Evidence Act 1984 provides for the mandatory (audio) tape recording of interviews of persons suspected of the commission of criminal offences. Code E of the Codes of Practice issued under the above mentioned Act dictates the procedures through which the police should carry out this task. It became mandatory to tape record interviews in police stations in England and Wales using the procedures outlined in Code E on 1 January 1992.

The Terrorism Act 2000 makes separate provision for a Code of Practice for the tape recording of interviews of those arrested under Section 41 or detained under Schedule 7 of the Act.

(b) A pilot has been undertaken in five police forces (Metropolitan, Essex, Hampshire, Kent and West Mercia) to test all aspects of visually recording suspects' interviews. The pilot started in May 2002, except in Essex who started in October 2002, and they all finished on 31 October 2003. A team of Evaluators, from London School of Economics (LSE) and the University of Kent, are preparing a report on the project but this will not be with the Home Office till the end of December. However, from 1 November 2003 visual recording may be undertaken on a discretionary basis and it is a matter for each force (including those not involved in the pilot) to decide which types of cases should be recorded in this way. Police officers have been told that regard should still be paid to Code F (Visual Recording of Suspect Interviews) of the Police and Criminal Evidence Act 1984, when such interviews are undertaken.

Guidance on conducting interviews with vulnerable or intimidated witnesses (VIWs) is set out in 'Achieving Best Evidence: Guidance for Vulnerable or Intimidated Witnesses, including Children'. This guidance is intended to assist those conducting video recorded interviews with VIWs as well as giving guidance to those who are tasked with preparing and supporting such witnesses throughout the criminal justice process. The document can be found at www.homeoffice.gov.uk/justice/legalprocess/witnesses/index .

Paddy Tipping: To ask the Secretary of State for the Home Department how many police officers there were in *(a)* England and *(b)* Nottinghamshire on (i) 1 April 1997, (ii) 1 April 2003 and (iii) 30 September 2003. [135622]

Ms Blears *[holding answer 3 November 2003]:* On 31 August (latest date for which figures are available) there was record police strength in England of 126,949, an increase of 8,490 since March 1997. Nottinghamshire Constabulary also had record police strength of 2,468, an increase of 145 since March 1997.

In England and Wales on 31 August there were 136,386 police officers, again a record.

In England alone there was also 59,403 police (support) staff on 31 March 2003 (latest date available), an increase of 8,847 since 1997. In Nottinghamshire there was 1,180, an increase of 177 since March 1997. Additionally Nottinghamshire had 10 Community Support Officers (CSO) at the end of August with plans for 45 CSOs by March 2004.

The table sets out the figures for the years requested.

	England		*Nottinghamshire*	
	Police officer strength	*Police staff strength*	*Police officer strength*	*Police staff strength*
31 March 1997	118,459	50,556	2,323	1,003
31 March 2003	124,158	59,403	2,411	1,180
31 August 2003	126,949	n/a	2,468	n/a

n/a—not available

Dan Norris: To ask the Secretary of State for the Home Department (1) how many police officers there were in *(a)* Avon and Somerset constabulary and *(b)* Bath and North East Somerset Basic Command Unit in (i) 1997, (ii) 2002 and (iii) 2003; [136320]

(2) how many burglaries there were in *(a)* Avon and Somerset constabulary and *(b)* Bath and North East Somerset Basic Command Unit in (i) 1997, (ii) 2002 and (iii) 2003; [136321]

(3) how many vehicle crimes there were in Avon and Somerset in (a) 1997, (b) 2002 and (c) 2003; [136322]

(4) how many robberies there were in Avon and Somerset in (a) 1997, (b) 2002 and (c) 2003; [136323]

Beverley Hughes: The available information is given in the tables.

Number of police officers in Avon and Somerset Police Force Area (PFA) as at 31 March:

	Number
1997	[1]2,989
2002	3,096
2003	3,149

[1] Excludes staff on career breaks or maternity/paternity leave (comparable with previously published figures).

Details on the number of police officers at Basic Command Unit (BCU) are not available centrally.

Number of burglary offences recorded by the police:

	1997	*2001–02*	*2002–03*
Avon and Somerset PFA			
Total burglary	31,220	32,865	30,182
Burglary in a dwelling	16,466	15,995	14,561
Other burglary	14,754	16,870	15,621
Bath and North East Somerset BCU			
Burglary in a dwelling	n/a	1,563	1,194

BCD data are available from the financial year 1999–2000, onwards. Details on the number of total burglary, and other burglary offences, at BCD are not available centrally.

Number of vehicle crime[1] offences recorded by the police:

Avon and Somerset PFA

	Number
1997	41,715
2001–02	40,791
2002–03	36,249

[1] Vehicle crime is comprised of theft of a motor vehicle, and theft from a vehicle offences

Number of robbery offences recorded by the police:

Avon and Somerset PFA

	Number
1997	1,562
2001–02	4,889
2002–03	3,504

There was a change of counting rules for recorded crime on 1 April 1998, which had the effect of increasing the number of crimes counted. Numbers of offences for years before and after this date are therefore not directly comparable.

The National Crime Recording Standard (NCRS) was introduced across England and Wales in April 2002. Some police forces adopted the standard prior to this date. Avon and Somerset police force introduced the standard in October 2000. Broadly, the NCRS had the effect of increasing the number of crimes recorded by the police. Therefore, following the introduction of the standard, numbers of recorded crimes are not comparable with previous years.

Mr. Rosindell: To ask the Secretary of State for the Home Department how many vehicles are owned and used by the police within the constituency of Romford. [136479]

Ms Blears: The Commissioner of the Metropolis informs me that the information requested is not available for solely the constituency of Romford. In the borough of Havering, which covers Romford, the police service has a total of 31 vehicles.

Prisons

Bob Spink: To ask the Secretary of State for the Home Department if he will make a statement on the number of prisoners who share a cell designed for one person. [133865]

Paul Goggins: As at 30 September 2003, 22.5 per cent. of the prisoner population were sharing two to a cell designed for one. This Equates to 16,552 prisoners. The data are provisional and subject to validation by establishments.

The Prison Service keeps the impact of population pressures—including overcrowding on prisoners in all prisons—under careful review. The Government's programme of building and refurbishment will increase the Prison Service's capacity to 78,700 by 2006, including the provision of around 3,000 additional places in existing prisons by 2006. In addition, a new

unit opened recently at Birmingham prison, six months ahead of schedule, and this will offer a further 452 places.

A further 1,290 places will be provided by the new prisons currently under construction at Ashford (near Heathrow) and Peterborough, scheduled to open in June 2004 and March 2005 respectively.

The Government's programme of building and refurbishment will increase the Prison Service's capacity to 78,700 by 2006. A new unit opened recently at Birmingham prison, six months ahead of schedule, and this will offer 452 places. A further 1,290 places will be provided by the new prisons currently under construction at Ashford (near Heathrow) and Peterborough, scheduled to open in June 2004 and March 2005 respectively.

Mr. Steinberg: To ask the Secretary of State for the Home Department how many prisoners were in *(a)* open and *(b)* closed prisons in each of the last five years, broken down by sex. [135653]

Paul Goggins: The information on the number of prisoners in open and closed prisons in each of the last five years, broken down by sex, is given in the table.

	Total open	*Total closed*
Male prison population as at 30 June		
1999	3,801	57,521
2000	3,719	58,120
2001	3,490	59,200
2002	4,026	62,798
2003	4,496	64,566
Female prison population as at 30 June		
1999	418	2,789
2000	345	3,010
2001	449	3,264
2002	506	3,888
2003	524	4,071

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the effect of the Prison Service's strategies to reduce suicides in reducing the number of self-inflicted deaths. [136257]

Paul Goggins: Reducing the rate of self-inflicted deaths in prison establishments is an essential part of the Prison Service's decency agenda and a priority for Ministers. The three-year safer custody strategy to develop policies and practices to reduce prisoner suicide and manage self-harm in prisons, implemented from April 2001, is currently under review. Account is being taken of emerging findings from practitioners and in-house and external researchers, and the views of a wide range of practitioners and external interests. I will be announcing the results of this work and next steps in spring 2004.

A team from the University of Cambridge is measuring the impact of the Safer Locals Programme (essentially in six pilot establishments) on the quality of prison life, and investigating possible links between these measures and rates of suicide and self-harm. Interim results indicate that the focus of the strategy on the early period in custody, on local prisons, on high-risk prisoners with mental health and drug problems in particular, are the right ones.

A team from Manchester and London Universities is also evaluating elements of the Safer Locals Programme, particularly a workstream called the Care of At-Risk Prisoners project, health care provision, and detoxification services. Additionally, researchers from the Jill Dando Institute of Crime Science were commissioned to evaluate the impact of safer cells on suicide and self-harm. The evaluation included observations, interviews and focus groups with prisoners and staff in six prisons. The report, presented in August 2003, concluded that the safer cells programme has much to commend it and recommended that the programme continue.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of reasons other than overcrowding for the suicide rate in prisons. [136258]

Paul Goggins: The rate of self-inflicted deaths in prisons was 147.4 per 100,000 prisoners (at the end of 2002–03). This high rate appears to be mainly a product of two factors: greater throughput of prisoners at a time of population increase and greater (but not easily quantifiable) numbers of prisoners in high risk categories. The effects of overcrowding and throughput include more prisoners being located further from home, thereby affecting their access to familial/social support; prisons handling large and variable numbers of prisoners, often arriving late in the day, which reduces the time staff can spend with individual prisoners on care and risk assessment; and an increase in the length of time prisoners are locked in their cells, rather than engaged in purposeful activity.

Emerging research from the evaluation of the Prison Service's safer custody strategy suggests that the suicide rate in an establishment may correlate with levels of psychological distress. This distress is affected by prisoners' perceptions of safety, their experiences of entering custody and their level of psychological, emotional and physical well-being upon entry to the establishment.

The general prison population contains a very large number of prisoners who, when they enter custody, are struggling to cope with a wide range of difficult issues, including drug and/or alcohol abuse, family background and relationship problems, social disadvantage or isolation, previous sexual or physical abuse, and mental health problems. Studies suggest that 90 per cent. of all prisoners have shown evidence of at least one of the following: personality disorder, psychosis, neurosis, alcohol misuse and drug dependence. These factors increase their likelihood of self-harm. It has been found that 27 per cent. of men and 44 per cent. of women on remand report having attempted suicide in their lifetime.

Mr. Oaten: To ask the Secretary of State for the Home Department what the estimated expenditure for the *(a)* prison and *(b)* probation services will be for financial year 2004–05. [135995]

Paul Goggins: The budgets for 2004–05 have not yet been finalised. Table two and three in section 6 of the Home Office Annual Departmental Report 2003 provide details of the Home Office resource and capital spending plans, which include figures for both the prison and probation services in 2004–05.

Mr. Evans: To ask the Secretary of State for the Home Department how many prisoners were held in the north west in each year since 1992. [134900]

Paul Goggins: The population held in Prison Service establishments in the north west region from 1992 to 2003 is given in the following table.

Total prison population, north west region, as at 30 June

	Number of prisoners
1992	5,397
1993	5,960
1994	6,329
1995	6,701
1996	7,707
1997	8,805
1998	9,469
1999	9,080
2000	9,586
2001	9,835
2002	10,810
2003	11,184

Prison Service establishments in the north west region are:

Altcourse
Forest Bank
Liverpool
Manchester
Buckley Hall
Risley
Hindley
Thorn Cross
Lancaster Farms
Preston
Garth
Haverigg
Wymott
Kirkham
Lancaster
Styal

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for the Home Department what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136119]

Beverley Hughes: Immigration officers have powers of arrest and search under the Immigration Act 1971 as amended by Immigration and Asylum Act 1999. These powers will not be superseded by the Regulation of Investigatory Powers Act 2000 (RIPA) which provides for the regulated use by public authorities of specific investigatory powers including the acquisition of communications data (disclosure of information about communications). Subject to approval by Parliament of the Regulation of Investigatory Powers (Communications Data) Order 2003 the Immigration Service will use RIPA to acquire communications data.

Riot (Damages) Act

Mr. Cousins: To ask the Secretary of State for the Home Department what payments were made to each police authority in each year since 1997 under the Riot (Damages) Act 1886. [136544]

Ms Blears: Liability for payments under the Riot (Damages) Act 1886 (RDA) rests with police authorities. Police authorities normally pay claims made under the RDA from within their existing resources. Police authorities may request special grant from the Home Office to help meet the cost of payments made under the RDA. There have been no payments of special grant for this purpose since 1997.

Information about the settlement by police authorities of claims made under the RDA has not been regularly collected centrally. The 'Consultation Document on Options for the Review of the RDA', which was published in July, estimated that £928,000 had been paid by police authorities since 1995. This is not a comprehensive figure as some RDA claims are still under negotiation by police authorities.

Further details of claims settled since 1995 are set out in Annex A to the Consultation Document, copies of which have been placed in the Library.

Road Safety

Mr. Amess: To ask the Secretary of State for the Home Department how many convictions there have been of people using a mobile telephone while driving in each year since 1997. [130750]

Paul Goggins: Currently there is no specific offence of driving a motor vehicle while using a mobile telephone. Such conduct may however amount or contribute to another offence. In the main prosecutions and convictions in such circumstances are likely to be for driving without due care and attention or not being in proper control of a vehicle.

From 1 December 2003 the specific offence of driving while using a hand-held mobile telephone will be introduced under a new regulation to be added to the Road Vehicles (Construction and Use) Regulations 1986.

Romford Police Station

Mr. Rosindell: To ask the Secretary of State for the Home Department (1) how many police officers are based at Romford police station; [136482]

(2) how many administrative workers are employed by the Metropolitan Police within the constituency of Romford. [136483]

Ms Blears: Romford is part of the borough of Havering. I am told by the Commissioner of Police of the Metropolis (Sir John Stevens) that at the end of August Havering had 353 police officers and 74 police (support) staff.

The deployment of police personnel within the borough is an operational matter for the Borough Commander. Information about the number of officers and police staff deployed at Romford police station or the Romford constituency is not collected centrally. Deployment of resources will reflect operational pressures across the borough.

Rural Policing

Miss McIntosh: To ask the Secretary of State for the Home Department if he will make a statement on rural policing in *(a)* North Yorkshire and *(b)* New Earswick. [134843]

Ms Blears: We need effective policing arrangements in all areas, urban and rural. The annual £30 million Rural Policing Fund has been specifically provided to increase the visibility and accessibility of police in rural areas. North Yorkshire Police receive over £2 million or 6.7 per cent. of the fund. I understand that this has been used to fund 60 additional officers as well as additional scenes of crime staff and support staff. North Yorkshire now has 37 Community Support Officers who patrol across the force area. They help to tackle low-level crime, public disorder and to provide public reassurance in both urban and rural communities.

The policing of New Earswick is a matter for the Chief Constable. The force have drawn valuable lessons from a recent report evaluating a community policing initiative in New Earswick (Great Expectations: Contracted community policing in New Earswick).

Sentencing Guidelines Council

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what powers he has to give directions to the Sentencing Guidelines Council. [136260]

Paul Goggins: Subject to the successful passage of the relevant provisions in the Criminal Justice Bill, the Home Secretary of State will have the power, at any time, to propose to the Council that sentencing or allocation guidelines be framed or revised by the Council.

Special Branch

David Davis: To ask the Secretary of State for the Home Department how many Special Branch constables were employed by Humberside police on 1 September in each of the last three years. [136470]

Ms Blears: It is not our policy to disclose details of Special Branch deployments at force level in the interests of national security, as to do so could compromise operations.

Special Constables

Mr. Jenkins: To ask the Secretary of State for the Home Department how many special constables there are in England and Wales. [136415]

Ms Blears: The latest police service strength figures for the year ending 31 March 2003 were published on 1 October 2003 in Home Office Statistical Bulletin 11/03. The number of special constables in England and Wales was 11,037.

Simon Hughes: To ask the Secretary of State for the Home Department how many special constables there were in London in each year since 1997. [136523]

Ms Blears: The number of special constables in the Metropolitan Police Service and the City of London Special Constabularies since 1997 are set out as follows:

31 March	*Metropolitan Police Service*	*City of London*	*Total for both London Forces*
1997	1,714	86	1,800
1998	1,282	76	1,358
1999	1,138	64	1,202
2000	758	56	814
2001	774	43	817
2002	680	36	716
2003	692	42	734

We are working with stakeholders to increase the size and effectiveness of the Special Constabulary. In particular, we are rolling out Home Office/Association of Chief Police Officers (ACPO) 'Good Practice Guidance'; we are also arranging a second national specials weekend to help raise the profile of specials and the invaluable work they do; and we are assisting forces to boost their capacity to recruit and manage specials effectively.

Staff Turnover

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what his policy is on the turnover rate among senior staff within the Department. [136239]

Fiona Mactaggart: Senior positions in the Home Office are filled through either open competition or internal promotion boards. The Department's policy is to attract, develop and retain good senior staff. That increasingly means providing development opportunities for senior staff within and outside Whitehall. This will increase the turnover of such staff but the overall impact of this policy on the Department's business will be overwhelmingly positive.

Thames Valley Police

Tony Baldry: To ask the Secretary of State for the Home Department what plans his Department has to provide funding for Thames Valley Police Force to boost retention and recruitment including *(a)* the offer of free travel and *(b)* to reduce the pay differential between that force and the Metropolitan Police Force. [136022]

Ms Blears: Government policy is to support the recruitment and retention of public servants in the South East through the Communities Plan announced by my right hon. friend the Deputy Prime Minister (John Prescott) on 21 October, with generous provisions for key worker housing.

Free travel is a matter for the Thames Valley Police Authority.

There are no plans to change the system of regional allowances for officers in the South East and London.

Television Licence/Motor Insurance

Mr. Etherington: To ask the Secretary of State for the Home Department how many successful prosecutions there were of people resident in *(a)* Sunderland and *(b)* Tyne and Wear for (i) non-payment of the television licence fee and (ii) driving without motor insurance in each year since 2000; and what penalties were handed out in each case. [136517]

Paul Goggins: The available information is contained in the table.

Statistics for 2002 will be published in December.

Number of persons[1] proceeded against at magistrates courts, found guilty and sentenced at all courts for television licence evasion and using motor vehicle uninsured against third party risks, Tyne and Wear, 2000 and 2001

	Year	Proceeded against	Found guilty
Offences under the Wireless Telegraphy Acts 1949 to 1967 (mainly television licence evasion)			
Tyne and Wear	2000	5,358	4,672
	2001	6,581	5,766
Of which, Sunderland	2000	847	753
	2001	1,124	1,002
Using motor vehicle uninsured against third party risks (Road Traffic Act 1988, sec 143(2))			
Tyne and Wear	2000	6,397	4,931
	2001	5,958	4,608
Of which, Sunderland	2000	1,272	1,003
	2001	1,103	873

	Year	Absolute/ conditional discharge	Fine	Community sentence	Fully suspended sentence	Immediate custody	Otherwise dealt with
Offences under the Wireless Telegraphy Acts 1949 to 1967 (mainly television licence evasion)							
Tyne and Wear	2000	138	4,534	—	—	—	—
	2001	90	5,676	—	—	—	—
Of which, Sunderland	2000	19	734	—	—	—	—
	2001	16	986	—	—	—	—
Using motor vehicle uninsured against third party risks (Road Traffic Act 1988, sec 143(2))							
Tyne and Wear	2000	441	4,336	30	—	—	124
	2001	461	4,027	38	—	—	82
Of which, Sunderland	2000	90	854	5	—	—	54
	2001	86	757	2	—	—	28

[1] These data are on the principal offence basis

Wine

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department what the total holding of wine of the Department is; and what the total value is. [136489]

Fiona Mactaggart: Ministers and the Permanent Secretary maintain drinks cupboards for official hospitality only. There is no other holding of wine in the Department.

Witness Intimidation

David Davis: To ask the Secretary of State for the Home Department what steps are being taken to ensure that witnesses to crime are able to give evidence without fear of intimidation. [134053]

Paul Goggins: The Government recognise that the intimidation of witnesses is an important issue that needs to be addressed. Witness intimidation in criminal proceedings is an offence under section 51 of the Criminal Justice and Public Order Act 1994 and intimidation in civil proceedings is an offence under the Criminal Justice and Police Act 2001. The Home Office has advised the police to take immediate action against offenders in cases of intimidation or harassment of witnesses.

The Government published "Tackling Witness Intimidation—An Outline Strategy" on 15 May 2003. It was issued to all Local Criminal Justice Boards and Crime and Disorder Reduction Partnerships and is available on Criminal Justice System online. A copy has been placed in the Library.

The police, the Crown Prosecution Service and the judiciary have all received specialist training to help them be more responsive to the needs of intimidated witnesses. The guidance on anti-social behaviour orders stresses the importance of offering support to witnesses and victims when applications for such orders are made.

There needs to be adequate protection for witnesses in the courtroom to ensure that they can give their best evidence. Most courts now have separate waiting rooms for witnesses, reducing the possibility of their coming into contact with the defendant, or those closely acquainted with him or her, and thus reducing the risk of intimidation. Increased funding for Victim Support has enabled its Witness Service to be extended to all Crown court centres and magistrates courts in England and Wales. This means that there should always be someone at court to support witnesses who may feel intimidated or worried.

The Government have also introduced a range of special measures to assist intimidated witnesses to give their evidence in court, including the use of TV links, screens around the witness box and clearing the public

gallery so that evidence can be given in private. The Youth Justice and Criminal Evidence Act 1999 provides the legislative framework for these measures and a phased implementation programme began on 24 July 2002.

In exceptional cases, where there are real and substantial grounds for fear and the Crown would not be able to proceed without the witness's evidence, the judge may allow the identity of a credible witness to be concealed entirely from the defendant. In taking this decision, the court must balance the need for protection of the witness against the risk of unfairness to the defendant and must satisfy itself that the interests of the accused would not be unduly prejudiced.

These court-based measures are complemented by community-based measures, ensuring that support is available to witnesses where they live. Co-ordinated action by a number of agencies, for example in carrying out an initial risk assessment of a witnesses' vulnerability to intimidation, is key.

The Government, in conjunction with the Housing Corporation and the Mayor of London, are today launching a scheme which will give intimidated witnesses the option of fast track relocation within the social housing sector. The Government recognise that, while the aim should be that perpetrators of crime and anti-social behaviour should be those who are moved, there will be instances where the risk to the witness is so great that this option needs to be available.

Young Offenders

Mr. Oaten: To ask the Secretary of State for the Home Department what the most recent two-year reoffending rate was for offenders leaving young offender institutions. [135865]

Paul Goggins: Reconviction is used as a proxy measure for reoffending. The latest two-year 'un-adjusted' reconviction rates for young offenders discharged from custody was 73 per cent., for those released in 1998. The rates in the preceding years were 71 per cent., 70 per cent., 71 per cent., 72 per cent., 72 per cent., 71 per cent., 74 per cent., 75 per cent., 76 per cent., 75 per cent. and 75 per cent. between 1987 and 1997 respectively. These rates are published in "Prison Statistics—England and Wales 2001".

Ian Lucas: To ask the Secretary of State for the Home Department how many young offenders from North Wales below the age of 15 years who were sentenced to custody were not immediately placed in a local authority secure community home in the last three years for which figures are available. [136017]

Paul Goggins: The Youth Justice Board is responsible for the commissioning and purchasing of secure accommodation for under 18s and for the placement of individual offenders.

In the three years to 31 October 2003, all sentenced young offenders of under 15 years of age were immediately placed either in a local authority secure children's home or in a secure training centre.

Ian Lucas: To ask the Secretary of State for the Home Department where young offenders below the age of 15 from North Wales are placed if sentenced to custody and no local authority community home place is available. [136019]

Paul Goggins: The Youth Justice Board for England and Wales is responsible for the commissioning and purchasing of secure accommodation for under 18s and for the placement of individual offenders in the juvenile secure estate. Where no place is available in a local authority secure children's home, a sentenced young offender from England or Wales below the age of 15 is placed in any of the three Secure Training Centres—Rainsbrook, Medway or Hassockfield.

Mr. Grieve: To ask the Secretary of State for the Home Department how many persons are detained in young offenders' institutions claiming to be aged between 15 to 17-years-old whose age has not been independently verified; and if he will make a statement. [136251]

Paul Goggins: The courts are responsible for establishing the ages of young people who appear before them. Custodial establishments do not repeat the checks courts make. We are not aware of any sentences inappropriate to a person's age having been passed; if such a case was found it would be referred to the court.

Mr. Wray: To ask the Secretary of State for the Home Department how many under 18s were in gaol in each year since 1997; and how many were in youth detention centres and other correctional establishments. [132939]

Paul Goggins: The information on the number of under 18s who were in Prison Service establishments, Local Authority Secure Children's Homes and Secure Training Centres is given in the table.

Under 18s in custody—England and Wales

	1997	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
Prison Service establishments	2,480	2,465	2,420	2,435	2,435	2,605	2,290
Local Authority Secure Children's Homes LASCHs	110	125	125	220	295	300	310
Secure Training Centres (STCs)	n/a	n/a	n/a	115	115	120	190

Source

Data for Prison Service establishments is as at end June, apart from the figure for 2003 which is as at end April. Data for LASCH is from DfES and is as at end March. Data for Secure Training Centres is from the Youth Justice Board and is as at end April. Figures for 1997,1998 and 1999 are not held centrally. All numbers are rounded to the nearest 5.

CONSTITUTIONAL AFFAIRS

Domestic Violence

Mr. Hancock: To ask the Parliamentary Secretary, Department for Constitutional Affairs what assessment the Government has made of whether to develop a systematic mandatory training scheme on domestic violence for *(a)* judges and magistrates, *(b)* expert witnesses, *(c)* CAFCASS and *(d)* police officers; and if he will make a statement. [136395]

Mr. Leslie: The information is as follows:

Judges and Magistrates

My Department continues to work closely with the Judicial Studies Board (JSB) to develop training for judges and magistrates that takes account of the growing body of knowledge about domestic violence.

All judges on first appointment to part-time judicial office and all judges newly authorised to hear family cases are required to attend a relevant JSB residential induction seminar. Both full-time and part-time judges attend residential continuation seminars every three years in each jurisdiction they exercise. All induction and continuation seminars include discussion of domestic violence issues. Family law induction and continuation seminars include such issues in virtually every session within the seminar programmes.

Many judges in addition attend locally organised seminars. In 2002 the topic for the one-day Circuit Criminal Seminars, which are attended by all full and part-time judges sitting in the Crown court, was Domestic Violence.

The training of Magistrates is the statutory responsibility of individual Magistrates courts committees. Recently, the JSB in conjunction with the Magistrates Association produced a training package for magistrates, specifically on domestic violence. The objectives for the pack are that by the end of the course delegates will: be able to define domestic violence; recognise when domestic violence features in a case; and describe how that recognition of domestic violence will impact on the conduct and disposal of a case and the treatment of any vulnerable individuals involved.

The programme of training for trainers began at the end of October. Magistrates courts committees will be encouraged to train their magistrates and legal advisers as soon as possible.

Expert Witnesses

The Home Office supports, and part funds, the work of the Council for the Registration of Forensic Practitioners (CRFP). The CRFP has rigorous procedures to ensure those persons admitted to the register have appropriate training, experience and expertise to act as experts. Currently there is no training, or requirement for training, in domestic violence involved in CRFP registration as it is not of direct relevance to the majority of registered practitioners.

CAFCASS

CAFCASS's training programme for Family Court Advisors includes a module on domestic violence. This will be put into operation for the first time in November and December 2003. CAFCASS is also currently developing a policy on domestic violence, which will include guidance and procedures for staff. This will be available in 2004 and CAFCASS will review staff training needs with regard to the finalised policy.

Police

The Centrex 'Policing Responses to Domestic Violence' modular training programme was launched in 2002 and has been substantially developed and updated. The training programme was distributed to police force training managers and nominated domestic violence officers in August 2003. The Policing Responses to Domestic Violence E-learning material CD-Rom was launched in March 2003.

We will continue to identify and respond, as a matter of priority, to the needs of those suffering from domestic violence.

Cleveland Coroner

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs when the Department expects to announce the outcome of the inquiry into the conduct of the Cleveland Coroner. [136570]

Mr. Leslie *[holding answer 4 November 2003]:* His Honour Judge Milford QC, who is conducting the investigation into Coroner Sheffield's conduct, has informed the Department for Constitutional Affairs that he expects to submit his report by the end of November 2003. My noble Friend the Secretary of State and Lord Chancellor will wish to give the report his detailed consideration.

While my noble Friend will be keen to bring this matter to as swift a conclusion as possible, it is not possible to set a timetable for announcing the outcome at this stage.

Court Buildings

Mr. Hoyle: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on the future of the court buildings in *(a)* Lancashire and *(b)* Chorley. [136980]

Mr. Leslie: In Lancashire, as elsewhere, it is our intention to make better use of the joint estate (Court Service and Magistrates' Court Service). Where county court operations can be moved from unsatisfactory buildings into more modern magistrates courts they will be, so improving facilities for users and making efficiency savings. It is too early to say specifically where in Lancashire this will happen until feasibility studies have been completed but Chorley may be affected. The Lancashire Magistrates' Courts Committee has no plans to close any of the courts for which it is responsible.

A new court complex is being considered for Blackpool to house the county court and possibly the Magistrates' Court. The current buildings have inadequate facilities, are in poor condition and Blackpool County Court could benefit from additional court rooms.

The current buildings that house Blackburn County Court and Blackburn Magistrates' Court are recognised to be outdated. There are proposals to provide a new building in Blackburn to house both courts.

Fatal Accidents

Mr. Dismore: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans he has to change the level of damages payable for bereavement in fatal accident claims; and if he will make a statement. [136827]

Mr. Lammy: The level of bereavement damages was increased from £7,500 to £10,000 with effect from 1 April 2002. The Government are currently considering how best to provide for further changes in future.

HEALTH

Residential Care

Mr. John Taylor: To ask the Secretary of State for Health whether self-funded residents in care homes whose income is above the maximum amount that qualifies for pension credit will receive a flat rate of savings credit. [137133]

Dr. Ladyman: Self-funders in care homes do not receive any savings disregard. The savings disregard only applies to council supported residents. Self funders in care homes would receive the exact level of pension credit to which they were entitled.

Age-related Macular Degeneration

Gregory Barker: To ask the Secretary of State for Health how many people in the United Kingdom have been diagnosed with age-related macular degeneration in the last 12 months. [136043]

Ms Rosie Winterton: Information on the number of people with age related macular degeneration is not collected centrally. However, a study sponsored by the Macular Disease Society in 2001 estimated that there were 182,000 people with age related macular degeneration with a best eye visual acuity below that judged appropriate for certification as blind or partially sighted.

Ambulance Services

Mr. Rosindell: To ask the Secretary of State for Health what the most recent ambulance response times within the constituency of Romford are; and what the figures are for *(a)* nearby population centres in Essex and *(b)* other London boroughs. [136481]

Mr. Hutton: Information on response times is collected on a national health service trust basis. A copy is available in the Library and at http://www.doh.gov.uk/public/sb0313.pdf.

Angiogram Patients

Chris Grayling: To ask the Secretary of State for Health what differences there are in the guidance for admission of angiogram patients in cases where the patient is *(a)* already hospitalised and *(b)* not hospitalised. [135759]

Miss Melanie Johnson: Patients that are hospitalised are likely to be prioritised for angiography for a range of clinical reasons. Most commonly, they will be experiencing severe or recurrent pain or they may have suffered some myocardial damage already. We would expect each hospital to have local protocols in place for managing such patients.

Arthritis

Chris Grayling: To ask the Secretary of State for Health pursuant to his Answer of 8 September 2003, *Official Report*, column 163W, how much funding has been allocated for the period *(a)* 2003-04 and *(b)* 2005-06 to primary care trusts for the implementation of the National Institute for Clinical Excellence guidelines on TNFa therapy. [133918]

Mr. Hutton: The funding made available in primary care trust allocations for 2003-04 to 2005-06 to meet recommendations of the National Institute for Clinical Excellence was not separately identified.

Asperger's Syndrome

Mr. Lidington: To ask the Secretary of State for Health how many current residents at secure mental hospitals have been assessed as having Asperger's syndrome. [136952]

Ms Rosie Winterton *[holding answer 6 November 2003]:* Information about the number of current residents in secure mental hospitals who have been assessed as having Asperger's syndrome is not available. However, in 1999 the National Autistic Society published the results of a study of 1,305 residents of the three special (now high security) hospitals in England, which was funded by the Department through the Section 64 scheme of grants to voluntary organizations. This identified that there were then 31 people with an autistic spectrum disorder, of whom 21 had Asperger's syndrome.

Mr. Lidington: To ask the Secretary of State for Health if he will hold an inquiry into the misdiagnosis and mistaken treatment of patients in secure mental hospitals who have Asperger's syndrome. [136953]

Ms Rosie Winterton *[holding answer 6 November 2003]:* We have no plans to commission an inquiry into services for people with Asperger's syndrome in secure hospitals. However, services for people who have Asperger's syndrome have been included in the specialised services national definition set (SSNDS), with a view to improving the collaborative commissioning arrangements necessary to provide them with a seamless service. Inclusion in the SSNDS provides a basis for service reviews and strategic planning and enables commissioners to establish a broad base-line position and make initial comparisons on activity and spend.

Breast Feeding

Mrs. Brooke: To ask the Secretary of State for Health what progress is being made towards achieving national targets on breast feeding. [133579]

Miss Melanie Johnson *[holding answer 22 October 2003]:* Through the NHS Priorities and Planning Framework 2003-06, a target has been set to increase breast feeding initiation rates by two percentage points per year focusing especially on women from disadvantaged groups.

Figures are not yet available but are being collected from primary care trusts in 2003 to provide a baseline for monitoring future performance.

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on progress with the target to increase breast feeding, with particular reference to the target for women from disadvantaged groups. [133907]

Miss Melanie Johnson: I refer the hon. Member to the response I gave the hon. Member for Mid Dorset and North Poole (Mrs. Brooke) today.

Care Homes

Tim Loughton: To ask the Secretary of State for Health how many care home places were available in Sussex in each of the last six years, broken down by *(a)* local authority run, *(b)* independent private and *(c)* independent charity and other not for profit organisation. [134777]

Dr. Ladyman: The table shows the number of care home places by type of accommodation available in Sussex as at 31 March for the years 1998 to 2001.

Figures for later years have been collected by the National Care Standards Commission but comparable details broken down by local authority are not available.

Table: Number of care home places in Sussex[1] by type of accommodation, 31 March 1998 to 2001

Rounded Data

	Residential homes				*Nursing homes*
	Local authority	*Private*	*Voluntary*	*Small[2]*	*Independent*
Sussex					
2001	1,500	11,605	3,645	775	8,310
2000	1,520	12,770	3,175	785	8,705
1999	1,605	13,030	3,140	815	8,945
1998	1,840	12,700	3,485	790	9,235

[1] Brighton and Hove, East Sussex and West Sussex local authorities and East Sussex and West Sussex health authorities
[2] Independent registered care homes with less than four places

Source:
RA and RH(N) form A

Children's Homes

Mr. Cox: To ask the Secretary of State for Health how many children's homes in England are *(a)* open and *(b)* closed and which are under investigation for possible child abuse. [118923]

Margaret Hodge: I have been asked to reply

As of 30 September 2003, there are 1,141 children's homes registered with the National Care Standards Commission and an additional 920 applications to register are being processed. 57 children's homes have been de-registered.

Information is not collected centrally on the number of children's homes in England that are under investigation for possible child abuse.

Dentistry

David Davis: To ask the Secretary of State for Health what steps the Government are taking to promote dental health among children. [135282]

Ms Rosie Winterton: In England, primary care trusts are responsible for oral health promotion and currently they attach particular importance to ensuring that oral health is covered in initiatives like Sure Start, health action zones and healthy living centres.

In August 2001, to complement this work, we launched our "Brushing for Life" scheme which targets families with young children in the 31 areas where dental decay is highest. There are currently 32 schemes running nationally. When carrying out developmental checks, health visitors demonstrate good tooth brushing practice and give the families a free pack containing a tube of fluoridated toothpaste, a toothbrush and a leaflet on oral hygiene. In 2003, the "Brushing for Life" scheme has been extended to Sure Start schemes in order to ensure more parents are given the opportunity to improve the oral health of their children, particularly in more deprived areas of the country.

Diabetes

Mr. Paul Marsden: To ask the Secretary of State for Health how much was spent by his Department on research into diabetes in each year since 1997. [134395]

Ms Rosie Winterton: The Department has consistently supported research into diabetes but has not in the past collected information on its total expenditure in this field. The greater part of the funding meets the service costs to the national health service of research funded by research councils and charities, including Diabetes UK. This funding was identified for the first time from the NHS trust annual research and development reports for 2001–02, and the Department's total spend on diabetes research in that year has been estimated as £14.1 million.

Available estimates of Medical Research Council spend on diabetes research are shown in the table.

£ million

	Amount
1999–2000	6.5
2000–01	8.6
2001–02	8.9

Judy Mallaber: To ask the Secretary of State for Health pursuant to his answer of 29 October, *Official Report*, column. 234W, on diabetes, which companies have confirmed that they will continue to supply animal insulin for diabetics; and what written commitments they have made. [136779]

Ms Rosie Winterton: Novo Nordisk and CP Pharmaceuticals market animal insulins. Novo Nordisk informed the Department that they would be continuing to supply animal insulins to the United Kingdom market for the foreseeable future. CP Pharmaceuticals issued a press release in July this year confirming that

they would be continuing to supply animal insulins. Both companies have recently confirmed that their position remains unchanged.

Diet

Chris Grayling: To ask the Secretary of State for Health what steps the Government is taking with regard to the adulteration of processing food with fats and sugars. [130120]

Miss Melanie Johnson: There is NHS Plan (2000) commitment to work with industry to improve the overall balance of the diet, including salt, fat and sugar in food. The Department of Health and the Food Standards Agency are in discussions with the food industry on reducing the level of salt in processed foods and work on added sugars and fat will follow through 2003–04.

There is wider on-going action to help address the overall balance of the diet. The Department is leading the development of a comprehensive Food and Health Action Plan, working across Government and with the food industry to establish a coherent and effective programme of activities on nutrition in order to achieve a healthier diet for people in England. The plan will pull together all of the issues that influence what we eat and will address:

production—including the manufacture and preparation of food which contribute most to a healthy diet

supply—including access to healthier food

information for consumers about healthy eating and nutrition.

Disabled People (Financial Assistance)

Mr. Wray: To ask the Secretary of State for Health (1) how much has been allocated to the Families Fund since 1997; what the average grant to a family with a disabled adult or child was in the last 12 months; and by how much this has risen since 1997; [136146]

(2) if he will make a statement on the Families Fund; how it has helped disabled people and their families; and what the grants are most commonly used for. [136147]

Margaret Hodge: I have been asked to reply.

The Family Fund was set up by the Government in 1973 to give practical help to families with severely disabled and seriously ill children under the age of 16. Since 1998 the charity has received separate funds from the Governments of England, Northern Ireland, Scotland and Wales. Taking these together, the following amounts have been allocated to the Family Fund:

	£ million
1997	21.7
1998	22.0
1999	23.2
2000	24.2
2001	25.4
2002	26.5
2003	27.8

The FF uses these funds to provides grants direct to families for items which the statutory sector does not provide. The most popular types of grants are for: holidays or leisure facilities so everyone in the family can have a break; bedding and clothing to cover the expense of wear and tear because of the child's disability; additional hospital visiting costs; play equipment if this is related to the child's special needs; washing machines and other 'white goods' that provide practical help to ease the physical burden of carers for disabled children. 90 per cent. of the funds go direct to families. All administrative and other costs are met from the remaining 10 per cent. The average grant made to a family in 1997 was £466.00. The average grant made to a family in 2003 was £560.00. This represents an average increase of 20.17 per cent. since 1997. The Family Fund has been evaluated as "providing a good level of value for money" (Secta report 1999). In 2002–03 The Family Fund supported 44,800 families. Through the use of a network of visiting advisers The Family Fund are able to respond flexibly and imaginatively to the different needs of each family. Over the last 30 years they have helped improve the quality of life for tens of thousands of severely disabled children and their families.

EU Directive 2001/20/EC

John Cryer: To ask the Secretary of State for Health (1) what estimate he has made of the additional cost to the Medical Research Council of implementing EU Directive 2001/20/EC; [135586]

(2) what assessment he has made of the impact of EU Directive 2001/20/EC on the non-profit-making sector. [135587]

Ms Rosie Winterton: As part of the consultation on the draft United Kingdom regulations, a partial regulatory impact assessment (RIA) was provided and universities, national health service trusts and charities were invited to submit estimates on recurring and non-recurring compliance costs for non-commercial trials. The comments received will be taken into account in preparing the final legislation and the final RIA.

In another initiative designed to reduce the impact, the Department and the Medical Research Council have announced a joint project to work with experts to find practical solutions to the issues identified in the impact assessment. Details of the project can be found on www.ncchta.org/eudirective/index.asp. Furthermore, the Government have taken steps to attempt to influence the Commission in its consideration of a Commission Directive on good clinical practice and also in reviewing guidance that the Commission published earlier this year with a view to avoiding any unnecessary costs.

Further information on the partial RIA and the proposed UK implementing regulations is available at http://medicines.mhra.gov.uk/inforesources/publications/mlxpub.htm.

Fluoridation

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on his plans to add fluoride to water. [133787]

Miss Melanie Johnson *[holding answer 23 October 2003]:* The Government has no plans to add fluoride to the water supply on a national basis. Clause 61 of the Water Bill, if enacted, will enable strategic health authorities to undertake local consultations about whether the populations that they serve are in favour.

Health Care (York)

Hugh Bayley: To ask the Secretary of State for Health how many *(a)* consultants and *(b)* junior hospital doctors there were in each clinical specialty at (i) York district hospital and (ii) York Primary Care Trust in each year since 1992. [135952]

Miss Melanie Johnson: The information requested has been placed in the Library.

Health Care Providers

Mr. Nicholas Brown: To ask the Secretary of State for Health pursuant to his Answer of 9 October 2003, *Official Report*, columns 343–44W, on health care providers, if he will list foreign-owned private health care providers who provide services to the NHS whose names are held centrally. [134498]

Mr. Hutton: United Healthcare is providing administrative health services to 10 primary care trusts (PCTs). Kaiser Permanente is engaged with eight PCTs as part of a non-contractual mutual learning arrangement.

Both these arrangements involve the provision of support around redesigning health services rather than the direct provision of health services.

Mr. Nicholas Brown: To ask the Secretary of State for Health what factors led to the initiation of the recent discussions between his Department and United Healthcare; who took the initiative in setting up the discussions; and by what means his Department is accountable to Parliament for the contract with United Healthcare. [134499]

Mr. Hutton: In Delivering the NHS Plan, published in April 2002, the Government set out its intention for the national health service to work with international organisations to develop and test models of integrated health care.

In August 2002 my right hon. Friend, the Member for Darlington (Mr. Milburn) asked Departmental officials to enter into discussions to explore the potential for and feasibility of adapting and applying United Healthcare's Evercare model in a number of primary care trusts (PCTs).

The framework agreement between the Secretary of State and the United Healthcare provided for United Healthcare to undertake scoping work with ten PCTs. Under this agreement, individual PCTs that wished to take the work further then contracted with United Healthcare for administrative healthcare services.

Funding from a Vote 1 central budget has been transferred to each PCT as a contribution to the overall cost of the pilot. The accounting officer for the Department (the chief executive) is responsible to Parliament for the expenditure of the Vote.

Mr. Nicholas Brown: To ask the Secretary of State for Health how many foreign-owned private health care providers are providing services to the Transformational Change Programme managed by the National Primary and Care Trust Development Programme. [134500]

Mr. Hutton: Two foreign-owned private healthcare providers are providing support to primary care trusts through the national primary and care trust development programme's transformational change programme.

Nine primary care trusts (PCTs) have contracted with United Healthcare Group for assistance in redesigning services for vulnerable elderly people. One has contracted for support in predicting demand for health services.

Eight PCTs are also participating in a non-contractual mutual learning arrangement with Kaiser Permanente as part of the transformational change programme.

Health Inequalities

Mr. Andrew Turner: To ask the Secretary of State for Health what assessment he has made of the extent of inequality of *(a)* health, *(b)* access to health and *(c)* accessibility of health services; and if he will make a statement on the extent to which these inequalities have changed since 1997. [134874]

Miss Melanie Johnson *[holding answer 29 October 2003]:* The health gap between those at the top and bottom ends of the social scale, remains large and in some areas continues to widen, despite overall improvements in health. We have set a national target to reverse this trend and, in July, published a Programme for Action. The latest available data shows that while the gap between the infant mortality rate for routine and manual groups and the whole population widened slightly, there was no significant change for male or female life expectancy for the same period. This data refers chiefly to the period before targets were set. We will be publishing a first annual report on health inequalities in 2004. Other inequalities in access to services and accessibility of services are not readily measurable in a nationally comparable way. We have asked primary care trusts to undertake a health equality audit to identify and tackle important health inequalities in their area. The first results are due in 2004.

Long-term Care

Mr. Horam: To ask the Secretary of State for Health if he will standardise the procedure for closing NHS care homes. [134069]

Dr. Ladyman *[holding answer 5 November 2003]:* It would not be appropriate or practical for the Government to try to impose a standardised closure procedure on care homes. This is because care home closures may occur for a wide variety of reasons, such as a fall in the local demand for care home places or the rising value of property.

Also, the overwhelming majority of care homes are private businesses and the Government cannot intervene in a decision by the owner of that business to cease trading as a care home. However, providers are required under the Care Homes Regulations 2001 to give residents a reasonable period of notice when closing the home. The period of notice should be set out in the residents' contracts or statement of terms and conditions.

Local councils should have contingency plans, drawn up in consultation with service providers, for dealing with the closure of homes. Local councils have a responsibility for making alternative arrangements for anyone that they place in a home which subsequently closes.

Lung Cancer

Chris Grayling: To ask the Secretary of State for Health what research his Department has undertaken into combining CT scans and radioactive trace PET scans to detect lung cancer. [133921]

Miss Melanie Johnson: The Department has not funded research into combining computed tomography scans and radioactive trace positron emission tomography scans to detect lung cancer. The Medical Research Council (MRC) would consider applications for research in this specific area. The MRC always welcomes high quality applications for support into any aspect of human health and these are judged in open competition with other demands on funding.

Lymphoedema

Mr. Gale: To ask the Secretary of State for Health what information his Department collates relating to the number of persons living within the East Kent Health Authority catchment area suffering from lymphoedema. [135409]

Ms Rosie Winterton *[holding answer 5 November 2003]:* The Department does not routinely collect statistics on the prevalence of individual conditions like lymphoedema. However, we do have data on admissions to national health service hospitals for patients whose primary diagnosis is lymphoedema. Information on the number of admissions based on those people who live in the East Kent Health Authority area is shown in the table. Admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. These figures for not represent the number of in-patients as a person may have more than one admission within the year.

	Admissions
1996–97	15
1997–98	13
1998–99	17
1999–2000	10
2000–01	9
2001–02	4

Notes:
1. The primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the HES data and provides the main reason why the patient was in hospital.
2. Figures are grossed for both coverage and missing/invalid clinical data, except for 2001–02, which is not yet adjusted for shortfalls.

Source:
Hospital Episode Statistics (HES), Department of Health.

Mental Health Services

Chris Grayling: To ask the Secretary of State for Health what the total funding for mental health services has been in the NHS in London in each of the past five years. [133738]

Mr. Hutton: The table shows data on mental health expenditure from 1998–99 to 2002–03, which is the latest year for which figures are available.

Mental Illness expenditure

(£ thousands)

	London Regional Office Area
1998–99	667,408
1999–2000	763,238
2000–01	861,671
2001–02	961,549
2002–03	1,074,817

Notes:
2002–03 data remains provisional. Figures are provided for health authorities and primary care trusts within the NHS London Regional Office area for 1998–99 to 2001–02 and for those organisations within the five London strategic health authority areas for 2002–03. Expenditure relates to the commissioning of secondary care mental illness only. Figures are not available for mental illness expenditure for primary care nor mental illness expenditure within personal social services.

Sources:
Health authority audited accounts 1998–99
Health authority audited summarisation forms 1999–2000 to 2002–03
Primary care trust audited summarisation schedules 2000–01 to 2002–03

Multiple Sclerosis

Phil Sawford: To ask the Secretary of State for Health how many patients receiving a disease modifying treatment for multiple sclerosis are included within the formal monitoring arrangements of the risk-sharing scheme; and what assessment he has made of whether the estimate of 7,000 patients by November will be reached. [135766]

Dr. Ladyman: Up to the end of August, around 6,300 patients were receiving treatment with a disease modifying treatment for their multiple sclerosis. Around 300 patients each month are being initiated on treatment. Sheffield University's School of Health and Related Research is collecting scheme data and we are discussing with them how best to publicise a breakdown of patients currently being treated to show the subsets being treated under the scheme and those subject to detailed monitoring. As yet, we have no precise estimate of the likely date on which full recruitment of the cohort of patients subject to detailed monitoring will be achieved.

NHS Estate

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 14 October 2003, *Official Report*, column 52W, on the NHS Estate (Health and Safety), what percentage of patient-occupied floor area was below *(a)* health and safety compliance and *(b)* fire safety standards in (i) England, (ii) each strategic health authority and (iii) each NHS trust in each year since 1997. [133430]

Mr. Hutton: Nationally, figures for the proportion of patient occupied floor area that is not compliant with statutory health and safety and statutory fire safety regulations, including compliance with the National

Health Service Firecode Standards, [illegible].71 per cent. and 7.31 per cent. in 2002–03, a reduction from the 2001–02 figures.

Data collection began in 2001–02 and the information requested has been placed in the Library. Owing to trust mergers in 2002–03, direct comparison with data for 2001–02 is not possible in all cases.

These figures reflect the proportion of the estate that is not fully compliant. Non-compliance covers a wide variety of conditions, including that which is just below standard. Therefore, the figures do not indicate levels of risk. Trusts make every effort to remedy any concerns from local enforcement bodies as quickly as possible. This is reflected in the very small numbers of injuries and deaths arising as a result of fires and reportable health and safety incidents in NHS hospitals in England, despite the very high numbers of people who use healthcare premises.

NHS Staff

David Wright: To ask the Secretary of State for Health how many staff are employed by the Shropshire and Staffordshire Strategic Health Authority. [136885]

Dr. Ladyman: Shropshire and Staffordshire Strategic Health Authority (SHA) reports that it currently employs 120 permanent members of staff. That includes Shropshire and Staffordshire Workforce Development Confederation, which joined with the SHA on 1 October 2003.

Nurse Practitioners

Vera Baird: To ask the Secretary of State for Health whether he intends to allow nurse practitioners to run medical practices. [136466]

Mr. Hutton: The Government are committed to widening career opportunities for nurses and increasing recognition of the role nurses play in delivering primary care.

Under personal medical services arrangements, nurses may already run medical practices.

We intend to continue these arrangements, and carry them over into the new general medical services contract so that nurses may be co-signatories to the contract.

Prescribed Drugs

Nick Harvey: To ask the Secretary of State for Health (1) what steps he is taking to reduce the waste of prescribed drugs through their not being used; [133044]

(2) if he will estimate the annual value of prescribed drugs not used. [133045]

Ms Rosie Winterton: It is estimated that unused medicines returned to pharmacies are probably worth £100 million per year. The Department is concerned about the wastage of unused medicines and has introduced a number of initiatives to address this.

These include, the medicines management collaborative schemes that demonstrate innovation and good practice in medicines management. Reducing the volume of unwanted medicines is one of the local objectives being pursued by some of the primary care trusts participating in the programme.

Repeat dispensing makes it possible for patients to get their repeat medicines for up to a year from their community pharmacy without having to contact their general practitioner's surgery. At each repeat dispensing episode, the community pharmacists checks that the medicines are still needed and being used appropriately by the patient.

The first wave of 30 pathfinder sites is no under way, with another 50 or so coming on stream early nest year, ahead of national roll-out by end of 2004. Evidence from previous pilot studies has shown that repeat dispensing helps reduce waste.

In the Government statement of 17 July on the proposed framework for a new community pharmacy contract, disposal of medicines would form one of the essential services for all national health service pharmacies. Discussions on this front continue with the Pharmaceutical Services Negotiating Committee and the NHS Confederation. We aim to start implementing by April 2004. www.doh.gov.uk/pharmacyframework

Modernising hospital pharmacy services, where patients can now continue to use their medicines when admitted to hospital, together with dispensing medicines at the outset sufficient for discharge, has also been shown to reduce waste.

Prescriptions

Dr. Cable: To ask the Secretary of State for Health what the average amount paid to Her Majesty's Government from each prescription charge was for financial year 2001–02; and if he will make a statement. [136867]

Ms Rosie Winterton: For the financial year 2001–02, the amount of each prescription charge was £6.10.

David Davis: To ask the Secretary of State for Health what the estimated cost of wastage caused by patients returning unused prescription medicine to chemists was in the last year for which figures are available; and what steps the Department is taking to reduce such wastage. [136713]

Ms Rosie Winterton: While the Department regularly obtains information on the extent of local national health service schemes for the collection and disposal of unwanted medicines, and these are available across the country, this does not include the cost of medicines returned. The latest estimate is that unused medicines returned to pharmacies are probably worth £100 million per year.

The Department is concerned about the wastage of unused medicines and has introduced a number of initiatives to address this. These include the medicines management collaborative schemes that demonstrate innovation and good practice in medicines management. Reducing the volume of unwanted medicines is one of the local objectives being pursued by some of the primary care trusts (PCTs) participating in the programme.

Repeat dispensing makes it possible for patients to get their repeat medicines for up to a year from their community pharmacy without having to contact their general practitioner's surgery. At each repeat dispensing episode, the community pharmacist checks that the medicines are still needed and being used appropriately by the patient. The first wave of 30 pathfinder sites is now under way, with another fifty or so coming on stream early next year, ahead of national roll-out by end of 2004. Evidence from previous pilot studies has shown that repeat dispensing helps reduce waste.

We are funding a joint task force, based at the Royal Pharmaceutical Society of Great Britain, to lead implementation of a national strategy to spread better understanding of and partnerships between patients and health professionals on taking their medicines. This will promote the benefits of helping patients to take a more active role in managing their own care.

In the Government statement of 17 July on the proposed framework for a new community pharmacy contract, available at www.doh.gov.uk/pharmacyframework, it was highlighted that disposal of medicines was expected to form one of the essential services normally provided by all NHS pharmacies. Discussions on this front continue with the Pharmaceutical Services Negotiating Committee and the NHS confederation. We aim to start implementing from April 2004.

Modernising hospital pharmacy services, where patients can now continue to use their medicines when admitted to hospital, together with dispensing medicines at the outset sufficient for discharge, has also been shown to reduce waste.

Primary Care Trusts

Mr. Cummings: To ask the Secretary of State for Health if he will list the three most *(a)* advantaged and *(b)* disadvantaged primary care trusts, giving their respective distance from their funding target allocation in percentage terms for 2003–04 to 2005–06; and if he will make a statement. [136037]

Mr. Hutton: As a result of the 2003–04 to 2005–06 revenue allocations all primary care trusts in England will make progress towards their target shares of resources as determined by the weighted capitation formula.

Information on distances from targets for primary care trusts in England for 2003–04 to 2005–06 is available in the Library.

Chris Grayling: To ask the Secretary of State for Health how much money was allocated to each primary care trust to pay for the new consultant's contract. [131637]

Mr. Hutton: Primary care trust allocations for 2003–04, 2004–05 and 2005–06 include 0.3 per cent., 0.4 per cent, and 0.5 per cent, of main allocations for the new consultants' contract.

Private Hospitals

Nick Harvey: To ask the Secretary of State for Health what proportion of private hospitals do not have 24 hour cover from qualified doctors. [133046]

Mr. Hutton: Establishments registered as independent hospitals, with the National Care Standards Commission under the Care Standards Act 2000, that have overnight beds for in-patients undergoing medical treatment or surgery are required as a national minimum standard to have a resident medical officer available on immediate call at all times to manage urgent care if a consultant under whom a patient has been admitted is absent or unavailable. Information on the proportion of private hospitals that have such beds is not collected centrally.

Public Service Contracts

Brian Cotter: To ask the Secretary of State for Health how many public service contracts were awarded by his Department *(a)* in total and *(b)* to SMEs in each year since 1997; and if he will make a statement. [127800]

Ms Rosie Winterton: This information is currently not held centrally and could not be obtained without disproportionate cost.

Teeth

Mr. Gordon Prentice: To ask the Secretary of State for Health what proportion of the adult population had no natural teeth in *(a)* 1983, *(b)* 1993 and *(c)* at the latest date for which figures are available. [134609]

Ms Rosie Winterton: The proportion of the adult population with no natural teeth in 1978, 1988 and 1998 is shown in the following table. This data are available from the Adult Dental Health Survey, which is carried out every 10 years and covers adults aged 16 years and over in the United Kingdom.

	Percentage of the adult population with no natural teeth
1978	30
1988	21
1998	13

Source:
Adult Dental Health Survey, 1998.

WORK AND PENSIONS

Council Tax Benefit

Mr. Hoyle: To ask the Secretary of State for Work and Pensions (1) what proportion of those eligible for council tax benefit claimed the benefit in *(a)* Chorley, *(b)* Lancashire and *(c)* the North West Region in 2002–03; [135753]

(2) what proportion of pensioners received council tax benefit in 2002–03; and what proportion of pensioners in Chorley who were eligible claimed the benefit. [135754]

Mr. Cousins: To ask the Secretary of State for Work and Pensions if he will estimate the percentage of households wholly comprised of those aged over 60 years who were *(a)* wholly and *(b)* partially relieved of payments of council tax in 2002–03. [136542]

Mr. Pond: I refer the hon. Member to the answer given to the hon. Member for Southwark, North and Bermondsey (Simon Hughes) on 4 November 2003, *Official Report*, column 610W.

Back-to-work Support (Over-50s)

Mr. Wray: To ask the Secretary of State for Work and Pensions what back-to-work support is available for people aged over 50; and how many people over 50 have been put back into work through Government initiatives since 1997. [132948]

Mr. Browne: We are providing a wide range of services through Jobcentre Plus to help people aged over 50 looking for work. This includes job-search help and advice, training, and claiming in-work financial support. Well over 120,000 people aged over 50 have been helped back to work through Government programmes, such as New Deal 50 plus, since they began to be introduced in 1998. These programmes have helped to increase the employment rate of older workers by 5.4 per cent. from 64.7 per cent. in the spring of 1997 to 70.1 per cent. in the spring of 2003.

Benefit Claimants (Somerset)

Mr. Liddell-Grainger: To ask the Secretary of State for Work and Pensions how many young people from other counties who are 16 or over are claiming benefits in Somerset. [136549]

Mr. Pond: Details of a person's place of birth or origin are not routinely collected when they make a claim to benefit. Therefore, it is not possible to supply details of how many young people claiming benefits in Somerset come from outside the county.

Benefit Payments

Mr. Willetts: To ask the Secretary of State for Work and Pensions how many of the people who have received a letter about direct payment of benefits have begun to receive benefits by automated credit transfer, broken down into those who have opted to have their benefits paid into *(a)* a Post Office card account, *(b)* a basic bank account and *(c)* a regular current account. [114414]

Mr. Pond: We are unable to supply the information in the format required.

Key figures on the progress of conversion to Direct Payment are available in the Library updated every four weeks.

We do not distinguish between existing or basic bank accounts.

Carers' Allowance

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions if he will estimate the cost of abolishing the overlapping benefits rule for the payment of carers' allowance. [134645]

Maria Eagle: The overlapping benefit rules are a fundamental feature of the social security system. They prevent the payment at the same time of two or more benefits intended for the same purpose.

The estimated gross cost of abolishing these rules for the payment of carers' allowance would be around £330 million a year[1]. After adjusting for offsets in income-related benefits[2], the estimated net cost would be about £195 million a year. These figures do not take account of the behavioural effect of carers presently not claiming carer's allowance who would be induced to do so by a change in the rules.

[1] Gross costs are calculated from data taken from a 100 per cent extract of CA claims on the CA computer system for May 2003. They allow for cases where an underlying entitlement exists but records are not currently held on the system.

[2] Offsets are calculated from a 5 per cent. extract of claims on the Income Support computer system in 2003 and a per cent. extract of the Housing Benefit/Council Tax Benefit claims of May 2001.

Child Maintenance Bonus

John Thurso: To ask the Secretary of State for Work and Pensions if he will estimate the value of accrued entitlements to the child maintenance bonus among lone parents in receipt of income support in Scotland; and if he will make it his policy to preserve accrued entitlements to the child maintenance bonus once the new child support rules are applied to all families. [135935]

Mr. Pond: I refer the hon. Member to the written answer I gave the hon. Member for Northavon (Mr. Webb) on 23 October 2003, *Official Report*, columns 703–04W.

Child Support Agency

Huw Irranca-Davies: To ask the Secretary of State for Work and Pensions what guidelines are used by the Child Support Agency in dealing with cases where automatic deductions from pay have been made by an employer, but have not been passed on to the CSA; and what plans he has to review these guidelines. [132281]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Mike Isaac to Mr. Huw Irranca-Davies, dated 10 November 2003:

In replying to your recent Parliamentary question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive. As he is currently on leave I am replying on his behalf.

You asked what guidelines the Child Support Agency uses in dealing with cases where automatic deductions from pay have been made by an employer, but have not been passed on to the Agency.

Where a deduction from earnings is made the employer is required to pay it to the Agency by, at the latest, the 19th of the month following that in which the deduction was made. The Agency will contact the employer soon after the 19th of the month if a payment is not received. While non-receipt of payment from an employer is rare we will also contact the non-resident parent and inform them that payment has not been received from their employer.

Mr. Tynan: To ask the Secretary of State for Work and Pensions (1) how many liability orders were granted in the last 12 months following enforcement action by the Child Support Agency; [135644]

(2) whether priority is given by the Child Support Agency to enforcement action in cases *(a)* where the parent with care is in receipt of income support and other similar benefits and *(b)* where the parent with care is not; [135645]

(3) what the maximum acceptable timescale is for the Child Support Agency to complete an enforcement action from its commencement; what proportion of cases met these targets in 2002–03; and what procedures are in place to monitor compliance with these targets. [135755]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Mike Isaac to Bill Tynan, dated 10 November 2003:

In replying to your recent Parliamentary questions about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked:

How many liability orders were granted in the last 12 months following enforcement action by the Agency;

Whether the Agency gives priority to enforcement action in cases where the parent with care is in receipt of income support and other similar benefits;

What the maximum acceptable timescale is for the Agency to complete enforcement action, what proportion of cases met such targets in 2002–03, and what procedures are in place to monitor compliance with these targets.

From the 1 October 2002—30 September 2003 the Agency was granted 3,169 Liability Orders by the courts in England, Scotland and Wales.

Where a non-resident parent refuses to pay the assessed maintenance for their child(ren) we always consider appropriate enforcement action. For employed non-compliant parents the Agency would usually seek to implement deduction from earnings orders from their earnings. For those who are self-employed, or who have other forms of income, we have to take action through the courts. We always seek to give equal priority to those parents with care who are in receipt of benefit and to those who are not.

Currently, there are no set timescales for the completion of enforcement action. The time taken varies according to the circumstances of the case, the availability of court dates, the non-attendance of the non-resident parent in court, etc. We are looking to include targets for the different processes that comprise our enforcement action next year.

Mr. Drew: To ask the Secretary of State for Work and Pensions when he expects that existing cases will be migrated to the new system of operating the Child Support Agency. [136011]

Mr. Pond: I refer my hon. Friend to the written answer I gave the hon. Member for Moray (Angus Robertson) on 16 September 2003, *Official Report*, columns 696–97W.

Correspondence

Mr. Steen: To ask the Secretary of State for Work and Pensions when he will respond to the letter of 14 August from the hon. Member for Totnes concerning Mrs. J. Duffy of Kingsbridge, Devon. [136970]

Mr. Andrew Smith: I replied to the hon. Member on 4 September. I am forwarding a copy of my letter to him.

Mr. Steen: To ask the Secretary of State for Work and Pensions when he will respond to the letter of 18 August from the hon. Member for Totnes concerning Mr. Guy Pannell of South Brent and the winding-up of pension schemes. [136973]

Malcolm Wicks: I regret we have no record of the hon. Member's letter. If he would like to forward a copy I will arrange for it to be considered urgently.

Mr. Kaufman: To ask the Secretary of State for Work and Pensions why he has not yet replied to the letter to him dated 18 September from the right hon. Member for Manchester, Gorton with regard to Mr. J. Meehan. [136983]

Mr. Andrew Smith: I replied to my right hon. Friend on 13 October. I am forwarding a copy of my letter to him.

Disability Handbook

Mr. Carmichael: To ask the Secretary of State for Work and Pensions pursuant to the Answer of 17 September 2003, *Official Report*, column 758W. on the Disability Handbook, when the Government will start a programme to revise the Disability Handbook; what plans the Government has to consult the National Autistic Society during this review; and when the Government anticipates this work will be completed. [136505]

Maria Eagle: The Department is continuing to work on determining the final format for the information technology based guidance, which will eventually replace the Disability Handbook. The new guidance will be rolled out in phases. Detailed plans for its development and implementation have not yet been decided. Officials have already had meetings with the National Autistic Society and will take into consideration their comments on the current section in the Disability Handbook, in addition to information on the autistic spectrum disorder provided by them. The Department would welcome their comments on the revised draft guidance when developed.

EDS

Dr. Cable: To ask the Secretary of State for Work and Pensions if he will list payments made to EDS in respect of *(a)* the Child Support Agency and *(b)* the Accord project in each of the last five financial years; and if he will make a statement. [134232]

Mr. Pond: The information is not available in the format requested and could be obtained only at disproportionate costs.

Employment (Wansdyke)

Dan Norris: To ask the Secretary of State for Work and Pensions (1) how many people were in employment in Wansdyke constituency in *(a)* April 1997 and *(b)* October 2003; [136329]

(2) how many people were unemployed and claiming benefits in Wansdyke constituency in *(a)* April 1997 and *(b)* October 2003. [136330]

Mr. Pond: In 1997, 86 per cent. of the working age population in Wansdyke were in employment. An equivalent figure is not available for 2003.

In April 1997 there were 1,333 people unemployed and claiming Job Seeker's Allowance (JSA) in Wansdyke. Latest information from the claimant count is for September 2003, when there were 405 people claiming JSA.

Fireworks

Mr. Tynan: To ask the Secretary of State for Work and Pensions what the total capacity of facilities in the United Kingdom licensed by the Health and Safety Executive to store greater than one tonne of fireworks or related explosives was at 1 October. [134587]

Mr. Browne: The total licensed storage capacity for fireworks at sites licensed by the Health and Safety Executive is 19,177 tonnes. This figure represents the net mass of the explosive contained in the fireworks. This storage capacity is sufficient to hold fireworks with a gross weight in excess of 76 thousand tonnes.

In addition, local authority licensed stores holding more than one tonne (gross) have an estimated capacity of 5,000 tonnes (gross).

Explosives licensing in Northern Ireland is a matter for the Northern Ireland Office.

Mr. Tynan: To ask the Secretary of State for Work and Pensions how many explosive storage sites, capable of storing what quantity of explosives, were licensed by the Health and Safety Executive and other appropriate bodies in respect of Global Fireworks Ltd. *(a)* prior to 5 April 2002, *(b)* between 6 April 2002 and 5 April 2003 and *(c)* from 6 April 2003 to date. [135639]

Mr. Browne: Global Fireworks Ltd. did not have HSE-licensed storage facilities during any or these periods.

Licensing of explosives stores in Northern Ireland is a matter for the Secretary of State for Northern Ireland. We understand that there were no explosives storage facilities licensed or registered in the name of Global Fireworks Ltd. during this period.

Smaller explosives stores are licensed or registered by local authorities. Registers of these storage facilities are maintained by local authorities. There is no central database of licensed stores and this information could be provided only at disproportionate cost.

Mr. Tynan: To ask the Secretary of State for Work and Pensions what steps are taken by the Health and Safety Executive to ensure that consignments of fireworks entering the United Kingdom are taken to a licensed storage site. [135640]

Mr. Browne: The storage of fireworks is regulated by HSE in partnership with local authorities under the Explosives Act 1875. Anyone storing fireworks illegally will be liable for be prosecution.

HSE works with local authorities and Customs and Excise to verify whether firework importers have licensed storage facilities in Great Britain. The evidence from these checks is that the overwhelming majority of fireworks imports declared to Customs and Excise are being imported by firms with licensed storage available to them.

Mr. Tynan: To ask the Secretary of State for Work and Pensions how many prosecutions were commenced by the Health and Safety Executive for illegal *(a)* transportation and *(b)* storage of explosives in each of the last five years. [135641]

Mr. Browne: The information is in the following table. All the prosecutions were successful with the exception of the two prosecutions in the current year which are pending. This table does not include cases in the current year that are still under investigation. Prosecutions by HSE for illegal transport or storage of explosives

	Transportation	*Storage*
1999–2000	—	2
2000–01	2	—
2001–02	1	—
2002–03	—	—
2003–04	1	1
Total	4	3

Mr. Tynan: To ask the Secretary of State for Work and Pensions what quantity of fireworks was seized by the Health and Safety Executive in each of the last five years. [135642]

Mr. Browne: The Health and Safety at Work Act only provides powers to seize fireworks in cases where there is imminent danger. There have been no such cases in any of the last five years.

Where the fireworks do not present an imminent danger the Health and Safety Executive will serve an enforcement notice requiring the owner to arrange for the fireworks to be removed to a legal storage place. The information in the table gives the number of enforcement notices issued over the last five years.

Where there are concerns over the safety of the fireworks HSE will work with the local authority to arrange for the fireworks to be dealt with safely and where necessary for enforcement action to be taken by the local authority under the Firework Safety Regulations 1999.

In addition to requiring the removal HSE will also prosecute where there is sufficient evidence of illegal storage (or other breaches of the legal requirements).

HSE Enforcement Action on illegal fireworks storage

	Enforcement notices
1999–2000	0
2000–01	1
2001–02	0
2002–03	0
2003–04	5

Fostering and Adoption

Mr. Peter Duncan: To ask the Secretary of State for Work and Pensions when he last met fostering and adoption groups to discuss benefit payment levels. [136502]

Mr. Pond: The ministerial team of the Department of Work and Pensions meet with a wide range of groups to discuss and further the work of the Department. However, none of the Ministers have met recently with fostering and adoption groups to discuss benefit payment levels.

Health and Safety

Mr. Webb: To ask the Secretary of State for Work and Pensions how many *(a)* enforcement notices have been served and *(b)* prosecutions have been initiated by health and safety inspectors under Health and Safety at Work legislation in each of the last 12 months. [135822]

Mr. Browne: The number of *(a)* improvement and prohibition notices served, and *(b)* the number of prosecutions initiated by the Health and Safety Executive, Field Operations Directorate inspectors, in each of the last 12 months for which information is available, are shown in the table:

2002–03[1]	*Improvement and Prohibition notices issued*	*Separate offences prosecuted*
April 2002	962	110
May	1,462	149
June	1,013	141
July	1,309	109
August	1,098	69
September	1,141	148
October	1,090	121
November	1080	148
December	821	113
January 2003	898	154
February	923	161
March	950	182
Total	12,747	1,605

[1] provisional

Notes:

1. Figures for improvement and prohibition notices served, and prosecutions started by local authorities on a month-by-month basis, are not available except at disproportionate cost.
2. The number of notices are those issued by HSE in Great Britain.
3. In England and Wales, HSE inspectors initiate prosecutions. In Scotland, the Procurator Fiscal decides whether to bring a prosecution; HSE recommends prosecution when this is justified following an investigation.

Minimum Income Guarantee

David Hamilton: To ask the Secretary of State for Work and Pensions how many pensioners in the Midlothian constituency received the minimum income guarantee on the latest date for which figures are available. [137126]

Malcolm Wicks: As at May 2003, the number of Minimum Income Guarantee recipients in Midlothian was around 1,700.

Notes:

1. Figures have been rounded to the nearest hundred.
2. Figures are based on a 5 per cent. sample, and are therefore subject to a degree of sampling variation.
3. Parliamentary Constituency is assigned by matching postcodes against the relevant ONS postcode directory.
4. MIG recipients are defined as Income Support benefit units where the claimant, and/or partner is aged 60 or over.

Source:

IAD Information Centre, 5 per cent. sample

New Deal

Mr. Gibb: To ask the Secretary of State for Work and Pensions how many 18 to 24-year-olds have left the New Deal for Young People with unknown destinations; and what percentage of these he estimates subsequently found full-time employment. [133164]

Mr. Browne: The New Deal for Young People (NDYP) is a success—by the end of June 2003, just over three-quarters of a million young people had participated in the programme, nearly 450,000 of whom had been helped into jobs.

However, 264,770[1] people have left NDYP to unknown destinations. A survey in 1999 (Employment Service Research Report: 21 August 1999, Jon Hales and Debbie Collins) reported that 57 per cent. of those recorded as leaving NDYP for unknown destinations between April and August 1998, went into paid employment.

We are currently conducting a study to provide further information on New Deal unknown destinations.

We expect to publish the report on this survey next year.

Note:

[1] Includes people who may have left the programme more than once.

Dan Norris: To ask the Secretary of State for Work and Pensions how many people in the Wansdyke constituency have benefited from each of the New Deal programmes since 1997. [136331]

Mr. Browne: The available information is in the table.

Numbers of people in the Wansdyke constituency helped by the New Deal programme[3]

Programme[1]	*People starting*	*People gaining a job*
New Deal for Young People	460	310
New Deal 25 plus	130	40
New Deal for Lone Parents	360	200
New Deal 50 plus[2]	90	90

[1] All figures are up to the end of June 2003 apart from New Deal 50 plus which is up to the end of March 2003.

[2] People in receipt of the New Deal 50 plus Employment Credit.

[3] Information on the other New Deals is not available broken down by constituency.

Source:

New Deal database

Occupational Pension Schemes

Mr. Frank Field: To ask the Secretary of State for Work and Pensions how many company occupational pension schemes, covering how many workers, have been closed since 1 December 2002. [137622]

Malcolm Wicks: Information on pension schemes is held by the Pension Schemes Registry that is maintained by the Occupational Pensions Regulatory Authority (OPRA). Some data on the number of occupational pension schemes, and number of recorded members in these schemes, recorded by the registry as having closed

to new members between 1 October 2002 and 30 June 2003 are provided in the table. The figures relate to the position as at September 2003.

Number of occupational schemes, and number of members in occupational schemes, recorded on Pension Schemes Registry as becoming closed between 1 October 2002 and 30 June 2003

Date	Number of schemes	Number of members
1 October 2002–31 December 2002	113	46,172
1 January 2003–31 March 2003	122	122,283
1 April 2003–30 June 2003	78	44,924
Total	313	213,379

Notes:
1. The Pension Schemes Registry (PSR) is not designed or intended to provide a comprehensive or continuous statistical record of the status of schemes. The PSR registers schemes for tracing purposes and collects the levy from pension schemes, including those in the process of winding-up. New scheme data are being reported to the PSR on a continuous basis. Therefore, the figures are subject to continuous revision. When a scheme has changed status, the previous status of the scheme is not recorded on the registry. Schemes have up to 12 months to notify OPRA of any status change. The data in the table do not include any schemes that may have changed their benefit type (money purchase, salary related or hybrid) but not their status code (from open to closed).
2. A closed scheme is a registerable scheme to which no new members may be admitted, but existing members can continue to make contributions and accrue benefits. The data above do not contain any schemes that are either frozen, winding up or wound up.
3. The data in the table relate to private sector occupational pension schemes. In addition to data on occupational schemes, the registry also collects data on personal pension and public sector schemes. These schemes are not included in the table

Source:
OPRA.

Pension Credit

Mr. Webb: To ask the Secretary of State for Work and Pensions whether local authority housing benefit departments are being automatically supplied by his Department with details of the pension credit receipt of pensioners for the purpose of reassessing housing benefit entitlement; and if he will make a statement. [135908]

Mr. Pond *[holding answer 3 November 2003]:* We automatically supply local authorities with information about pension credit awards to enable them to determine entitlement to housing benefit and council tax benefit.

There were some initial technical problems encountered in transmitting information about pension credit awards to local authorities, which affected only a small number of cases and were largely resolved within two weeks. Local authorities have been kept informed of any difficulties, and every effort is being made to resolve remaining minor issues.

David Hamilton: To ask the Secretary of State for Work and Pensions what the take-up rate of the pension credit is in the Midlothian constituency. [137127]

Malcolm Wicks: The information is not available in the format requested.

Approximately half of all pensioner households across Great Britain are eligible for Pension Credit and stand to gain on average £400 a year. Around 1.9 million Pension Credit awards have already been made to pensioner households across Great Britain as a whole (helping more than 2 million individuals).

The Government has a target for at least 3 million pensioner households to be in receipt of Pension Credit by 2006. We want all those eligible for Pension Credit to take up their entitlement.

We intend to publish monthly reports on the progress of Pension Credit take-on, which will include information on the number of applications. The first such report will be published later this month.

Poor Households

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate, on the basis of the Households Below Average Income data set, the number and percentage of *(a)* all dependent children and *(b)* dependent children under five who are (i) children of lone parents in full-time employment or self-employment, (ii) children of lone parents in part-time employment or self-employment, (iii) other children of lone parents, (iv) children of two parent families where both parents are in full-time employment or self-employment, (v) children of two parent families where one parent is in full-time work and one in part-time work, (vi) children of two parent families where one parent is in full-time work and one not working, (vii) children of two parent families where no parent is working full time but one or more is working part-time and (viii) other children of two parent families in (A) 1979, (B) 1990 and (C) 2001–02. [136448]

Mr. Pond *[holding answer 4 November 2003]:* Such information as is available is in the tables.

(a) Number and percentage of all dependent children

	1979	1990–91	2001–02
Number of dependent children by economic status of family type			
Lone parent			
of which:			
In full time work	500,000	400,000	600,000
In part time work	400,000	400,000	800,000
Not working	600,000	1,300,000	1,800,000
Couple with children			
of which:			
One or more full-time self-employed	1,200,000	1,700,000	1,500,000
Both in full time work	1,400,000	1,300,000	1,600,000
One in full time work, one in part time work	4,100,000	2,900,000	2,900,000
One in full time work, one not working	4,100,000	2,700,000	2,300,000
One or more in part time work	600,000	300,000	600,000
Other	900,000	1,100,000	800,000
Total	13,800,000	12,000,000	12,800,000

(a) Number and percentage of all dependent children

	1979	*1990–91*	*2001–02*
Percentage of dependent children by economic status of family type			
Lone parent			
of which:			
In full time work	3	3	5
In part time work	3	3	6
Other	4	11	14
Couple with children			
of which:			
One or more full-time self-employed	9	14	12
Both in full time work	10	10	13
One in full time work, one in part time work	30	24	23
One in full time work, one not working	30	22	18
One or more in part time work	4	3	4
Other	6	9	6
Total	100	100	100

(b) Number and percentage of children under five

	1979	*1990–91*	*2001–02*
Number of children under 5 by economic status of family type			
Lone parent			
of which:			
In full time work	—	100,000	100,000
In part time work	100,000	100,000	200,000
Not working	200,000	500,000	600,000
Couple with children			
of which:			
One or more full-time self-employed	300,000	500,000	400,000
Both in full time work	100,000	300,000	300,000
One in full time work, one in part time work	1,100,000	800,000	700,000
One in full time work, one not working	1,700,000	1,300,000	900,000
One or more in part time work	100,000	100,000	200,000
Other	300,000	400,000	200,000
Total	3,800,000	4,000,000	3,400,000
Percentage of children under 5 by economic status of family type			
Lone parent			
of which:			
In full time work	1	2	2
In part time work	1	2	4
Other	5	13	16
Couple with children			
of which:			
One or more full-time self-employed	7	12	11
Both in full time work	3	7	9
One in full time work, one in part time work	28	19	21
One in full time work, one not working	44	33	26
One or more in part time work	4	2	5
Other	7	10	6
Total	100	100	100

Notes:
1. Estimates are for Great Britain and, where appropriate, quoted to the nearest thousand or percentage point.
2. Self-employed couples are presented as a separate category. This is consistent with presentation in the Households Below Average Income series.

Sources:
'1979'—Family Expenditure Survey; '1990–91'—1990 and 1991 Family Expenditure Survey; '2001–02'—2001–02 Family Resources Survey.

DEPUTY PRIME MINISTER

Affordable Housing

Mr. Drew: To ask the Deputy Prime Minister if he will list the authorities that *(a)* met their targets for (i) affordable and (ii) social housing in the last year for which figures are available and *(b)* did not meet their targets. [136752]

Keith Hill: The Office of the Deputy Prime Minister does not set annual targets centrally for local authorities on either affordable or social housing.

Planning policies for affordable housing are set out in Planning Policy Guidance note 3, 'Housing', and in Circular 6/98, 'Planning for Affordable Housing'. They advise that where local planning authorities are able to demonstrate a lack of affordable housing to meet local needs, based on up-to-date surveys and other data of

local need, they should indicate in their local plan how many affordable homes need to be provided throughout the plan area, and set indicative targets for specific suitable sites (expressed either as numbers of homes or a percentage of the homes on the site).

Local planning authorities should be monitoring their performance against their local plan policies and targets, but this information is not held centrally, and could be provided only at disproportionate cost.

Census 2001

Mr. Gordon Marsden: To ask the Deputy Prime Minister what action his Department will take in response to the recent Statistics Commission report on the accuracy of the 2001 census for the Westminster city council area. [136992]

Mr. Raynsford: Accurate census and population statistics are an important issue for the Office of the Deputy Prime Minister, particularly for financial allocation and as the basis for population and household projections which underpin a range of policy needs for housing and community support. We look to the Office for National Statistics (ONS) to supply these to the highest standard achievable, and in response to the statistics commission report the Office of the Deputy Prime Minister and other Central Government Departments will engage with ONS to ensure that this is achieved.

The Office of the Deputy Prime Minister has also noted the recommendation to make progress on the creation of an accurate address register. The Office of the Deputy Prime Minister agrees with the need for this and will be working with ONS and other relevant bodies to improve national address information.

Computer Fraud

Dr. Cable: To ask the Deputy Prime Minister how much has been *(a)* budgeted and *(b)* spent by his Department since April 2002 on (i) combating computer fraud, (ii) preventing theft of computers and (iii) safeguarding the security of information held on computer; and if he will make a statement. [128797]

Yvette Cooper: The Office of the Deputy Prime Minister manages the security of its information, including information held on its computer system, in accordance with the guidance given in the Manual of Protective Security, a comprehensive body of policy and interdepartmentally agreed security standards that is issued by the Cabinet Office.

Over the period referred to, many of the services involved in managing our security, were provided jointly to Department for Transport (DfT)as well as the Office of the Deputy Prime Minister . In addition, the services are provided as part of the overall provision of Information Technology, Audit and other security related service. It is therefore not possible to provide an accurate breakdown in the way requested without incurring disproportionate cost.

The overall staff costs across both Departments for some of the areas contributing to the management of our security are:

	£ thousand
IT Audit Services:	224.5
IT Security Office:	122.3
Internal Firewall Management:	216.2
Other IT Security Services:	158.3

As part of the commitment to information security, the Office of the Deputy Prime Minister is currently moving to compliance with BS7799 for corporate ICT services for DfT and the Office of the Deputy Prime Minister. The budget for this project is £300,000 for 2002-04.

Council Tax

Mr. Edward Davey: To ask the Deputy Prime Minister what the *(a)* average and *(b)* average band D council tax was in (i) Sedgefield borough council and (ii) Durham county council in each year since 1997. [136593]

Mr. Raynsford: The information requested is tabled as follows:

£

	Sedgefield borough council		*Durham county council*	
	Authority's own Band D council tax[1]	*Authority's own average council tax per dwelling*[1]	*Authority's own Band D council tax*	*Authority's own average council tax per dwelling*
1996-97	111	130	486	397
1997-98	235	155	548	372
1998-99	246	162	634	429
1999-2000	254	168	662	448
2000-01	265	174	692	470
2001-02	278	183	721	489
2002-03	302	198	828	562
2003-04	311	205	903	615

[1] Including parish and town council precepts

Mr. Edward Davey: To ask the Deputy Prime Minister what the average council tax was in England in each financial year since 1995-96. [136595]

Mr. Raynsford: The information requested is tabled as follows:

£

	Average Band D council tax for two adults	*Average council tax per dwelling*
1995-96	609	498
1996-97	646	525
1997-98	688	564
1998-99	747	614
1999-2000	798	656
2000-01	847	697
2001-02	901	741
2002-03	976	804
2003-04	1,102	908

Mr. Cousins: To ask the Deputy Prime Minister how many properties there were *(a)* in 1997 and *(b)* on 1 April 2003 in each council tax band in (i) England and

(ii) each council tax collecting authority in England; and what the proportion of total properties was in each case. [137221]

Mr. Raynsford: Information on the number of properties in council tax bands as at 1 April is not available. Figures are available, however, as at 16 October. Those as at 16 October in the previous year have been provided for England are given in the following table. A table giving figures for individual billing authorities is available in the Library of the House.

Council tax bands, England

Band	*Number of chargeable dwellings*	*Percentage of total chargeable dwellings*	*Number of chargeable dwellings*	*Percentage of total chargeable dwellings*
A	5,203,350	26.1	5,293,456	25.4
B	3,870,586	19.4	4,011,941	19.2
C	4,351,090	21.8	4,515,653	21.7
D	2,956,331	14.8	3,151,048	15.1
E	1,813,481	9.1	1,975,568	9.5
F	947,300	4.8	1,044,435	5.0
G	688,168	3.5	749,382	3.6
H	103,297	0.5	113,545	0.5
Total	19,933,605	100.0	20,855,028	100.0

Source:
CTB1 returns

Council Tax Benefit

Mr. Pickles: To ask the Deputy Prime Minister what proportion of those eligible for council tax benefit took up the benefit in 2002–03. [135357]

Mr. Pond: I have been asked to reply.

The information requested is presented in the DWP annual report, "Income Related Benefits-Estimates of Take-Up", which is available in the Library.

Cumbria

Mr. Martlew: To ask the Deputy Prime Minister if he will restore Cumbria to the Northern Region; and if he will make a statement. [137125]

Mr. Raynsford: Cumbria is part of the North West Region and will remain so.

Housing (Seller's Pack/Overcrowding)

Mr. Clifton-Brown: To ask the Deputy Prime Minister (1) in relation to the draft Housing Bill, how many surveyors will be required to fulfill the requirement of the seller's pack proposals; how these will be trained; and over what timescale they will be available; [R] [136895]

(2) what plans the Government have to amend the Overcrowding Standard as defined in the Housing Act 1985. [136939]

Keith Hill: The Office of the Deputy Prime Minister's initial estimate is that between 7,500 and 8,500 Home Inspectors will be needed to carry out home condition reports but this figure may be revised in the light of consultations and further work with the industry. Research indicates that there is a substantial pool of labour that could meet this potential demand, including the 4,500 people who are carrying out residential surveys now.

Home Inspectors will have to be certified and trained to National Occupational Standards. An awarding body will be appointed by the certification scheme to accredit the training courses and qualifications for home inspectors. Academic institutions, professional institutions and major employers are likely to run courses and training will take account of differences in prior knowledge and skills. Work on this has already started and we expect this will accelerate once the proposed new legislation is in place. Any requirement for sellers to provide a home condition report will not be brought into force until the Office of the Deputy Prime Minister is satisfied that there are sufficient trained Home Inspectors in place.

The Government recognises that the statutory overcrowding standards in the Housing Act 1985 are now out of date, and is considering whether they should be reformed in the light of the arguments presented during the Westminster Hall Debate on 29 October 2003, *Official Report*, column 105WH.

Housing Capital Receipts

Mr. Beith: To ask the Deputy Prime Minister whether, under transitional provisions relating to the Local Government Act 2003, housing authorities currently repaying debt from housing capital receipts will have the transfer of these receipts to Central Government fully offset in the calculation of housing subsidy for the next two years. [135915]

Keith Hill: The Office of the Deputy Prime Minister will publish the proposals for the Housing Revenue Account (HRA) subsidy for 2004–05 shortly.

Housing Market Renewal Pathfinders

Mr. Gordon Prentice: To ask the Deputy Prime Minister what representations he has received about turning the housing renewal pathfinders into urban development corporations; and if he will make a statement. [136994]

Keith Hill: None.

Mr. Gordon Prentice: To ask the Deputy Prime Minister how many housing market renewal pathfinders have websites; and whether it is his policy to encourage this. [136995]

Keith Hill: Market Renewal Pathfinders communication strategies are determined by them to reflect local circumstances. Currently as part of their communication strategies two pathfinders have websites. These are Merseyside at www.newheartands.co.uk and Newcastle Gateshead at www.newcastlegateshead pathfinder.co.uk.

Housing Refurbishment

Mr. Dobson: To ask the Deputy Prime Minister whether the capital funding allocated to Arm's Length Management Organisations for housing refurbishment

is treated in the same way in Government Accounts as capital supplied for the same purposes by local authorities. [136969]

Keith Hill: Capital resources for housing refurbishment investment is currently provided to Arms Length Management Organisations and local authorities through credit approvals, a permission to borrow up to a certain limit. These approvals are supported, as required, by subsidy payments through the Housing Revenue Account (HRA).

Credit approvals are not shown within central Government Accounts as they do not reflect cash transactions between Central and local Government. Subsidy paid within the HRA is shown within the Office of the Deputy Prime Minister's Resource Accounts.

Capital resources that are secured through borrowing, or provided for separately, by local authorities would be identified within their own accounts.

Housing Statistics

Mr. Drew: To ask the Deputy Prime Minister how many *(a)* house starts and *(b)* overall house sales there were in (i) 1980, (ii) 1990, (iii) 2000 and (iv) the last year statistics were available, broken down by region. [136751]

Keith Hill: The information requested is as follows.

(a) The latest available statistics for total house starts by region for 1980, 1990, 2000 and 2002 are tabled as follows:

	1980	*1990*	*2000*	*2002*
North East	6,046	7,272	7,094	6,387
North West	17,156	19,293	18,683	19,112
Yorkshire & the Humber	12,829	11,922	13,813	14,615
East Midlands	13,256	13,537	15,130	16,004
West Midlands	13,761	15,862	15,780	14,659
East	17,032	17,477	18,686	19,315
London	8,226	9,850	15,300	16,914
South East	27,162	21,710	23,440	25,303
South West	15,872	16,546	16,741	16,918
Total	131,340	133,469	144,667	149,227

Source:
Returns to ODPM from local authorities

(b) The latest available statistics for overall house sales by region for 1996 (first year available), 2000 and 2002 are tabled as follows:

	1996	*2000*	*2002*
North East	38,701	46,941	58,268
North West	110,350	137,645	165,889
Yorkshire & the Humber	83,419	101,504	122,380
East Midlands	78,727	97,080	113,253
West Midlands	87,417	100,871	117,982
East	117,065	130,699	148,081
London	139,587	153,854	173,286
South East	182,719	192,439	223,564
South West	111,290	123,972	138,925
Total	949,275	1,085,005	1,261,628

Source:
Land Registry

Local Elections

Dr. Pugh: To ask the Deputy Prime Minister how many allegations of electoral fraud in the North West Region have been investigated in the last 10 years. [134290]

Mr. Raynsford: The information requested on electoral fraud at elections is not held centrally and could be provided only at disproportionate cost.

Local Government Finance

Phil Sawford: To ask the Deputy Prime Minister which local authorities received a grant settlement that was limited by the ceiling in 2003–04; and what percentage increase each of these authorities would have received if a ceiling had not been imposed. [137130]

Mr. Raynsford: A table showing the percentage increase in grant before floors and ceilings for all authorities is available in the Library of the House.

Phil Sawford: To ask the Deputy Prime Minister what the cost would have been in 2003–04 of funding local authorities in accordance with the funding formula if a ceiling had not been imposed. [137131]

Mr. Raynsford: If the same grant floors had been retained then the full cost of the floor would have to be entirely financed via the scaling factor for all authorities above the floor. The factors by which grant increases were scaled back would have changed from approximately 0.94 to 0.84 for education authorities; from approximately 0.90 to 0.53 for police and fire authorities; and from approximately 0.95 to 0.64 for shire districts.

Alternatively additional money would have to be found to meet the cost of the floor. The total cost of the floor was £266,591,602 for all authorities in 2003–04.

Phil Sawford: To ask the Deputy Prime Minister what action he is taking to remove the ceiling imposed on local authorities in order to bring their grant settlement up to the funding formula in future years. [137132]

Mr. Raynsford: The White Paper 'Strong Local Leadership—Quality Public Services' made clear the intentions of the Office of the Deputy Prime Minister to retain floors and ceilings in order to ensure that all authorities receive a reasonable increase in grant, and to avoid large fluctuations in grant from year to year.

Local Government Revenue

Mr. Cousins: To ask the Deputy Prime Minister what *(a)* amount and *(b)* share of local government revenue was accounted for by (i) revenue support grant, (ii) other Government grants and funds, (iii) universal business rate and (iv) council tax in (A) England and (B) each council tax levying authority in England in (1) 1996–97 and (2) 2002–03. [137220]

Mr. Raynsford: A table showing figures for England is available in the Library of the House.

Mobile Phone Masts

Mr. Dismore: To ask the Deputy Prime Minister if he will make a statement on the effects of the recent high court judgement concerning the issue of health and mobile phone mast planning applications. [136825]

Keith Hill: The judgment by Mr. Justice Richards on 22 October in the case of "Phillips v The First Secretary of State and others" was about the compliance with the procedural requirements in the planning appeal process and was confined to its own facts. It does not have any wider ramifications.

The judgment reflects Planning Policy Guidance Note 8: Telecommunications that it is for the decision-maker to decide whether health concerns are a material consideration and what weight to place on them.

Nevertheless, PPG8 states that, in the Government's view, if a proposed mobile phone base station meets the international guidelines for public exposure (the ICNIRP guidelines) it should not be necessary for a local planning authority, in processing an application, to give further consideration to the health aspects and any concerns about them. It remains the Government's firm view that the planning system is not the appropriate mechanism for determining health safeguards.

New Deal

Mr. Woodward: To ask the Office of the Deputy Prime Minister if he will list the *(a)* schemes and *(b)* funding made available to St. Helens South since 1998 under the New Deal for Communities. [134647]

Yvette Cooper: There are no New Deal for Communities (NDC) Partnerships in St. Helens South, and so no NDC funding has been made available in the area. However St. Helens does receive Neighbourhood Renewal Funding.

The 39 NDC areas were chosen by firstly considering the degree, intensity and extent of deprivation in different areas, based on the 1998 (then current) Index of Local Deprivation. Secondly, we aimed to have a regional spread, so that lessons could be learnt from experiences across the whole country. Each NDC Partnership has a grant of between £35 million to £62 million to spend over the 10-year lifetime of the Programme.

Newcastle-Gateshead Pathfinder

Mr. Nicholas Brown: To ask the Deputy Prime Minister what discussions he has had with Newcastle Gateshead Pathfinder dealing with the under-occupancy in designated local government wards in Newcastle and Gateshead; and if he will make a statement. [136024]

Keith Hill: The Newcastle/Gateshead Pathfinder's initial strategic scheme has been received by the Office of the Deputy Prime Minister. The Office of the Deputy Prime Minister will be discussing the details of the scheme with the pathfinder in the coming weeks. One of the aims of the pathfinder programme is to achieve a better match between the housing stock available locally and the needs of households in the pathfinder area. It is expected that pathfinder strategies will propose a mixture of clearance, new build and refurbishment/remodelling to achieve this better balance.

In addition, local authorities are subject to regular monitoring by the Audit Commission Housing Inspectorate's Best Value regime which checks for the efficient use of public sector housing stock in meeting the needs of local residents.

Out-of-borough Housing (Newham)

John Cryer: To ask the Deputy Prime Minister what funds the London borough of Newham claimed from Her Majesty's Government for expenditure on out-of-borough housing in each of the past five years. [135585]

Keith Hill: Resources for local authority housing during this period were provided through the Housing Investment Programme and Housing Revenue Account subsidy. It is for authorities to use their resources as they see fit. The Office of the Deputy Prime Minister does not collect information on the amount that may have been spent on particular dwellings.

Planning (Section 106)

Mr. Drew: To ask the Deputy Prime Minister what advice he offers local authorities on the operation of section 106 development gains, with particular regard to the amount of land allocated to social and affordable housing. [136750]

Keith Hill: National policy for England is set out in Circular 1/97 on Planning Obligations (January 1997) which sets out guidelines on the use of planning obligations. Broadly, it requires planning obligations to be: necessary; relevant; directly related to proposed development; fairly and reasonably related in scale and kind to the proposed development; and reasonable in all other respects. The Circular only gives a general indication of what might be reasonable, since establishing the relationship between a particular planning benefit and an individual development must be a matter of judgement, exercised in the light of local circumstances, rather than an issue for detailed national prescription.

National policy for England on planning for affordable housing is currently provided in Planning Policy Guidance Note 3 on Housing (March 2000) and Circular 6/98 (April 1998) on Planning and Affordable Housing. The Office of the Deputy Prime Minister has recently proposed changes to this policy framework and these are set out in the consultation document 'Influencing the size, type and affordability of housing' (July 2003). These changes will be accompanied by practical advice on what works well and where.

Mr. Clifton-Brown: To ask the Deputy Prime Minister if he will make a statement on the Government's proposals to modify the section 106 planning procedure. [136896]

Keith Hill: I refer the hon. Member to the Parliamentary Statement given on 6 November 2003, *Official Report*, column 39WS.

Planning Inspectors' Reports

Mr. Lansley: To ask the Deputy Prime Minister how many decisions after receipt of planning inspectors' reports have been delayed for longer than *(a)* three, *(b)* six and *(c)* nine months in the last three years. [137705]

Keith Hill: The information requested on planning decisions was not centrally recorded in suitable format prior to April 2002 and could be provided only at disproportionate cost. The records held by the Government Offices only record whether cases were

completed before the primary target of eight weeks and secondary target of 13 weeks or after the secondary target.

	April 2000 to March 2001	*April 200 to March 2002*
Total decisions (Number)	173	189
Less than the secondary target (13 weeks) (Percentage)	58	55
Longer than the secondary target (13 weeks) (Percentage)	42	45

However, the information requested is available for cases dealt with by Planning Central Casework Division in the Office of the Deputy Prime Minster since April 2002.

	April 2002 to March 2003	*April 2003 to September 2003*
Total decisions	183	162
Longer than three months	32	28
Longer than six months	1	12
Longer than nine months	0	0

Mr. Lansley: To ask the Deputy Prime Minister what target he sets for the length of time he takes to reach a decision after receipt of an inspector's report on a planning inquiry. [137706]

Keith Hill: The Office of the Deputy Prime Minister's target (shared between Planning Central Casework Division (PCCD) and the Planning Inspectorate (PINS)) is, by March 2004, to decide 80 per cent. of called in planning applications and my right hon. Friend the Deputy Prime Minister appeals within 16 weeks of the close of inquiry. Half the necessary improvement was secured in the first year.

Recommended Consultants

Mr. Austin Mitchell: To ask the Deputy Prime Minister whether his Department maintains a list of recommended consultants to be employed by local authorities for conducting *(a)* best value studies and *(b)* privatisation or voluntary transfer of council housing stock. [137500]

Keith Hill: I refer my hon. Friend to the answer given on 6 October 2003, *Official Report*, column 1026W.

Regional Spatial Strategy

Mr. Clifton-Brown: To ask the Deputy Prime Minister what role he will have under the new Planning Bill in deciding *(a)* the total number of houses that are to be included in the Regional Spatial Strategy and *(b)* the number of houses that each local authority is to be allocated; and whether county councils will become statutory consultees in this process. [136903]

Keith Hill: In relation to *(a)* under the Planning and Compulsory Purchase Bill, as now, the regional planning body would propose the number of new dwellings that should be provided in its region. In relation to *(b)* the RPB would be able to distribute this provision on a sub-regional basis, for example according to housing market areas, and to identify the consequences for each local planning authority. Both the total number and its distribution would then be tested at an examination in public. My right hon. Friend the Deputy Prime Minister would receive a report of the Panel which conducted the examination and decide whether to confirm the proposals. Under the draft regulations for Part 1 of the Bill, county councils would be statutory consultees in the RPB's preparation of the draft figures.

Resource Equalisation

Mr. Luff: To ask the Deputy Prime Minister if he will list the local authorities that both do not receive area cost adjustment and lose government grant in 2003–04 under the resource equalisation arrangements. [136724]

Mr. Raynsford: No authority lost grant in 2003–04, as every authority received an increase of at least 3 per cent. The following authorities both do not receive area cost adjustment and had a lower increase than they would have done had the additional resource equalisation element not been introduced for 2003–04:

Shire Districts:

Bromsgrove
Christchurch
East Dorset

Shire Counties:

Cornwall
Cumbria
Derbyshire
Devon
Dorset
Durham
Lancashire
Leicestershire
Lincolnshire
Norfolk
North Yorkshire
Northumberland
Nottinghamshire
Shropshire
Somerset
Staffordshire
Suffolk
Worcestershire

Shire Unitary Authorities:

Bournemouth
East Riding of Yorkshire
Herefordshire
North Lincolnshire
Poole
Rutland
Telford and the Wrekin
Torbay
York

Rough Sleepers

Mr. Jenkins: To ask the Deputy Prime Minister what action he is taking to reduce the number of rough sleepers over the winter. [136439]

Yvette Cooper: The Homelessness Directorate within the Office of the Deputy Prime Minister brings together the work of the former Rough Sleepers Unit, the Bed and Breakfast Unit and a team to ensure the effective implementation of the Homelessness Act 2002 and assist local authorities in the development of strategies to tackle homelessness.

The Directorate continues to work closely with local authorities and voluntary sectors to reduce the number of rough sleepers throughout the year.

As of June 2003, local authority statistics show that 504 people were sleeping rough on any single night. This figure sustained my right hon. Friend the Prime Minister's target to reduce rough sleeping by at least two-thirds from a baseline figure of 1,850 in June 1998 and is the lowest recorded level.

To ensure the two thirds reduction is sustained, key local authorities have been asked to draw up strategies for their areas for the period up to 31 March 2004 in consultation with local voluntary agencies and other partner organisations.

Special Advisers

Mr. Tyrie: To ask the Deputy Prime Minister on how many occasions between 31 March 2002 and 31 March 2003 *(a)* departmental and *(b)* non-departmental Special Advisers have travelled abroad in an official capacity; what places were visited; and how much each visit cost. [126660]

Yvette Cooper: Between 29 May 2002 and 31 March 2003, Special Advisers in the Office of the Deputy Prime Minister have travelled abroad on four occasions, at an average cost of £3,770 per trip, visiting Brazil, South Africa, India and Denmark on official business. All travel by Special Advisers is undertaken fully in accordance with the rules set out in the Ministerial Code and the Civil Service Management Code, copies of which are available in the Libraries of the House.

Tenancy Deposit Scheme

Mr. Caton: To ask the Deputy Prime Minister what percentage of private landlords in England and their agents have participated in the voluntary tenancy deposit scheme. [137107]

Keith Hill: I refer my hon. Friend to the answer given to my hon. Friend the Member for Coventry, South on 22 October 2002, *Official Report*, column 564W.

Mr. Caton: To ask the Deputy Prime Minister what discussions members of his Department have held with representatives of the Welsh Assembly Government on extending the voluntary tenancy deposit scheme to Wales. [137108]

Keith Hill: The Office of the Deputy Prime Minister has not discussed with the Welsh Assembly extending the pilot Tenancy Deposit Scheme. Since it has been a voluntary scheme, it is for the Assembly to decide if it should wish to implement a similar scheme in Wales.

Mr. Caton: To ask the Deputy Prime Minister what assessment he has made of the voluntary tenancy deposit scheme in England. [137109]

Keith Hill: The University of York evaluated the pilot Tenancy Deposit Scheme. This was published in December 2002 in the Office of the Deputy Prime Minister report "An Evaluation of the Pilot Tenancy Deposit Scheme".

Mr. Caton: To ask the Deputy Prime Minister (1) what plans he has to introduce legislation to govern deposits made to landlords by tenants; [137110]

(2) if he will introduce a statutory tenancy deposit scheme to *(a)* hold deposit moneys and *(b)* independently resolve disputes between landlord and tenant at the end of a tenancy. [137112]

Keith Hill: The Office of the Deputy Prime Minister intends to meet the Law Commission and stakeholders later this year, to discuss the possibility of legislating for the protection of tenancy moneys in connection with the Law Commission's work on tenure reform.

Mr. Caton: To ask the Deputy Prime Minister what assessment he has made of the extent to which private landlords unjustifiably withhold deposits paid by tenants. [137111]

Keith Hill: The Survey of English Housing has for several years asked tenants about what happened to the deposit for the tenancy they had left most recently. The survey has consistently reported that up to 20 per cent. of tenants considered that the withholding of their deposits, either in part or in full, had to some extent been unreasonable. These figures are, of course, based on tenant perception, and on any objective test, such as independent adjudication, a lower figure of unjustified withholding might be expected.

Written Answers to Questions

Tuesday 11 November 2003

TRANSPORT

Air Transport (Lost Luggage)

Mr. Gordon Prentice: To ask the Secretary of State for Transport what discussions he has had with *(a)* BA and *(b)* other carriers operating from UK airports concerning lost and misrouted luggage; and if he will make a statement. [137852]

Mr. McNulty: The Government have not been involved in any recent discussions with airlines regarding lost or misrouted luggage. However, all the major full service UK airlines have signed up to the European Voluntary Commitments on Air Passenger Rights, which were launched in February 2002. These contain non-legally binding commitments to deliver defined standards of service to air travellers.

Signatory airlines agree to make every reasonable effort to deliver mishandled bags to the passenger within 24 hours of their arrival at the final destination, free of charge. In addition, airlines undertake to offer immediate assistance sufficient to meet the reasonable short-term needs of passengers faced with missing baggage.

Where luggage has been lost, the 1929 Warsaw Convention places a general liability on the airline, although this liability is limited in respect of compensatory rights. The 1999 Montreal Convention will update the maximum level of damages payable for lost or damaged baggage to approximately £850 per passenger.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Transport if he will list the contracts for consultancy and other work carried out by Bechtel in each year since 1997 by his Department's predecessors in areas relating to transport, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137737]

Mr. McNulty: Neither the Department for Transport nor its predecessors has awarded any contracts to Bechtel since 1997 in areas relating to Transport.

London Underground

Harry Cohen: To ask the Secretary of State for Transport whether the sharing of windfall profits was the subject of negotiations with the infrastructure companies in the London Underground Public Private Partnership contracts; whether provision is made for windfall profits in the contracts; and if he will make a statement. [137521]

Mr. McNulty: Windfall profits were considered in the negotiations between London Underground and the PPP consortia.

The contracts provide the infrastructure companies reasonable certainty that they will receive a level of payment sufficient to earn an agreed rate of return if they are economic and efficient in delivering the services. The periodic reviews, every 7½ years, by the independent PPP Arbiter will, among other things, aim to enable the infrastructure companies to earn an agreed rate of return for the next period, while providing efficient and economic delivery of their services and take account of the rate of return earned in previous period.

The contracts specify that in the event of the infrastructure company re-financing its debt, London Underground Ltd. would receive a share of any benefit.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Transport what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137958]

Mr. McNulty: Performance targets for the department were agreed as part of Spending Review 2002. The monitoring and measurement of PSA targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the department, and as such it is not possible to separate out the specific costs. The monitoring of progress towards, and performance against, the department's PSA targets is undertaken by a wide variety of staff at all levels of the organisation.

Railway Violence

Mr. Lazarowicz: To ask the Secretary of State for Transport how many incidents of violence on railway trains have been reported to British Transport Police in the last three years for which figures are available, broken down by operating company. [137190]

Mr. McNulty: The British Transport Police (BTP) does not record crime statistics broken down by train operating company. However, the BTP have provided information regarding incidents of violence on trains for the last four years. Table 1 shows the total number of offences reported in England and Wales and Table 2 shows the total number of offences reported in Scotland.

Table 1: England and Wales

	2000–01	*2001–02*	*2002–03*	*April 2003 to October 2003*
Actual Bodily Harm	781	824	766	209
Disorder and Affray	103	144	143	29
Assaults on Police	36	28	28	17
Assaults and Violent Incidents	119	115	118	115

Table 1: England and Wales

	2000–01	2001–02	2002–03	April 2003 to October 2003
Murder and Attempted Murder	9	11	8	4
Breach of the Peace	0	10	5	1
Common Assault	3,994	4,016	2,812	677
Domestic Disputes	1	3	5	12
Firearms and Offensive weapons	9	11	7	21
Grievous Bodily Harm	114	119	101	28
Sexual Assaults including Rape	11	7	10	4
Racial/Homophobic Incidents	3	14	8	10
Robbery/Attempted Robbery	25	19	20	18
Threatening Behaviour and Violent Disorder	30	35	78	82
Verbal Abuse	159	188	211	108
Public Order Offences	0	4	0	5
Manslaughter	0	0	3	0
Total	5,394	5,548	4,323	1,340

Table 2: Scotland

	2000–01	2001–02	2002–03	April 2003 to October 2003
Actual Bodily Harm	1	0	1	0
Disorder and Affray	3	0	7	1
Assaults on Police	3	6	5	2
Assaults and Violent Incidents	316	295	315	129
Murder and Attempted Murder	2	0	0	0
Breach of the Peace	0	2	6	1
Common Assault	25	0	33	13
Domestic Disputes	0	0	0	1
Firearms and Offensive weapons	0	3	0	0
Grievous Bodily Harm	0	0	0	0
Sexual Assaults including Rape	0	1	0	0
Racial/Homophobic Incidents	0	0	0	0
Robbery/Attempted Robbery	2	0	0	0
Threatening Behaviour and Violent Disorder	0	0	3	53
Verbal Abuse	3	0	23	4
Public Order Offences	0	0	0	0
Manslaughter	0	0	0	0
Total	355	307	393	204

TREASURY

Tax Credits

Mr. Woodward: To ask the Chancellor of the Exchequer how many people in *(a)* the North West region, *(b)* Merseyside and *(c)* St. Helens South are in receipt of the working tax credit. [137986]

Dawn Primarolo: The information for the North West region appears in the July and October 2003 issues of "Child and Working Tax Credit Quarterly Statistics".

Information on the number of families in Merseyside and St. Helens South receiving the child and working tax credits at July 2003 appears in "Child and Working Tax Credit Statistics. Geographical analyses".

These publications can be found on the Inland Revenue website, at www.inlandrevenue.gov.uk/stats/personal-tax-credits/menu.htm.

Building Repairs (VAT)

Mr. Salmond: To ask the Chancellor of the Exchequer when he will reply to the letter dated 3 October from the Member for Banff and Buchan to the hon. Member for Wentworth, regarding VAT on building repairs. [137583]

John Healey: I have done so.

Carrier Bags

Janet Anderson: To ask the Chancellor of the Exchequer what assessment he has made of the merits of introducing a tax on carrier bags supplied by supermarkets. [137093]

John Healey: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) on 22 October 2002 *Official Report*, column 213W.

Census 2001

Mr. Gordon Marsden: To ask the Chancellor of the Exchequer (1) what action his Department will take in response to the recent report by the Statistics Commission on the accuracy of the 2001 census for the Westminster city council area; [136989]

(2) if he will ask the Statistics Commission to investigate the accuracy of the 2001 census in Blackpool; [136990]

(3) what assessment his Department has made of the implications for the reliability of the census population statistics for Blackpool of the recent Statistics Commission report on the accuracy of the 2001 census for Westminster. [136991]

John Healey: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Gordon Marsden, dated 11 November 2003:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent questions asking: what action will be taken in response to the recent report by the Statistics Commission on the accuracy of the 2001 census for the Westminster City Council area (136989), whether the Statistics Commission will be asked to investigate the accuracy of the 2001 census count in Blackpool (136990) and what assessment has been made of the implications for the reliability of the census population statistics for Blackpool of the recent Statistics Commission report on the accuracy of the 2001 census for Westminster. (136991)

It is for the Office for National Statistics (ONS) to take forward the recommendations from the report by the Statistics Commission on the accuracy of the 2002 census for Westminster. ONS has welcomed this report and is considering what action is required. The Statistics Commission has made several recommendations about how ONS should proceed with Westminster, and recognised that this work was already underway. A report on the Westminster and Manchester exercise is planned for Spring 2004.

The Statistics Commission report on the Census in Westminster concluded that no alternative approach would have produced more reliable results overall and that it seems likely that the 2001 Census was significantly better than any of its recent predecessors. The Statistics Commission's report does make a number of recommendations for further work that should be carried out by ONS but the Commission made no proposals about which ONS had not already published our intention to act or to carry out further research.

Although I recognise that there was a relatively large fall in the 2001 Census-based population estimate for Blackpool compared to previous estimates, I am not aware of any particular cause for concern about the latest published population estimates for Blackpool. If you have some work that challenges this judgement, I would most certainly respond to it.

The Statistics Commission is an independent body and it is not my role to attempt to influence their work programme.

On 4 November, I published a revised population estimate for Manchester that took account of the results of the address matching exercise. This was accompanied by a document outlining the process that ONS intend to adopt to periodically validate the annual population estimates of local authorities. I will arrange for this document to be sent to you, along with two recent ONS reports (on population statistics and our approach to the next Census) that you may find of value.

Councillor Expenses

Mr. Flook: To ask the Chancellor of the Exchequer what policy advice the Inland Revenue gives to local authorities on the taxation of the expenses given to a councillor in a mayoral year. [137244]

Dawn Primarolo: Guidance to local councils on the expenses and allowances payable to councillors and civic dignitaries is published by the Office of the Deputy Prime Minister (ODPM).

The ODPM guidance includes advice provided by the Inland Revenue on tax and National Insurance issues.

Creative Industries/Tourism

Mr. Sanders: To ask the Chancellor of the Exchequer what percentage of the UK workforce was employed in creative industries in 2002–03. [135836]

Estelle Morris: I have been asked to reply.

The most recent estimate of employment in the creative industries is for June 2002. It is estimated that at that time 6.7 per cent. of the UK workforce were employed in the creative industries, or in creative occupations outside of the creative industries.

ECOFIN

Mr. Hood: To ask the Chancellor of the Exchequer what the outcome was of the ECOFIN Council held on 4th November; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [137073]

Mr. Gordon Brown: I attended ECOFIN on 4 November.

The Council decided to postpone the discussion on the Excessive Deficit Procedure for France (recommended u nder Article 1 04(8)) until the next ECOFIN on 25 November. France has committed to a budget deficit of less than 3 per cent. of GDP in 2005. The presidency concluded that postponement was the favoured option.

The Council endorsed the Economic Policy Committee (EPC) report on the impact of ageing populations on public finances and confirmed the mandate to EPC to produce new common budgetary projections by mid-2005 on the basis of approach outlined in the EPC report. The Council also invited the EPC to produce a study on economic incentives affecting retirement. I led the orientation debate on the Transparency Directive and expressed strong concerns about the regulatory burden of introducing mandatory quarterly reporting across the EU. I supported the principle of transparency but stressed the importance of balance between it and burdensome reporting requirements. The Presidency concluded that there was a realistic chance of finding a solution and Coreper should continue discussions, ahead of the next ECOFIN, according to European Parliament timetable.

On structural indicators for the spring report 2004, the Council adopted the following conclusions:

The ECOFIN Council considers that the Commission's shortlist of headline indicators needs to be improved to contain indicators measuring economic reform. The EPC should continue its work with a view to achieving this.

Council conclusions were also agreed on the role of customs in the management of external borders.

At the request of Belgium, the Council discussed the process for finalising agreements with the UK's dependent and associated territories and Member States, concerning the taxation of savings. It was concluded that this issue would be discussed further at alater stage.

Before the formal meeting, a dialogue with the Candidate Countries took place. The Commission congratulated the Accession States on preserving

macroeconomic stability in difficult times, but stressed that challenges remained on public finances and public sector reform.

Over lunch, Finance Ministers discussed the Intergovernmental Conference. The Chancellor stressed that tax harmonization and a federal approach to fiscal policy would be damaging for Europe's economic interests. Finance Ministers should work together to ensure outcomes from the Inter-Governmental Conference that enhanced the ability of European countries to raise productivity and employment levels and ensured that Member States retain a central role in determining their economic policies.

EDS

Dr. Cable: To ask the Chancellor of the Exchequer pursuant to his answer of 29 October 2003, *Official Report*, column 243W, on EDS, what sums have been paid *(a)* in VAT and *(b)* in respect of capital purchases by the Inland Revenue since 1998–99; and if he will make a statement. [136947]

Dawn Primarolo: The information requested is as follows:

(a)	*£ million*
1998–99	44.9
1999–2000	51.8
2000–01	51.4
2001–02	76.1
2002–03	64.7

(b)	*£ million*
1998–99	48.0
1999–2000	43.4
2000–01	46.9
2001–02	135.5
2002–03	37.9

During 2001–02 and 2002–03 the Inland Revenue exercised its right under its contract with EDS to buy out the future finance lease obligations for the EDS-held assets used to provide IT services to the Inland Revenue under the terms of the IT service agreement. This did not affect the legal status of the contract.

Fuel Duty

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what assessment was made of the environmental effects before setting duty rates for *(a)* liquefied petroleum gas and *(b)* biodiesel in the 2003 Finance Bill. [137499]

John Healey: I refer the hon. Member to the answer I gave my hon. Friend the Member for Waveney (Mr. Blizzard), 8 September 2003, *Official Report*, column 102W.

Income Tax

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer how many people *(a)* paid income tax and *(b)* paid no income tax in each of the last 10 tax years. [136749]

Dawn Primarolo: I refer the hon. Gentleman to table 2.1 on the Inland Revenue website for the number of taxpayers in the UK http://www.inlandrevenue.gov.uk/stats/income_tax/it_t01_1.htm and the Office For National Statistics website for the population estimates for the United Kingdom for the years 1991–2000, 2001 and 2002 respectively.

http://www.statistics.gov.uk/statbase/Expodata/Spreadsheets/D6627.xls

http://www.statistics.gov.uk/statbase/Expodata/Spreadsheets/D7092.xls

http://www.statistics.gov.uk/statbase/Expodata/Spreadsheets/D7100.xls

The number of people that paid no income tax can be derived by subtracting the number of taxpayers from the population estimates.

Pensioners (Income Tax)

Mr. Cousins: To ask the Chancellor of the Exchequer how many and what percentage of pensioners paid income tax in each nation of the United Kingdom in *(a)* 1996–97 and *(b)* 2002–03, broken down by region. [137219]

Dawn Primarolo *[holding answer 10 November 2003]:* Estimates for the number and proportion of taxpaying pensioners for the years 1996–97 and 2002–03 by Government Office Region are given in the table.

	Number of taxpaying pensioners (numbers: thousands)[1]		*Percentage of pensioners paying tax*[2]	
Region	*1996–97*[3]	*2002–03*[4]	*1996–97*	*2002–03*
England	3,200	4,100	36	45
North East	140	200	30	40
North West and Mersyside	420	530	34	42
Yorkshire and the Humber	280	370	30	40
East Midlands	250	330	33	42
West Midlands	290	410	30	42
East of England	380	460	39	44
London	410	530	38	52
South East	670	770	45	51
South West	400	510	40	48
Wales	200	270	35	46
Scotland	330	410	36	43
Northern Ireland	70	90	30	33
United Kingdom	3,800	4,900	36	45

[1] Men aged 65 and over and women aged 60 and over.

[2] Mid-year population estimates on the number of pensioners are supplied by the Office for National Statictics.

[3] This estimate is based upon the 1996–97 Survey of Personal Incomes.

[4] This estimate is based upon the 200–01 Survey of Personal Incomes and is consistent with April 2003 budget.

National Insurance Fund

Paul Flynn: To ask the Chancellor of the Exchequer if he will estimate the amount of the Treasury supplement to the National Insurance Fund for the current year if it were paid at the rate specified in section 1(5) of the Social Security Act 1973; and what proportion of the total cost of the basic pension this would be. [132275]

Dawn Primarolo: The rate of Treasury supplement varied each year. The rate that applied when it was abolished in 1988–89 was 5 per cent. On this basis, Treasury supplement (if it still applied) would be £3.4 billion in 2003–04.

Private Schools

Mr. Foulkes: To ask the Chancellor of the Exchequer what estimate he has made of the effect on Treasury revenues of the exemption for private schools arising from their charitable status from *(a)* income tax, *(b)* corporation tax, *(c)* capitals gains tax, *(d)* stamp duty and *(e)* inheritance tax on gifts in each of the last five years. [137468]

Dawn Primarolo: Information is not available on the costs of charitable reliefs broken down by type of charity. The available information relates to all charities and is published in Table 10.2 of Inland Revenue Statistics at: www.inlandrevenue.gov.uk/stats/charities/menu.htm.

St. Helena

Mr. Steen: To ask the Chancellor of the Exchequer (1) if he will take steps to amend tax legislation to make St. Helena a tax-free zone; [137434]

(2) if he will provide tax breaks for companies who relocate their offices to St Helena. [137438]

Dawn Primarolo: No. The fiscal affairs of St. Helena are primarily for its own Government. The UK would only intervene in exceptional circumstances.

Stamp Duty Land Tax

Mr. Prisk: To ask the Chancellor of the Exchequer pursuant to his answer of 3 November 2003, *Official Report*, columns 455–56W, on stamp duty land tax, if he will publish his assessment of the impact of stamp duty land tax on the retail sector. [137603]

Ruth Kelly: The impact of stamp duty land tax on the retail sector was considered and discussed as part of the recent consultation process, as my earlier answer made clear. However, no formal assessment has been made of the impact on the retail sector.

VAT Registrations

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what the reasons are for the differences in the statistics on value added tax registrations and de-registrations published by HM Customs and Excise in its value-added tax bulletin for September, dated 20 October and by the Department of Trade and Industry in its Statistical News Release 03/111, dated 21 October. [137659]

John Healey *[holding answer 10 November 2003]:* The data published by the Department of Trade and Industry's Small Business Service is taken from the Inter-Departmental Business Register and not directly from HM Customs and Excise.

Customs and Excise receive their data directly from traders' requests to register and deregister. These figures are published in the VAT Bulletin.

The same data is passed to the Office for National Statistics who modify it to their own standards and definitions before incorporating into their Inter-Departmental Business Register. These adjustments exclude companies with a zero turnover and amalgamate separately-registered businesses which are part of a single 'enterprise'.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Action Energy Loans

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs (1) how many defaults there have been on the repayment of action energy loans; and what the total value is of the loans on which defaults in payment have occurred; [132665]

(2) how much money has been committed to the Carbon Trust in action energy loans in each year since the loan scheme was established; what the average time agreed for the repayment of a loan is; and if she will make a statement; [132666]

(3) how many applications for action energy loans have been made to the Carbon Trust in each year since the loan scheme was established; how many applications were successful; and if she will make a statement. [132667]

Margaret Beckett: The Carbon Trust is a private company launched in April 2001, as part of the Climate Change Levy package, to take the lead on energy efficiency for business and the public sector, and to support the development of a low carbon economy in the UK. The Carbon Trust's Action Energy loans scheme provides interest-free loans of between £5,000 and £50,000 to small and medium-sized enterprises for energy efficiency projects.

The Action Energy loan scheme run by the Carbon Trust is financed through its grant funding from Defra and the devolved Administrations. The Action Energy loan scheme covering England and Wales became fully operational in January 2003. Loan agreements with companies based in England and Wales operate with a fixed repayment schedule over 48 months. In April 2003 Loan Action Northern Ireland ceased and the Carbon Trust launched Action Energy Loans in its place. Loan agreements with companies based in Northern Ireland operate a repayment schedule over 12, 24, 36, or 48 months depending upon the value of the projected energy savings.

The Carbon Trust inform me that since becoming fully operational in January 2003 the Action Energy loan scheme has, up to the end of September 2003, received 458 enquires about the scheme and formally agreed 49 loans with a value of £1,325,916.63 (these data incorporate figures from Northern Ireland from April onwards), and to date there have been no defaults on Action Energy Loan repayments.

Better Payment Practice Code

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what her Department's policy is on the application of the Government's Better Payment Practice Code. [136839]

Margaret Beckett: Defra's payment policy is to pay invoices within 30 days of receipt and agreement of a valid invoice properly supported with proof of delivery of the goods, services and works requested. Defra is a signatory to the Government's Better Payment Practice Code. My Department's payment performance is reported annually to Parliament.

English Nature

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the future of English Nature. [137139]

Alun Michael: We strongly support the role and work of English Nature. Lord Haskins was asked to review the way the Government delivers its rural policy. This included the activities of those organisations that act directly on behalf of Defra, such as English Nature. We have recently received his report and are considering his recommendations carefully. The report has been published today.

Farm Subsidies

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will publish her Department's assessment of the impact on farm business sectors of different options for decoupling; [135351]

(2) what assessment she has made of the relative impact on unsupported livestock farmers of decoupling using *(a)* regional average and *(b)* historic methodology. [135355]

Margaret Beckett: A copy of such an assessment made by economists in Defra has been placed in the Library of the House. The assessment was placed on the Department's website on 16 October and copies have been sent to some stakeholders.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what consultations she has had with *(a)* deer, *(b)* bison and *(c)* other unsupported livestock producers about the impact of Common Agricultural Policy reform on their businesses. [135354]

Margaret Beckett: A public consultation was launched on 22 July in England on the CAP reform agreement, seeking views on various options available to member states in implementing the new system. Consultation responses have been received from the British Bison Association, a deer farmer in North Devon and organisations concerned with the welfare of livestock including unsupported species. In previous consultation rounds responses were received from a deer farm in Fife and the British Deer Farmers' Association.

The Farm Animal Welfare Council is one of the Department's key stakeholders on CAP reform and is a member of my noble Friend the Lord Whitty's stakeholder group.

Separate consultations are being undertaken by the Departments responsible for agricultural policy in Scotland, Wales and Northern Ireland.

Food Supplements

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the action the Government are taking to protect and support the UK food supplements industry. [135765]

Miss Melanie Johnson: I have been asked to reply.

The Government support a safety-based approach to the regulation of food supplements. In considering specific proposals for regulation of this sector, the Government take account of the views of all stakeholders, including the food supplements industry.

Foot and Mouth

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what requirements are placed upon her Department by the *(a)* National Audit Office and *(b)* European Union concerning invoices submitted to her Department by contractors in respect of the (i) 2001 outbreak of foot and mouth disease and (ii) subsequent clear-up operation; and if she will make a statement. [132771]

Margaret Beckett: Public bodies are required to operate financial controls that ensure public monies are properly accounted for and that the risks of systematic and systemic overcharging, financial abuse and fraud are minimized and that value for money is secured. A key requirement of this financial control is that there should be a clear audit trail with sufficient supporting documentation at all key stages.

The National Audit Office's role is to enable the Comptroller and Auditor General to certify my Department's financial statements and to examine and report to Parliament on the economy, efficiency and effectiveness of the use of my Department's resources. As such they enabled the C&AG to certify and report on the expenditure incurred by my Department in respect of the (i) 2001 outbreak of foot and mouth disease and (ii) subsequent clear-up operations as recorded in my Department's resource accounts for the years 2000–01 and 2001–02. The National Audit Office also enabled the C&AG to examine and report on whether the Department acted in a cost-effective manner and whether there were adequate controls against irregularity. Their recommendations are contained in their report "The 2001 Outbreak of Foot and Mouth Disease" published by The Stationery Office and available also on the NAO website—www.nao.gov.uk. The House of Commons Committee of Public Accounts published on 14 March 2003 its Fifth Report of Session 2002- 03—the 2001 Outbreak of Foot and Mouth Disease—covering the report, together with Proceedings of the Committee, Minutes of Evidence and an Appendix.

The European Commission auditors are auditing the expenditure incurred in respect of the eradication of foot and mouth disease in 2001. As part of this work commission auditors carry out on the spot checks of the costs incurred during the 2001 outbreak. This includes the examination of invoices.

Labelling

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department has taken to ensure that labelling of potatoes in shops and supermarkets indicates the type of potato. [136357]

Miss Melanie Johnson: I have been asked to reply.

The Food Labelling Regulations 1996 (as amended) require potatoes sold in shops and supermarkets to be labelled with the potato variety. Enforcement of these labelling requirements is the responsibility of local authorities. The Food Standards Agency (FSA) has funded the development of a robust DNA method to check whether potato variety information is accurate. In a United Kingdom-wide survey published in October, the FSA found that 96 out of 294 (33 per cent.) samples were not labelled correctly. These results have been passed to the relevant local authorities, which are taking appropriate action.

Livestock Support Payments

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the risks of market distortion if Scotland or Wales were to apply a different policy from England in respect of the decoupling of livestock support payments. [132632]

Margaret Beckett: Full decoupling of livestock subsidies frees producers to farm in response to market demands. It ensures that resources may be released to undertake more profitable activities rather than being constrained to activities which generate low value added, in order to be eligible for subsidy. The removal of the constraint on producers' choice allows them to alter their activities in order to generate increased incomes or, if they wish, to continue with their current production patterns.

These benefits to producers are independent of any action in other parts of the UK because full decoupling removes the constraints on their business decisions but does not force them to change their activities. It is in producers' best interests in one part of the UK to benefit from full decoupling irrespective of the choices made in other parts. However, if the whole of the UK does not opt for full decoupling then the overall benefits to the economy will be diminished.

Ministerial Statements

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what criteria she has applied when deciding whether to seek to make a statement in the House on the environment since the creation of her Department. [135471]

Mr. Morley *[holding answer 30 October 2003]:* The Secretary of State for Environment, Food and Rural Affairs has made Oral Statements on a variety of subjects since the creation of Defra in June 2001, including a statement on the environmental issue of climate change (Kyoto protocol) in June 2002. In addition the House is kept informed of Departmental policy by means of Written Ministerial Statements.

Public Bodies (Haskins Review)

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs when she intends to publish Lord Haskins' review of her Department and its agencies; and if she will make a statement. [137837]

Alun Michael: Lord Haskins was asked to review the way the Government deliver their rural policy. The report has been published today, and a written statement has been made by my right hon. Friend the Secretary of State this morning.

Copies of the report are available in the Vote Office.

Joyce Quin: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish the review of rural delivery policies being undertaken by Lord Haskins. [135076]

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish Lord Haskins' report into rural delivery. [135367]

Margaret Beckett *[holding answer 30 October 2003]:* I asked Lord Haskins to review the way the Government deliver their rural policy. I have recently received his report and am considering his recommendations carefully.

The report has been published today.

Waste Management

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy to place anaerobic digestion on an equal level with composting in the Government's waste hierarchy. [132663]

Margaret Beckett: The Government have agreed that anaerobic digestion should be treated as a contributor to both composting and energy recovery within the Municipal Waste Best Value Indicators. A consultation document seeking views on the options for bringing anaerobic digestion into the composting category of best value and for determining the method for allocating the proportions of treated waste that count towards composting and energy recovery was issued on 15 October. It can be viewed on the Defra website at www.defra.gov.uk/corporate/ consult /anaerobic-digestion.

DEFENCE

Employment (Lancashire and the North-West)

Mr. Hoyle: To ask the Secretary of State for Defence how many new jobs have been created in *(a)* the north west and *(b)* Lancashire through the Defence Diversification Agency. [136910]

Mr. Caplin: The Defence Diversification Agency has been operating in the north west of England since 1999 and has so far assisted over 200 technology transfer proposals from the Ministry of Defence to a value in excess of £1 million. A further 350 potential projects have been identified and it is estimated that up to ten times that number of companies in the region could benefit from DDA assistance.

There are currently no reliable techniques for translating the impact of technology transfer into new jobs created. However, the DDA is exploring methods of measuring value with a view to implementing appropriate measurement tools into future projects. Estimates for audit work for the Northwest Development Agency on a contract it has with the DDA suggests the DDA adds value through its activities of around three times that of its costs.

Mr. Hoyle: To ask the Secretary of State for Defence how many people are employed by his Department in *(a)* Lancashire and *(b)* the north-west. [136911]

Mr. Caplin: The number of people employed by the Department (headcount figure for permanent, non-industrial and industrial staff, excluding Trading Funds, Royal Fleet Auxiliaries and those on career breaks, long-term sick leave, secondments etc.) as at 1 October 2003, in the north-west, is 2,800. Reliable data are not currently available at county level.

Mr. Hoyle: To ask the Secretary of State for Defence how many armed forces personnel work in Lancashire. [136912]

Mr. Caplin: In July 2002, the latest date for which figures are available, there were 490[1] armed forces personnel working in Lancashire, 60 in Fylde local authority area and 420 in Preston local authority area.

[1] All figures are rounded to the nearest 10. Due to rounding methods used, that total may not always equal the sum of the parts.

Iraq

Dr. Kumar: To ask the Secretary of State for Defence if he will make a statement about the deployment of reservist forces to Iraq; what the longest period served by a reservist in Iraq has been; and what range of specialisms has been covered by reservists in Iraq. [137547]

Mr. Caplin: The range of specialisms provided by reservists to support Operation Telic broadly reflects those possessed by the Regular Forces plus a number of specialist areas unique to the Reserves. The range includes: RN amphibious warfare advisers, logisticians, intelligence analysts, linguists, RN mine warfare specialists, media operations, combat engineers, amphibious bridging specialists, signallers, port operating specialists, NBC warfare specialists, movements personnel, medical personnel, meteorologists, aircrew, ground crew, railway specialists, POL operators, HGV drivers, cooks, ambulance crews, administrative staff and the Army and Royal Marine combat arms.

The individual reservist who has served longest in Iraq is an Army military intelligence specialist who was called-out for service on 2 February 2003 and who has volunteered to extend his period of service to 2 August 2004. Obviously, this does not represent the normal experience as most reservists will serve no more than six months in Iraq.

Military Equipment Gifts

Mr. Gardiner: To ask the Secretary of State for Defence if he will list the military equipment including *(a)* a description of the equipment, *(b)* the quantity and *(c)* the intended recipient gifted by the Government to other countries since September 2002; and which of those gifts were funded from the Global Conflict Prevention Fund. [136284]

Mr. Ingram: The following items have been gifted to other countries since September 2002:

Bosnia

1 × "Mannock" Heavy Girder Bridge

Jordan

44 × Challenger 1 Main Battle Tanks

6 × Challenger 1 Driver Training Tanks/Armoured Repair and Recovery Vehicles

Kenya

The items listed were funded from the separate Africa Conflict Prevention Pool, which covers sub-Saharan Africa.

De-Mining Equipment consisting of:

22 × Mine Detectors plus spares package and batteries

42 × Protective Clothing—Helmets

20 × Spare Visors

22 × Mine Prodders

16 × Umbrellas

3 × Binoculars

5 × Compasses

Scientific Instruments

IT Equipment—5 × Laptop Notebooks plus associated software and consumables

First Aid Equipment

2 × Portable Generators

Mine Excavation and Security Tools and equipment including—21 × trowels, 6 × picks, 2 × sledgehammers, 4 × knives, 6 × spades, 4 × spray-paint, masking tape, 4 × vaults, 4 × padlocks, 4 × fire extinguishers, 5 × jerry cans, 26 × buckets, sand bags, 36 × knee pads, 18 × gloves and batteries

Mine detonation and associated safety equipment

Portable and vehicle-mounted communications equipment

Miscellaneous stationery

Kuwait

6 × Aircraft Sunshades ("Dutch Barns")

Russia

1 × Nicholson 55 Yacht "Adventure"

In addition, the following gifts have been approved but transfer has not yet been completed. Transfer is expected to complete during the current financial year.

Oman

Challenger 2 Ammunition—800 × L14 Bag Charges (Warfighting)

224 × L8 Bag Charges (Training)

Nepal

These items were funded from the Global Conflict Prevention Pool

2 × MI 17 Support Helicopters

Explosive Ordnance Disposal (EOD) equipment

Logistical Equipment

Communications Equipment

Ministerial Visits

Mr. Hoyle: To ask the Secretary of State for Defence if he will list the visits made by Ministers in his Department in each of the last five years, broken down by constituency. [136913]

Mr. Caplin: This information is not held centrally and can be provided only at disproportionate cost.

Procurement Costs

Mr. Keetch: To ask the Secretary of State for Defence what the average cost was of procuring *(a)* each Eurofighter Typhoon, *(b)* one Challenger II battle tank, *(c)* one Type 45 destroyer, *(d)* one Astute submarine and *(e)* one Nimrod aeroplane. [136809]

Mr. Ingram *[holding answer 10 November 2003]:* Unit production costs (UPC) for major equipment programmes, where these are practical to construct, can be found within the information given in the Ministry of Defence Major Projects Report (MPR). Those figures are estimated in accordance to methodology agreed with the National Audit Office (NAO). The NAO expect to publish their MPR 2003 in December and copies will be available as normal in the Library of the House.

Current estimated unit production costs for the projects listed are as follows:

Programme	*Comment*	*MPR UPC (£ million)*
Typhoon	MPR 03	56.8
Challenger II battle tank	Challenger II last appeared in the MPR in 2000 as delivery concluded in FY 2001–02	3.7
Type 45 destroyer	MPR 03. (Includes PAAMS missile systems)	552.7
Astute class submarine	The current estimated total resource cost for the three boats on contract of £3.6 billion includes design, development and other costs specific to a first of class. These costs would not be attributable to further buys should any subsequent orders be made. The National Audit Office has agreed that a it would be misleading to produce a UPC for Astute at this stage.	—
Nimrod MRA4	No UPC is provided in the MPR, however an indicative figure has been given here. For Nimrod MRA4, a significant part of the Agreement with BAE Systems announced on 19 February by the Minister for Defence Procurement was the separation of production from design and development until we have seen demonstrated performance from the first three aircraft used for flight trials. The indicative production cost of Nimrod MRA4 will thereafter be influenced by the outcome of these design and development results, timing of build and appropriate contractual negotiations.	60

It should be noted that unit production costs are on a resource account basis and exclude development costs.

Recruitment

Mr. McNamara: To ask the Secretary of State for Defence how many people were recruited to each of HM armed forces in the most recent year for which figures are available, broken down by region. [137502]

Mr. Caplin: I refer my hon. Friend to the answers I gave on 17 September 2003, *Official Report*, column 754W, and 29 October 2003, *Official Report*, columns 222–27W, to the hon. Member for Moray (Angus Robertson).

Secondments

Mr. Hancock: To ask the Secretary of State for Defence how many civil servants in his Department are seconded to other *(a)* Governments, *(b)* organisations and *(c)* companies; to which; for how long; and if he will make a statement. [136522]

Mr. Caplin: Information available on Ministry of Defence civil servants seconded to other Governments is not held centrally. As at 3 November 2003 personnel currently seconded from the Department to companies and organisations is outlined in the following two tables:

Outward secondments to companies

Company	*Number of personnel seconded*	*Start date*	*End Date*
LogicaCMG	1	April 2002	April 2004
Rolls Royce PLC	1	July 2002	July 2004
Thales, France	1	July 2002	July 2004
Admiral	1	July 2002	July 2004
Atomic Weapons Establishment	1	August 2002	August 2004
BAE Systems	2	November 2002	November 2003
		January 2003	January 2004
Lloyds Register	1	November 2002	November 2004
		March 2003	March 2005

Outward secondments to organisations

Organisation	*Number of personnel seconded*	*Start date*	*End Date*
United Kingdom Council for Electronic Business	1	June 2002	December 2003
Employment Opportunity Now	1	July 2002	July 2004
The Princes Trust	1	August 2002	August 2004
Civil Service Sports Council, Sports and Leisure	1	August 2002	August 2005
Defence Industries Council	1	September 2002	September 2004
Royal Institute of International Affairs	1	September 2002	September 2004
Forum for the Future	1	October 2002	October 2004

Outward secondments to organisations

Organisation	*Number of personnel seconded*	*Start date*	*End Date*
Bromley by Bow Centre	1	October 2002	November 2004
Employment Opportunities for People with Disabilities	2	December 2002	December 2004
Bromley Primary Health Care Trust	1	January 2003	January 2006
The Princes Trust	2	April 2003	April 2006
		August 2003	August 2005

Submarines (Radiation)

Mr. Peter Duncan: To ask the Secretary of State for Defence to what type of radiation *(a)* submariners and *(b)* radiation workers are exposed when they leave radiation-controlled areas on board submarines. [137697]

Mr. Caplin: Both submariners and radiation workers leaving radiation-controlled areas may be exposed to very low levels of gamma and neutron radiation on board the submarine, if the reactor is operating. The construction of the submarine, and controls on occupancy of all areas, ensure that the amount of such radiation received by personnel is below Ministry of Defence's self-imposed limits, which are themselves well below all legal limits. If the reactor is shut down, the gamma and neutron radiation falls to natural background radiation levels.

Territorial Army

Mr. Jenkin: To ask the Secretary of State for Defence how many resignations from the Territorial Army have been tendered in each of the past 10 years; and how many have been received in 2003 to date. [137726]

Mr. Caplin *[holding answer 10 November 2003]:* Data are not held centrally on the number of tendered resignations from the Territorial Army prior to 1998. Once the information from 1998 onwards has been collated, I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Unmanned Aircraft

Mr. Hoyle: To ask the Secretary of State for Defence how much his Department spent on research on unmanned aircraft in each of the last 10 years. [137339]

Mr. Ingram: The Ministry of Defence has a long-established research programme into Unmanned Aerial Vehicles (UAVs), with a total of approximately £40 million invested over the past 10 years. The figures for annual expenditure on this research programme are provided in the table.

It should, however, be noted that these figures detail the expenditure on UAV-specific research only: research into technologies such as aerodynamics, stealth and sensors is of relevance to UAVs but has a wide range of applications.

	Spend (£ million)
1994–95	[1]1.0
1995–96	[1]1.0
1996–97	[1]1.0
1997–98	[1]1.0
1998–99	2.1
1999–2000	3.7
2000–01	5.1
2001–02	5.1
2002–03	10.8
2003–04	10.4

[1] Estimate figures—no exact data available.

US Military Helicopters

Mr. Ross: To ask the Secretary of State for Defence what United States of America military helicopters are based in the UK. [137387]

Mr. Ingram *[holding answer 10 November 2003]:* The MH-53M Pave Low is the only United States military helicopter based in the United Kingdom. Seven of these aircraft are currently based at RAF Mildenhall in Suffolk.

TRADE AND INDUSTRY

Cross-border Mergers

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on EU proposals on *(a)* union consultation and *(b)* board room representation in cross-border mergers. [137422]

Mr. Sutcliffe: The European Commission has not yet made any new proposals for an EC directive regarding cross-border mergers.

Depleted Uranium

Llew Smith: To ask the Secretary of State for Trade and Industry what health protection measures are in place at aircraft manufacturing plants where depleted uranium counter weights are installed in aircraft wings. [136720]

Mr. Browne: I have been asked to reply.

Work with depleted uranium is governed by the Ionising Radiations Regulations 1999 (IRR99) enforced by the Health and Safety Executive and any employer working with depleted uranium has duties under those regulations.

The use of depleted uranium as a counter weight installed in aircraft wings presents little radiological risk and so few, if any health protection measures are required by the IRR99. It is only when the depleted uranium is machined or in some way dispersed as a dust that, because it can be inhaled or ingested, it presents any significant radiological risk. The IRR99 would then require protection measures such as adequate local ventilation and/or the use of appropriate respiratory protection and protective clothing to minimise those risks.

Excess Packaging

Dr. Kumar: To ask the Secretary of State for Trade and Industry what steps are being taken to enforce regulations limiting excessive packaging on products. [137543]

Mr. Timms: The Packaging (Essential Requirements) Regulations 2003 are enforced by local Trading Standards Offices who work closely with the packaging industry and producers to advise them on best practice in packaging design and to resolve complaints of excessive packaging. A recent study commissioned by the DTI highlights the extensive changes brought about since the introduction of the Essential Requirements. These relate to improvements in packaging design, including minimisation. This report can be viewed at www.dti.gov.uk/sustainability/finalpackagingreport.htm and is also available from DTI publications order line (0870 150 2500).

Housing and Estate Agents Ombudsman

Mr. Clifton-Brown: To ask the Secretary of State for Trade and Industry how many cases were considered by the Housing and Estate Agents Ombudsman in the last year for which figures are available; how many cases were *(a)* upheld and *(b)* rejected; what the average time taken was to consider cases; and the average cost per case. [137194]

Mr. Sutcliffe: This is a matter for the Ombudsman for Estate Agents. However, I understand from the Ombudsman's 2002 annual report that 2,306 complaints concerning member agencies within the scheme's terms of reference were received in 2002. Of the 583 cases closed, 340 were found in favour of complainants, 239 in favour of member agents and four outside the terms of reference.

Inward Investment

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what steps her Department is taking to promote inward investment in the north west. [136916]

Mr. Mike O'Brien: UK Trade and Investment is charged with ensuring that the UK as a whole maintains its place as the number one destination in Europe for inward investment in the EU. It works with the North West Development Agency (NWDA) to provide a tailored service to encourage inward investment in the region. The NWDA uses a targeted approach to secure new investment in key sectors. This contributed towards the north west being the top UK region for job creation in 2002–03.

Mineral Imports

Jeremy Corbyn: To ask the Secretary of State for Trade and Industry what investigations have been overtaken by officials of her Department into the production methods of minerals imported from the Democratic Republic of Congo. [136511]

Mr. Mike O'Brien: None.

Miners' Compensation

Jeff Ennis: To ask the Secretary of State for Trade and Industry how many applications for compensation from former miners for *(a)* chronic bronchitis and emphysema and *(b)* vibration white finger have not been allowed since the schemes began; and what the average solicitor's fee charged was for dealing with each of these unsuccessful claims. [137019]

Mr. Timms: As of 26 October 2003, 16,383 respiratory disease claims and 11,096 vibration white finger claims have been denied.

Under the Claims Handling Agreement, agreed with the solicitors representing the claimants, no costs are paid to solicitors where a claim is denied.

Philippines

Angus Robertson: To ask the Secretary of State for Trade and Industry what discussions *(a)* her Department and *(b)* representatives of the Government has had with (i) local communities, (ii) members and representatives of the Government of the Philippines and (iii) non-governmental organisations concerning the activities of UK companies in the mountains of Zamboanga del Norte in the Philippines since 1997; and if she will make a statement. [136937]

Mr. Mike O'Brien: There has been some routine contact with local officials and organisations in Zamboanga City, as elsewhere in the Philippines, on general economic issues. However, officials at the British embassy in Manila have no current knowledge of UK firms with commercial interests or activities in the mountains of Zamboanga del Norte.

The FCO currently advises against all travel to central, southern, and western Mindanao, where the threat of terrorism and kidnapping in the Philippines is greatest. The mountains of Zamboanga del Norte are within this region.

Preferential Trade Status (Israel)

Mr. Sarwar: To ask the Secretary of State for Trade and Industry what plans she has to reassess the list of countries selected as target markets for preferential trade promotion; if she will withdraw preferential trade promotion status from Israel; and if she will make a statement. [137115]

Mr. Mike O'Brien: The trade promotional activities of UK Trade and Investment (formerly British Trade International) reflect commercial developments overseas which present real and specific opportunities for UK industry sectors. In the case of Israel, we have identified opportunities, particularly in the high tech industries, and have developed a programme of activity designed to bring these opportunities to the attention of UK firms.

Small Business Regulation

Linda Perham: To ask the Secretary of State for Trade and Industry what plans she has to ensure that owners of small businesses are informed by enforcement agencies of *(a)* new regulations and *(b)* changes in existing regulations. [136616]

Nigel Griffiths: Individual enforcement agencies are required to publicise new regulations as part of the implementation process developed by SBS. To reinforce

this, DTIs Small Business Service also provides a signposting service for all small businesses requiring information on new regulations.

They do this by providing details of current regulations on the Business Link website and in "The No-Nonsense Guide to Government rules and regulations for setting up your business," which was published by Business Link earlier this year.

Our website will shortly highlight changes to regulations as they occur and will enable proactive alerts on these changes.

St. Helena

Mr. Steen: To ask the Secretary of State for Trade and Industry what the value of *(a)* imports to and *(b)* exports from St. Helena was in each of the last five years. [137435]

Mr. Mike O'Brien: According to estimates published by the International Monetary Fund (IMF), St. Helena's trade in goods with the rest of the world were as follows:

St. Helena's trade in goods with the world
US$ million, current prices and exchange rates

	Exports	*Imports*
1997	6	44
1998	6	30
1999	8	53
2000	7	28
2001	11	27

Source:
IMF Direction of Trade Statistics.

Textiles

Sir Archy Kirkwood: To ask the Secretary of State for Trade and Industry if she will make a statement on the future of the Government's textile strategy after the end of import quotas in 2005. [137349]

Mr. Mike O'Brien: The UK textiles and clothing industry faces tough challenges. The way for this vibrant and innovative industry to secure the future, despite the very real competition faced from China and other low cost suppliers, is through investment, continual innovation, diversifying into new markets or products, more efficient production methods and continually raising its game to remain competitive.

My Department is working with the industry-led Textiles and Clothing Strategy Group, which aims to build a sustainable future for the UK industry by increasing its competitiveness to meet the challenges of globalisation and the impact of the final stage in the phasing out of import quotas in 2005. This work is underpinned by my Department's Manufacturing Strategy, which is helping to ensure that UK manufacturers have the right conditions for growth and sustainability to enable them to improve productivity and to move up the value chain to high skilled, knowledge intensive operations.

Sir Archy Kirkwood: To ask the Secretary of State for Trade and Industry what import quotas are in place for textiles; and what assessment she has made of the effect of removing them. [137350]

Mr. Mike O'Brien: The European Union currently imposes import quotas on imports of certain textiles and clothing products from 19 supplier countries. Under the terms of the GATT/WTO Agreement on Textiles and Clothing (ATC) a ten-year quota phase-out from 1995 is underway and will be completed on 31 December 2004. From 1 January 2005 quotas will only remain on textiles and clothing imports from a small number of non-WTO member countries (e.g. Vietnam, north Korea, Belorus). No assessment of the effects of quota removal specifically on the UK has been made, though an EU-wide assessment is due to be released early in 2004.

Sir Archy Kirkwood: To ask the Secretary of State for Trade and Industry what tariffs are in place on the import of textiles; what assessment she has made of the future of the tariff system after 2005; and what tariffs are imposed on the import of textiles outside the EU. [137351]

Mr. Mike O'Brien: As a result of the GATT/WTO Uruguay Trade Agreement, maximum EU tariffs on imports of textiles and clothing from 1 January 2004 will be 0 per cent. for textile raw materials, 4 per cent. for yarns, 8 per cent. for fabrics and 12 per cent. for clothing and other made-up items (such as blankets). This represents a small reduction on current rates: a maximum 4.6 per cent. for yarns, 8.2 per cent. for clothing and 12.2. per cent for clothing and made-up items. No further change in the tariff system is expected until the results of the Doha Development Agenda are implemented when we hope to see a significant reduction in global industrial tariffs. EU tariffs are among the lowest in the world in the textile and clothing sector in which tariffs of over 30 per cent. are not uncommon.

Sir Archy Kirkwood: To ask the Secretary of State for Trade and Industry what the value of exports of textiles from *(a)* the United Kingdom and *(b)* Scotland was in each of the last 10 years in (i) cash and (ii) real terms. [137354]

Mr. Mike O'Brien: Data on the UK and Scotland's exports of textiles are given in the table:

UK and Scottish exports of textiles (excluding clothing)
£ million

	Current prices	*2000 prices*
UK exports		
1993	2,836	2,591
1994	3,212	2,858
1995	3,447	2,965
1996	3,654	3,193
1997	3,629	3,329
1998	3,305	3,134
1999	3,066	3,021
2000	3,027	3,027
2001	2,969	2,951
2002	2,829	2,820
Scottish exports		
1993	n/a	n/a
1994	n/a	n/a
1995	n/a	n/a
1996	290	n/a
1997	280	n/a
1998	259	n/a
1999	248	n/a
2000	252	n/a
2001	253	n/a
2002	212	n/a

Note:
The textile industry is defined as Divisions 17 of the Standard Industrial Classification (SIC)
Sources:
HM Customs and Excise
Business Monitor MQ10, UK Trade in Goods Analysed in Terms of Industry

Sir Archy Kirkwood: To ask the Secretary of State for Trade and Industry what the value of textile imports into the United Kingdom was in each of the last 10 years in *(a)* cash and *(b)* real terms. [137355]

Mr. Mike O'Brien: Data on the UK's imports of textiles are given in the following table:

UK imports of textiles 1993–2002—trade in textiles (excluding clothing)

£ million

	Current prices	*2000 prices*
1993	4,405	4,279
1994	4,819	4,431
1995	5,190	4,289
1996	5,598	4,716
1997	5,698	5,145
1998	5,538	5,359
1999	5,202	5,349
2000	5,238	5,238
2001	5,453	5,444
2002	5,415	5,710

Note:
The textiles industry is defined as Division 17 of the Standard Industrial Classification (SIC)
Source:
United Kingdom Trade in goods Analysed in Terms of Industry, ONS

Tribal Peoples (Brazil)

Angus Robertson: To ask the Secretary of State for Trade and Industry (1) what assessment her Department has made of the *(a)* impact and *(b)* cost to UK companies of the 1998 Brazilian Government decree recognizing and officially demarcating the lands of the Marubo, Matis, Matses, Kanamari, Kulina and Korobo peoples in the Javari valley in Western Amazonia as an indigenous area; and if she will make a statement; [136935]

(2) what assessment her Department has made of the *(a)* impact on and *(b)* cost to UK companies of the 1998 reclamation by the native Guarany; peoples of the Jarara, Sucuiy, Lima Ry and Potrero Guacu communities in the state of Mato Grosso do Sul, Brazil; and if she will make a statement. [136936]

Mr. Mike O'Brien: None, since no representations have been made to this department on this issue.

INTERNATIONAL DEVELOPMENT

Angola

Mr. Rosindell: To ask the Secretary of State for International Development what steps the Government are taking to combat poverty in Angola. [136767]

Hilary Benn: Following the 2002 cease-fire between the Government and UNITA, which ended the civil war, there is now opportunity for Angola to achieve sustainable peace and democracy, economic growth and poverty reduction. This is why we have increased DFID's post-conflict Country Programme for Angola from £4.7 million in 2001–02 to £9 million this year to help achieve these objectives.

We are working closely with other international donors to consolidate the peace in Angola and prevent future conflicts; help secure a political system which allows people to influence state policy and practice; and working to influence a basic change in the Government of Angola's approach in the areas of transparency, economic governance and the development of policies to tackle poverty.

In the short term, we will continue to provide humanitarian assistance to meet the immediate needs of destitute people and to contribute towards de-mining to facilitate resettlement and economic and social recovery. We will continue to provide assistance in these areas for as long as this is needed.

Democratic Republic of Congo

Dr. Cable: To ask the Secretary of State for International Development what *(a)* financial and *(b)* other assistance his Department (i) is providing and (ii) plans to provide to the Government of the Democratic Republic of Congo; and if he will make a statement. [136860]

Hilary Benn: So long as the transition process remains on track, DFID is planning a significant increase in support to the Democratic Republic of Congo (DRC) over the period 2003–06, with a view to helping DRC make progress towards the Millennium Development Goals.

We have recently informed the Transitional National Government (TNG) of the DRC, and made public, a significant increase in our programme for DRC to £23 million for 2003–04, following the installation of the TNG this summer. The UK is working with other bilateral donors and multi-lateral agencies to ensure a coordinated response to the needs of the DRC. In 2002–03, in addition to £16 million in bilateral assistance, the UK contributed approximately £9 million through the EU, £26 million through the World Bank and £36 million through the UN agencies (including the United Nations Mission to DRC).

Ensuring a successful transition process, including the successful embedding of the TNG, is crucial to our overall goal of ensuring peace and poverty reduction in the DRC and through that, the region as a whole. As a member of the Kinshasa-based International Committee for Support to the Transition, we are pressing for a well developed and shared understanding between donors and government of the transition process, as well as strong day-to-day co-ordination of donor support.

We are providing direct support for the basic infrastructure needs of the Transition Institutions, which include the Offices of the President and the four Vice Presidents, Government, Parliament, Senate, Supreme Court and the five Democracy Support Commissions (Elections, Human Rights, Truth and Reconciliation, Anti-Corruption and Media). We have provided technical assistance for the drawing up of a national

Disarmament, Demobilisation and Reintegration (DDR) strategy, and have offered similar support on the Security Sector Reform (SSR) strategy and the Poverty Reduction Strategy (PRS). We are also looking at providing some civil service capacity building support to the Government with UNDP and other donors.

It is crucial for DRC and the wider Great Lakes region that the transition process remains on track. We are therefore making continued efforts to strengthen and consolidate peace, which include humanitarian support, disarmament, demobilisation and reintegration of ex-combatants, army, police and justice sector reform, and grassroots peace-building.

Dr. Cable: To ask the Secretary of State for International Development what discussions his Department has had with the Governments of *(a)* the Democratic Republic of Congo, *(b)* Rwanda and *(c)* Uganda regarding the situation in the Democratic Republic of Congo; and if he will make a statement. [136861]

Hilary Benn: The UK is seeking to help resolve conflict and establish conditions for genuine development in the whole of the Great Lakes region. We have maintained a close dialogue with the former Government and now the Transitional National Government (TNG) in Kinshasa and with the Governments of Rwanda and Uganda on the need for good neighbourly relations as the basis for national and regional stability. We continue to do so.

Both Rwanda and Uganda have taken positive steps recently to normalise their relations with the TNG in DRC, including mutual ministerial visits and the signing in New York on 25 September 2003 of a Good Neighbourly Pact, which included commitments that all support for armed groups should end and that there should be no illegal exploitation of natural resources of the DRC.

Development Assistance

Mr. Blunt: To ask the Secretary of State for International Development what the UK's combined net public and private investment and development assistance to the developing world was in each year since 1995 in terms of percentage of GDP. [137506]

Hilary Benn: The information requested is given in the following table. Note that such flows are usually expressed as a percentage of gross national income (GNI) rather than GDP.

Total UK net flows (amounts extended less amounts received) to developing countries 1995–2002

£ million

	Official flows	*Private flows*	*Total*	*As a percentage of GNI*
1995	2,164	5,968	8,132	1.15
1996	2,102	11,590	13,692	1.83
1997	2,027	9,046	11,073	1.39
1998	2,299	4,301	6,600	0.83
1999	2,103	7,353	9,456	1.05
2000	2,927	1,737	4,664	0.50
2001	3,181	3,453	6,634	0.67
2002	3,272	9,264	12,536	1.18

Iraq

Keith Vaz: To ask the Secretary of State for International Development what impact he estimates the security situation in Iraq will have on promotion of *(a)* democracy and *(b)* reconstruction of Iraq; and if he will make a statement. [136559]

Hilary Benn: Today there are over 40,000 police on duty in Iraq, the first battalion of the new Iraqi Army has graduated and is on active duty, a major police recruitment and training exercise is under way, and a new police academy has opened in Basra. Over 30 countries (in addition to the UK and US) have a total of 16,000 troops on the ground in Iraq, as part of the international stabilisation effort.

Although the security situation has restricted the activities of the international staff of aid agencies, politicians, coalition officials and Iraqi citizens are able to go about their business. Progress is being made in promoting democracy and undertaking reconstruction. Political parties are forming, the Iraqi media is now free and many newspapers are appearing, and civil society organisations are emerging. Ministries are functioning and plans are being formed to modernise the civil service. In addition, Iraqi business is beginning to grow, infrastructure is being restored and service delivery is improving. Donors have also been undertaking needs assessments and are making arrangements for funding following the successful Madrid Conference.

Nutrition Levels

Angus Robertson: To ask the Secretary of State for International Development what the average nutrition levels are *(a)* globally, *(b)* for each continent, *(c)* in each of the EU member states, *(d)* in each of the ex-Soviet Union states, *(e)* in each country in Africa and *(f)* in West Darfur; and if he will make a statement. [136643]

Hilary Benn: Worldwide, the Food and Agriculture Organisation (FAO) estimated that 840 million people were undernourished in 1998–2000. These figures include 11 million in the industrialised countries, 30 million in countries in transition and 799 million in the developing world. There is no single measure of nutrition levels: different indicators measure different aspects of nutrition. The attached table, based on data in the World Bank's 2003 World Development Indicators, gives figures for three of these indicators where they are available.

Recent reports from West Darfur, Sudan, using rapid assessment techniques indicate very high levels of malnutrition among people displaced by conflict. Relief agencies are seeking, as a matter of urgency, to investigate further using standard assessment methodologies.

The Department for International Development (DFID) is concerned about the situation in all parts of Darfur. DFID has recently provided Save the Children UK with £500,000 for a humanitarian intervention. DFID has also agreed to provide £1 million to UNHCR for Sudanese from Darfur who have sought refuge in Chad. DFID is planning an additional £1 million contribution to the 2003 International Committee of the Red Cross (ICRC) Appeal for Sudan and a £2 million contribution to the World Food Programme Emergency Operation in Sudan, in response to the situation in

Darfur. Other interventions, through international NGOs and United Nations agencies in Darfur, are being considered.

Indicators of nutritional level[1]

	Proportion of population undernourished	*Proportion of children under five underweight*	*Proportion of children under five stunted*
(a) Global	18	..	..
(b) Region			
Sub-Saharan Africa	33	..	..
Middle East and North Africa	8	15	..
L America and Caribbean	12	9	19
East Asia and Pacific	11	15	14
South Asia	25	53	47
(c) EU states	No comparable figures available		
(d) Ex-Soviet[2]			
Azerbaijan	..	17	20
Georgia	..	3	12
Kazakhstan	..	4	10
Kyrgyz Rep	..	11	25
Russian Fed	..	3	13
Tajikistan	..	..	31
Turkmenistan	..	12	22
Ukraine	..	3	16
Uzbekistan	..	19	31
(e) Africa			
Algeria	6	6	18
Angola	50	41	53
Benin	13	23	31
Botswana	25	13	29
Burkina Faso	23	34	37
Burundi	69	45	..
Cameroon	25	22	29
CAR	44	23	28
Chad	32	28	29
Congo DR	73	34	45
Congo Rep	32	..	..
Cote d'Ivoire	15	21	25
Egypt	4	4	19
Eritrea	58	44	38
Ethiopia	44	47	52
Gabon	8	12	21
Gambia	21	17	30
Ghana	12	25	26
Guinea	32	33	41
Guinea-Bissau	..	25	..
Kenya	44	22	33
Lesotho	26	18	44
Liberia	39	..	..
Libya	..	5	15
Madagascar	40	40	48
Malawi	33	25	49
Mali	20	27	49
Mauritania	12	32	35
Morocco	7	..	..
Mozambique	55	26	36
Namibia	9	..	..
Niger	36	40	40
Nigeria	7	31	34
Rwanda	40	24	43
Senegal	25	18	23
Sierra Leone	47	27	..
Somalia	71	26	23
S Africa	..	9	23
Sudan	21	11	34
Swaziland	12	10	..
Tanzania	47	29	44
Togo	23	25	22
Tunisia	..	4	8
Uganda	21	23	39
Zambia	50	24	42
Zimbabwe	38	13	27

[1] Taken from 2003 World Development Indicators—most recent figures available.

[2] Where figures are available.

Note:

Where no figure is shown the World Bank has chosen not to estimate or publish a figure. The World Bank takes into consideration the coverage, date and quality of data available.

Oil Pipeline (Caucasus)

Valerie Davey: To ask the Secretary of State for International Development what the Government's policy is on the proposed oil pipeline from Baku to Ceyhan. [137406]

Hilary Benn: I refer my hon. Friend to the written statement made on 5 November 2003 *Official Report*, columns 35–36WS, which sets out DFID's position on funding by the International Finance Corporation of the World Bank Group, for the Baku-Tbilisi-Ceyhan pipeline.

St. Helena

Mr. Steen: To ask the Secretary of State for International Development how many tourists he estimates will visit St. Helena in each year once *(a)* the breakwater and *(b)* the airport is completed. [137227]

Mr. Gareth Thomas: No decisions have been made on whether to build a breakwater or an airport in St. Helena. The possibility of a breakwater, which the island authorities believe would provide safer and assured disembarkation and embarkation at all or most times from and to ships, is to be investigated further for technical and economic viability. For the latest position on possible establishment of air access, I would refer the hon. Gentleman to my Written Statement to this House on 16 September 2003, *Official Report*, column 43WS. Last year, 7,692 arrivals were recorded by St. Helena's Immigration Department. This figure included 5,362 persons landed from cruise ships. The rest included other tourists, business visitors and those visiting friends and families. Consultants estimated in 2001 that total arrival numbers could increase to 14,850 within five years of establishing access by air. The St. Helena Government estimates that largely assured disembarkation and embarkation of passengers from and to ships could alone more than double the number of cruise ship visitors to the island.

PRIME MINISTER

Departmental Energy Use

Mr. Laurence Robertson: To ask the Prime Minister how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135047]

The Prime Minister: I refer the hon. Member to the answer the Minister for the Cabinet Office (Mr. Alexander) gave him today.

Engagements

Mr. Cameron: To ask the Prime Minister what arrangements are made for chairing his weekly planning and co-ordination meeting in Downing street when he is unable to attend. [137904]

The Prime Minister: None.

CULTURE, MEDIA AND SPORT

BBC Charter

Mr. Best: To ask the Secretary of State for Culture, Media and Sport what organisations she will consult on the forthcoming review of the BBC Charter. [136651]

Tessa Jowell: The review will be wide-ranging, with a great deal of industry and public consultation, and will, I hope, be characterised by vigorous and open debate. I have appointed Lord Burns to give me independent advice throughout. The process will be extensive and thorough, with several opportunities for people to feed in their views, and there will be an appropriate Parliamentary stage.

It will begin before the end of the year when I issue a consultation document outlining the main issues for consideration.

I shall be seeking views from all organisations and individuals with an interest. In particular I will ask those in the broadcasting industry for their views and will feed those views back into the wider consultation process.

Mr. Best: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the process for the forthcoming review of the BBC Charter. [136652]

Tessa Jowell: The review will be wide-ranging, with full industry and public consultation, and I hope, be characterised by vigorous and open debate. It will begin before the end of the year when I issue a consultation document outlining the main issues for consideration. It will take into account Ofcom's review of public service broadcasting, Philip Graf's review of the on-line services, the forthcoming review of the BBC's digital TV and radio services, and numerous other strands of work. We will engage directly with the general public throughout the process on an unprecedented scale. I have appointed Lord Burns to give me independent advice throughout.

I aim to publish a Green Paper around the end of 2004 drawing on this sequence of reviews, consultation and analysis, to be followed by a White Paper containing considered recommendations to set before Parliament and the public. The whole process will be completed well before the Charter expires in 2006.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport if she will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to her Department and its predecessor in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if she will make a statement. [137886]

Mr. Caborn: Neither DCMS nor the Royal Parks Agency have any record of contracts with Bechtel over the period 1997 to 2003.

Commercial Radio Licences

Mr. Whittingdale: To ask the Secretary of State for Culture, Media and Sport (1) when she expects Ofcom to invite applications for a new commercial radio licence in Cornwall; [137428]

(2) what changes she expects Ofcom to make in the process of *(a)* advertising and *(b)* issuing new commercial radio licences; [137429]

(3) when she expects Ofcom to resume the advertising of new commercial radio licences. [137430]

Estelle Morris *[holding answer 10 November 2003]*: These are matters for Ofcom. They will assume responsibility for advertising and awarding radio broadcast licences from the Radio Authority on 29 December 2003.

On 6 November, the Radio Authority announced the award of the local digital multiplex licence serving most parts of Cornwall, and the city of Plymouth, to South West Digital Radio Ltd.

National Lottery

Simon Hughes: To ask the Secretary of State for Culture, Media and Sport how many applications were *(a)* received, *(b)* rejected and *(c)* successful for Lottery money for London in each of the last five years. [137836]

Estelle Morris: This Department does not keep the information in the form requested.

The following number of awards have been made in London for each of the last five years:

	Number of awards
January 1998 to January 1999	794
January 1999 to January 2000	2,157
January 2000 to January 2001	3,174
January 2001 to January 2002	2,701
January 2002 to January 2003	3,242
January 2003 to 10 November 2003	1,838

This is derived from the Department's Awards Database and is based on information supplied by the distributing bodies.

Shurland Hall, Sheppey

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport when the decision on the future of Shurland Hall on the Isle of Sheppey will be announced. [138137]

Estelle Morris: English Heritage is in discussion with the owner and the local planning authority over the proposed strategy for Shurland Hall, which is to convert it into residential property. Subject to the agreement of the current owner and the availability of funds, it is hoped that a first tranche of holding repairs, leading to the removal of the scaffolding, will be implemented in summer 2004.

Sport (EU Competition Legislation)

Mr. Whittingdale: To ask the Secretary of State for Culture, Media and Sport what the Government's

policy is on the exclusion of sport from the requirements of EU competition legislation; and if she will make a statement. [137137]

Mr. Caborn *[holding answer 10 November 2003]*: The Government firmly believe that sport like any other activity must abide by the requirements of EU and UK competition legislation.

The Government note that in recent sports cases considered by the European Commission Competition Directorate due note has been taken of the specific characteristics of sport as set out in the declaration on sport made by the 2000 European Council meeting in Nice.

The Government support the proposals to include specific reference to sport in the proposed new European Treaty but is seeking improvements in the text proposed by the European Convention to reflect more accurately the Nice declaration. I discussed detailed textual suggestions with my European colleagues at our informal meeting in Florence on 2–3 October and secured support for a revised text from the overwhelming majority of the 25 states represented. I hope that progress on this text can be made in the current discussions within the Intergovernmental Conference.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

15. **Dr. Cable:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress towards establishing a multilateral authority under UN auspices in Iraq. [137411]

Mr. Rammell: United Nations Security Council Resolution 1511, adopted unanimously on 16 October, reaffirms the responsibilities of the Coalition Provisional Authority, supports an Iraqi-led political process, and resolves to strengthen the vital role of the United Nations Assistance Mission in Iraq, as circumstances permit.

23. **Ross Cranston:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in recruiting police to serve in Iraq. [137419]

Mr. Rammell: The Home Secretary has agreed to establish a pool of 200 serving UK police officers to sustain a deployment of 100 officers at any one time. A total of 20 officers have been deployed so far.

The focus of the UK effort is on deploying UK officers to train Iraqi policemen in the police academy in Basra and at the Iraqi Police Training Centre being established in Jordan. 24 officers are currently in training for deployment to Basra in mid December. Provision has been made for up to 75 officers to deploy to Jordan in the next few months, with the first group of 26 set to deploy on 23 November and a further 35 in December.

In addition, A British police Officer, Deputy Chief Constable Douglas Brand, is the senior adviser in the Iraqi Ministry of the Interior. Deputy Chief Constable Stephen White of the Police Service of Northern Ireland is senior police adviser in the South of Iraq. Rin Shadforth (Superintendent Warwickshire Police Retired) is Deputy Director of the Jordan Training School.

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to improve the security afforded to members of the Iraqi Governing Council. [135117]

Mr. Rammell: As part of the Coalition Provisional Authority the UK regularly discusses security with the Iraqi Governing Council (IGC) in a weekly committee. This often focuses on security for IGC members themselves. The CPA takes appropriate practical steps to meet requests made by Council members. The UK is unilaterally providing a protected vehicle to the IGC. However in the interests of security it would be inappropriate to give further details.

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs what investigations are being carried out to assess *(a)* the protection afforded to Aquila al-Hashimi of the Iraqi Governing Council and *(b)* ways in which her assassination could have been prevented. [135118]

Mr. Rammell: We are awaiting the outcome of a police report into the incident. It is not our policy to comment on security measures for individuals.

Linda Perham: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to pass control of the Iraqi Governing Council to Iraqi citizens. [136584]

Mr. Rammell: The Government are committed to helping the Iraqis establish a democracy. The timetable for this process is a matter for the Iraqi people. The United Nations Security Council has invited the Iraqi Governing Council to provide, by 15 December 2003, a timetable and a programme for the drafting of a new constitution for Iraq and for the holding of democratic elections under that constitution.

Linda Perham: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to reflect the wishes of the various Iraqi ethnic and religious groups in the formation of the new Iraqi constitution. [136585]

Mr. Rammell: The formation of a new Iraqi constitution is a matter for the Iraqi people.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his Answer of 10 September 2003, *Official Report*, column 335W, how many staff reviewed the UNMOVIC document; what their qualifications were; how many staff hours were spent on the review; when they reported to him on their review; and if he will place the review comments in the Library. [131371]

Mr. MacShane: The UNMOVIC document was the culmination of 18 months of analysis of the final report of UNSCOM and the findings of the Amorim panel which initially reviewed that report. Although primarily the work of UNMOVIC staff, its drafting was overseen by the UNMOVIC Commissioners, a group drawn from 15 countries. The UK Commissioner is a senior member of staff of the Ministry of Defence. Ministry of Defence and Foreign and Commonwealth Office

officials, together with officials of other interested UK Government Departments, were fully involved in the drafting process. The reviewing of the reliability and robustness of information in the report formed an integral part of producing the final, published version.

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs how much the Iraq Government owes to each member of the Paris Club of countries. [136437]

Mr. Rammell: The Paris Club of official creditors issued a press release on 10 July stating that Iraq's debt to members stood at US$21,018 million, all of which results from credits contracted before August 1990. It also noted that adding late interest would roughly double that amount. I am placing a copy of this press release, which includes details of outstanding Iraqi debts owed to all Paris Club members into the Library of the House. It can also be found at http://www.clubdeparis.org/rep_upload/030600pr-cleanfinal.pdf.

The UK Government hold unrecovered claims of more than £620 million plus an estimated interest accruing over the past 12 years of around £525 million. These claims result from export credits. Iraq does not have any UK official development assistance debt.

Afghanistan

16. **Mr. Dhanda:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the President of Afghanistan on the work in that country of the UN Office for the Co-ordination of Humanitarian Affairs. [137412]

Mr. Rammell: Neither my right hon. Friend the Foreign Secretary nor I have had any recent discussions with President Karzai concerning the UN Office for the Coordination of Humanitarian Affairs. The work of that organisation has now been transferred to the UN Assistance Mission to Afghanistan, headed by the UN Secretary General's Special Representative Lakhdar Brahimi.

The UK continues to work closely with the UN in Afghanistan, and applauds its excellent work to date, including in the humanitarian field where we have witnessed tangible improvements in the past year.

22. **David Cairns:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the UN Report, Afghanistan Opium Survey 2003. [137418]

Mr. Rammell: I would refer the right hon. Member to the statement I made on 30 October 2003, *Official Report*, column 20WS, regarding the United Nations Office on Drugs and Crime (UNODC) survey results for the 2003 opium poppy crop in Afghanistan.

While the increase in opium cultivation and production is unwelcome, it is not unexpected. Experience of counter-narcotic policies in other countries, such as Pakistan and Thailand, shows that cultivation tends to increase before declining.

Israel

17. **Mr. Walter:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Israel regarding the erection of the fence on the West Bank. [137413]

Mr. Rammell: I refer the hon. Member to the answer my hon. Friend the Parliamentary Under-Secretary gave to my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz), *Official Report*, 11 November 2003, column 169.

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made by the Government in pressing the Israeli Government to conduct an independent, public and judicial inquiry into the shooting of Mr. Tom Hurndall; and if he will make a statement. [136405]

Mr. Mullin: We have pressed the Israelis on a number of occasions for a full and transparent investigation into the shooting of Tom Hurndall. This was done most recently by my noble Friend the Baroness Symons of Vernham Dean during her recent visit to Israel. We have been recently informed that there will be a military police investigation into the shooting.

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the representations he has made to the Israeli Government regarding the building of the Israeli security barrier. [136434]

Mr. Rammell: My right hon. Friends the Prime Minister and the Foreign Secretary made clear our concerns about the route of the fence to the Israeli Prime Minister, Ariel Sharon, when he visited London on 14 July, and the Israeli Foreign Minister, Silvan Shalom, on 18 July. My noble Friend the Baroness Symons of Vernham Dean also raised the matter with the Israeli Foreign Minster, Silvan Shalom, during her visit to Israel on 30 September. She also raised with Zvi Shtauber, Israeli ambassador on 22 October and Yosef Paritzky, the Israeli Minister for National Infrastructure on 29 October.

We have made representations through our embassy in Tel Aviv expressing concern at the route and likely impact of the fence. Foreign and Commonwealth Office officials have also made representations through the Israeli embassy in London.

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made by the Government in pressing the Israeli Government to conduct an independent, public and judicial inquiry into the fatal shooting of Mr. James Miller; and if he will make a statement. [136484]

Mr. Mullin: We have pressed the Israelis on a number of occasions for a full and transparent investigation into the shooting of James Miller. This was done most recently by my noble Friend the Baroness Symons of Vernham Dean during her recent visit to Israel. We have been informed that there will be a Military Police investigation into the shooting.

North Korea

18. **Mr. Ben Chapman:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on measures to contain North Korea's nuclear programme. [137414]

Mr. Rammell: We remain active in support of the six party talks process, begun in Beijing in August, the agreed objective of which is the denuclearisation of the Korean Peninsula.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* his Department and *(b)* the Government have had with representatives and members of the governments of (i) EU member states, (ii) Russia, (iii) the USA, (iv) Japan and (v) China concerning (A) North Korea and (B) planned diplomatic initiatives on the North Korea nuclear programme; and if he will make a statement. [136930]

Mr. Rammell: We regularly discuss North Korea's nuclear programmes with EU partners, Russia, the US, Japan and China, both at ministerial and official level. Our discussions with these countries reflect an encouraging and wide-ranging commitment to the six-party talks process, and to the objectives of a nuclear-free Korean peninsula and the peaceful resolution of the North Korea nuclear issue.

Roma (EU Applicant Countries)

19. **Bob Russell:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed with EU applicant countries progress towards ensuring equal rights for the Roma communities in those countries. [137415]

Mr. MacShane: We regularly raise the importance of equal rights for Roma and other minority groups with these countries, mainly through our Embassies, as does the Commission in its monitoring reports, Association Committees and pre-accession programmes. Details of FCO project work on Roma communities are included in the FCO human rights annual report. We also participate with EU applicant countries in discussions in the OSCE and Council of Europe on Roma rights.

Bulgaria

20. **Mr. Barron:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with Bulgarian Ministers. [137416]

Mr. MacShane: The Foreign Secretary most recently met Bulgarian Foreign Minister Solomon Passy on 6 November in London. They discussed a range of bilateral and EU-related issues. They also have frequent contact in the margins of multilateral meetings, such as the IGC or NATO Ministerials.

Iran

21. **Mr. MacDougall:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further joint initiatives with the French and German foreign ministers he will undertake with respect to Iran. [137417]

Mr. Rammell: We will continue to work with like-minded governments in any combination required to impress on Iran the need to co-operate fully with the International Atomic Energy Agency and rebuild trust in its intentions. Following the visit to Tehran last month by my right hon. Friend the Foreign Secretary and his French and German counterparts, the onus now lies with Iran to deliver on its commitments. We are also calling on Iran to address international concerns on human rights, international terrorism and support for the Middle East Peace Process.

Baker Plan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* the UN, *(b)* the USA and *(c)* the EU on the use of sanctions if Morocco refuses to meet its commitments under the Baker Plan. [136007]

Mr. Rammell: None.

Controlled Goods

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs what efforts he has made since 27 February to research in greater detail the US systems of end-use monitoring of exports of controlled goods; and if he will make a statement. [136293]

Mr. MacShane: Officials in the Foreign and Commonwealth Office have been researching the United States system of end-use monitoring, and will be informing Ministers of their findings in the near future.

Democratic Republic of Congo

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the Governments of *(a)* Uganda, *(b)* Rwanda and *(c)* Burundi concerning hostilities in the Democratic Republic of Congo; and if he will make a statement. [136509]

Mr. Mullin: From the outset of the conflict Ministers and officials have used every opportunity to discuss the conflict in the Democratic Republic of Congo (DRC) with the governments in the region. We have worked with our UN and EU partners to promote restoration of peace and stability in the region. We are encouraged by the progress made since the installation of the Transitional National Government in Kinshasa earlier this year and by the recent efforts by the countries concerned to improve relations with the DRC.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held with UN officials on the use of child soldiers in the conflict in the Democratic Republic of Congo; and if he will make a statement on UK policy. [136510]

Mr. Mullin: The UK condemns the use of child soldiers. The fourth report of the UN Secretary-General on the use of children in armed conflict is due shortly and this will lead to a debate on this issue in the UN Security Council in the next few months. The UK discusses the issue with a range of UN bodies, particularly the Special Representative on Children in Armed Conflict, and works with the UN system to

eradicate the use of child soldiers, including support through the Department for International Development for a UNICEF programme of capacity building to strengthen its response in emergency situations. A key element of this programme is improving its advocacy on the situation of children affected by armed conflict at all levels.

Within the Democratic Republic of Congo (DRC), a number of child protection advisers have been deployed as an integral part of the ongoing UN mission there. The UK supports UN projects in the DRC such as disarmament, demobilisation and reintegration of ex-combatants, including child soldiers.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the political groupings in the Democratic Republic of Congo concerning a peace process to end current hostilities. [136531]

Mr. Mullin: Since the outbreak of the conflict in 1998 the UK has put its weight behind regional peace initiatives, maintaining a dialogue with all the main belligerents in the conflict to urge them to bring about a negotiated settlement. The Agreements signed in Lusaka (August 1999) and Pretoria Agreement (July 2002), and the Global and Inclusive Accord (December 2002) laid the foundation for the establishment of a transitional government in the Democratic Republic of Congo (DRC). Now that this is in place the UK continues its dialogue with the parties, including as a member of the Kinshasa-based International Committee of Support to the Transition.

The UK also supports efforts to bring an end to conflict in the Ituri region of north-eastern DRC. This has included through our contribution to the EU-led Operation Artemis and financial and other support to the Interim Ituri Administration.

East Timor

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the visit of President Xanana Gusmao of East Timor to the UK; and what issues were discussed. [136199]

Mr. Mike O'Brien: The Government were delighted to welcome President Xanana Gusmao to the UK on a guest of Government visit. President Xanana Gusmao has played a pivotal role, not only in his country's struggle for independence, but also in promoting post-conflict reconciliation and a better future for his people. The President had an audience with HM The Queen, and meetings with my right hon. Friends the Foreign Secretary, Secretary of State for Northern Ireland (Mr. Paul Murphy) and Minister of State at the Ministry of Defence (Mr. Ingram), and my hon. Friend the Parliamentary Under-Secretary of State at the Department for International Development (Mr. Gareth Thomas). I also had a meeting with President Gusmao during which he expressed his gratitude for the UK's assistance to East Timor since 1999 and asked that the UK continue to remain engaged in assisting East Timor. The President also visited Northern Ireland to learn about reconciliation efforts there.

European Constitution

Mr. Nicholas Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs what impact he estimates the draft European Union constitution will have on the United Kingdom energy sector; and what changes are proposed to the present regulatory position. [136094]

Mr. MacShane: Article 111–130 (2)(c) provides for voting by unanimity on "measures significantly affecting a member state's choice between different energy sources and the general structure of its energy supply". The Government have made a legal assessment of the potential impact of the draft Constitutional Treaty on UK powers to regulate the energy sector. Article 111–157 of the draft EU Constitutional Treaty states the policy on energy shall aim to:

(a) ensure the functioning of the energy market;

(b) ensure security of energy supply in the Union; and

(c) promote energy efficiency and saving and the development of new and renewable forms of energy.

and states that this policy shall not affect a member state's choice between different energy sources and the general structure of its energy supply.

Under the Treaty establishing the European Community, there is already Union activity in energy matters and we believe there is a strong case for making the legal base for policy in this area more transparent. The UK support the opening up of the European energy market which benefits British energy firms. The UK Government would not agree to any proposal that was inconsistent with UK energy interests.

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had since the start of the Inter-Governmental Conference with the Foreign Ministers of *(a)* Denmark, *(b)* Italy and *(c)* Germany relating to the primacy, under Article 110 of the draft European Constitution, of the European Constitution over their own respective constitutions; if he will urge those ministers to hold discussions on the matter with the judges of their respective constitutional courts; and if he will make a statement. [137901]

Mr. MacShane: We have discussed the wording of Article 1–10 with all our EU partners, as part of our ongoing discussions on the IGC. It is for them to decide what advice to seek.

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the draft of the Protocol relating to the succession of rights and obligations which it is proposed should be annexed to the European Constitution. [137902]

Mr. MacShane: There is no such Protocol. The current proposal is for legal continuity in relation to the European Community and the European Union to be covered in Part IV of the Constitutional Treaty. The Convention on the Future of Europe's draft was laid before Parliament in August as Command Paper 5897.

Greece (British Plane Spotters)

Mr. Hawkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what

representations he and the Attorney-General *(a)* have made and *(b)* plan to make to the Greek Government to ensure the repayment to the British plane-spotters arrested in Greece of their bail sureties. [137478]

Mr. Mullin *[holding answer 10 November 2003]:* My right hon. Friends the Foreign Secretary and the Attorney-General have made no representations to the Greek Government to ensure repayment of the British plane spotters' bail money.

The Greek court released the bail money on 22 May 2003. One of the 12 has now received his money. The others are currently in dispute with their Greek lawyers, one of who has taken out an injunction to prevent this money being released until a solution is agreed. This is now a private, legal dispute between the plane spotters and their lawyers.

Guantanamo Bay Detainees

Linda Perham: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received on the legality of the detention of British nationals at Guantanamo Bay. [136581]

Mr. Mullin: The Foreign and Commonwealth Office has received a number of representations about the legality of the detentions of the British nationals at Guantanamo Bay. These have included representations from some of the families, lawyers, interested Members of Parliament, non-governmental organisations and members of the public.

Indonesia

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 23 October 2003, *Official Report*, column 615, whether Indonesia has met its obligations under UN Security Council Resolutions and the UN Charter on justice and co-operation with the Serious Crimes Unit. [136198]

Mr. Mike O'Brien: Paragraph 12 of United Nations Security Council Resolution (UNSCR) 1410, which established the mandate for the United Nations Mission of Support in East Timor (UNMISET) stresses the critical importance of cooperation between East Timor and Indonesia and cooperation with UNMISET to ensure that those responsible for serious crimes committed in 1999 are brought to justice.

In a statement to the 59th Session of the Commission on Human Rights in Geneva on 31 March 2003 the EU urged the Indonesian Government to fully cooperate with the UN Special Crime Unit's investigations, and the investigation into the murder of five journalists at Balibo in 1975. Hitherto, Indonesia has not permitted questioning of any of those indicted by the Serious Crimes Unit who are currently resident in Indonesia.

Pakistan

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what efforts his Department is making to end persecution of Christians in Pakistan; [136296]

(2) what recent discussions his Department has had with authorities in the Pakistan Government about the persecution of Christians in Pakistan; [136297]

(3) what discussions his Department has had with organisations based in the UK campaigning to end persecution of Christians in Pakistan; [136298]

(4) what work the British high commission in Islamabad undertakes to reduce the persecution of Christians in Pakistan. [136299]

Mr. Mike O'Brien: We engage at all levels with the Pakistani Government and with civil society on the plight of Christians in Pakistan. We have raised this issue repeatedly in both official and ministerial level contacts and also in conjunction with our EU partners. There have been three separate EU demarches since June 2002 on this subject. Most recently, my right hon. Friend the Foreign Secretary raised our concerns with Pakistani Foreign Minister Kasuri on 4 November.

The British high commission in Islamabad maintains close contacts with representatives of the religious minorities and human rights organisations within Pakistan. The Foreign and Commonwealth Office has contact with a range of UK- based NGOs. including those who campaign for the rights of Christians and other religious minorities in Pakistan.

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Pakistan Government regarding the *(a)* numbers and *(b)* condition of children under 16 held in detention in Pakistan. [136435]

Mr. Mike O'Brien: Ministers have not raised this issue directly with the Pakistani Government, but the Foreign and Commonwealth Office is supporting implementation of the Juvenile Justice Ordinance 2000 to bring the Pakistani justice system into line with international standards. Recently we sponsored provincial training workshops in Pakistan for criminal justice professionals. The Supreme Court of Pakistan has now taken note of conditions of child prisoners by calling for action in all provinces.

St. Helena

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs what the revenue from fishing licences for foreign fishing vessels in St. Helena was in each of the last five years. [137436]

Mr. Rammell: The revenue from the issue of fishing licences to foreign fishing vessels in each of the last five years was as follows:

	£
2003–04 to date	99,233.94
2002–03	56,566.80
2001–02	110,309.47
2000–01	217,507.56
1999–2000	614,031.99

Uzbekistan

Linda Perham: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to promote the development of human rights in Uzbekistan. [136588]

Mr. Rammell: We remain deeply concerned about the human rights situation in Uzbekistan and continue to raise our concerns both bilaterally and with EU partners. In addition, there are two particular ways in which we can monitor reform and exert pressure. The first is a set of benchmarks against which political and economic reforms will be measured, agreed in the European Bank for Reconstruction and Development's (EBRD) strategy for Uzbekistan. These will be reviewed by the EBRD later in the year. The second is the UN Special Rapporteur's Report on Torture in Uzbekistan, which referred to torture as "systematic". We shall continue to press the Uzbek authorities to implement his recommendations.

The UK is willing to provide assistance in the area of judicial reform and to assist Uzbekistan with broadening the investigative capacity of its police. Testing the Uzbek authorities' willingness to work with others to reform their behaviour is crucial. In Tashkent we are currently working with Human Rights organisations, the OSCE, UNDP and other embassies to push Uzbekistan to develop and implement a National Action Plan to Combat Torture.

Western Sahara

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Morocco's stance on the main part of the Baker Plan for the western Sahara. [136006]

Mr. Rammell: The United Kingdom supports fully the efforts of the UN Secretary General and his personal envoy, James Baker III, to find a just, lasting and mutually acceptable solution to the western Sahara dispute that provides for self-determination for the people of western Sahara.

The United Nations Secretary General reported to the Security Council in October and urged Morocco to positively engage with the process by accepting and implementing the Baker peace plan. Subsequently, UN Security Council resolution 1513 was adopted unanimously, extending the mandate of MINURSO (the UN Mission for the Referendum in western Sahara) until 31 January 2004 to allow further consideration of the plan.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Morocco on *(a)* the continuing presence of troops and *(b)* human rights in the western Sahara. [136008]

Mr. Rammell: My noble Friend the Baroness Symons of Vernham Dean visited Morocco on 15–17 September 2003. She discussed the situation in western Sahara with the Moroccan Deputy Foreign Minister. Ministers and officials regularly call upon the parties to the western Sahara dispute to take action on human rights issues and raise specific cases as necessary. We will continue to monitor the situation closely, taking action with the appropriate authorities where necessary.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of France on its policy towards mineral exploitation in the western Sahara. [136506]

Mr. Rammell: None.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his officials have had at the UN concerning the future of Minurso and the possibility of a referendum on the future of western Sahara. [136513]

Mr. Rammell: Officials have been in contact with their United Nations counterparts over this issue, particularly in the lead up to the unanimous adoption of UN Security Council (UNSC) resolution 1513 on 28 October 2003 which extended the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) until 31 January 2004.

World Service

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what the most recent estimate is of the average daily number of listeners to BBC Radio World Service broadcasts. [136440]

Mr. Mullin: The World Service announced in April 2003 a weekly global audience figure of 150 million, for its 43 language services (including English). Audience figures are measured weekly—as is the case with all international broadcasters—and it is not possible to calculate daily audiences from them. Figures are published once a year.

WORK AND PENSIONS

Annuities

Mr. Wyatt: To ask the Secretary of State for Work and Pensions if he will take steps to prevent pensions administrators purchasing annuities; and if he will make a statement. [138138]

Malcolm Wicks: In the vast majority of cases, there is no tax requirement for occupational schemes to purchase an annuity, unlike personal pension plans. Just as the funding of the scheme is stipulated by the scheme rules, so the purchase of annuities is a matter for the administrators. They retain the flexibility of deciding how, when or if this should happen, and do so in consultation with members via the member-nominated trustees.

Care Homes

Mr. Webb: To ask the Secretary of State for Work and Pensions what rate of savings credit will be payable to *(a)* local authority-supported residents of residential care homes with income above the level of the guarantee credit and *(b)* other residents of residential care homes with income above the level of the guarantee credit; and if he will make a statement. [138038]

Malcolm Wicks: Pension credit, including the savings credit, is calculated in the same way for residential care residents as it is for others, except that savings below £10,000 are disregarded for those in care homes (£6,000 for others).

Consultancy Contracts

Mr. Webb: To ask the Secretary of State for Work and Pensions pursuant to the answer to the hon. Member for Great Grimsby (Mr. Mitchell) of 14 October 2003, *Official Report*, column 204W, on consultancy contracts, if he will place in the Library a breakdown by individual contract value of each of the consultancy assignments. [134116]

Mr. Browne: The information requested is not collected in the form requested and could be obtained only at disproportionate cost.

Incapacity Benefit

Mr. Simon Thomas: To ask the Secretary of State for Work and Pensions whether those claiming incapacity benefit are entitled to the same range of other benefits as those eligible for income support. [136462]

Maria Eagle: People in receipt of income support, including those receiving both income support and incapacity benefit, are entitled to a range of passported help such as council tax benefit or assistance with NHS charges. For people with income marginally higher than the threshold for income support, help may still be available on the grounds of low income.

Jobcentre Plus

Mr. Dismore: To ask the Secretary of State for Work and Pensions whether Jobcentre Plus in London has met its targets for getting people into work in the last year; and if he will make a statement. [136833]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to my hon. Friend.

Letter from David Anderson to Mr. Andrew Dismore, dated 11 November 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply direct to your question about whether Jobcentre Plus in London has met its targets in getting people into work in the last year. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

Jobcentre Plus London Region exceeded its job entry points target for the operational year April 2002 to March 2003, the last year for which figures are available. Each successful job entry is given a points score and each Region given a target based on these scores. Details of this points system can be found in the Jobcentre Plus Business Plan 2003 a copy of which has been placed in the House of Commons Library. During 2002/03 Jobcentre Plus London Region achieved 902,193 points against its annual target of 846,085 points.

I hope this is helpful.

Mr. Dismore: To ask the Secretary of State for Work and Pensions (1) what the position is of Jobcentre Plus proposals to reorganise services delivered from *(a)* Hendon and *(b)* Edgware Social Security office; and if he will make a statement; [136834]

(2) what plans Jobcentre Plus has to change the service provided at Hendon Social Security office through the social fund counter; and if he will make a statement; [136835]

(3) what progress Jobcentre Plus is making in providing premises for the proposed new JCP office to serve clients in Hendon; and if he will make a statement. [136836]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to my hon. Friend.

Letter from David Anderson to Mr. Andrew Dismore, dated 11 November 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your questions concerning service delivery in Hendon and Edgware Social Security offices. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

North London District, including Hendon and Edgware Social Security offices, is planned to be converted to provide the new integrated Jobcentre Plus service in the operational year 2005/06. Initial plans are currently being formulated and a consultation process with all key stakeholders, including local MPs, will start in the next few weeks.

At this stage, I cannot confirm the exact locations for Jobcentre Plus offices as this is subject to the current planning and consultation process. Local managers will be happy to discuss any questions you may still have about these plans as part of this consultation process.

I hope this is helpful.

Maternity Allowance

Bob Russell: To ask the Secretary of State for Work and Pensions how many applications for maternity allowance were refused in each of the last three years for which figures are available; what the reasons were; and if he will make a statement. [132801]

Maria Eagle: Maternity benefits are being reformed as part of the Government's drive to improve financial support for pregnant women and parents. The standard rate of Maternity Allowance (MA) was increased to £75 a week from April 2002, and has been increased further to £100 from April 2003.

The available information is in the table.

MA claims processed and awarded in each of the last two years

Period	*MA claims processed*[1]	*MA awards*[2]
April 2001 to March 2002	66,310	54,500
April 2002 to March 2003	68,225	53,700

[1] Figures for claims processed are rounded to the nearest five.
[2] Figures for awards are rounded to the nearest 100.

Notes:

1. Accurate figures for claims processed prior to April 2001 are not available.
2. Figures for awards take into consideration late notifications to the system, and may differ from previously published figures.
3. Data are derived from two sources therefore it is not possible to provide an accurate figure for the number of claims that did not result in an award. However, the difference between the figures quoted would be indicative of the numbers involved.

Sources:

1. DWP Central Data Unit, 100 per cent. counts.
2. DWP Information Centre, 5 per cent. samples.

New Deal

Mr. Gibb: To ask the Secretary of State for Work and Pensions what his estimate is of public expenditure per full-time job set up under the New Deal programme since 1997. [133162]

Mr. Browne: Jobs are not set up under the New Deal programme as it is not a job creation programme. The New Deal exists to provide people with the confidence and skills necessary to compete in the labour market.

In 2000, we estimated that the average cost of a young person moving into work through the New Deal for Young People was around £4,000. Cost benefit analysis published in June 2003 found that running the New Deal for Lone Parents in 2000–01 resulted in a net exchequer saving of £1,600 for each Lone Parent moving into work. Equivalent estimates of cost per job are not available for the other New Deal programmes.

Redundancy Payments

Mr. Wills: To ask the Secretary of State for Work and Pensions how many employers made redundancy payments in excess of the legal minimum in 2002. [134933]

Mr. Sutcliffe: I have been asked to reply.

Officials are unaware of any reliable statistics that show how many employers made redundancy payments in excess of the legal minimum in 2002. The latest survey commissioned by the Department for Trade and Industry on employers' redundancy practice showed that in the period October 2000 to February 2001 just under half (48 per cent.) of those employers who had made redundancies in the previous 12 months claimed to have made one or more specific improvements on the statutory entitlement. Over a fifth (22 per cent.) of employers reported that they gave more weeks payable per year of service than the legal minimum, while over a quarter (28 per cent.) said they paid a multiple of the minimum statutory payment.

Remploy

Adam Price: To ask the Secretary of State for Work and Pensions what subsidy has been awarded to Remploy in each of the last four years. [135284]

Maria Eagle: Remploy receives a grant in aid each year to deliver part of our WORKSTEP programme to support disabled people in employment.

The information is in the table.

£ million

	Grant in aid
1999–2000	95.661
2000–01	100.661
2001–02	100.061
2002–03	119.162

Stakeholder Pensions

Mr. Cousins: To ask the Secretary of State for Work and Pensions pursuant to his answer to the hon. Member for Bexhill and Battle (Gregory Barker), of 3 November 2003, *Official Report*, column 474W, on stakeholder pensions, if he will estimate how many new stakeholder pensions have been taken up by those with no earnings. [137761]

Malcolm Wicks: The information available is in the table:

Stakeholder pensions: Number of individuals contributing[1] by status[2] and earned income[3] for year ending 5 April 2002

	Individuals (thousand)
Employees	
£0-£9,999 a year	170
£10,000-£19,000 a year	300
£20,000-£29,000 a year	150
£30,000 a year upwards	60
Total	680
Self employed	
£0-£9,999 a year	30
£10, 000-£19, 000 a year	30
£20,000-£29,000 a year	10
£30,000 a year upwards	20
Total	90
In receipt of a pension	10
Child	20
Full-time education	—
Carer	—
Unemployed	10
Other	20
Total	840

[1] The table refers to the number of individuals whose stakeholder pension has received a contribution during the year.

[2] Status is largely based on what is reported by an individual when making their opening application, or for existing business by the provider.

[3] Earned income is derived from the Survey of Personal Incomes (SPI) and consists of all income chargeable under Schedule E (mainly pay, private and occupational pensions, retirement annuities and state retirement pensions), Schedule D Cases I and II (self-employment income), and miscellaneous other earnings.

Notes:

1. The information in the table is taken from IR website statistics (Table T7.10.) It shows individuals contributing to a stakeholder pension, by status and earnings. The data are derived from a sample of annual returns of information submitted to the Inland Revenue by stakeholder pension providers. Numbers are rounded to nearest 10,000. Totals may not sum, due to rounding.

2. The data are collected primarily for compliance purposes and contains details of contributions made by or on behalf of individuals.

3. As well as containing individual details, such as name and date of birth, the data also contains their national insurance number. Using this it possible to aggregate across those who have arrangements with one or more providers. Therefore, unlike tables 7.4 and 7.5 which are based on aggregate returns from providers and are therefore at arrangement level, IR are able to present these results at an individual level. In addition the providers have to report the status of the individual

in the following categories:

Employee
Pensioner
Self-employed
Child
Carer of a child aged less than 16
Carer of a person aged 16 or over
In full-time education
Unemployed
Other

4. Any individual making a gross contribution of £3,600 or less to a stakeholder pension from 6 April 2001 does not have to present evidence of earnings to the provider to whom they are making the contribution. Therefore in order to assess the earned income of contributors IR has matched the individual details provided where possible with the Survey of Personal Incomes (SPI) 2000–01.

5. The SPI is a representative sample of nearly 200,000 individuals, drawn from the Revenue's Self Assessment, Pay As You Earn and Claims systems. Where IR has been able to match these individuals to the SPI, primarily those with earned income, the totals in the tables are based on this sample. For other groups that are unlikely to be in the SPI, such as children, IR has used the whole database directly to derive counts and amounts. For this latter group further analysis is limited to the data that providers have to submit.

6. The table relates to the number of individuals who have a recorded contribution in the year—either individual, employer or minimum. While in theory the data should give details of all individuals, in practice due to incorrect or missing data less than 100 per cent. of records are available for analysis. To account for this the results in the tables have been scaled to known administrative totals.

Written Answers to Questions

Tuesday 11 November 2003

[Continued from column 214W**]**

EDUCATION AND SKILLS

Bullying

Linda Perham: To ask the Secretary of State for Education and Skills what plans he has to reduce bullying in schools. [136590]

Mr. Ivan Lewis: Bullying is a serious issue which can affect young people's educational achievement and emotional well-being. The range of measures we are implementing reflects our determination to help schools tackle the problem.

Tackling bullying is covered in the behaviour audit and training materials that we are making available to all secondary and middle schools through our Key Stage 3 strategy. These reinforce and extend the good practice guidance in our anti-bullying pack 'Bullying: Don't Suffer in Silence' and our anti-bullying website (www.dfes.gov.uk/bullying).

I recently launched a new public information film aimed at children and young people. The film is entitled "Tell Someone". It encourages pupils experiencing bullying to tell someone who can help rather than suffering in silence.

Later this month I will be launching an anti-bullying charter which I hope as many schools as possible will sign and use. The charter is being drawn up in consultation with the professional associations and voluntary sector partners. It will be accompanied by a summary of effective practice to help schools review and enhance their anti-bullying policies.

The charter will be launched at the first of a series of regional conferences. These conferences will involve schools, local education authorities and voluntary organisations. As well as raising awareness, they will celebrate and share good practice in tackling bullying.

Call Centres

Mr. Connarty: To ask the Secretary of State for Education and Skills whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132108]

Mr. Ivan Lewis: My Department has a small call centre operating from Runcorn. There are no plans to move it.

Education Expenditure

Mr. Willis: To ask the Secretary of State for Education and Skills what the expenditure was as a share of GDP on *(a)* early years and childcare, *(b)* schools, including sixth forms, *(c)* support for young people, *(d)* higher education and *(e)* further education, adult learning and skills and lifelong learning in each financial year from 1992–93 to the end of the public expenditure planning cycle. [136782]

Mr. Charles Clarke: The information requested is only readily available from 1993–94. The figures in the following table show Central Government and local authority expenditure for England only while the GDP figures used are for the UK. The figures exclude expenditure on Children's Social Services, the resources for which were recently transferred to DfES. For 2003–04 to 2005–06, the local authority expenditure element for each category has been estimated.

Percentage

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Early Years & Childcare	0.20	0.21	0.20	0.20	0.21	0.22	0.24
Schools, including 6th forms[1]	2.31	2.34	2.28	2.23	2.16	2.11	2.18
Support for Young People[2]	0.15	0.16	0.16	0.16	0.16	0.15	0.15
Further Education, adults etc.[3]	0.43	0.42	0.42	0.42	0.39	0.40	0.40
Higher Education	0.92	0.93	0.86	0.78	0.74	0.70	0.70

	2000–01	*2001–02*	*2002–03*	*2003–04*	*2004–05*	*2005–06*
Early Years & Childcare	0.25	0.29	0.30	0.29	0.34	0.36
Schools, including 6th forms [1]	2.25	2.45	2.54	2.75	2.77	2.84
Support for Young People [2]	0.16	0.08	0.10	0.12	0.13	0.14
Further Education, adults etc. [3]	0.43	0.58	0.63	0.66	0.67	0.67
Higher Education	0.63	0.62	0.63	0.67	0.66	0.68

[1] Responsibility for 6th form funding was transferred to the LSC from local authorities in 2002–03.

[2] Includes Work Based Training for Young People up to 2000–01. From 2001–02 the resources transferred to the LSC and are included in "Further Education".

[3] Includes college based learning for young people and, from 2001–02, Work Based Training for Young People.

Education Inspections (Government Intervention)

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if he will list *(a)* those council education departments and *(b)* those council children's services in which there has been Government or ministerial intervention that would not otherwise have taken place, as a result of a critical inspection report or other evidence of service failure, in each year since 1997. [137763]

Mr. Miliband: The list of councils with social services responsibilities where there has been statutory intervention as a consequence of poorly performing children's services is as follows:

London borough of Hackney in 1999 (under section 7 of the Local Authorities Act 1970)

London borough of Lambeth in 2000 (under section 7 of the Local Authorities Act 1970)

London borough of Hackney in 2000 (under section 7 of the Local Authorities Act 1970).

The list of councils with social services responsibilities placed on "special measures"[1] as a consequence of poorly performing children's services is as follows:

1997

Cambridgeshire[2]

London borough of Ealing[2]

Kingston upon Hull[2]

1998

Coventry[2]

London borough of Hackney[2]

Hillingdon[2]

Newcastle[2]

Peterborough[2]

Sheffield[2]

1999

London borough of Lambeth[2]

North East Lincolnshire[2]

Wirral[2]

2001

London borough of Haringey[2]

London borough of Merton[2]

Newham[2]

2002

Birmingham

London borough of Bromley

Swindon

Wakefield[2]

Walsall[2]

Coventry[2]

Bedfordshire

London borough of Waltham Forest

Royal borough of Windsor and Maidenhead[2]

2003

Cumbria

Plymouth

Oldham

[1] Councils are put on "special measures" to improve poorly performing services. When a council is on special measures the Department of Health receives quarterly reports of councils' progress against action plans. Special measures are designed so that councils have every opportunity, with the support of the Department's Social Services Inspectorate, to put their affairs in order. In May 2002 star ratings were introduced for social services. Since May 2002 councils awarded zero stars for their social services, the lowest marking, have been automatically placed on special measures; the list shows in 2002 and 2003 those "zero star" councils where children's services have been at issue.

[2] These 19 councils, out of the 27 placed on special measures since 1997, have improved (some with targeted external support since the advent of star ratings in May 2002) and are no longer on special measures.

Faith Schools

Mr. Damian Green: To ask the Secretary of State for Education and Skills what *(a)* the number and *(b)* the percentage of faith schools in each local education authority was on 1 January. [137174]

Mr. Miliband: The information is given in the table.

LEA	*LEA Name*	*Total number of schools*	*Schools with religious charater*	*Percentage*
201	City of London	1	1	100.00
202	Camden	56	23	41.07
203	Greenwich	83	21	25.30
204	Hackney	66	17	25.76
205	Hammersmith and Fulham	51	16	31.37
206	Islington	58	18	31.03
207	Kensington and Chelsea	32	17	53.13
208	Lambeth	74	27	36.49
209	Lewisham	90	24	26.67
210	Southwark	93	30	32.26
211	Tower Hamlets	93	22	23.66
212	Wandsworth	84	21	25.00
213	Westminster	50	31	62.00
301	Barking and Dagenham	59	8	13.56
302	Barnet	114	41	35.96
303	Bexley	87	17	19.54
304	Brent	78	24	30.77
305	Bromley	102	18	17.65
306	Croydon	122	26	21.31
307	Ealing	85	13	15.29
308	Enfield	88	21	23.86
309	Haringey	80	24	30.00
310	Harrow	70	11	15.71
311	Havering	87	14	16.09
312	Hillingdon	87	16	18.39
313	Hounslow	79	13	16.46
314	Kingston upon Thames	50	18	36.00
315	Merton	53	13	24.53
316	Newham	86	12	13.95
317	Redbridge	72	13	18.06
318	Richmond upon Thames	53	16	30.19
319	Sutton	60	12	20.00
320	Waltham Forest	88	11	12.50
330	Birmingham	434	98	22.58
331	Coventry	117	31	26.50
332	Dudley	110	19	17.27
333	Sandwell	116	20	17.24
334	Solihull	86	24	27.91
335	Walsall	121	25	20.66
336	Wolverhampton	106	29	27.36
340	Knowsley	80	35	43.75
341	Liverpool	218	88	40.37
342	St. Helens	73	35	47.95
343	Sefton	117	55	47.01
344	Wirral	134	36	26.87
350	Bolton	123	54	43.90
351	Bury	90	40	44.44
352	Manchester	179	73	40.78
353	Oldham	118	44	37.29
354	Rochdale	95	36	37.89
355	Salford	102	48	47.06
356	Stockport	118	31	26.27
357	Tameside	99	35	35.35
358	Trafford	97	27	27.84
359	Wigan	143	82	57.34
370	Barnsley	101	20	19.80
371	Doncaster	132	22	16.67

LEA	LEA Name	Total number of schools	Schools with religious charater	Percentage
372	Rotherham	133	21	15.79
373	Sheffield	188	26	13.83
380	Bradford	189	52	27.51
381	Calderdale	104	31	29.81
382	Kirklees	189	59	31.22
383	Leeds	298	76	25.50
384	Wakefield	157	33	21.02
390	Gateshead	92	22	23.91
391	Newcastle upon Tyne	93	25	26.88
392	North Tyneside	76	13	17.11
393	South Tyneside	74	19	25.68
394	Sunderland	116	22	18.97
420	Isles Of Scilly Bath and North East	1	1	100.00
800	Somerset	88	39	44.32
801	Bristol City of	143	29	20.28
802	North Somerset	78	31	39.74
803	South Gloucestershire	115	38	33.04
805	Hartlepool	38	12	31.58
806	Middlesbrough	63	13	20.63
807	Redcar and Cleveland	67	12	17.91
808	Stockton-on-Tees	82	26	31.71
810	Kingston upon Hull City of	95	13	13.68
811	East Riding of Yorkshire	156	49	31.41
812	North East Lincolnshire	75	11	14.67
813	North Lincolnshire	86	23	26.74
815	North Yorkshire	385	171	44.42
816	York	69	19	27.54
820	Bedfordshire	211	49	23.22
821	Luton	74	9	12.16
825	Buckinghamshire	233	71	30.47
826	Milton	109	13	11.93
830	Derbyshire	411	126	30.66
831	Derby	97	13	13.40
835	Dorset	185	99	53.51
836	Poole	42	7	16.67
837	Bournemouth	41	13	31.71
840	Durham	293	68	23.21
841	Darlington	43	11	25.58
845	East	192	79	41.15
846	Brighton	73	16	21.92
850	Hampshire	535	131	24.49
851	Portsmouth	68	8	11.76
852	Southampton	86	11	12.79
855	Leicestershire	283	106	37.46
856r	Leicester	111	11	9.91
857	Ruthland	20	12	60.00
860	Staffordshire	400	145	36.25
861	Stoke-on-Trent	103	30	29.13
865	Wiltshire	259	156	60.23
866	Swindon	82	12	14.63
867	Bracknell	39	10	25.64
868	Windsor and Maidenhead	59	29	49.15
869	West Berkshire	79	34	43.04
870	Reading	48	9	18.75
871	Slough	43	10	23.26
872	Workingham	64	18	28.13
873	Cambridgeshire	247	68	27.53
874	Peterborough	79	16	20.25
875	Cheshire	350	105	30.00
876	Halton	64	23	35.94
877	Warrington	85	35	41.18
878	Devon	375	125	33.33
879	Plymouth	101	16	15.84
880	Torbay	44	14	31.82
881	Essex	577	153	26.52
882	Southend	60	7	11.67
883	Thurrock	62	8	12.90
884	Herefordshire	102	44	43.14
885	Worcestershire	259	111	42.86
886	Kent	600	204	34.00
887	Medway	113	19	16.81
888	Lancashire	610	327	53.61
889	Blackburn with Darwen	74	38	51.35
890	Blackpool	41	14	34.15
891	Nottinghamshire	368	81	22.01
892	Nottingham	122	15	12.30
893	Shropshire	165	86	52.12
894	Telford and Wrekin	86	17	19.77
908	Cornwall	278	48	17.27
909	Cumbria	335	142	42.39
916	Gloucestershire	307	119	38.76
919	Hertfordshire	522	139	26.63
921	Isle of Wight	68	25	36.76
925	Lincolnshire	371	134	36.12
926	Norfolk	450	130	28.89
928	Northamptonshire	343	102	29.74
929	Northumberland	212	51	24.06
931	Oxfordshire	294	143	48.64
933	Somerset	272	131	48.16
935	Suffolk	342	109	31.87
936	Surrey	403	125	31.02
937	Warwickshire	245	98	40.00
938	West Sussex	308	103	33.44
970	England	22407	6933	30.94

Notes:

1. Includes primary, middle deemed primary, middle deemed secondary, secondary maintainedschools, CTCs, Academies but not maintained special schools.

2. Includes maintained primary, middle deemed primary, middle deemed secondary and secondary schools but not CTCs and Academies (which, being independent schools, cannot be designated as having a religious character until December 2003) or maintained special schools.

Gap Year

Mr. Flook: To ask the Secretary of State for Education and Skills what representations he has received from *(a)* schools, *(b)* parents and *(c)* pupils about the intentions of Year 12 or lower 6th students expecting to complete 'A' levels in summer 2005 and considering whether to take a gap year in 2005–06. [135447]

Mr. Ivan Lewis *[holding answer 5 November 2003]:* The Department for Education and Skills has not received any direct representations from schools, parents or pupils about young people's gap year intentions for 2005/06 although we are aware of some concerns from education and voluntary organisations about the possible impact of changes to tuition fees in 2006 on gap year take-up. We have no plans to introduce any special arrangements for those young people deferring entry to higher education in 2005 in order to take a gap year since students will have had three years' notice of the funding changes. We will abolish upfront payment of fees and introduce loans for fees which students repay after graduation only when they are earning a reasonable salary. We will introduce a £1,000 Higher Education Grant from 2004, to be paid to the poorest 30 per cent. of students. We will also continue to pay the standard fee (currently £1,125) for students from poorer backgrounds.

GCSEs

Mr. Flook: To ask the Secretary of State for Education and Skills (1) what proportion of 15 and 16-year-olds in *(a)* Somerset and *(b)* England were entered for GCSE examinations in each year since 1997; [137241]

(2) what proportion of 15 and 16-year-olds in *(a)* Somerset and *(b)* England achieved (i) five or more A* to C GCSE grades and (ii) five or more GCSE passes in each year since 1997. [137242]

Mr. Miliband: The statistical information requested is detailed in the following table:

Academic year	Percentage of 15[1]-year-old pupils who entered for one or more GCSE/GNVQ	Percentage of 15[1]-year-olds achieving five or more grades A*-C GCSE/GNVQ	Percentage of 15[1]-year-olds achieving five or more grades A*-G GCSE/GNVQ
Somerset figures			
1997	96.5	48.9	92.5
1998	97.5	51.2	92.3
1999	97.5	52.7	93.7
2000	97.6	55.3	93.4
2001	97.6	54.7	93.0
2002	98.0	54.8	92.7
2003 (provisional)	96.9	54.8	90.2
England figures			
1997	94.0	45.1	86.4
1998	94.8	46.3	87.5
1999	95.0	47.9	88.5
2000	95.5	49.2	88.9
2001	95.7	50.0	88.9
2002	95.9	51.6	88.9
2003 (provisional)	96.0	52.6	88.6

[1] Pupils are aged 15 at the start of the academic year ie 31 August.

Gifted Pupils

David Davis: To ask the Secretary of State for Education and Skills what criteria are used to allocate funding for gifted pupils. [136710]

Mr. Miliband: Funding for gifted and talented education is used to support area-based programmes in disadvantaged areas, regional support through the London Challenge and a range of national resources that are universally available, notably the National Academy for Gifted and Talented Youth.

The area-based programmes— provided through Excellence in Cities, Excellence Clusters and Aim Higher—benefit urban LEAs and smaller pockets of disadvantage, some in suburban and rural areas. Each school uses this funding to support their most able 5–10 per cent. of pupils, so the measure of ability is relative to the school.

In addition to benefiting from national resources, LEAs and schools outside these areas are encouraged to use generic funding to support gifted and talented education.

Industrial Action

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many hours have been lost to industrial action in *(a)* schools and *(b)* local education authority offices in each year since 1990. [137202]

Mr. Miliband: The Department does not hold information about hours lost to industrial action in schools or local education authority offices.

LEA Partnerships

Dr. Kumar: To ask the Secretary of State for Education and Skills how many local education authorities have sought authority to create partnerships with private companies to deliver additional resources for schools and colleges in their areas; which companies are involved in each area; and how much has been contributed to each educational institution. [137537]

Mr. Miliband: Local education authorities are free to contract out a wide range of their statutory functions to private companies. They are not required to seek authority to do so, and the Department has not conducted a comprehensive survey of such partnerships. The information requested is therefore not available.

Learndirect

Judy Mallaber: To ask the Secretary of State for Education and Skills if he will list the UK online centres in Amber Valley; and which centres provide access to LearnDirect courses. [136776]

Mr. Charles Clarke: UK online centres provide people with access to Information and Communication Technology (ICT). There are six UK online centres in Amber valley. These are as follows:

Read On Write Away (a mobile bus taking ICT facilities to rural, socio-economically deprived areas of Derbyshire)

The Bridge Centre, Langley Mill

Ironville Training Centre, Ironville

Alfreton Hall Adult Education Centre

Groundworks toolbox (formerly the Amber Valley Environ Centre)

Belper Adult Community Education Centre

Alfreton Hall Adult Education Centre is a learndirect centre in addition to being a UK online centre. Of the centres that do not offer learndirect courses themselves, the Bridge Centre, Ironville Training Centre, and Belper Adult Community Education Centre refer their learners on to a local learndirect centre. Read On Write Away is currently developing a referral system with the UK online Regional Manager at Ufi.

Local Education Authorities

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many registered teachers worked for local education authorities in a non teaching capacity in each year since 1997. [137206]

Mr. Miliband: This information is not held centrally.

Public Service Agreements

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many civil servants his Department employed to meet each of his Department's public service agreements in each year since 2001. [137169]

Mr. Charles Clarke: The number of civil servants employed by my Department in 2003 to meet its public service agreements is 5,020 (including 640 staff who work in the Government Office network). The number in 2002 was 4,820 (including 650 Government Office staff).

The numbers are not broken down by public service agreements (PSAs) as one aspect of the Department's work often contributes to the achievement of several PSAs. However, the numbers of civil servants in each of the Department's policy directorates over this period

are given in the following table. Many of the remaining staff, although not located within a policy directorate, provide direct support.

Policy directorate	*2002*	*2003*
Schools	1,385	1,602
Lifelong Learning	681	661
Youth	336	376

The numbers in Schools Directorate include staff who work on Sure Start and Children and Young People's issues.

Qualifications

Mr. Boswell: To ask the Secretary of State for Education and Skills what research he has collated into the relative cost-effectiveness of public expenditure on *(a)* improving basic skills, *(b)* achieving level 2 qualifications, *(c)* achieving level 3 qualifications and *(d)* achieving level 4 qualifications. [136455]

Mr. Ivan Lewis: The document "Education and Skills: The Economic Benefit" published by DfES in May 2003 presents both Government and wider research undertaken into the economic benefits of public expenditure on education. It highlights the social and economic value of education and skills, from a basic skills level to first degree, in terms of earnings, employment and social benefits.

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for Education and Skills what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136124]

Mr. Charles Clarke: The Department does not have powers of the type referred to by my hon. Friend and consequently there will not be any powers superseded by the use of the Regulation of Investigatory Powers Act.

The Department may have powers that are similar in effect (such as section 497B of the Education Act 1996—a right in specified circumstances to inspect and take copies of documents held by a local authority), however, collating a full response on such powers will not be possible on grounds of disproportionate cost.

School Budgets

Mr. Damian Green: To ask the Secretary of State for Education and Skills what estimate he has made of the cost of using *(a)* KPMG and *(b)* the National College for School Leadership to develop guidance and support to help schools' budget management. [137573]

Mr. Charles Clarke: £1.5 million is being made available for this programme in the remaining months of the current financial year. This covers the joint development and delivery by KPMG and NCSL of a range of support for schools, including online materials, workshops and consultancy services. No decisions have yet been made about the level of funding in 2004–05.

School Meals

Dr. Tonge: To ask the Secretary of State for Education and Skills what advice he gives to education authorities concerning the content and quality of school meals. [136207]

Mr. Stephen Twigg: In April 2001, the Government introduced regulations which set minimum nutritional standards for school lunches. They were accompanied by guidance entitled "Healthy School Lunches", which is available for school caterers, heads and others implementing the standards. The guidance on the standards is available on the DfES website: www.dfes.gov.uk/schoollunches

Schools (Behaviour)

Mr. Damian Green: To ask the Secretary of State for Education and Skills what has been spent since 1997 on projects to improve behaviour in schools. [133696]

Mr. Ivan Lewis: Funding for behaviour improvement in schools comes from a wide variety of sources and is aggregated to varying degrees with funding for other activities. It is therefore impossible to give a discrete total. The School Inclusion: Pupil Support grant provided about £560 million in Government grant and LEA contributions between 1999 and 2003. But this gave schools funding to tackle pupil disaffection more widely and was not just for behaviour improvement initiatives.

In 2003–04 the Government will be allocating over £90 million to schools as part of its national behaviour and attendance strategy. This builds on the £50 million provided to targeted schools and LEAs through the Behaviour Improvement Programme in 2002–03.

Small Businesses

Linda Perham: To ask the Secretary of State for Education and Skills what plans he has to recognise and accredit within the reformed qualifications framework the informal learning and development achievements of employees of small businesses. [136612]

Mr. Ivan Lewis: There are nearly 4,000 qualifications currently accredited by the Qualifications and Curriculum Authority (QCA) in to the National Qualifications Framework (NQF). Awarding bodies are currently able to accept evidence from diverse sources of learning and achievement in assessing individual candidates, irrespective of the size of organisation within which they might work. For learning that does not lead to qualifications, and following the commitment given in "21st Century Skills Realising Our Potential" to develop a credit framework for adults, we have written to both the QCA and the Learning and Skills Council (LSC) on 9 September 2003. The LSC has been asked to review the credit systems currently operating outside the NQF and to identify how the application of credit to this provision might bring incremental award for learning achievement, drive quality and flexibility in further education and how such credit might be developed to provide progression into the NQF and higher education.

Linda Perham: To ask the Secretary of State for Education and Skills what steps he is taking to respond to the needs of small businesses in his reform of the qualifications framework. [136613]

Mr. Ivan Lewis: The National Qualifications Framework is currently capable of responding to a variety of needs of employers and it already contains qualifications that are directly relevant to the needs of small businesses. I have, however, asked the Qualifications and Curriculum Authority (QCA) to lead on joint work with the Learning and Skills Council and the Sector Skills Development Agency to develop a system of vocational qualifications which has the flexibility to meet individual and employer needs. The QCA will also continue with their work to develop a fully unitised qualifications system. This will provide a flexible framework of qualifications that will enable employers of all sizes to identify packages of learning appropriate to their needs. Units will be capable of certification and individuals will be able to build their achievements over time.

Standard Assessment Tasks

Mr. Flook: To ask the Secretary of State for Education and Skills how many 14-year-olds in Somerset were eligible to sit Key Stage 3 tests in 2002–03. [137232]

Mr. Miliband: The total numbers of Key Stage 3 eligible pupils in 2002 and 2003 in Somerset were:

	Number of eligible pupils
2003 (provisional)	5,919
2002	5,931

Mr. Flook: To ask the Secretary of State for Education and Skills what proportion of children in *(a)* Somerset and *(b)* England gained Level 5 or above in their Key Stage Three tests in (i) English and (ii) mathematics in each year since 1996–97. [137233]

Mr. Miliband: The percentage of pupils achieving Level 5 or above at Key Stage 3 in *(a)* Somerset LEA and *(b)* England in (i) English and (ii) mathematics from 1997 onwards are:

Percentage

	(a) Somerset LEA		*(b) England*	
Year	*(i) English*	*(ii) Maths*	*(i) English*	*(ii) Maths*
2003[1]	70	74	68	70
2002	70	71	67	67
2001	67	71	65	66
2000	65	69	64	65
1999	70	67	64	62
1998	68	64	65	59
1997	62	66	57	60

[1] Provisional

St Helena

Mr. Steen: To ask the Secretary of State for Education and Skills if he will change the present categorising of St. Helenan students as overseas students and treat them in the same way as EU students. [137229]

Alan Johnson: We have no plans to change the present categorising of St. Helenan students as overseas students.

Student Finance

Mr. Dhanda: To ask the Secretary of State for Education and Skills what action he is taking to support undergraduate students who incur greater debts than other students as a result of their courses being longer than three years. [137099]

Alan Johnson: The Government provide support to meet the essential living costs of students. If courses take four or five years, student loans are available on the same favourable income contingent repayment terms as for the first three years. Graduates only repay their loans when they can afford to do so.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what percentage of student loans have been defaulted in each of the last five years. [137168]

Alan Johnson: The table shows borrowers with loan accounts in arrears as a percentage of all borrowers with mortgage style loans in repayment status at the end of financial years 1999–2000 to 2001–02. Data for earlier years are not available.

Financial year	*In arrears (percentage)*
1999–2000	10
2000–01	10
2001–02	9

Notes:

1. The table is based on a snapshot of data at 31 March of each financial year. Accounts may move in or out of arrears status during the year, and may leave repayment status during the year, such as when the loan is paid in full.

2. The table covers borrowers with mortgage style loans only; income contingent loans have been excluded. Includes both publicly and privately owned debt.

3. Excludes borrowers in deferment with arrears.

Source:

Student Loans Company

From September 1998, most new entrants to higher education have income contingent loans. Apart from a few exceptions, repayments are collected through the tax system, mostly by employers through PAYE, and therefore the concept of default does not apply.

Teachers (Violent Attacks)

Mr. Jenkins: To ask the Secretary of State for Education and Skills (1) what guidance he has issued to local education authorities on their responsibility to pursue action against an individual who carries out a violent attack on a member of their staff; [136416]

(2) how many UK teachers have reported a violent attack upon their person by pupils in each of the last 10 years; [136429]

(3) what action the Government are taking to reduce the level of violent attacks upon teachers. [136430]

Mr. Ivan Lewis: I deplore any attacks on teachers or other local education authority staff. They have a right to work in conditions free from intimidation and violence.

The number of serious injuries to school teachers in Great Britain caused by physical violence reported to the Health and Safety Executive is as follows:

1996/97—83

1997/98—119

1998/99—124

1999/2000—135

2000/01—135

2001/02—110.

These figures cover injuries resulting in more than three days' absence from work. They are not available for earlier years.

Last year we published "A legal toolkit for schools", which provides advice to schools and local education authorities on legal remedies that are available when school staff experience problems with violent parents. Some of these remedies are also available when dealing with violent pupils. Earlier this year we published "Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units", which makes clear that head teachers can permanently exclude pupils responsible for violence. In addition, the Anti-Social Behaviour Bill will enable LEAs to apply for court-imposed Parenting Orders for parents whose children have been excluded from school for serious misbehaviour. Breach of the Order will be an offence punishable by a fine of up to £1,000.

Teaching Unions (Bilateral Meetings)

Mr. Damian Green: To ask the Secretary of State for Education and Skills when he last held a bilateral meeting with the *(a)* National Association of Schoolmasters/ Union of Women Teachers, *(b)* Secondary Heads Association, *(c)* National Union of Teachers, *(d)* National Association of Head Teachers, *(e)* Professional Association of Teachers and *(f)* Association of Teachers and Lecturers. [137173]

Mr. Miliband: My right hon. Friend holds a variety of meetings with the teacher associations.

Truancy

Mr. Rosindell: To ask the Secretary of State for Education and Skills what the level of secondary school truancy was in *(a)* the constituency of Romford and *(b)* each other London borough in 2002/03. [136472]

Mr. Ivan Lewis: The percentage of half days missed due to unauthorised absence in secondary schools in Romford was 0.9 per cent. in 2002/03. This shows no change from the 2001/02 level.

Truancy in London secondary schools fell to 1.3 per cent. in 2002/03 from 1.5 per cent. in 2001/02. This is equivalent to a reduction of some 700 truants. Information for all London boroughs, including the levels of truancy in 2001/02, is shown in the table.

Percentage of half days missed due to unauthorised absence in maintained secondary schools in London, 2001/02 and 2002/03

	2002/03	*2001/02*
Barking and Dagenham	1.9	2.0
Barnet	1.0	0.9
Bexley	0.7	1.2
Brent	0.8	0.7
Bromley	1.1	1.1
Camden	1.6	1.4
Croydon	1.1	0.7
Ealing	0.9	1.0
Enfield	1.9	1.9
Greenwich	2.4	2.5
Hackney	2.1	2.6
Hammersmith and Fulham	1.8	1.8
Haringey	2.2	2.4
Harrow	0.5	0.7
Havering	0.6	0.6
Hillingdon	1.6	1.5
Hounslow	1.0	1.1
Islington	1.5	1.7
Kensington and Chelsea	1.7	1.9
Kingston-upon-Thames	0.5	0.6
Lambeth	0.6	1.0
Lewisham	2.2	2.7
Merton	1.3	1.2
Newham	1.6	2.1
Redbridge	0.7	0.7
Richmond-upon-Thames	2.1	2.5
Southwark	1.8	1.7
Sutton	0.7	0.9
Tower Hamlets	2.0	2.4
Waltham Forest	1.4	1.7
Wandsworth	1.6	1.3
Westminster, City of	1.6	1.8
London	1.3	1.5

Tuition Fees

Mr. Damian Green: To ask the Secretary of State for Education and Skills what his estimate is of the cost of plans for remission of tuition and top-up fees for universities in financial years *(a)* 2003–04, *(b)* 2004–05 and *(c)* 2005–06. [137165]

Alan Johnson: The cost to the Government of the public contribution to existing tuition fee remission arrangements for home and EU undergraduate students at institutions in England is estimated at:

Financial year	*£ million*
2003–04	456
2004–05	467
2005–06	479

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) in what circumstances the ability of universities to charge top-up fees will be withdrawn; and by what process; [137240]

(2) how he proposes to address the funding consequences of universities which have their ability to charge top-up fees withdrawn. [137556]

Alan Johnson: We expect most access agreements to work satisfactorily. Where OFFA has concerns about an agreement, it will raise these formally with the institution. If these concerns are not addressed, OFFA will ask the institution what further actions it proposes.

If OFFA remains unsatisfied, the sanctions available will include withholding approval for an institution to charge variable fees, when the access agreement comes up for renewal or, where urgent action is needed, informing the institution that it intends to impose a financial penalty. The institution will bear the financial consequences of any breaches.

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) what assessment his Department has made of the impact of the introduction of his proposed variable tuition fees regime on each university in England and Wales in respect of *(a)* social access, *(b)* the mix of courses offered, *(c)* employment patterns and *(d)* the balance of teaching and research undertaken; [137296]

(2) what assessment he has made of the potential impact of variable tuition fees on *(a)* science courses and *(b)* arts courses. [137300]

Alan Johnson: It will be for higher education institutions themselves to decide what level of fees they set for each of their courses from 2006/07 onwards, subject to a maximum fee of £3,000. I would expect them to consider a range of factors in doing so, including the likely impact of their decisions. The Office for Fair Access must approve an access agreement, including arrangements for bursaries and outreach, before an institution can charge higher fees. It will also monitor the agreements and, if necessary, take proportionate sanctions in the unlikely event of a serious breach. Since decisions on fee levels have yet to be taken, it is not feasible to assess their impact, either on individual universities or subjects. However, the additional income from variable fees will boost universities' power to develop high-quality, greater and more flexible provision and to widen access to higher education.

Mr. Nicholas Brown: To ask the Secretary of State for Education and Skills what estimate he has made of the number of university courses that are likely to charge the maximum fee after 2006/07. [137651]

Alan Johnson: It will be for higher education institutions themselves to decide what level of fees they set for each of their courses from 2006/07 onwards, subject to a maximum fee of £3,000 and approval of their access agreements by the Office of Fair Access.

University Funding

Paul Farrelly: To ask the Secretary of State for Education and Skills what estimate the Government have made of the impact each £100 million raised for universities would have if raised by additions to *(a)* basic rate income tax, *(b)* basic rate national insurance payable by individuals and businesses, *(c)* income tax paid by higher rate taxpayers only and *(d)* national insurance paid by individuals and businesses in respect of higher rate taxpayers only. [137297]

Dawn Primarolo: I have been asked to reply.

I refer my hon. Friend to table T1.6 "Direct effects of illustrative tax changes" on the Inland Revenue website. http://www.inlandrevenue.gov.uk/stats/tax_expenditures/g_t06_1.htm

National insurance contributions are levied on a different basis from that for income tax. They are based on earnings, rather than taxable income, and the relevant earnings limits are different to those for income tax. Table T1.6 illustrates the effects of varying certain rates of national insurance contributions.

Working Tax Credit

Judy Mallaber: To ask the Secretary of State for Education and Skills what estimate he has made of the cost of the child care element of the working tax credit in *(a)* Derbyshire and *(b)* Amber Valley. [136778]

Dawn Primarolo: I have been asked to reply.

The number of families in each region, local authority and constituency receiving help with child care costs through tax credits at November 2002, and the average weekly amount of help, are shown in "Working Families' and Disabled Person's Tax Credit Statistics. Geographical Analysis".

The equivalent figures for each region at October 2003 are shown in "Child and Working Tax Credit Quarterly Statistics".

These publications can be found on the Inland Revenue web site, under www.inlandrevenue.gov.uk/stats/personal-tax-credits/menu.htm.

The number of families in east Midlands receiving such help grew by nearly 60 per cent. between these two dates.

However, the figures for October 2003 are based on a sample of cases. The sample is too small to yield reliable estimates of the number of families in each local authority and constituency receiving help with child care costs at that date. Such figures based on an analysis of all working tax credit awards will be published next year.

HOME DEPARTMENT

Anti-social Behaviour

Mr. Tynan: To ask the Secretary of State for the Home Department what comparative studies his Department has *(a)* undertaken and *(b)* commissioned on an international scale in connection with anti-social behaviour with particular reference to (i) its causation, (ii) its rate of occurrence, (iii) its prevention and (iv) the rehabilitation of perpetrators. [136694]

Ms Blears: The Home Department has not undertaken or commissioned specific comparative research on the causes of anti-social behaviour, its prevention, rate of occurrence, or rehabilitation of perpetrators. However, it takes part in the International Crime Victims Survey (ICVS), which provides two relevant indicators: car vandalism, and feelings of unsafety on the streets. The ICVS is a fully standardised survey that has been conducted most recently in 2000. It provided comparable data for 17 industrialised countries. Results are in "Criminal Victimisation in Seventeen Countries", by Kesteren J V, Mayhew P and Nieuwbeerta P, The Hague: Ministry of Justice (2000). A copy is in the Library.

The 2000 ICVS showed that 11 per cent. of vehicle owners in England and Wales were victims of car vandalism, compared to an average rate of victimisation of 7.8 per cent. for all 17 countries participating in the survey. England and Wales had the third highest rate of victimisation of car vandalism of the 17 countries. On feelings of safety after dark, the 2000 ICVS showed that 27 per cent. of those in England and Wales felt 'a bit or very unsafe', compared to the average of 23 per cent.

A module is to be included in the Home Office Crime and Justice Survey in 2004 on gang membership. The data collected will be comparable with results from surveys in other European countries, although these are independently conducted.

Association of Chief Constables

Mr. Jenkins: To ask the Secretary of State for the Home Department when he last met the Association of Chief Constables to discuss crime reduction strategies. [136424]

Ms Blears: My right hon. Friend the Home Secretary and I have frequent bilaterals with the President of the Association of Chief Police Officers and the discussions cover a very wide range of policing and crime reduction issues.

Botulinium Toxin

Mr. Etherington: To ask the Secretary of State for the Home Department how many laboratory animals were used in potency testing of batches of botulinium toxin for human use in each year since 2000, indicating the end points used in the tests conducted; and if he will make a statement on the steps the Government are taking *(a)* to reduce the number of animals used in each batch test and *(b)* to ensure the most humane end points are used. [136515]

Caroline Flint: Information on the number of animals used for potency testing of botulinium toxin for human use is not recorded separately in the Statistics of Scientific Procedures on Living Animals which is published annually by the Home Office (copies of the latest publication, for the year 2002, are in the House Library—Command 5886). Figures for pharmaceutical safety/efficacy testing are included in Table 10 of the Statistics, which also includes data from testing other pharmaceutical and safety products. It is not possible from the format of the data to identify the number of animals used in testing a particular substance or product.

Procedures are ended in each case as soon as the scientific objective is achieved, which is usually when the onset of relevant clinical signs are observed. Animals are humanely killed to avoid any undue suffering.

Under the Animals (Scientific Procedures) Act 1986 the Home Office can only license the use of animals when the scientific purpose cannot be achieved satisfactorily by any other reasonably practicable method not involving the use of animals. The Home Office has to be satisfied that the proposed procedure uses the minimum numbers of animals, of the lowest degree of neurophysiological sensitivity, and causes the least amount of pain, suffering, distress, or lasting harm and is the most likely to produce satisfactory results. This reflects the principles of the 3Rs—the refinement of scientific procedures, reduction in the number of animals used and their replacement wherever possible.

Special conditions are tailored to each project licence in order to control or minimise pain or suffering. Animals in scientific procedures are carefully monitored by licensees, named animal care and welfare officers and animal care staff to ensure that agreed humane endpoints are implemented. In addition a named veterinary surgeon must always be available for advice.

Schedule 1 of the Guidance on the Operation of the Animals (Scientific Procedures) Act 1986 sets out the appropriate methods of humane killing of animals used in scientific procedures.

The potency testing of botulinium toxin licensed under the 1986 Act is solely for pharmaceutical purposes, in relation to use of the substance as a prescription only medicine.

Dr. Iddon: To ask the Secretary of State for the Home Department what steps the Government is taking to encourage the *(a)* development, *(b)* validation and *(c)* use of replacement alternatives for the in vivo potency testing in the United Kingdom of batches of botulinium toxin for use for (i) clinical and (ii) cosmetic purposes. [135480]

Caroline Flint: The animal testing of botulinium toxin, licensed under the Animals (Scientific Procedures) Act 1986, is required and conducted solely in relation to its use for clinical purposes as a prescription only medicine. The Home Office does not license animal testing of this substance for use in cosmetic treatments.

Under the 1986 Act the Home Office can only license the use of animals for scientific purposes where there is no non-animal alternative, and then only when both the number of animals and their suffering is minimised. This reflects the principles of the 3Rs—the refinement of scientific procedures, reduction in the number of animals used and their replacement wherever possible.

No alternative to using animals has regrettably yet been developed to test the safety and efficacy of botulinium toxin for therapeutic medical purposes. Refinement of the test has, however, been the subject of useful research undertaken some years ago under a Home Office grant administered by the Animal Procedures Committee (as recorded in that Committee's published report for 1992—Command 2301).

The Government fully supports and encourages the general development and promotion of the 3Rs in a number of ways. It is involved in the validation of alternatives at the ED level, and seeks to take forward related matters through the Inter-Departmental Group on the 3Rs. It is estimated that the total spent by the UK Government and its funding agencies, on research into and development of alternatives, is between £2 and £10 million each year.

However, most work on the search for and development of alternatives to using animals in scientific procedures is neither done by Government nor with Government money—it is conducted and funded by the research community itself, which spends many millions of pounds on it each year. We must continue to

look mainly to the scientist community itself to come up with viable alternatives in specific areas such as the type of regulatory toxin testing subject of this Question.

Dr. Iddon: To ask the Secretary of State for the Home Department what regulatory requirements govern the use of botulinium toxin for cosmetic purposes; and if he will make a statement. [135481]

Caroline Flint: Under the Animals (Scientific Procedures) Act 1986 the Home Office regulates the testing on live animals of botulinium toxin for clinical purposes as a prescription-only medicine. The Home Office does not license the use of animals for the testing of cosmetic treatments or products.

The use of botulinium toxin for cosmetic treatments, for which it is not licensed or tested, is not a matter over which the Home Office has any control. Regulation of the different uses made of botulinium toxin is a matter for the Medicines and Healthcare products Regulatory Agency (MHRA), which is an Executive Agency of the Department of Health, to whom further inquiries on this aspect should be addressed.

Burial Grounds

Dr. Evan Harris: To ask the Secretary of State for the Home Department what research into the potential need for the re-use of burial grounds has been commissioned by the Government since 1997; what the cost of that research has been; and where and when it has been published. [131162]

Paul Goggins: We have not commissioned specific research into the need to re-use old graves. In accordance with the commitment in our response to the recommendations of the Environment Select Committee's eighth report on cemeteries, we will shortly be publishing a consultation document on the reform of burial legislation generally, including the case for the re-use of old graves.

Cannabis

Mr. Wray: To ask the Secretary of State for the Home Department if he will make a statement on the research into how the users of higher class drugs start drug taking; and what the role *(a)* other drugs and *(b)* cannabis have had as gateways. [136267]

Caroline Flint: There is no available research evidence that examines specifically how Class A drugs users start using drugs and distinguishes this group from other drug users.

There have been no recent UK studies that have looked specifically at cannabis as a gateway drug. However, some analysis has been undertaken which examines wider progression from one group of drugs to another. This analysis used the 1998–99 Youth Lifestyles Survey, which questioned 3,700 young people aged between 12–30 years.

The analysis examined progression from a group of drugs including cannabis, LSD, amphetamines, amyl nitrate and magic mushrooms to a group of highly dangerous drugs, including heroin, crack and methadone. When social and psychological factors, such as disturbed family background and disadvantaged location were taken into account, little evidence was found for a gateway effect caused by use of the first group of drugs.

This analysis can be found in Home Office Research Study 253 entitled: 'The Road to Ruin? Sequences of Initiation into Drug Use and Offending by Young People in Britain'. Copies of this report can be found in the Library.

Mr. Wray: To ask the Secretary of State for the Home Department what percentage cannabis users represented of total drug users in the UK in each year since 1997. [136268]

Caroline Flint: The table shows the percentage of total drug users in the last year that have used cannabis. This table also shows the percentage of total drug users in the last year that have used cannabis only. These figures are taken from the British Crime Survey, undertaken in 1998, 2000 and 2001–02.

Cannabis use by drug users in the last year

	Percentage	
	Any cannabis use	*Cannabis use only*
1998	87	53
2000	89	55
2001–02	89	59

Cantle Report/Denham Report

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) which recommendations of the *(a)* Cantle report and *(b)* Denham report on public order and community cohesion have been implemented; and what assessment he has made of the effect on communities of implementing those recommendations; [136240]

(2) how the implementation of the recommendations of the *(a)* Denham Report and *(b)* Cantle report is being monitored. [136241]

Fiona Mactaggart: Cantle report recommendations have been implemented in relation to citizenship, the formation of a community cohesion task force and inter-agency support groups, guidance for local authorities, positive activities for young people and cultural sensitivity in schools. Among the report's recommendations for action at local level, progress continues to be made on mainstreaming community cohesion into local delivery frameworks, as well as on youth parliaments, cross-cultural youth services, school twinning and regeneration.

Denham report proposals have been implemented in relation to the establishment of an independent panel, conflict resolution and community facilitation, the measurement of community cohesion, housing choices, youth work, positive activities for young people, and hate crime. Progress is being made to mainstream community cohesion into Government policies relating to education and employment, neighbourhood renewal and regeneration, policing, Local Strategic Partnerships, community strategies and local political leadership.

Recommendations in the Cantle report which have not been taken forward by the Government include the setting of admission targets for mono-cultural schools.

The effect on communities of initiatives to improve community cohesion are being measured via the Home Office citizenship survey. No data are yet available from this. In July 2003, the Home Office issued detailed guidance to local authorities and their partners on how to measure community cohesion. The Home Office Community Cohesion Unit, supported by the independent Community Cohesion Panel, monitors the implementation of the Cantle and Denham recommendations through its work with other Departments, Government Offices and local authorities.

Community Cohesion Programme

Mr. Battle: To ask the Secretary of State for the Home Department how much has been spent in Leeds west under the community cohesion programme. [132735]

Fiona Mactaggart: Community cohesion lies at the heart of what makes a safe and strong community and is a key outcome for both local and central government. Developing more cohesive communities depends on mainstreaming community cohesion in all policies and programmes.

There is no separate community cohesion funding programme. Many different Government programmes contribute to community cohesion. Information is not readily available on spend by specific constituencies.

An example of a cross-cutting programme in Yorkshire and the Humber that has benefited Leeds was its allocation of £85,000 in 2001–02 and £75,000 in 2002–03 for community facilitation and mediation services. This programme was funded by the Neighbourhood Renewal Unit.

Crime Reduction Targets

Mr. Hancock: To ask the Secretary of State for the Home Department if he will make a statement on the progress towards targets on reducing *(a)* vehicle crime, *(b)* domestic burglary and *(c)* robbery. [136703]

Ms Blears: Our targets are to reduce:

vehicle crime by 30 per cent. between 1999 and 2004;

domestic burglary by 25 per cent. between 1999 and 2005; and

robbery in the ten Street Crime Initiative areas by 14 per cent. from 1999 to2000–05 and maintain those levels.

Progress on burglary and vehicle crime is measured using the British Crime Survey (BCS); but recorded crime is used for robbery.

(a) BCS 2000 showed that there were 2,942,000 vehicle crimes in 1999. Figures published on 16 October report that BCS interviews in the 12 months to June 2003 indicated that there were 2,319,000 vehicles thefts a reduction of 21 per cent. This is on track to meet the vehicle crime target.

(b) There were 1,261,000 domestic burglaries in 1999. Figures published on 16 October report that BCS interviews in the 12 months to June 2003 indicated that there were 936,000 domestic burglaries—a reduction of just over 25 per cent.

(c) Since the robbery target was set, there were sharp rises in recorded robbery in 2000–01 and 2001–02. In response to these, the Government launched the Street Crime Initiative in March 2002. There was a 17 per cent. reduction in recorded robbery in the ten street crime areas in 2002–03, compared with 2001–02.

Cyclists

Mr. Hammond: To ask the Secretary of State for the Home Department what steps he is taking to ensure enforcement of road traffic regulations against cyclists. [136389]

Caroline Flint: Individual chief officers of police are best placed to assess the nature and cause of specific local problems, to determine how most effectively to address them and to decide the best allocation of resources.

In response to public concern, we made cycling on the pavement a fixed penalty offence from 1 August 1999. This gave the police a direct and simple way of dealing with cyclists who ride without proper consideration for others. We have now extended the power to issue fixed penalty notices for this offence to police community support officers.

Drugs

Mr. Steinberg: To ask the Secretary of State for the Home Department what the average sentence served for drug-related offences is of existing *(a)* female and *(b)* male prisoners. [135655]

Paul Goggins: The average time served for persons discharged from prison in 2002 on completion of determinate sentences for drugs offences was:

(a) 16.8 months for females

(b) 18.6 months for males.

The average time served includes any time spent remanded in custody.

Ethnic Minority Staff

Mr. Oaten: To ask the Secretary of State for the Home Department what percentage of Home Office employees are from an ethnic minority. [135898]

Fiona Mactaggart: Of employees who have filled in a voluntary ethnic monitoring form, the following percentages are of an ethnic minority or mixed race:

Central Home Office—24.7 per cent.

Her Majesty's Prison Service—6.5 per cent.

Forensic Science Service—12.4 per cent.

UK Passport Agency—15.0 per cent.

EU Committees

Angus Robertson: To ask the Secretary of State for the Home Department (1) if he will list the dates of meetings of the EU Committee for the implementation of the programme of exchanges, training and co-operation between law enforcement authorities (OISIN) during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present at each meeting; what preparatory meetings were held for each meeting; which officials were present; when the Committee is next due to meet; and if he will make a statement; [132530]

(2) if he will list the dates of meetings of the EU Committee for the implementation of the joint action establishing a programme of exchanges, training and co-operation for persons responsible for action to combat organised crime during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present at each meeting; what preparatory meetings were held for each meeting; which officials were present; when the Committee is next due to meet; and if he will make a statement; [132531]

(3) if he will list the dates of meetings of the EU Committee for the implementation of the incentive, exchange, training and co-operation programme for combating trade in human beings and the sexual exploitation of children (STOP) during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present at each meeting; what preparatory meetings were held for each meeting; which officials were present; when the Committee is next due to meet; and if he will make a statement; [132532]

(4) if he will list the dates of meetings of the EU Committee for the implementation of the programme of incentives and exchanges for legal practitioners (Grotius general and criminal) during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present at each meeting; what preparatory meetings were held for each meeting; which officials were present; when the Committee is next due to meet; and if he will make a statement; [132533]

(5) if he will list the dates of meetings of the EU Committee for the implementation of the incentive, exchange, training and co-operation programme for the prevention of crime (Hippocrates) during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present at each meeting; what preparatory meetings were held for each meeting; which officials were present; when the Committee is next due to meet; and if he will make a statement; [132534]

(6) if he will list the dates of meetings of the EU Committee for the implementation of the programme of training, exchanges and co-operation in the field of asylum and immigration and the crossing of external borders (Odysseus) during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present at each meeting; what preparatory meetings were held for each meeting; which officials were present; when the Committee is next due to meet; and if he will make a statement; [132535]

(7) if he will list the dates of meetings of the EU Committee for the implementation of the community action programme on preventative measures to fight violence against children, young persons and women (Daphne) during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present at each meeting; what preparatory meetings were held for each meeting; which officials were present; when the Committee is next due to meet; and if he will make a statement. [132536]

Caroline Flint: The STOP II, Oisin II, Falcone, Hippocrates and Grotius (general and criminal) funding programmes expired in 2002. Their Management Committees last met on 23 and 24 July 2002 to agree the successful projects for funding for that year. They have since been replaced by a single funding programme known as AGIS.

The AGIS Management Committee met during the Danish and Greek Presidencies on 16 October 2002 to plan the logistics of the new programme; on 21 November 2002 to discuss the draft annual work programme and call for bids for 2003; and on 28 May 2003 to discuss the evaluation of bids for 2003. The Home Office held preparatory meetings to discuss the UK's position in the Committee on 27 September 2002 and 18 November 2002.

The Odysseus funding programme also expired in 2002 and has been replaced by a funding programme known as ARGO. The ARGO Management Committee met on 1 July 2002 to discuss the Committee's draft rules of procedure and the draft annual work programme for 2002. It met again on 3 December 2002 to discuss the bids to be selected for funding in 2002 and the draft annual work programme for 2003. The Home Office held preparatory meetings to discuss the UK's position on the ARGO programme on 11 September 2002 and 5 March 2003.

The Daphne Committee met on 11 September 2002 to discuss the bids which had been received and agree the allocation of funds to successful projects. The Committee also met on 6 November 2002 to agree the annual work programme and criteria for evaluating and selecting bids for 2003. The Commission also presented a proposal for a new Council Decision establishing a second phase of the programme to run from 2004–08 (Daphne II). The Committee last met on 10 June 2003 to discuss the projects recommended for funding for 2003 and the final evaluation of the programme. The Commission also gave a progress report on negotiations for the Council Decision establishing the Daphne II programme.

The UK is generally represented at meetings of these Committees by a Home Office official and an official from the UK Permanent Representation to the EU in Brussels. Reflecting the shared responsibility for the Daphne programme, the UK was represented at the Daphne Committee meeting on 11 September by a Home Office official, and by an official from the Department of Health at the meeting on 6 November. The UK was not represented at the meeting of 10 June.

UK position at these meetings always takes Scottish views and concerns fully into account. It is possible for Scottish Executive officials to attend meetings of the Committees as part of the British delegation.

Illegal Drugs (Afghan Poppy Production)

John Barrett: To ask the Secretary of State for the Home Department what assessment he has made of the report by the United Nations Office on Drugs and Crime on poppy production in Afghanistan in relation to the supply of illegal drugs in the United Kingdom. [136623]

Caroline Flint: Afghanistan has in recent years been the country from which upwards of 90 per cent. of heroin available in the UK has originated. Until levels of production of opium in Afghanistan reduce substantially from their current levels we would not expect to see an appreciable reduction in the amounts of heroin targeted on the UK from that source.

London Anti-war Demonstration (Policing)

Richard Younger-Ross: To ask the Secretary of State for the Home Department who was in command of policing the anti-war demonstration in Trafalgar Square on 27 September. [137386]

Ms Blears *[holding answer 10 November 2003]:* The Commissioner of the Metropolitan Police tell me that the Metropolitan Police Public Order Branch were responsible for the arrangements and the policing of the anti-war demonstration in Trafalgar Square on 27 September.

National Probation Service

Mr. Oaten: To ask the Secretary of State for the Home Department what criteria will be used to judge whether a chair of a probation board in England and Wales will be re-appointed; and whether chairs will be re-appointed provisionally. [136002]

Paul Goggins: The criteria for reappointment are set out in a competency based framework agreed for probation board chairs and other members. The framework covers five key areas of corporate governance:

Corporate responsibility—being collectively responsible and accountable for leadership, direction and control of the probation area

Organisational excellence—leading the service as it strives for organisational excellence through continuous improvement

Valuing and Enabling Diversity—understanding and appreciating the impact that valuing and managing difference can make to organisational effectiveness

Ambassador—promoting and representing the board and the service both internally and externally

Working with People—achieving results through effective communication and team working.

Board chairs may be reappointed for one further term subject to satisfactory assessment of performance against this framework.

Those board chairs appointed when the National Probation Service was created in 2001 finish their first term of office on 31 March 2004. Those wishing to serve a further term have already been assessed and have been informed as to whether they will be reappointed. In accordance with good practice the appointments themselves will be made near the start of the term of office.

Northumbria Police Force

Mr. Hepburn: To ask the Secretary of State for the Home Department what funding was allocated to the Northumbria Police Force in each year since 1997. [137471]

Ms Blears: The information is set out in the tables.

£000

	Government grant [1]
1997–98	173,660
1998–99	185,169
1999–2000	192,021
2000–01	198,084
2001–02	208,741
2002–03[2]	211,102
2003–04	225,208

[1] Government Grant includes Home Office Police grant, ODPM Revenue Support Grant and national non-domestic rates, Crime Fighting Fund, Basic Command Unit funding, Community Support Officer funding, DNA Expansion Programme and Special Priority payments.

[2] The grant figures for 2001–02 and 2002–03 are not directly comparable, owing to changes from 2002–03 in the method of funding the National Crime Squad and the National Criminal Intelligence Service. Based on the new arrangements, comparable grant figure for 2001–02 would have been £203,868,972.

In addition, Northumbria received the following funding in capital grant, including Airwave and the Premises Improvement Fund.

	£000
1997–98	7,719
1998–99	8,479
1999–2000	5,408
2000–01	2,844
2001–02	11,780
2002–03	5,552
2003–04	5,786

Parliamentary Ombudsman

Tony Lloyd: To ask the Secretary of State for the Home Department on how many occasions in the last two years a report from the Ombudsman has resulted in a payment by his Department to the complainant. [135223]

Fiona Mactaggart *[holding answer 3 November 2003]:* For the year 2001–02, 21 cases resulted in payment by the Department.

Six were as a result of investigation (two of which were discontinued before full report was issued). £6,185.00. 15 cases resolved short of statutory investigation i.e. by inquiry of Department. £2,650.00.

For the year 2002–03, 47 cases resulted in payment by the Department. 13 were as a result of investigation (four of which were discontinued before full report was issued). £13,359.00. 34 cases resolved short of statutory investigation i.e. by inquiry of Department. £4,167.00.

Information on the handling of complaints is set out in tabular form by the Parliamentary Ombudsman each year as an attachment to his Annual Report. For those complaints where there was evidence of maladministration which warranted a full investigation, the table sets out how many complaints were upheld as being fully or partially justified. Copies of the Parliamentary Ombudsman's Annual Report can be viewed in the Library, or on the Parliamentary Ombudsman's website at www.ombudsman.org.uk/publications.

Police

Mr. Hoyle: To ask the Secretary of State for the Home Department if he will make a statement on police officer manning levels in the Lancashire Police Authority area. [137212]

Ms Blears: Decisions on the balance between police officers and police (support) staff is a matter for the Chief Constable of Lancashire Constabulary (Paul Stephenson QPM). At the end of August 2003, the force had record strength of 3,469 police officers. This is 130 more than in March 2003 and 165 more than in March 2002. I understand that the force has forecast strength for 31 March 2004 at 3,503 officers. In March 2003, the force had 1,489 police (support) staff, which is 47 more than in March 2002.

Additionally, Lancashire Constabulary had 77 Community Support Officers on 31 August 2003, with plans to have 107 by March 2004.

Mr. Luff: To ask the Secretary of State for the Home Department what plans he has to merge constabularies in the area of the Government Office for the West Midlands. [137623]

Ms Blears *[holding answer 10 November 2003]:* I have no plans to merge constabularies in the area of the Government Office of the West Midlands.

Dr. Cable: To ask the Secretary of State for the Home Department pursuant to his answer of 6 October 2003, *Official Report,* column 1242W, on the police, how many police officers licensed to carry firearms in each year since 1997 were *(a)* suspended and *(b)* prevented from carrying firearms; and if he will make a statement. [136946]

Ms Blears: Information concerning the numbers of police officers licensed to carry firearms in each year since 1997 and *(a)* suspended and *(b)* prevented from carrying firearms is not held centrally and could be obtained only at disproportionate cost.

Dr. Cable: To ask the Secretary of State for the Home Department how many police response vehicles are available *(a)* in each London borough and *(b)* to the (i) British Transport Police and (ii) Royal Parks Police; and if he will make a statement. [136866]

Ms Blears: The information is provided as follows:

(a) The statistics for borough based response vehicles are set out in the table. These have been provided by the Commissioner of Police for the Metropolis:

Borough Operational Command Unit (BOCU)	*Liveried Response Vehicles*
Barking Dagenham BOCU	12
Barnet BOCU	24
Bexley BOCU	14
Brent BOCU	22
Bromley BOCU	18
Camden BOCU	20
Croydon BOCU	21
Ealing BOCU	22
Enfield BOCU	14
Greenwich BOCU	23
Hackney BOCU	25
Hammersmith and Fulham	16
Haringey BOCU	20
Harrow BOCU	14
Havering BOCU	17
Hillingdon BOCU	19
Hounslow BOCU	18
Islington BOCU	24
Kensington and Chelsea	14
Kingston-upon-Thames	13
Lambeth BOCU	40
Lewisham BOCU	19
Merton BOCU	13
Newham BOCU	21
Redbridge BOCU	20
Richmond-upon-Thames	14
Southwark BOCU	34
Sutton BOCU	14
Tower Hamlets BOCU	20
Waltham Forest BOCU	19
Wandsworth BOCU	26
Westminster BOCU	34
Total	644

The Metropolitan Police Service also holds vehicles equipped to attend emergency calls, attached to specialist units.

(b) (i) The British Transport Police has a total of 345 vehicles that can act as response vehicles.

(ii) The Royal Parks Constabulary has two police response vehicles.

Prisons

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what steps he is taking to prevent overcrowding in prisons. [136249]

Paul Goggins: Levels of overcrowding are determined by Prison Service Area Managers and monitored carefully on the basis of operational judgment and experience.

As part of the Prison Service building programme, the Government are investing £1.3 billion in the three years up to 2005–06 on building and operating additional capacity. The Prison Service will provide around 3,000 additional places in existing prisons by 2006. A further 1,290 places will be provided through the new prisons currently under construction at Ashford (near Heathrow) and at Peterborough. In addition, a new unit at Birmingham prison has opened recently, six months ahead of schedule, and provides an additional 452 places.

We are further managing the prison population through the use of the Home Detention Curfew (HOC) through reforms to the criminal justice system.

An amendment to the Criminal Justice Bill will make foreign national prisoners who are serving determinate sentences of more than three months liable to deportation up to four and a half months early. The measure brings the foreign nationals in line with UK prisoners who are eligible to apply for HOC. The same risk assessment procedures will apply.

Dr. Cable: To ask the Secretary of State for the Home Department how many vacancies there were at each *(a)* prison and *(b)* young offenders' institution on 30 June; and if he will make a statement. [136862]

Paul Goggins: Information on staff vacancies against planned posts at 30 June 2003, for each public sector prison and young offender institute is contained in the following table. The figures represent a snapshot of staffing at establishment level and do not take into account new staff who were still in the recruitment process on 30 June.

During 2002, recruitment in the Prison Service reached record levels with a total of 6,645 new staff joining the Service. 2,240 prison officers began initial officer training in the 12 months to 30 June 2003. This high level of recruitment activity is predicted to continue into next year due in part to the rising prison population and new accommodation coming on stream.

To assist in the retention of staff in particular areas, local pay allowances have been introduced. In addition, to cover vacancies in the short-term certain establishments are allowing officers to work additional hours as part of the 'Contracted Supplementary Hours Scheme'.

Staff vacancies at prisons and Young Offender Institutions (YOIs) at 30 June 2003[1]

Area/establishment	*Officers and senior operational managers*	*Others*
High Security Prisons		
Belmarsh	-49	-28
Durham	-6	—
Frankland	-30	-16
Full Sutton	-49	—
Long Lartin	-25	-2
Manchester	-14	-27
Wakefield	-9	—
Whitemoor	-52	-22
Woodhill	-23	-22
Juvenile Establishments		
Huntercombe	-12	—
Warren Hill	-10	-7
Werrington	-6	-8
Wetherby	-4	-1
Women's Prisons and YOIs		
Askham Grange	—	-1
Brockhill	-1	-5
Buckley Hall	-4	—
Bullwood Hall	-14	—
Cookham Wood	-6	—
Downview	-18	-6
Drake Hall	-9	—
East Sutton Park	—	—
Eastwood Park	-15	-1
Foston Hall	—	-1
Edmunds Hill	-44	-41
Holloway	-19	-17
Low Newton	—	—
Morton Hall	—	-2
New Hall	-9	-13
Send	-6	-10
Styal	—	-23

Staff vacancies at prisons and Young Offender Institutions (YOIs) at 30 June 2003[1]

Area/establishment	*Officers and senior operational managers*	*Others*
East Midlands (North)		
Lincoln	-11	—
North Sea Camp	-2	—
Nottingham	-8	—
Ranby	—	—
Sudbury	-1	-1
Whatton	-1	—
East Midlands (South)		
Ashwell	-1	-9
Gartree	—	—
Glen Parva	—	—
Leicester	—	—
Onley	-13	-7
Stocken	-9	-5
Wellingborough	-13	-4
Eastern		
Bedford	-15	-15
Blundeston	—	—
Chelmsford	-4	-6
Highpoint	—	-18
Hollesley Bay	-1	-1
Littlehey	-14	-16
Norwich	-11	-16
The Mount	-11	-6
Wayland	-2	-5
Kent, Surrey and Sussex		
Blantyre House	-1	—
Canterbury	—	-3
Coldingley	—	-4
Dover	-5	-11
Elmley	—	-5
Ford	-3	-6
High Down	-18	-10
Lewes	-5	-19
Maidstone	-4	—
Rochester	-11	-8
Standford Hill	-3	-4
Swaleside	-12	—
London		
Brixton	-22	-23
Feltham	-31	-15
Latchmere House	-1	-3
Pentonville	-11	-27
Wandsworth	-31	-8
Wormwood Scrubs	-43	-30
North East		
Acklington	-3	—
Castington	-11	-4
Deerbolt	—	-7
Holme House	-3	—
Kirklevington Grange	—	—
North West		
Garth	-16	—
Haverigg	-2	-3
Hindley	-45	-18
Kirkham	—	-4
Lancaster	-9	—
Lancaster Farms	-35	—
Liverpool	-22	—
Preston	-15	—
Risley	—	-11
Thorn Cross	-7	—
Wymott	-6	—

Staff vacancies at prisons and Young Offender Institutions (YOIs) at 30 June 2003[1]

Area/establishment	*Officers and senior operational managers*	*Others*
South West		
Bristol	-36	-28
Channings Wood	—	—
Dartmoor	-7	—
Dorchester	-13	-3
Erlestoke	-16	-3
Exeter	—	-6
Gloucester	-10	-2
Guys Marsh	-6	-2
Leyhill	-8	—
Portland	—	—
Shepton Mallet	—	—
The Verne	-1	-2
Weare	-4	—
Thames Valley and Hampshire		
Albany	-14	—
Aylesbury	-6	—
Bullingdon	-40	-16
Camp Hill	-2	—
Grendon	-7	-8
Haslar	-7	-5
Kingston	—	-1
Parkhurst	-10	-11
Reading	—	-2
Winchester	-7	-12
Wales		
Cardiff	-7	-13
Swansea	-3	—
Usk/Prescoed	-3	-6
West Midlands		
Birmingham	-99	-5
Blakenhurst	—	—
Brinsford	-7	—
Featherstone	-2	-2
Hewell Grange	-1	-6
Shrewsbury	—	—
Stafford	-2	—
Stoke Heath	-6	—
Swinfen Hall	—	—
Yorkshire and Humberside		
Everthorpe	—	—
Hull	-7	—
Leeds	-4	—
Lindholme	-5	—
Moorland	—	—
Northallerton	—	-1
Wealstun	-2	—
Total	-1,247	-700

[1] Figures do not take into account new staff who were still in the recruitment process at 30 June 2003.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether there is public interest immunity in whistle blowing cases for *(a)* prison officers, *(b)* prison staff and *(c)* other personnel working within the Prison Service. [137080]

Paul Goggins: All staff working within the Prison Service are protected by the 'whistle blowing' provisions contained in the Employment Rights Act 1996.

Public Order

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department what the average length of time taken to implement a model Home Office bye-law to ban on-street drinking, from the day that the decision is taken by the local authority, was in the last year for which figures are available. [137238]

Ms Blears: This information is not available centrally and would be a matter for individual local authorities.

Road Safety

Miss McIntosh: To ask the Secretary of State for the Home Department how many convictions for *(a)* driving without due care and attention, *(b)* failing to have proper control of a vehicle, *(c)* careless and inconsiderate driving and *(d)* dangerous driving have been secured in connection with the use of (i) hand-held mobile phones and (ii) all types of mobile phone in each year since 1997. [137181]

Paul Goggins: The statistics collected centrally do not enable the convictions for motoring offences in connection with mobile phones to be separately identified.

As from 1 December 2003, the specific offence of driving while using a hand-held mobile telephone will be introduced under a new regulation to be added to the Road Vehicles (Construction and Use) Regulations 1986.

Small and Sporting Events Safety Guide

Jane Griffiths: To ask the Secretary of State for the Home Department when he will publish the Small and Sporting Events Safety Guide; and if he will make a statement. [135082]

Ms Blears: The Event Safety—Best Practice Guide seeks to provide guidance to organisers of sporting and non-sporting events. We are consulting key stakeholders on a final draft. We hope to publish the guidance in the new year.

SO19 Firearms Branch

Dr. Cable: To ask the Secretary of State for the Home Department how many police officers in the SO19 Firearms Branch were suspended, broken down by month, in each of the last three years; and if he will make a statement. [136865]

Ms Blears: The Commissioner of Police for the Metropolis has stated that no firearms officers were suspended from police duty during this period.

South Wales Police

Harry Cohen: To ask the Secretary of State for the Home Department what assessment he has made of the performance of south Wales police in murder cases; and if he will make a statement. [136787]

Ms Blears: Her Majesty's Inspectorate of Constabulary produced a 2002–03 report on south Wales police which included an assessment of their Major Crime Support Unit which handles the investigation of murder cases and other serious crimes. Her Majesty's Inspector (HMD) was impressed by the professionalism and the sense of duty to the public of the members of the unit. He reported that there was increased resilience in the investigative processes in

south Wales Police and that increased value is being placed on family liaison and independent advisory groups during investigations of serious crime.

HMI also reported on the decision taken in 1999 to re-investigate 11 undetected murders and commended south Wales police for its committed response to proper public concerns.

A copy of the full HMIC report is in the Library.

Trick or Treat

Mr. Robathan: To ask the Secretary of State for the Home Department how many complaints have been received by the Metropolitan police concerning trick or treat calls. [136743]

Ms Blears: The Commissioner of Police for the Metropolis advises me, that the computerised system for recording police calls does not distinguish between 'trick or treat" calls and other nuisance/disturbance calls. It is therefore not possible to provide the information requested.

West Yorkshire Police Authority

Mr. Sheerman: To ask the Secretary of State for the Home Department what steps he is taking to address the predicted funding shortfall in the West Yorkshire police authority area. [135875]

Ms Blears: I shall announce details of the provisional police funding settlement in mid-November. It is a matter for West Yorkshire police authority to determine its final budget for next year in the light of its funding settlement, taking into account local needs and views.

We expect police authorities to set budgets that ensure further improvements without placing excessive burdens on the local taxpayer.

Young Offender Institutions

Mr. Oaten: To ask the Secretary of State for the Home Department what the average cost is of imprisoning an offender at a young offender institution; and what the total cost of running YOIs was in each of the last five years. [135864]

Paul Goggins: The average annual cost of imprisoning an offender in a Young Offender Institution (YOI) is £29,721 in male closed YOI establishments and £18,866 in male open YOI establishments. These figures include establishment costs but exclude the share of headquarters overheads. The number of YOIs has not remained constant over the five-year period. These figures are not comparable with the Prison Service cost per place Key Performance Indicators.

The following table shows the total cost of running young offender institutions in the last five years.

£

	Male closed YOI	*Male open YOI*	*Total*
1998–99	122,460,000	9,410,000	131,870,000
1999–2000	137,066,308	9,653,734	146,720,042
2000–01	198,588,609	10,727,558	209,316,167
2001–02	162,536,448	11,475,992	174,012,440
2002–03	182,908,407	7,370,209	190,278,616

These year on year costs are not comparable due to a change in the accounting system from cash to resource. In addition the number of YOI establishments has decreased during this period, causing some fluctuation in the expenditure figures.

Mr. Oaten: To ask the Secretary of State for the Home Department how many hours on average offenders in young offender institutions spent on *(a)* education, broken down into (i) literacy, (ii) numeracy and (iii) other education-related activities, *(b)* exercise, *(c)* vocational work and *(d)* community work in the last year for which figures are available. [135867]

Paul Goggins: The Prison Service collects information on the average hours prisoners spend on education activities broken down into various categories. The education statistics are not broken down into literacy and numeracy as requested. The information available for 2002–03 is given in the table. It relates to establishments categorised as a young offender institution as their main role.

Activity	*Average hours per week*	*Average hours per inmate per week*
Basic skills education	17,035.4	2.68
Other education		
Education leading to accreditation	10,179.4	1.60
Maintaining safe and secure environment	299.3	0.05
Health education clinics and promotion	1,363.5	0.21
Other education	6,091.4	0.96
Exercise		
Physical education	18,922.1	2.98
Vocational work		
Skills training leading to recognised national accreditation	9,476.4	1.49
Community work		
Voluntary work	405.0	0.06
Total	63,772.4	10.04

Under the National Specification for learning and skills for young people serving a Detention and Training Order, juvenile offenders are expected to undertake one hour of private study per week in both literacy and numeracy, and a minimum of 12 hours of enrichment activities at the weekends.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how many children in young offender institutions *(a)* had special educational needs, *(b)* had educational statements and *(c)* suffered psychosis in 2002–03; if he will express these figures as a percentage of the total number of children in each institution in the UK; and if he will list the institutions; [137076]

(2) how many teachers, expressed as full-time equivalents, work in each young offender institution; and if he will express this as a percentage of the young offenders institution population; [137078]

(3) how many of the teachers within each young offender institution have been specifically trained to teach children; how many are special educational needs teachers; and if he will express these figures as a percentage of the total number of children in each young offender institution. [137079]

Paul Goggins: An analysis of "ASSET" assessment forms, published in December 2002, found that 25 per cent. of all young people in the youth justice system had been identified as having special educational needs and that 60 per cent. of these had formal statements.

Information about the number of children in young offender institutions diagnosed with psychosis in any particular year is not collected centrally. A survey of mental ill health in the prison population of England and Wales, undertaken in 1997 by the Office for National Statistics (ONS), indicated that 8 per cent. of young men aged 16 to 20 on remand and 10 per cent. of such sentenced young men had suffered from a functional psychosis in the previous year.

The table shows staff employed through the education contract in delivering or supporting education in establishments whose principal function is to hold Young Offenders. Data are from March 2003. Teaching staff include learning support assistants, and non-teaching staff include special educational needs co-ordinators.

Prisons	*Full-time lecturers*	*Part-time lecturers*	*Teaching staff*	*Non-teaching staff*	*Population*
Aylesbury	12	1	—	—	354
Stoke Heath	20	0	14	2	626
Lancaster Farms	14	3	16	6	460
Glen Parva	10	0	—	—	784
Onley	18	0	18	1	541
Feltham	20	1	14	1	629
Castington	10	7	19	1	300
Portland	8	23	—	—	446
Swinfen Hall	5	4	—	—	314
Thorn Cross	13	0	18	4	176
Brinsford	34	0	16	1	449
Huntercombe	26	13	11	2	320
Reading	9	14	—	—	265

On the basis of the information available, approximately 90 per cent. of teaching staff across the juvenile estate are qualified or are working towards a further education qualification. The Prison Service will be providing accredited training to learning support assistants later in the year to help them support learning in the juvenile estate. An inclusive learning handbook has been issued to help teachers, and other prison staff, identify and support prisoners with learning difficulties and/or disabilities.

The quality of teaching in custodial settings has improved through the introduction of the Common Inspection Framework. The new specification for teaching and learning we will introduce from September 2004 will also ensure quality control of teaching standards.

Young Offenders

Ian Lucas: To ask the Secretary of State for the Home Department how many young offenders from north Wales below the age of 15 years were sentenced to custody in the last three years for which records are available. [136018]

Paul Goggins: The information requested is contained in the table.

Juveniles aged 10–14 sentenced to immediate custody in North Wales in 1999, 2000 and 2001

	Number of juveniles
1999	1
2000	9
2001	7

Note:
Statistics for 2002 will be published in December.

Mr. Wray: To ask the Secretary of State for the Home Department what assistance is available to youth offenders to ensure that they are able to learn from mistakes and do not re-offend. [132940]

Ms Blears: We have introduced a range of measures across England and Wales many of which place particular emphasis on reparation, education and training.

These include Referral Orders, which were introduced nationally in April 2002 and are now the main disposal for young defendants pleading guilty for the first time. Youth offender panels, made up of representatives of the local community, agree an intervention programme with the young offender designed to tackle his/her offending behaviour. Victims are encouraged to participate in this process which can further enhance the impact of the panel on the young offender. The programme must include an element of reparation to the victim.

The Intensive Supervision and Surveillance Programme (ISSP) was introduced in July 2001 as an alternative to custodial sentences for persistent young offenders. The programme aims to bring some structure to offenders' often chaotic lifestyles by addressing the risk factors contributing to their offending behaviour, such as educational deficits, weaknesses in thinking skills or drug misuse.

Where a custodial sentence is necessary, the Detention and Training Order is now the main sentence for 12–17 year olds. This includes individual training plans designed to address offending behaviour and associated risk factors and to provide young offenders with the necessary skills to avoid getting into trouble again.

DEPUTY PRIME MINISTER

Arson

Mr. Woodward: To ask the Deputy Prime Minister what plans he has to reduce the number of arson incidents; and what increase in resources the Government plans to give to fire authorities to tackle arson. [137991]

Phil Hope: The Government established the Arson Control Forum in 2001 to take forward a national programme of arson reduction measures. Part of this

programme is to support multi-agency partnerships that tackle arson locally by funding community-based projects.

To date, the forum has invested some £2.25 million of Government money in 50 local arson reduction projects in England and Wales. The Government have set aside an additional £4 million in 2003–04, rising to £4.5 million in 2004–05 and £4.8 million in 2005–06, for further arson reduction work. The Office of the Deputy Prime Minister is currently considering applications from local partnerships for grants from these funds.

Business Rates (Private Schools)

Mr. Foulkes: To ask the Deputy Prime Minister what estimate he has made of the effect on the rating income of each local authority of the reduced rate of business rates paid by private schools because of their charitable status. [137469]

Mr. Raynsford: There is no reliable basis on which to make such an estimate, as the information collected from local authorities on business rates relief does not distinguish private schools from other charities.

The Local Government Finance Act 1988 provides mandatory rate relief to any ratepayer that is a charity or a non-profit making body operating as a charity and uses the property they occupy wholly or mainly for charitable purposes. A private school which is not run for profit counts as a charity and therefore qualifies for mandatory rate relief.

Mandatory relief is available at 80 per cent. of the full rates bill and is fully centrally funded but can be increased to 100 per cent. at the discretion of local authorities. The discretionary increase is 25 per cent. centrally funded, and local authorities are required to meet the remaining 75 per cent. of any increase.

Census 2001

Mr. Gordon Marsden: To ask the Deputy Prime Minister what assessment his Department has made of the implications for future local government funding calculations of the recent Statistics Commission report on the accuracy of the 2001 census for the Westminster City Council area. [136993]

Mr. Raynsford: For each year's Revenue Support Grant calculations, the Office of the Deputy Prime Minister need to use the most up to date data that are available on a consistent basis for all local authorities. For population, this is the mid-year population estimates provided by the Office for National Statistics. If subsequent revisions are made to population estimates following the recommendations made in the Statistics Commission report or on the basis of other studies, such as the Westminster address matching exercise, then the Office of the Deputy Prime Minister will consider whether to make an amending report. The Office of the Deputy Prime Minister have already announced that an amending report will be made for the 2003–04 settlement in respect of revisions made to population estimates by the Office for National Statistics.

Climate Change

Mr. Denham: To ask the Deputy Prime Minister what estimate he has made of the total area of the properties in low lying areas that will be affected by an increased risk of flooding from the consequences of climate change by 2050. [137389]

Keith Hill: The Office of Science and Technology's Foresight project on flood and coastal defence is examining the factors that drive change in flood risk, their impacts and the effect of various responses under the range of foresight socio-economic futures scenarios. The Phase 2 report on risk drivers and their impacts is available in draft on the internet at www.foresight.gov.uk. It is currently subject to peer review.

The results so far suggest that, on the assumption that there is no change in current flood management policies, there will be a low to moderate increase in the probability of inland flooding in the north and west of England and a negligible or low change either way in central and south-eastern parts. There will be a high increase in coastal flood risk in the south-east (from Essex to the Solent), particularly in the Thames estuary with moderate increases in the north Norfolk and Humber estuary areas.

While there is a great deal of uncertainty, the analysis suggests that the number of people at high risk (i.e. within the Environment Agency's indicative flood plain) will increase from its present level of 1.56 million to a range of between 2.26 and 3.55 million by the 2080s, depending on which foresight socio-economic scenario is applied. Expected annual economic damage to residential and commercial property could increase in the same period from the current level of £1,000 million to between £1,600 million and £21,000 million, again depending on the foresight socio-economic scenario. The resulting areas of highest risk of damage, would appear to be the Thames valley and estuary, the Mersey–Humber corridor and areas around the Bristol Channel.

Mr. Denham: To ask the Deputy Prime Minister what the responsibilities of local authorities are in relation to preparations for the consequences of climate change on coastal areas; and if he will make a statement. [137390]

Keith Hill: In July 2003, the Local Government Association and UK Climate Impacts Programme published advice to local authorities on "Climate change and local communities—how prepared are you?" This is available in the Library of the House and on the internet at www.ukcip.org.uk. It advises on local authority activities affected by climate change and how it can be taken into account. There is potential for climate change to impact on a wide range of local authority responsibilities, the principal ones in coastal areas being in relation to coastal defence, shoreline management and land-use planning.

The Department for Environment, Food and Rural Affairs and the Environment (Defra) Agency have jointly sponsored research on coastal evolution over the next 30–100 years, taking account of climate change scenarios. This provides the basis for consideration of climate change impacts in the second generation of

shoreline management plans being prepared by the coastal groups of local authorities and Environment Agency.

Planning policy guidance note 25 "Development and flood risk" issued by the Office of the Deputy Prime Minister in 2001 already contains guidance on how climate change can be taken into account when considering both inland and coastal flood risk. This is based on the guidance on sea-level rise and likely increase in river flows in Defra's project appraisal guidance for flood and coastal defence, which was published in 1999 and confirmed this year in the light of the UKCIP 2002 climate- change scenarios. The Office of the Deputy Prime Minister will be publishing shortly further advice on the consideration of climate change in land-use planning.

Council Tax

Mr. Cousins: To ask the Deputy Prime Minister how many and what percentage of council tax payers were *(a)* in receipt of (i) full and (ii) partial council tax benefits and *(b)* not in receipt of council tax benefit in the City of Newcastle upon Tyne (A) in 1996–97 and (B) in the most recent financial year for which figures are available. [137674]

Mr. Raynsford: In 1996–97, 43,000 council tax payers in Newcastle upon Tyne were in receipt of council tax benefit. This represents 38 per cent. of the chargeable dwellings as at 16 October 1996.

In 2002–03, 33,000 council tax payers in Newcastle upon Tyne were in receipt of council tax benefit. This represents 30 per cent. of the chargeable dwellings as at 16 October 2002.

Separate figures for the numbers of council tax benefit recipients receiving full or partial benefit are taken from a 1 per cent. annual sample and available only at a regional level. To provide information from the
1 per cent. sample by local authority would be subject to a high degree of sampling variation around the figures.

Mr. Cousins: To ask the Deputy Prime Minister how many properties there were in each council tax band in the City of Newcastle upon Tyne in *(a)* 1996–97 and *(b)* the latest year for which figures are available. [137675]

Mr. Raynsford: The requested information is tabled as follows.

Newcastle upon Tyne

	Number of chargeable dwellings as at	
Band	*16 October 1996*	*16 October 2002*
A	69,513	67,409
B	15,427	15,612
C	15,722	15,700
D	6,496	7,007
E	3,234	3,433
F	1,512	1,641
G	1,278	1,278
H	89	102
Total	113,271	112,182

Source:
CTB1 returns

Exceptions Policy (Housing)

Mr. Kidney: To ask the Deputy Prime Minister what responses he has received to his consultation on the future of the exceptions policy for housing. [137566]

Keith Hill: Current policy on providing for rural exception housing is set out in Planning Policy Guidance Note 3: "Housing", Annex B. The Office of the Deputy Prime Minister recently published the consultation document "Influencing The Size, Type And Affordability Of Housing", which proposes that the current policy is replaced by a policy that enables local planning authorities to identify sites solely for affordable housing, on land within or adjoining existing villages, which would not otherwise be released for housing. The consultation period officially closed on 31 October 2003, but responses after that date have been considered because of the postal dispute. It is too early to say how many responses have been received or their nature.

Government Office (West Midlands)

David Wright: To ask the Deputy Prime Minister how many staff are employed by the Government Office West Midlands; and how many were employed in 1997. [136884]

Yvette Cooper: Staff employed in permanent posts at Government Office for the West Midlands:

October 1997: 294

October 2003: 346

These are not full-time equivalents. In 1997 the Government Office for the West Midlands represented three Departments, now it represents ten.

GVA/Grimley Planning Report

Mr. Clifton-Brown: To ask the Deputy Prime Minister what arrangements he has made for publishing the GVA/Grimley Planning Report. [R] [137629]

Keith Hill: The Government intend to publish the Report in due course.

Homelessness

Simon Hughes: To ask the Deputy Prime Minister what the most recent annual average cost is of housing a homeless *(a)* adult and *(b)* dependant in temporary accommodation in Greater London. [137838]

Yvette Cooper: This information is not held centrally and could be provided only at disproportionate cost.

Simon Hughes: To ask the Deputy Prime Minister what the average number of *(a)* adults and *(b)* dependants housed in temporary accommodation in Greater London was in each year since 1997 for which figures are available. [137839]

Yvette Cooper: This information is not held centrally and could be provided only at disproportionate cost.

Housing Renewal Pathfinders

Mr. Gordon Prentice: To ask the Deputy Prime Minister how many domestic properties were sold

for under £20,000 in each of the housing renewal Pathfinder areas in the latest year for which figures are available. [136996]

Keith Hill: The information is as follows:

Pathfinder area	*Sales below £20,000 during 2002*
Birmingham-Sandwell	53
East Lancashire	2,463
Hull	719
North Staffordshire	636
Manchester-Salford	1,656
Merseyside	770
Oldham-Rochdale	502
South Yorkshire	621
Tyneside	369

Notes:
1. The boundaries of the nine Pathfinder areas do not conform with any existing administrative area. So, for instance, the pathfinder area of South Yorkshire is not the same as the metropolitan county of the same name and the Pathfinder area of Hull is not the same as the area occupied by the unitary authority of Kingston-upon-Hull.
2. Sales are taken to mean the transfer of ownership for value of freehold and long leasehold residential properties, whether or not the purchase was supported by a mortgage.
Source:
Land Registry

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will list the housing renewal Pathfinder areas, broken down by *(a)* population, *(b)* households and *(c)* empty and abandoned properties. [136997]

Keith Hill: The latest data available is tabled as follows:

Pathfinder	*Population*	*Households*	*Vacant household spaces*
Birmingham-Sandwell	152,354	57,160	3,354
North Staffordshire	146,637	64,100	3,799
Merseyside	246,464	109,647	8,583
Manchester-Salford	240,370	102,085	13,773
Oldham-Rochdale	183,143	72,593	4,494
East Lancashire	206,770	81,754	8,009
South Yorkshire	297,887	125,132	6,288
Humberside	241,412	103,078	7,203
Newcastle-Gateshead	154,790	68,716	5,261
All pathfinders	1,869,827	784,265	60,764

Notes:
1. The data relates to the Pathfinder intervention areas that are smaller than the boundaries of the pathfinder local authorities. It uses the most consistent, robust and up-to-date data available for population and households, that being the Census 2001 data. 'Empty and abandoned properties' is not directly available within the Census 2001 dataset nor through other datasets for the intervention area. Therefore the closest equivalent Census 2001 data—'vacant household spaces'—has been provided. This figure approximates to what we would expect from 'empty and abandoned' property statistics if these were available.
2. Data for 2002 on empty properties for the districts involved in the Pathfinders is available at the Office of the Deputy Prime Minister website thorough the Housing Investment Programme, Index of Data list under Housing Statistics.
3. The data was derived from the published Census 2001 data as of June 2003 and does not reflect any subsequent revisions. The intervention area boundaries are those agreed between the Office of the Deputy Prime Minister and the Pathfinders as of June 2003.
4. Each Pathfinder 'intervention area' in the table above consists of all Census small areas (2001 Output Areas) whose centroids fall within the Pathfinder boundary. This means that in a few cases the boundary is an approximation that includes small areas outside the Pathfinder or excludes small areas actually within it. For 2001 Census Output Areas, the centroids are supplied on the boundary file by Office for National Statistics. This is the most detailed level of analysis available through Census.
Source:
2001 Census, Key Statistics for output areas.

Inaccurate Census Counts

Mr. Gordon Marsden: To ask the Deputy Prime Minister whether his Department intends to compensate local authorities who may have been disadvantaged in local government spending allocations by inaccurate census counts. [137849]

Mr. Raynsford: The Office of the Deputy Prime Minister has already announced that an amending report will be made for the 2003/04 settlement to include any revised mid-2001 population estimates from the Office for National Statistics (ONS).

Mid-2002 population estimates from the ONS will be used for 2004/05 Revenue Support Grant calculations. These include an upward revision for the population of Manchester. If any subsequent revisions are made to population estimates then the Office of the Deputy Prime Minister will consider whether to make an amending report.

Local Government Finance

Mr. Paterson: To ask the Deputy Prime Minister what proportion of spending by *(a)* Shropshire county council, *(b)* Oswestry borough council and *(c)* North Shropshire district council is to be financed by council tax payers in 2003–04. [137513]

Mr. Raynsford: Council tax expressed as a percentage of budgeted revenue expenditure for Shropshire county council, Oswestry borough council and North Shropshire district council in 2003–04 is tabled as follows:

2003–04	*Budgeted revenue expenditure*[1] *£000*	*Council tax*[2] *£000*	*Council tax*[2] *Percentage*
Shropshire	277,217	88,349	31.9
North Shropshire	9,791	3,472	35.5
Oswestry	5,983	2,448	40.9

[1] Revenue expenditure is expenditure financed from revenue support grant, specific and special grants within AEF, non-domestic rates, council taxes and balances. It also includes spending met by police grant.
[2] Gross of council tax benefit.
Source:
2003–04 Budget Estimate Returns

Regional Assemblies

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will set a minimum threshold for turnout in the proposed regional assembly referendums below which the status quo would continue. [137505]

Mr. Raynsford: No.

Mortgage Lending

Mr. Jim Cousins: To ask the Deputy Prime Minister pursuant to the answer to the hon. Member for Northavon (Mr. Webb) of 8 January 2003, *Official Report*, columns 271–72W, on new mortgage lending, what the figures are for the most recent available months. [137375]

Keith Hill: The information is as follows.

Variable/Fixed rate lending

The estimated percentages of remortgages or further loans taken out in each of the past 12 months with an initial interest rate that was *(a)* variable and *(b)* fixed are shown in the following table. Also included, for comparison purposes, are the equivalent figures for new mortgages.

	New mortgages for house purchase		*Remortgages or further loans*	
	Variable	*Fixed*	*Variable*	*Fixed*
2002				
October	77.3	22.7	92.5	7.5
November	71.0	29.0	89.8	10.2
December	80.7	19.3	94.4	5.6
2003				
January	64.5	35.5	87.3	12.7
February	62.8	37.2	87.2	12.8
March	57.3	42.7	82.1	17.9
April	55.4	44.6	80.1	19.9
May	51.2	48.8	74.5	25.5
June	46.2	53.8	76.0	24.0
July	41.4	58.6	69.4	30.6
August	37.9	62.1	65.0	35.0
September	42.0	58.0	65.9	34.1

Source:
ODPM, Survey of Mortgage Lenders

It should be noted that loans taken out at an initial fixed rate of interest are likely to revert to a variable rate of interest after a fixed period of time, unless of course the borrower then chooses to remortgage (again) at another fixed rate of interest.

New mortgage lending, October 2002 to September 2003

Gross mortgage lending on a not seasonally-adjusted basis over the most recent 12-month period, October 2002 to September 2003, is as follows:

£ million

	Mortgage lending for house purchase	*Other new mortgage lending*
2002		
October	11,336	11,143
November	10,346	11,137
December	7,125	9,466
2003		
January	6,372	9,763
February	7,368	10,238
March	9,382	13,093
April	10,020	13,539
May	11,000	12,811
June	13,130	13,580
July	14,650	14,877
August	14,420	14,316
September	16,294	16,269
Total	131,443	150,232

Note:
Other new mortgage lending includes remortgage lending
Source:
Bank of England

Planning Appeals

Mr. Clifton-Brown: To ask the Deputy Prime Minister how many planning appeals are with the *(a)* Planning Inspectorate and *(b)* Secretary of State; and how many of each have been outstanding for (i) three months, (ii) six months, (iii) one year and (iv) more than one year. [136897]

Keith Hill: The following table shows the numbers of planning appeals: *(a)* with the Planning Inspectorate for decision and *(b)* with the First Secretary of State for decision (that is those recovered appeals and non-transferable appeals for which the Inspector's report has been received).

	Transferred appeals with PINS	*Recovered appeals with PINS*	*The Secretary of State appeals with ODPM*
Total number of appeals	11,238	182	61
Outstanding for three months	3,106	47	9
Further cases outstanding for six months	1,163	37	7
Further cases outstanding for a year or more	616	22	4

Property Prices

Mr. Edward Davey: To ask the Deputy Prime Minister what the average property price was in the *(a)* North East, *(b)* North West, *(c)* Yorkshire and Humber, *(d)* East Midlands, *(e)* West Midlands and *(f)* East of England Government Office Region in each financial year since 1995–96. [138148]

Keith Hill: Average property prices in each of the English regions from financial year 1996–97 to financial year 2002–03 are tabled as follows:

£

Region	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
East	72,969	80,531	87,946	98,452	113,016	128,211	155,229
East Midlands	57, 657	61,761	65,282	71,531	77,874	87,402	106,828
London	109,785	126,394	139,764	168,479	195,169	208,623	240,060
North East	52,092	54,578	57,097	60,132	62,208	67,495	78,645
North West	55,555	59,366	62,149	67,678	71,442	78,784	90,934
South East	88,486	97,817	109,007	124,797	145,265	160,243	187,791
South West	70,480	77,040	83,064	94,382	108,503	123,495	151,261

£

Region	1996–97	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03
West Midlands	62,664	67,549	71,819	78,904	86,189	97,134	115,484
Yorkshire and The Humber	55,651	58,593	60,430	65,317	69,116	75,709	90,101
England	74,608	82,254	88,878	101,605	112,280	123,986	145,710

Note:
1996 is the first year for which Land Registry data are available. Consequently comparable figures for the financial year 1995–96 are not available.
Source:
Land Registry

Regional Government

Mr. Atkinson: To ask the Deputy Prime Minister what the total budget for the Elected Regional Assembly Information Campaign was, broken down by main budget headings. [137153]

Mr. Raynsford: The information campaign is designed to inform members of the public about elected regional assemblies and referendums. The costs of the launch are estimated at £25,000. These costs included accommodation, venue hire, refreshments and transport.

Material produced for the launch of the campaign, such as exhibition stands and leaflets will continue to be used throughout the information campaign in the three northern regions. The estimated total cost for the "information campaign" for this financial year are expected to be £500,000.

Regional Housing Policies

Mr. Kidney: To ask the Deputy Prime Minister what rural proofing has been undertaken of the new regional housing policies. [137565]

Keith Hill: The Countryside Agency has been involved in the production of Regional Housing Strategies in all regions outside London. The agency is producing a checklist for rural proofing Regional Housing Strategies that will be used in developing the initial strategies. The housing funding allocations based on these initial strategies will deliver the Government's rural housing target of approving schemes for 3,000 affordable homes in settlements of below 3,000 people over the years 2004–05 and 2005–06.

Section 106 Agreements

Mr. Clifton-Brown: To ask the Deputy Prime Minister which respondents to his Planning Green Paper supported the idea of a tariff system for section 106 agreements. [R] [137625]

Keith Hill: Of the 505 consultation responses received, 309 broadly agreed with the proposal to introduce a tariff, 150 were against the proposal and 46 expressed other views.

Sector	Broadly agreed	Broadly against
Business	54	83
Local authorities	168	20
Interest groups	72	36
Other	15	11

However, many respondents expressed views that were supportive of elements of the proposal while disagreeing with other aspects. The breakdown given in the table is therefore approximate.

Mr. Clifton-Brown: To ask the Deputy Prime Minister how many planning permissions given on *(a)* call-in and *(b)* appeal to him in each of the last five years have involved a section 106 agreement. [R] [137627]

Keith Hill: The Office of the Deputy Prime Minister is unable to provide this information in the time available but I will write to the hon. Member in due course.

Small Business

Mr. Prisk: To ask the Deputy Prime Minister what estimate he has made of the effect of Part 8 of the Local Government Act 2003 on the competitiveness of small business. [137606]

Mr. Raynsford: The effect of Part 8 of the Local Government Act 2003 on the competitiveness of small business was assessed in Regulatory Impact Assessments published during the passage of the Local Government Bill and in the final Regulatory Impact Assessment published on Royal Assent, which is available on the Office of the Deputy Prime Minister's website.

CABINET OFFICE

Departmental Energy Use

Mr. Laurence Robertson: To ask the Minister for the Cabinet Office how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 *(i)* in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135046]

Mr. Alexander: For answers in respect of parts *(a)* and *(b)* parts (i) and (ii) I refer the hon. Member to the answer given to him by the Under-Secretary of State for Environment, Food and Rural Affairs, on 3 November 2003, *Official Report*, column 404W.

Given the current size of the Cabinet Office estate and information currently available we anticipate some reduction in real terms in our energy consumption in future years but I cannot yet quantify the change.

Improving energy efficiency is a continuing objective for the Cabinet Office and is an intrinsic part of our estate management activities. Since April 2002 we have worked in partnership with a Facilities Management

provider to ensure the efficient use of energy throughout our operations, reflecting guidance on Government-wide energy efficiency initiatives and targets for energy use on the Government Estate. Continuing energy efficiency awareness campaigns encourage staff to conserve and make efficient use of energy.

Official Cars

Norman Baker: To ask the Minister for the Cabinet Office pursuant to his answer of 27 October 2003, *Official Report*, column 55W, on official cars, what accountability mechanism applies to the Leader of the Opposition. [136253]

Mr. Alexander: Individual office holders are responsible for ensuring appropriate use of Government cars in accordance with relevant guidance.

Parliamentary Ombudsman

Mr. Clifton-Brown: To ask the Minister for the Cabinet Office in relation to the Parliamentary Ombudsman, how many cases were considered in the last year for which figures are available; how many cases were *(a)* upheld and *(b)* rejected; what the average time taken to consider cases was; and what the average cost was per case. [137157]

Mr. Alexander: The Parliamentary Ombudsman publishes information about the handling of cases in her annual report, copies of which are available in the Library of the House and on the Parliamentary Ombudsman's website at ww.ombudsman.org.uk. Information relating to the average costs associated with the Parliamentary Ombudsman's caseload is not held centrally.

HEALTH

Nurses

Mr. Jenkins: To ask the Secretary of State for Health if he will list the additional financial support offered to trainee NHS nurses since 1997. [136420]

Mr. Hutton: Following the report of the National Committee of Inquiry into Higher Education (the Dearing Report) in 1997, responsibility for nursing students training at degree level transferred from the Department for Education (now the Department for Education and Skills) to the Department of Health. From 1998 onwards, these students have been supported through the national health service bursary scheme and receive a more favourable package of support than other students in mainstream education.

NHS Bursary rates across all professions are considered each year and have been uplifted annually since 1998, including an increase of 10.4 per cent. (well ahead of inflation) in 2001.

The Department has made a number of other improvements to the scheme, including extension of eligibility for disabled students' allowances and hardship support to diploma level students, and more help with the costs of travel and accommodation. The Government have also committed to introduce help with the costs of child care from 2004.

My ministerial colleagues and I continue to keep NHS funded student support arrangements under review in order to ensure that they continue to meet our objectives for the service.

Miss McIntosh: To ask the Secretary of State for Health what guidance his Department issues to trusts for the recruitment of nurses from outside the UK. [136382]

Mr. Hutton: The Department has issued the following guidance to national health service trusts who are recruiting nurses from the outside the United Kingdom.

Guidance on International Nursing Recruitment (November 1999)

The Code of Practice for NHS employers involved in the international recruitment of healthcare professionals (October 2001)

Guide for the Provision of Adaptation for Nurses in the Independent and National Health Service Sectors (May 2003)

These documents are available on www.doh.gov.uk/international-recruitment.

Acute Hospital Beds

Chris Grayling: To ask the Secretary of State for Health how many beds there were in acute hospitals in London in each year since 1997. [133748]

Mr. Hutton: Information on the numbers of beds by ward classification is collected for each national health service trust and not by individual hospital site or type of hospital. Information on the number of beds is published annually and is available from the Department's website at http://www.doh.gov.uk/hospitalactivity/.

Up to 1999–2000, this information was also published in paper form in Bed Availability and Occupancy: England, copies of which are available in the Library.

Angioplasty

Mr. Nigel Jones: To ask the Secretary of State for Health how many patients undergoing angioplasty received titanium stents in each of the last five years for which figures are available; and if he will make a statement on the reliability of stents. [134243]

Miss Melanie Johnson: The Department of Health does not hold this data centrally.

The National Institute for Clinical Excellence has recently conducted an appraisal and provided guidance on the use of coronary artery stents. The guidance recommends that stents should be used routinely for people with either stable or unstable angina or with acute myocardial infarction undergoing percutaneous coronary intervention.

Asbestos

Chris McCafferty: To ask the Secretary of State for Health what powers his Department has to require companies dealing with asbestos to release information regarding former employees who have contracted an asbestos-related disease. [136761]

Mr. Browne: I have been asked to reply.

Regulation 21 of the Control of Asbestos at Work Regulations 2002 (S.I. 2002 No. 2675) requires employers to keep their employee's personal health records for 40 years. The Regulation allows the Health and Safety Executive (HSE) to request copies of those records as and when they require. HSE could release such information they obtain only if the employee gave permission or if it were needed for legal proceedings.

Choice and Plurality

Mr. Blizzard: To ask the Secretary of State for Health (1) if he will publish the reports on the two large scale simulations run by OPM to explore the potential effects of choice and plurality policies on the NHS; [129023]

(2) if he will publish the data reports for conferences organised by OPM on choice and plurality in the NHS for each strategic health authority in which they have taken place this year. [129024]

Mr. Hutton: A copy of the Department of Health Strategy Unit's summary of the two choice simulation events, ran for the Department by the Office of Public Management, has been placed in the Library.

Dental Laboratories

Richard Ottaway: To ask the Secretary of State for Health how many prosecutions have been brought under Regulation 14(a)(s) of the Medical Devices Regulations 1994 against dental laboratories which have not registered in accordance with the regulations since they came into force; what steps his Department is taking to identify those dental laboratories which are not so registering; and if he will make a statement. [135526]

Miss Melanie Johnson: No prosecutions have been undertaken against dental laboratories which have failed to register under the Medical Devices Regulations (now consolidated in SI2002 No. 618). The vast majority of breaches of the regulations are resolved with the co-operation of the manufacturer in line with the Governments Concordat on Enforcement without the need for prosecution. The Medicines and Healthcare products Regulatory Agency, which enforces the regulations in the United Kingdom, investigates and resolves all potential breaches that are drawn to its attention.

Dentistry

Mr. Paterson: To ask the Secretary of State for Health what steps he plans to take to increase provision of NHS dental services in Shropshire. [137509]

Dr. Ladyman: Oswestry dental access centre reopened in June 2003 following £160,000 refurbishment and expansion. This has increased the number of surgeries from three to four. The Department of Health has also provided funding for an additional dentist and dental nurse.

There is also an "Options for Change" field site in Oswestry, which is investigating the effective use of professionals complementary to dentistry.

Subject to Parliament, the Health and Social Care (Community Health and Standards) Bill will give new duties to primary care trusts (PCTs) from April 2005 to secure dental services and will enable them to provide assistance and support to dental practices with which they contract. From the same date, the £1.2 billion held centrally for dentistry will be devolved to PCTs to support them in delivering their new duties on dentistry. To enable PCTs to provide assistance to dental practices in advance of 2005, we have published the General Dental Services Incentive Schemes Directions 2003.

We have also set up an national health service support team to work with PCTs to tackle access problems and have provided new investment of £44 million for dentistry to support access, choice and quality. The NHS support team will be working with the NHS locally in Shropshire to see what assistance they can provide.

Drug Misuse

Mr. Paterson: To ask the Secretary of State for Health what plans he has to reduce the waiting time for treatment for drug abuse in Shropshire; and if he will make a statement. [137510]

Dr. Ladyman: Shropshire Primary Care Trust (PCT) is responsible for drug misuse services in Shropshire.

Shropshire and Staffordshire Strategic Health Authority reports that the PCT's drug action team has taken part in the 'Opening Doors' programme promoted by the National Treatment Agency for Substance Misuse and the NHS Modernisation Agency.

As a result, significant progress has already been made on waiting times in Shropshire. The latest figures show waiting times of between two and five weeks, depending on the kind of treatment.

Food Supplements Directive

Dr. Iddon: To ask the Secretary of State for Health (1) what plans he has to raise with the relevant European Commissioner the interpretation of Article 5 of the Food Supplements Directive; and if he will make a statement; [135263]

(2) what plans he has to liaise at a political level with other European member state governments as part of his strategy for achieving the best possible maximum permitted levels for nutrients under the provisions of the Food Supplements Directive. [135265]

Miss Melanie Johnson: Article 5 of the Food Supplements Directive lays out a framework for the future setting of maximum permitted levels of vitamins and minerals in food supplements. The United Kingdom continues to press for European Union maximum permitted limits to be set on a safety basis, and in doing so, is using its influence in both scientific and political forums. I intend to raise this issue with Ministers in other member states as and when appropriate. I am also seeking to arrange a meeting with Commissioner David Byrne at the earliest practicable opportunity.

General Practitioners

Mr. Hancock: To ask the Secretary of State for Health what progress has been made on implementing the target for 48-hour access to an appointment with a general practitioner. [136107]

Mr. Hutton: At September 2003, 93 per cent. of patients could be offered an appointment with a general practitioner within two working days. This represents considerable progress over the position in 1998, when only around 50 per cent. of people had this level of access.

Vera Baird: To ask the Secretary of State for Health what his policy is on ensuring adequate general practitioner coverage in communities without a local surgery. [136467]

Mr. Hutton: Each local primary care trust (PCT) is under a duty to secure provision of primary medical services for all people in its area. PCTs may deploy a variety of strategies to deliver this.

Simon Hughes: To ask the Secretary of State for Health what the general practitioner vacancy *(a)* rate and *(b)* number was in each English region in each year since 1997. [137366]

Mr. Hutton *[holding answer 10 November 2003]:* The Department's annual GP Recruitment and Retention Vacancy Survey started only from the year 2000.

The estimated three-month general practitioner (GP) vacancy rate for England in 2003 was 3.4 per cent. This is an increase from 2.7 per cent. in 2002. It is not possible to produce reliable estimates of the vacancy rate at strategic health authority (SHA) level. Estimated three-month vacancy rates are not available before 2002.

The number of GP vacancies for each SHA since 2000 is shown in the table. This represents a count of all GP vacancies that have occurred during each year. It will include turnover posts, and also posts created to boost expansion, even where they were filled very quickly. Thus, the increase in vacancies in part is a result of there being more posts overall, reflecting the Government's plan to increase the GP workforce.

England GP vacancy numbers by SHA from 2000 to 2003

	2000	*2001*	*2002*	*2003*
England total	1,143	2,345	2,487	3,245
Of which:				
Avon, Gloucestershire and Wiltshire	67	117	114	166
Bedford and Hertfordshire	22	80	94	107
Birmingham and the Black Country	45	116	157	104
Cheshire and Merseyside	72	111	125	115
County Durham and Tees Valley	34	69	101	110
Coventry, Warwickshire, Herefordshire and Worcestershire	25	56	54	44
Cumbria and Lancashire	30	93	99	121
Essex	29	66	79	157
Greater Manchester	38	51	92	164
Hampshire and Isle of Wight	55	107	122	121
Kent and Medway	42	54	41	97
Leicestershire, Northamptonshire and Rutland	44	89	123	133
Norfolk, Suffolk and Cambridgeshire	33	79	25	124
North and East Yorkshire and Northern Lincolnshire	32	76	85	94
North Central London	22	78	80	53
North East London	18	55	17	104
North West London	49	60	93	78
Northumberland, Tyne and Wear	28	67	60	105
Shropshire and Staffordshire	54	74	108	101
Somerset and Dorset	31	69	93	73
South East London	38	101	81	179
South West London	16	42	29	45
South West Peninsula	34	48	51	94
South Yorkshire	40	76	68	118
Surrey and Sussex	66	90	120	153
Thames Valley	43	129	95	106
Trent	67	145	174	201
West Yorkshire	68	147	107	178

Notes:

1. Years prior to 2003 have been mapped to current SHA areas.

2. 2003 numbers were collected directly from primary care trusts (PCTs). Previous years vacancy numbers were collected from health authorities (HAs).

3. In 2003, one PCT in South West London SHA did not respond to the survey.

4. In 2002–04, HAs did not respond to the survey. These made up parts of: Surrey and Sussex SHA, South West London SHA, Leicestershire, Northamptonshire and Rutland SHA and Hampshire and Isle of Wight SHA.

5. In 2001–02, HAs did not respond to the survey. These made up parts of: Surrey and Sussex SHA and South West London SHA.

6. In 2000–04, HAs did not respond to the survey. These made up parts of: Thames Valley SHA, County Durham and Tees Valley SHA, North and East Yorkshire and Northern Lincolnshire SHA and Trent SHA.

Source:

Department of Health GP Recruitment, Retention and Vacancy surveys 2000–03.

Health Care (York)

Hugh Bayley: To ask the Secretary of State for Health how many GPs there were in York in each year since 1992. [135955]

Miss Melanie Johnson: Figures for the number of general practitioners in York are not held centrally. The tables show the nearest geographical match for which figures are held centrally.

All general medical practitioners (excluding retainers)[1] for North Yorkshire Health Authority

numbers (headcount)

	North Yorkshire Health Authority QDR
1992	459
1993	471
1994	477
1995	490
1996	490
1997	493
1998	498
1999	509
2000	522
2001	525

[1] All practitioners (excluding GP retainers) includes GMS unrestricted principals, PMS contracted GPs, PMS salaried GPs, restricted principals, assistants, GP registrars, salaried doctors (Para 52 SFA) and PMS other.

Note:

Data as at 1 October 1992 to 1999 and 30 September 2000 to 2001.

Source:

Department of Health General and Personal Medical Services Statistics

All general medical practitioners (excluding retainers)[1] for Selby and York

numbers (headcount)

	York PCG	Selby PCG	Selby and York PCT
	4YT24	4DK03	5E2
1999	134	44	[2]—
2000	138	44	[2]—
2001	[2]—	[2]—	182
March 2002	[2]—	[2]—	190
2002	[2]—	[2]—	197
March 2003	[2]—	[2]—	202
June 2003	[2]—	[2]—	204

[1] All practitioners (excluding GP retainers) includes GMS unrestricted principals, PMS contracted GPs, PMS salaried GPs, restricted principals, assistants, GP registrars, salaried doctors (Para 52 SFA), PMS Other and flexible career schemes.

[2] not available.

Note:

Data as at 1 October 1999, 30 September 2000 to 2002, 30 March 2002 to 2003 and 30 June 2003.

Source:

Department of Health General and Personal Medical Services Statistics

Hugh Bayley: To ask the Secretary of State for Health how many *(a)* nurses, *(b)* non-medical, non-nursing care workers and *(c)* administrative staff were employed in GP practices in each year since 1992. [135956]

Mr. Hutton: The number of practice staff (whole time equivalent) including nurses and administrative staff, broken down by category, employed in general practitioner (GP) practices in each year since 1992 is shown in table 1.

The number of practice staff and practice nurses (headcount) employed in GP practices in each year since 1992 is shown in table 2.

Information on non-medical, non-nursing care workers is not available. However, it is likely that they are included in the direct patient care category.

Table 1—Practice staff[1] by type 1992 to 2002—England

whole time equivalents

		of which:			
	Practice staff[1]	Practice nurse	Direct patient care	Admin. and clerical	Other
1992	51,020	9,121	1,210	39,950	739
1993	53,952	9,605	1,218	42,349	781
1994	51,833	9,099	1,196	41,299	239
1995	59,255	9,745	1,577	47,353	579
1996	59,318	9,821	1,486	47,637	374
1997	60,579	10,082	1,521	48,341	635
1998	61,331	10,358	1,744	48,885	342
1999	63,087	10,689	1,876	49,990	531
2000	62,583	10,711	1,866	49,529	477
2001	64,998	11,163	2,090	51,390	355
2002	67,107	11,998	2,511	51,444	1,154
Percentage increase 1992 to 2002	31.5	31.5	107.6	28.8	56.1

[1] Practice staff includes practice nurses, direct patient care, admin. and clerical and other.

Note:

Data as at 1 October 1992 to 1999 and 30 September 2000 to 2002.

Source:

Department of Health General and Personal Medical Services Statistics.

Table 2—Practice staff[1] by type 1992 to 2002—England

numbers (headcount)

	Practice staff[1]	of which: Practice nurse
1992	80,213	[2]16,635
1993	84,185	[2]17,517
1994	84,211	16,500
1995	97,794	18,243
1996	97,379	17,898
1997	100,047	18,389
1998	100,975	[2]18,894
1999	105,828	[2]19,495
2000	102,270	19,200
2001	104,319	19,846
2002	107,275	20,983
Percentage increase 1992 to 2002	33.7	26.1

[1] Practice staff includes practice nurses, direct patient care, admin. and clerical and other.

[2] Headcount practice nurse figures are estimated for these years.

Note:

1. Headcount figures for other types of practice staff are not available separately.

2. Data as at 1 October 1992 to 1999 and 30 September 2000 to 2002.

Source:

Department of Health General and Personal Medical Services Statistics.

Hugh Bayley: To ask the Secretary of State for Health how many patients were registered with GP practices in York in each year since 1992. [135957]

Miss Melanie Johnson: The information is not available in the form requested. The tables show the numbers of patients registered with general practitioners in the areas that most closely correspond to York.

Patients of Unrestricted Principals and Equivalents (UPEs) [1] *for North Yorkshire health authority*

Number (headcount)

	North Yorkshire HA QDR
1992	715,117
1993	726,107
1994	731,641
1995	738,096
1996	739,885
1997	745,228
1998	727,159
1999	754,476
2000	751,292
2001	757,341

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs.

Note:
Data as at 1 October 1992–99 and 30 September 2000–01

Source:
Department of Health General and Personal Medical Services Statistics.

Patients of Unrestricted Principals and Equivalents (UPEs) [1] *for Selby and York*

Number (headcount)

		1999	*2000*	*2001*	*2002*
Selby PCG	4DK03	67,506	67,546	—	—
York PCG	4YT24	209,391	207,696	—	—
York and Selby PCTPCT	5E2	—	—	277,918	280,633

[1] UPEs include GMS Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs.

Note:
Data as at 1 October 1999 and 30 September 2000–02

Source:
Department of Health General and Personal Medical Services Statistics.

Hugh Bayley: To ask the Secretary of State for Health how many operations for *(a)* cataracts, *(b)* hernia, *(c)* hip replacement and *(d)* knee replacement were carried out at York District Hospital in each year since 1992. [135961]

Miss Melanie Johnson: The information requested is shown in the table.

All operations (OPCS4 codes in brackets) Cataracts, Inguinal hernia, Hip replacement and Knee replacement procedures: Trust Provider of Treatment RGB York Health NHS Trust

NHS hospitals, 1992–93 to 2001–02
Consultant Episodes *Count of Finished*

	Procedure grouping			
	Cataracts (C71, C72, C74, C75)	*Inguinal hernia (T19-T21)*	*Hip replacement (W37-W39)*	*Knee replacement (W40-W42)*
1992–93	750	529	239	93
1993–94	874	504	266	115
1994–95	989	511	298	120
1995–96	867	544	274	155
1996–97	1,010	551	271	163
1997–98	1,035	397	256	174
1998–99	1,337	493	313	213
1999–2000	1,448	473	298	209
2000–01	1,392	442	342	233
2001–02	1,357	500	371	246

Notes:

Finished Consultant Episode (FCE)

An FCE is defined as a period of admitted patient care under one consultant within one healthcare provider. Please note that the figures do not represent the number of patients, as a person may have more than one episode of care within the year.

Grossing

Figures are grossed for both coverage and missing/invalid clinical data, except for 2001–02 which is not yet adjusted for shortfalls.

All Operations count of Episodes

These figures represent a count of all FCE's where the procedure was mentioned in any of the 12 (four prior to 2002–03) operation fields in a HES record. A record is only included once in each count, even if an operation is mentioned in more than one operation field of the record.

Source:

Hospital Episode Statistics (HES), Department of Health

Information Technology

Chris Grayling: To ask the Secretary of State for Health when he expects to sign the first local strategic partnership contracts under the national programme for NHS information technology. [133917]

Mr. Hutton: The first contract for a national electronic booking system was completed and announced on 8 October 2003.

The first contracts for local service providers for the national programme for information technology in the national health service will be for the North East and London Strategic Health Authority clusters and are expected to be awarded and completed in November 2003.

ME

Mr. Steen: To ask the Secretary of State for Health if he will break down by region the £8.5 million announced on 12 May to provide services for patients with symptoms of myalgic encephalomyelitis/chronic fatigue syndrome. [137820]

Dr. Ladyman: We are fully committed to improving services for patients with chronic fatigue syndrome/myalgic encephalomyelitis. We are currently considering the bids received from local health communities under this scheme. Funding will be made available to cover the two years from 1 April 2004. Funding decisions for year one will be announced towards the end of January 2004. The funding decisions for year two will be announced in June 2004.

NHS Disciplinary Cases

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what guidelines have been put in place to ensure that, in contentious disciplinary cases within NHS trusts, evidence submitted to an investigation is seen in full; [137148]

(2) what steps his Department takes to ensure that disciplinary procedures within the NHS trusts outstanding for 18 months are dealt with promptly. [137151]

Mr. Hutton: National health service trusts are responsible for the establishment of their own local disciplinary procedures.

We have been working very closely with the British Medical Association and British Dental Association to finalise a new national framework for doctors and dentists. The main elements of the framework were included in the joint statement of agreed principles which was published in September 2003 as part of the consultant contract consultation.

The Department has taken action to ensure that disciplinary cases are dealt with promptly. In the short term a senior human resources expert, working with the support of an expert steering group from across the Department, NHS and General Medical Council is available to help local management to resolve outstanding cases quickly. In addition, the National Clinical Assessment Authority is available to assist with case management.

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what estimate his Department has made of the costs of *(a)* suspensions and *(b)* disciplinary procedures in the NHS for (i) Coventry, (ii) the West Midlands and (iii) England; [137150]

(2) how many suspensions lasting over 18 months there are in the NHS for *(a)* Coventry, *(b)* the West Midlands and *(c)* England. [137152]

Mr. Hutton: The Department routinely collects information on hospital and community medical and hospital dental staff suspended for more than six months. The information does not include cases where the practitioner is not suspended.

For the third quarter 2003, the latest date for which figures are available, there was one suspension reported to the Department lasting over 18 months in Coventry and a total of 13 in England. The total reported cumulative cost of suspensions lasting more than six months for the period 1 July-30 September 2003 in Coventry is £398,750, West Midlands (including Coventry) £489,755 and an estimated £3.5 million in England (including the above figures).

NHS Salaries

Dr. Fox: To ask the Secretary of State for Health if he will list salaries and wages costs for *(a)* general and senior managers, *(b)* nurses and midwives and *(c)* administrative and clerical staff by NHS trust for the financial years (i) 2000–01 and 2001–02. [127342]

Mr. Hutton: This information has been placed in the Library.

Occupational Therapy

Chris Grayling: To ask the Secretary of State for Health how many initial contacts there have been between NHS patients and occupational therapy staff in London in each of the past 10 years. [134854]

Mr. Hutton: Figures for occupational therapy initial contacts in London for the past 10 years are shown in the table.

Thousand

	Initial contacts
1992–93	111
1993–94	146
1994–95	130
1995–96	151
1996–97	160
1997–98	150
1998–99	152
1999–2000	152
2000–01	152
2001–02	148
2002–03	152

Source:
Department of Health Statistics Division 3G KT26.

Older People

Sandra Gidley: To ask the Secretary of State for Health (1) what use he will make of the skills profiles which general hospitals which care for older people have been asked to provide; and if he will make a statement; [137933]

(2) how many general hospitals have completed a skills profile of their staff in relation to the care of older people; and how many have in place a training programme to address the gaps identified. [137934]

Dr. Ladyman: It is for strategic health authorities to monitor achievement of the milestone in the older people's national service framework about general hospitals completing skills profiles of their staff in relation to the care of older people and developing appropriate training programmes. Information about progress is not collected centrally.

Patient Lists

Mr. Paterson: To ask the Secretary of State for Health what the average NHS patient list size is for *(a)* general practitioners and *(b)* dental practitioners. [137511]

Mr. Hutton: Data on the number of family doctors and patients are published annually. The latest edition, "Statistics for General Medical Practitioners in England: 1992–2002, is available at: http://www.doh.gov.uk/public/sb0303.pdf and shows that the average list is 1,838, four per cent. lower in 2002 than it was in 1992.

Dentists working in the general dental services (GDS) are free to register as many or as few patients as they choose. Patients who cannot, or who choose not to, register can still access national health service dental services through the personal dental service, community dental service, emergency dental service and the hospital dental service, and on an occasional basis, in the GDS.

At 30 June 2003, there were 16,326 principal dentists in the GDS in England and 23.5 million patients registered. On average, there were 1,436 registrations per principal dentist. Registrations cover patients seen in the last 15 months.

Patient Transport

Vera Baird: To ask the Secretary of State for Health what his policy is on the provision of transport to enable

patients in areas where there is no general practitioner within walking distance to get treatment when it is needed. [136465]

Mr. Hutton: This is a matter for local decision by primary care trusts. However, if a patient's condition is such that he or she cannot get to the surgery, the general practitioner concerned is required to make a home visit.

Primary Care

Vera Baird: To ask the Secretary of State for Health what steps he will take to protect current levels of primary care treatment of communities whose surgeries are removed to LIFT centres outside walking distance. [136463]

Mr. Hutton: We are committed to increasing the range and amount of treatment offered to patients outside of a hospital setting. New local investment finance trust developments bringing together a range of services into convenient locations will help improve patients' access to a range of services.

Primary Care Centres

Brian Cotter: To ask the Secretary of State for Health how many one-stop primary care centres there are in England; where they are located; how many are proposed; where they will be located; and if he will make a statement. [135388]

Mr. Hutton: The NHS Plan announced the development of 500 one-stop primary care centres by the end of 2004. At the end of June 2003, 247 one stop primary care centres had been opened and local delivery plans suggest more than 500 will be open by the end of 2004. "Delivering the NHS Plan" (2002) announced an additional 250 centres by 2008, 125 of which are to be delivered by 2006

A detailed list of centres and their locations is not yet available but is being completed.

Quality Indicators

Mr. Gardiner: To ask the Secretary of State for Health what steps he is taking to improve the ease of collection of quality indicators for general medical services practices through the introduction of new computer systems to the NHS. [136633]

Mr. Hutton: The Department is currently in discussion with the General Practitioners Committee and the NHS Confederation regarding the development of computer systems to support the quality and outcomes framework. The proposed solution will seek to minimise the practice work load by supplying practices and primary care trusts with systems which will support their business processes.

Respite Beds

Mr. Goodman: To ask the Secretary of State for Health how many respite beds there are in *(a)* Buckinghamshire, *(b)* South Buckinghamshire and *(c)* Wycombe constituency. [137903]

Dr. Ladyman: The data are not available centrally.

Speech/Language Therapy

Chris Grayling: To ask the Secretary of State for Health how many initial contacts there were between patients and speech and language therapy staff in the NHS in London in each year since 1992. [134856]

Mr. Hutton: The information requested is shown in the table.

Speech and Language therapy initial contacts, London, 1992–93 to 2002–03

Thousand

	Initial contacts
1992–93	45
1993–94	45
1994–95	52
1995–96	51
1996–97	55
1997–98	57
1998–99	54
1999–2000	54
2000–01	55
2001–02	55
2002–03	59

Source:
Department of Health Statistics Division 3G KT29.

Trust Performance Ratings

Mr. Lyons: To ask the Secretary of State for Health if he will list the performance ratings for *(a)* acute and *(b)* specialist trusts for 2002–03. [135921]

Mr. Hutton: Information on the performance ratings for 2002–03 for all organisation types are available in the Library and on the Commission for Health Improvement's website at www.chi.nhs.uk/ratings.

Volatile Substance Abuse

Phil Sawford: To ask the Secretary of State for Health when he expects to receive the Flemen report on volatile substance abuse. [127796]

Miss Melanie Johnson: The Department of Health commissioned independent research work on volatile substance abuse (VSA) to inform future policy work on VSA and the national drug strategy. As is customary in such situations, there are no plans to publish this report.

CONSTITUTIONAL AFFAIRS

Magistrates Courts

Mr. Wood: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether the budget of magistrates' courts for administration of licensing will be transferred to local authorities when responsibility for the work is transferred [137313]

Mr. Leslie: On 10 July 2003, the Licensing Act received Royal Assent. The Act will transfer responsibility for the administration of licenses from the magistrates' courts to local authorities.

Under current arrangements, the principle is that the cost to magistrates' courts of the administration of licensing is covered by the licensing fees charged. As such, there is no separate budget in the magistrates'

courts that is allocated to licensing that could be transferred to local authorities. The intention of the Department for Culture, Media and Sport, who have overall responsibility for the Act, is that a similar system will operate after the transfer of responsibility. I understand that licensing fees will be set at a level that will folly cover the administration, inspection and enforcement costs incurred by local authorities in relation to licensing.

Delayed Trials

Mr. Hoyle: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many trials were delayed because of late arrival of prisoners from *(a)* police cells and *(b)* prisons in 2002–03, broken down by court in Lancashire. [137342]

Mr. Leslie: Performance data was not collected centrally on late delivery of prisoners in 2002–03. However, I am able to provide data on late delivery between prisons and the Crown Court from July to September 2003.

Data for Lancashire Criminal Justice Area for this period reveals that an average of 8 trials per month in the Crown Court were delayed due to late delivery. This equates to an average of 5.6 per cent. of all cases listed for trial in any one month. The average delay was an hour and a half per case. The length of delay, however, varies significantly from 10 minutes to 3 and a half-hours.

Data by court average from July-September 2003

Lancaster Crown Court	None
Preston Crown Court	4.3 cases
Burnley Crown Court	0.3 cases
Carlisle Crown Court	3.7 cases

Unfortunately, I am unable to provide like data for the Magistrates' Courts relating to the late delivery of prisoners as this is not collected.

Divorced Parents

Sir Nicholas Winterton: To ask the Parliamentary Secretary, Department for Constitutional Affairs pursuant to his answer of 22 October 2003, *Official Report*, column 630, on divorced parents, if he will *(a)* commission research into the number of divorced fathers who maintain effective contact with their children and *(b)* take steps to monitor the welfare of children, when the children's mother is granted leave to remove them from the United Kingdom; and if he will make a statement. [136101]

Mr. Lammy: Before granting leave to take children abroad, the courts will consider all the relevant issues and, as required by the Children Act 1989, have the best interests of the child as their paramount concern. Therefore, children will only be taken abroad with the leave of the court where it judges such a step to be in their best interests. Such children will be living in many parts of the world and it would not be appropriate or practical for the UK Government to exercise a monitoring role. There are, therefore, no current plans to commission research or to introduce a monitoring role in this area.

Electoral Fraud

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs what research he has collated on the level of electoral fraud in *(a)* postal ballots and *(b)* voting in person. [137335]

Mr. Leslie: The independent Electoral Commission has evaluated every all-postal electoral pilot scheme undertaken since April 2002. The evaluations included consideration of the issue of fraud and the findings from the 2003 pilots informed the Commission's recent 'Shape of elections to come' report, which concluded that 'there is only very limited evidence of any increase in fraud linked to all-postal ballots.'

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs what criminal sanctions there are in relation to electoral fraud. [137336]

Mr. Leslie: There are a number of offences relating to electoral fraud which carry a variety of penalties including a minimum fine of £200 (in some circumstances no maximum is specified) and custodial sentences ranging from 6 months to 2 years. In addition, these offences may be classified as either illegal or corrupt practices, which carry different sanctions, depending on the offence. These include disenfranchisement and disqualification from standing as a candidate for specified periods.

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will list cases of electoral fraud that have resulted in a custodial sentence in the last five years. [137337]

Mr. Leslie: I regret that information on electoral fraud cases has not been systematically collected or held centrally. The Electoral Commission is working with the Crown Prosecution Service to develop a process to identify and monitor electoral fraud cases.

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs what discussions he has had with the Electoral Commission on electoral fraud. [137338]

Mr. Leslie: My officials and I are in frequent communication with the Electoral Commission on a range of electoral issues, including electoral fraud. Following such discussions, and recommendations made by the Commission, consideration is currently being given to a number of changes to electoral procedures, some of which are aimed at fraud prevention. Meanwhile, we have included in the current European Parliamentary and Local Elections (Pilots) Bill, an extension of the offence of 'personation' (to cover remote voting) and a power to extend the time limit by which a prosecution for such an offence must begin.

Family Courts

Mr. Goodman: To ask the Parliamentary Secretary, Department for Constitutional Affairs what representations he has received on the legal provisions which apply in relation to the division of property in family courts; and if he will make a statement. [137086]

Mr. Lammy *[holding answer 10 November 2003]:* Under current legislation, the courts are empowered to make a number of orders in relation to the division of family property and must consider a range of issues in each case. They have the discretion to make the orders that they see as appropriate and fair with regard to the specific circumstances of a case. The representations I receive are by way of correspondence from right hon. and hon. Members on behalf of their constituents and from members of the public. In the main they relate to general queries or complaints about the way the legislation will be or has been applied in particular cases.

House Sales

Mr. Hoyle: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many house sales there were at more than *(a)* £50,000, *(b)* £100,000, *(c)* £200,000, *(d)* £500,000, *(e)* £750,000 and *(f)* £1 million in the Chorley constituency in each year since 1997. [137343]

Mr. Lammy: The figures for each completed calendar year are as follows. The Land Registry collects residential property price data by specified price bands and it is not possible to provide figures for sales specifically at more than £750,000. Alternative ranges have therefore been provided.

£		*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
50,001	100,000	770	806	932	1,056	1,060	1,193
100,001	200,000	261	332	385	437	579	845
200,001	500,000	16	29	39	39	73	168
500–001	600,000	0	1	0	0	0	2
600,001	800,000	0	0	1	1	0	5
800,001	1 million	0	0	0	0	0	0
Over 1 million		0	0	0	0	0	1

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many house sales of less than £20,000 in east Lancashire took place in each year since 1997. [136732]

Keith Hill: I have been asked to reply.

Calendar year	*Sales below £20,000 in the area of east Lancashire as defined in note 1 below*	*Sales below £20,000 in the east Lancashire pathfinder area*
1997	1,340	1,452
1998	1,461	1,482
1999	1,372	1,382
2000	1,683	1,702
2001	1,953	1,881
2002	2,821	2,463

1. The area of "east Lancashire" referred to in the first column of sales figures has been interpreted as comprising the districts of Burnley, Hyndburn, Pendle, Ribble Valley, Rossendale.
2. Sales are taken to mean the transfer of ownership for value of freehold and long leasehold residential properties, whether or not the purchase was supported by a mortgage.

Source:
Land Registry

Magistrates

Mr. Hoyle: To ask the Parliamentary Secretary, Department for Constitutional Affairs what advice the Lord Chancellor gives on the age of magistrates. [136914]

Mr. Leslie: I would refer my hon. Friend to the written ministerial statement on 6 November 2003, *Official Report*, column 43WS concerning the Secretary of State and Lord Chancellors' National Strategy for the Recruitment of Lay Magistrates. That records the Secretary of State and Lord Chancellor's decision that there need be no lower age limit for applicants to the magistracy who can show that they have the key qualities needed for appointment. This is intended to help in achieving a more diverse and better-balanced bench. The upper age limit for recruitment of magistrates is 65. The training to serve as a magistrate takes approximately two years to complete, and at least two—three years on the bench is needed to recoup the cost of training before a magistrate reaches the statutory retirement age of 70.

Mental Health

Mr. Gardiner: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will bring forward proposals in the draft Mental Incapacity Bill to prevent *(a)* medical staff and *(b)* carers from withholding care to people who are mentally incapacitated. [136625]

Mr. Lammy: The Draft Mental Incapacity Bill establishes a framework under which decisions can be made on behalf of adults who lack capacity. The Bill contains a requirement that all decisions must be made in the best interests of the person. The current law is that, in certain circumstances, care that involves the provision of medical treatment may be withheld by medical staff if this is in the best interests of the person because the continuation of such care would serve no beneficial purpose and would be burdensome. The Bill would not change this. However the Bill adds a new safeguard of a criminal offence of ill-treatment and neglect. This would mean that wilfully neglecting someone by withholding care could lead to prosecution.

Mr. Gardiner: To ask the Parliamentary Secretary, Department for Constitutional Affairs what discussions his Department has had with *(a)* charities, *(b)* religious groups, *(c)* legal professionals and *(d)* medical professionals about provisions on the withholding of care in the draft Mental Incapacity Bill. [136659]

Mr. Lammy: My Department has had a large number of discussions with a wide range of stakeholders on all aspects of the draft Bill and we set up a Consultative Forum in September 2002 to facilitate this. We have engaged with a number of lay and religious groups, for example Alert and CARE, in order to learn more about their views on healthcare decision-making, including the circumstances in which medical treatment is withdrawn

or withheld. We have also similarly engaged with legal and medical professional organisations, including the Law Society and the British Medical Association. We are committed to maintaining contact with these and other groups with an interest in the draft Bill.

Paper Deeds

Mr. Blunt: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether all paper deeds will be returned to the registered land and home owners rather than destroyed in the process of putting the Land Registry on-line. [136704]

Mr. Lammy: When making an application to Land Registry, a customer may now request the return of any of the documents lodged with the application subject, in most cases, to providing a certified copy.

For documents lodged on or before commencement of the Land Registration Act 2002 on 13 October 2003, registered owners have five years from that date to request the return of a document lodged by them or by a previous owner.

No decision has yet been made by Land Registry as to whether, and if so in what circumstances, documents will be destroyed. However, the Land Registration Rules 2003 require that before any documents are destroyed (and subject to the five year period for certain documents, as mentioned above) the Chief Land Registrar must be satisfied that either he has made a sufficient copy of the document or that further retention is unnecessary.

Written Answers to Questions

Wednesday 12 November 2003

LEADER OF THE HOUSE

Constituency Offices

Mr. Kidney: To ask the Leader of the House how many honourable Members have constituency offices that are registered under the Office, Shops and Railway Premises Act 1963; and what advice hon. Members are given about such registration of constituency offices. [137186]

Mr. Hain: This information is not collected centrally. I understand that the House authorities do not provide any such advice, but the Speaker's Advisory Panel on Members' Allowances has been asked to consider how best to ensure that Members are aware of the need to register their offices.

Parliamentary Bills

Mr. Jack: To ask the Leader of the House if he will list, for each bill considered by the House in this session of Parliament, how much time was spent on debate on each clause during *(a)* committee stage and *(b)* report stage. [137693]

Mr. Hain: The information requested is a matter of public record, obtainable from *Hansard*, but could be collated only at disproportionate cost.

ADVOCATE-GENERAL

Partnership Law

Miss McIntosh: To ask the Advocate-General pursuant to her Answer of 9 September, *Official Report*, column 158, on partnership law in relation to Scottish land law, whether any representations have been made. [136728]

The Advocate-General for Scotland: I am informed that no representations by landowners have been received by the Office of the Advocate-General about the matter of partnership law in relation to Scottish land law.

SCOTLAND

Scottish Agricultural Sector

Malcolm Bruce: To ask the Secretary of State for Scotland what discussions he has had with *(a)* the Secretary of State for Environment, Food and Rural Affairs and *(b)* the Scottish Executive on the Scottish agricultural sector. [135828]

Mrs. McGuire: My right hon. Friend has regular discussions with his ministerial colleagues and with the Scottish Executive on a wide range of issues.

Malcolm Bruce: To ask the Secretary of State for Scotland what representations his Department has made to the European Union regarding the Scottish agricultural sector. [135829]

Mrs. McGuire: The Department for Environment, Food and Rural Affairs represents the United Kingdom's views on agricultural issues in regular discussions in the European Union. In doing so, it takes account of the views of the Scottish Executive and the other Agriculture Departments.

SOLICITOR-GENERAL

Iraq

Llew Smith: To ask the Solicitor-General pursuant to her answer of 23 October, *Official Report*, column 693W, on Iraq, what considerations underpinned the decision to override the convention of non-publication of the Law Officers' advice to Government when the Attorney-General published a summary of his advice on 17 March. [135627]

The Solicitor-General: The Attorney-General's advice was not disclosed. In view of the high level of public interest in this issue, the Attorney-General, exceptionally, made a written statement in Parliament on 17 March 2003, setting out his view of the legal basis for the use of force against Iraq.

TRANSPORT

Accident Report (Salisbury)

Mr. Key: To ask the Secretary of State for Transport if he will request a report on the accident on 6 November at Broken Cross Bridge near Salisbury; and if he will make a statement. [137767]

Mr. Jamieson: I understand that investigations into the circumstances surrounding the accident at Broken Cross Bridge, including the condition of the parapet, are on-going.

Given the general concern over highway accidents that result in vehicles ending up on railway tracks, the Government are keen to learn of such incidents as one part of our work to meet road safety targets.

I will therefore request that copies of the accident report are made available to my officials in order to assess whether there are any lessons to be learned. Until then I believe it would be inappropriate to make any further statement.

EU Committees

Angus Robertson: To ask the Secretary of State for Transport if he will list the dates of meetings of *(a)* the EU Committee for the implementation of the directive relating to the availability of consumer information on fuel economy and carbon dioxide emissions in respect of the marketing of new passenger cars and *(b)* the EU

Committee on the control of major accident hazards involving dangerous substances (SEVESO II) during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if he will make a statement. [132683]

Mr. Jamieson: During the Danish and Greek presidencies the Committee of Directive 99/94/EC met on one occasion, on 13 December 2002. On the agenda were a review of the state of play of legal implementation of the Directive in member states, a draft Directive adapting the base Directive with relation to displaying of CO_2 information in car showrooms, a recommendation to extend the Directive to other media, and a discussion of segmentation of the vehicle fleet for CO_2 labelling purposes.

Fuel consumption and CO_2 labelling are a reserved issue and the Committee meeting was attended by officials of the Department for Transport only. However, UK officials consult widely and the views of the devolved administrations, including the Scottish Executive, are fully reflected at Committee meetings.

Mersey Bridge

Mr. Woodward: To ask the Secretary of State for Transport what the Government's policy is on integrating the new Mersey Bridge with the transport network of *(a)* St. Helens, *(b)* Merseyside and *(c)* the north west region. [137987]

Mr. Jamieson: Halton borough council submitted a detailed proposal to my Department in July 2003 for the funding of a New Mersey Crossing. The implications of such a crossing for the transport networks of St. Helens, Merseyside and the north west region will be considered as part of our assessment of this proposal.

Mr. Woodward: To ask the Secretary of State for Transport what assessment he has made of the cost of linking the transport links of St. Helens with the new Mersey Bridge; and what additional resources he will make available for this purpose. [137988]

Mr. Jamieson: Halton borough council submitted a detailed proposal to the Department for Transport in July 2003 for the funding of a New Mersey Crossing. No separate assessment has been carried out by the Department of the cost of linking the transport links of St. Helens with a new crossing. The provision of additional resources for such transport links would be considered in the light of any proposals submitted by the relevant authorities in the context of the Local Transport Plan for Merseyside.

Mr. Woodward: To ask the Secretary of State for Transport how many jobs the Government estimates will be created by the building of the new Mersey Bridge. [138006]

Mr. Jamieson: Halton borough council submitted a detailed proposal to my Department in July 2003 for the funding of a New Mersey Crossing. My Department has not made any separate estimates of the number of jobs that might be created by such a proposal.

Norwalk Viruses

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many passengers on board UK-registered cruise ships have been affected by Norwalk viruses in each year since 1997; and if he will make a statement. [137850]

Mr. Jamieson: This information is not available.

Planning Inquiries

Dr. Julian Lewis: To ask the Secretary of State for Transport how many recommendations from planning inquiry inspectors he has *(a)* accepted and *(b)* rejected in each year since 1997. [137943]

Mr. McNulty: The Department for Transport was formed on 29 May 2002. Since its formation, the Secretary of State has accepted 44 recommendations made by public inquiry inspectors and rejected none.

Railways

Mr. Rosindell: To ask the Secretary of State for Transport what proportion of trains left *(a)* London's Kings Cross, *(b)* Euston, *(c)* Victoria, *(d)* Liverpool Street, *(e)* Marylebone, *(f)* Paddington, *(g)* Waterloo and *(h)* Charing Cross behind schedule in the first week of each month in 2003. [137318]

Mr. McNulty: This information is not collected by the Government or the Strategic Rail Authority. Punctuality is based on time of arrival at final destination stations.

Road Safety

Miss McIntosh: To ask the Secretary of State for Transport what plans he has to make using a hand-held mobile phone while driving an endorsable offence. [137180]

Mr. Jamieson: As announced in the Department's decision letter of 24 June 2003, the Government plans to make the new offence endorsable when a suitable legislative opportunity arises.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Transport how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136850]

Mr. McNulty: The Department for Transport was established following machinery of Government changes in May 2002. For the period 2002–03 there have been 16 cases of alleged work-related stress in the Department for Transport (excluding its Agencies). There have been no compensation claims for work-related stress. The Department does not have details of the days lost and associated cost for work-related absence.

The Department has a Stress at Work Policy in place, which is supported by practical guidance issued to staff on dealing with the issue. In addition, the Department has access to a counselling and support facility. The Department is committed to meeting the targets for reducing the number of days lost due to work related injuries and ill health arising from the Government's Revitalising Health and Safety initiative.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture Sector (Losses)

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will estimate the annual economic loss sustained by the agricultural sector from infestation by *(a)* rabbits, *(b)* voles, *(c)* rats and *(d)* mice. [137253]

Mr. Bradshaw: In the 1980s the Department estimated the total cost of rabbit damage to agricultural crops in Britain to be approximately £100 million per annum. The Central Science Laboratory has derived a current estimate, based on extrapolation from the 1980s, of approximately £115 million per annum with the total cost of rabbit control activity being approximately £5 million per annum.

There are no figures available for economic losses to the agricultural sector caused by voles, rats or mice, as Defra does not collate these data.

Antibiotics

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the use of antibiotics in imported meats. [137288]

Mr. Bradshaw: Residues of antibiotics, other veterinary medicines and banned substances in meats imported from third countries are controlled at two levels. First, the European Commission requires all third countries wishing to export food products to the EU to submit annual residue monitoring plans. These must demonstrate that the third country understands that exports to Member States should not contain substances banned in the EU, or authorised veterinary medicines in excess of the EC Maximum Residue Limit. These arrangements replicate the obligations placed on Member States to ensure that any residues of veterinary medicinal products in foodstuffs produced in the EU are at a level safe for consumers. The European Commission's Food and Veterinary Office also carries out missions to third countries to inspect and audit the arrangements they have in place to meet this requirement. Secondly, imports into the UK are randomly sampled at Border Inspection Posts and, to a lesser extent, at retail outlets. These samples are tested for a range of residues, including antibiotics. Any positives are considered for their consumer safety implications by toxicologists and the importing country's authorities are asked to investigate. Results of all the tests are reported on the Veterinary Medicines Directorate's website and in their quarterly newsletter.

Beef Exports

Mr. Flook: To ask the Secretary of State for Environment, Food and Rural Affairs what action the British Government are taking to ensure that the French Government pay their fine for breaching the rules allowing British beef to be exported to France. [136898]

Mr. Bradshaw: The European Commission withdrew its case in the European Court of Justice seeking a daily fine on France after France lifted its ban. Therefore, no fines were payable, but the Commission asked the Court to order that costs of the case be borne by France. The UK Government regretted the decision by the European Commission not to pursue the case for penalties against France. The UK supported the Commission throughout and believed that pressing this case would have sent a firm message to member states that no one country can avoid its obligations and responsibilities.

Bovine Tuberculosis

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what factors determine compensation payment levels for bovine TB factors in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland. [136408]

Mr. Bradshaw: The Brucellosis and Tuberculosis (England and Wales) Compensation Order 1978 (as amended) specifies that the level of compensation payable for animals slaughtered for tuberculosis in England and Wales shall be their market value. Analogous legislation in Scotland and Northern Ireland similarly provide for compensation to be made at the market value.

The legislation covering compensation in respect of bovine tuberculosis is the Tuberculosis Control Order (Northern Ireland) 1999. Article 11(1) of the legislation states that where the Department slaughters or causes an animal to be slaughtered under Article 10(1), the compensation payable by the Department for the animal shall be the market value of the animal.

Correspondence

Clare Short: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to the letter of 29 September from the right hon. Member for Birmingham, Ladywood, on behalf of Ms Archer, a constituent, regarding the welfare of racing greyhounds. [136591]

Mr. Bradshaw: I responded to my right hon. Friend on 5 November 2003.

Cruelty to Animals

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs under what legislation people who are cruel to animals may be prosecuted; and if she will make a statement. [134594]

Mr. Bradshaw *[holding answer 27 October 2003]:* A person can be prosecuted for cruelty to animals under the Protection of Animals Act 1911 (in England and Wales, 1912 Act in Scotland) in relation to acts of cruelty against captive and domestic animals; the Wild Mammals (Protection) Act 1996 in relation to acts of

cruelty against wild mammals; the Wildlife and Countryside Act 1981 (as amended) in relation to acts of cruelty against other wild animals; and the Protection of Badgers Act 1992 in relation to acts of cruelty against badgers.

My Department is currently reviewing the legislation relating to the welfare of captive animals with the intention of updating and consolidating it into one statute—the Animal Welfare Act. Offences of cruelty and the associated penalties are included as part of the review.

Dairy Farming

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many dairy cows there were in each of the past five years; and what the average size of dairy herds was in each year. [135746]

Mr. Bradshaw: Data for dairy cows are collected annually from the June agricultural and horticultural census as a total.

For the last five years the figures are:

Dairy cows and dairy herd size 1998 to 2002

	Dairy cows	*Average dairy herd size*
1998	1,642,636	83.9
1999	1,659,210	88.5
2000	1,575,320	89.8
2001	1,490,224	91.6
2002	1,462,155	87.9

Notes:
1. Dairy herd—holdings with dairy cows producing milk.
2. Dairy cows—all cows and heifers that have calved.
3. 1998 and 1999 figures refer to main holdings only. 2000 onwards—main and minor holdings.

Source:
June agricultural census—England.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact on dairy farmers of the *(a)* contractual and *(b)* price setting behaviour of the largest five UK supermarket chains. [135774]

Mr. Bradshaw: We have made no specific assessment of the impact on dairy farmers of the contractual and price setting behaviour of the largest five UK supermarket chains. However, a detailed investigation into the supply of groceries from supermarkets was carried out by the Competition Commission in 1999–2000. The Commission concluded that, taking all matters into consideration, the industry was broadly competitive. It did, however, identify three situations where competition was distorted and operates against the public interest. These concerned the relationship between supermarkets and their suppliers and certain pricing practices. The Commission's report, which was published in October 2000, can be found at http://www.competition-commission.org.uk/inquiries/completed/2000/index.htm

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the likely effect of reform of the Common Agricultural Policy on future prices per litre of milk. [134379]

Mr. Bradshaw: When fully implemented, the reforms agreed in June in Luxembourg will reduce the support price for butter by 10 per cent. more than the 15 per cent. reduction originally agreed for both butter and skimmed milk powder under Agenda 2000 (ie a 25 per cent. cut in the support price for butter). If farmgate prices were to fall to the same extent, the price per litre might be reduced by a further 0.95p beyond the impact of Agenda 2000. However, we share the European Commission's assessment that farmgate prices are unlikely to settle at this level: indeed, the overall package of compensation agreed reflects this. (Producers will be compensated through an increase in the level of direct payments of a further 0.74ppl over and above the compensation originally agreed in Agenda 2000.) The figures quoted above are based on an exchange rate of 70p/euro.

Our economic assessment indicates that decoupling of direct payments from production will have a beneficial effect on farm incomes; we would expect the main dairy-specific price impact to be in relation to the value of milk quota.

Energy Efficiency

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how she will double the rate of energy efficiency improvement in order to meet targets for 2020 set out in the Energy White Paper. [133255]

Mr. Bradshaw: The Energy White Paper makes clear that energy efficiency is expected to deliver about half the carbon savings needed to meet our carbon emission reduction goals for 2020. This will mean roughly doubling the rate of energy efficiency improvement of recent decades.

A wide range of policies and measures to encourage energy efficiency across the economy is already in place, including Climate Change Agreements, the work of the Energy Saving and Carbon Trusts to promote energy efficiency in the household and business sectors, the Energy Efficiency Commitment, UK Emissions Trading Scheme (ETS), and updated Building Regulations.

Key measures proposed in the White Paper include extension of the Energy Efficiency Commitment beyond 2005 at possibly twice its current level of activity; further improvements in the Building Regulations, faster improvements in the standards of new household appliances; and consultation on economic instruments to improve household energy efficiency, as well as other measures for the business and public sectors.

The Government intend to publish an Energy Efficiency Implementation Plan within a year of the White Paper's publication, which will provide further detail on all of these policies.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on plans to improve energy efficiency in the UK. [133283]

Mr. Bradshaw: The Energy White Paper details the steps being taken to encourage greater energy efficiency in the UK, and sets out an ambitious strategy for energy efficiency up to 2010 and beyond. Energy efficiency is

expected to deliver about half the carbon savings needed to meet our goals for 2020. This will mean roughly doubling the rate of energy efficiency improvement of recent decades.

Key measures proposed in the White Paper include extension of the Energy Efficiency Commitment beyond 2005 at possibly twice its current level of activity; improvements in building standards through further revisions to the Building Regulations; and faster improvements in the standards of new household appliances.

The Government intend to publish an Energy Efficiency Implementation Plan within a year of the White Paper's publication, which will provide further detail on all of these policies.

Farm Borrowing

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what the *(a)* total level of borrowing of British farmers and *(b)* average level of borrowing per farm in the United Kingdom was in the last year for which figures are available. [137255]

Mr. Bradshaw: The information is as follows:

(a) In 2001, the liabilities of United Kingdom agriculture amounted to £9.5 billion. This figure includes: mortgages; bank loans; family loans; leasing; hire purchase; trade credit; bank overdrafts; and other liabilities.

(b) In 2001–02, the average closing value of borrowings on farm businesses in England was nearly £91,000. This estimate is based on Farm Business Survey data, which are a sample of full-time farm businesses. Farms in the sample subject to compulsory cull due to foot and mouth disease in 2001–02 have been excluded. Average borrowings for the United Kingdom are not available, but estimates for the other UK countries are available separately in the publication "Farm Incomes in the United Kingdom" (http://statistics.defra.gov.uk/esg/publications/fiuk/default.asp)

Farm Diversification

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what assistance is being provided for farmers to *(a)* diversify and *(b)* generate income from new sources. [137265]

Alun Michael: The Government's Strategy for Sustainable Farming and Food clearly sets out the scope of the assistance available to help farmers diversify their sources of income and to generate income from other sources.

Defra offers grants for good diversification projects under the Rural Enterprise Scheme, which forms part of the England Rural Development Programme. The Department also provides free consultancy advice on land use planning issues to farmers who intend to pursue a diversification project through the Rural Enterprise Scheme. Defra's Rural Development Service has been running business planning seminars in a number of regions to help potential applicants work up project proposals which meet the scheme requirements.

There are many types of farm business and no single approach to income generation will be appropriate to all. The England Rural Development Programme provides support for a range of other opportunities, including organic farming, processing and marketing primary agricultural products, establishing energy crops and woodland, environmental stewardship under the agri-environment schemes, and training in the skills farmers may need to pursue new opportunities.

The Department is also considering how to improve the provision of help and information to farmers considering the diversification of their business base. The Farm Business Advice Service provides up to three days of free advice based around a business health-check and results in a business action plan. The service can help farmers decide whether or not to diversify and will direct them to other sources of support.

Farm Incomes

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what estimates she has made of overall farm income in *(a)* 2001 and *(b)* 2002. [137254]

Mr. Bradshaw: Total income from farming in the UK is estimated to have increased by 15 per cent. (14 per cent. in real terms) from £2.0 billion in 2001 to £2.4 billion in 2002.

Total income from farming per whole-time person equivalent rose by 19 per cent. (18 per cent. in real terms) from £9.3 thousand to £11.1 thousand between 2001 and 2002.

Total income from farming is income generated by production within the agriculture industry, including subsidies. It represents business profits plus remuneration for work done by owners and other unpaid workers.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the level of income in *(a)* farming, *(b)* pig production and *(c)* other livestock production in the last year for which figures are available. [137271]

Mr. Bradshaw: The following table gives estimated average net farm incomes[1] for different types of farm businesses in England for 2001–02. Farms in the sample subject to compulsory cull due to Foot and Mouth disease in 2001 have been excluded. Estimated incomes for 2002–03 will be published on 27 November 2003.

Average net farm income per full time farm business, England 2001–02

	£
All farm types	13,600
Specialist pigs	20,400
Dairy	30,700
Hill cattle and sheep	7,900
Lowland cattle and sheep	0

Source:
Farm Business Survey

[1] Net farm income is defined as the return to the principal farmer and spouse for their manual and managerial labour and on the tenant-type capital of the business.

Farm Medicines

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations she has received about the cost of farm medicines; and if she will make a statement. [137287]

Mr. Bradshaw: Following earlier complaints about the cost of veterinary medicines from both farmers and other animal owners, MAFF Ministers referred the issue to the Office of Fair Trading. The Competition Commission then carried out an inquiry into the distribution of prescription only veterinary medicines in the UK. The Competition Commission published their Report on 11 April 2003 which included 9 remedies addressed to the Office of Fair Trading and 11 recommendations addressed to the Secretary of State for Environment, Food and Rural Affairs and the Royal College of Veterinary Surgeons. The Government response to the Report was issued on 9 July 2003.

I met with representatives of the BVA on 9 September 2003 to hear their views on the Competition Commission's recommendations and I have received 8 letters following the Commission's Report from veterinary surgeons and veterinary organisations about the cost of farm medicines. The Competition Commission's recommendations that the Government has accepted are being implemented in consultation with interested parties.

Farm Produce Prices

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what resources will be available to assist farming communities affected by the fall in produce prices. [137256]

Mr. Bradshaw: Overall income from farming in the UK rose 15 per cent. in 2002, with the average full-time farmer earning £11,107. This was the second year running that there was an increase in farm incomes. This upward trend looks set to continue due to a recovery in the euro so far in 2003, which has led to a rise in prices across a range of commodities and will result in higher direct sterling subsidy payments.

It is important to note that for most farm households, incomes will be enhanced by other sources of income. Furthermore, for a significant number of these households diversified income is at present higher than the income earned from farming.

Government policy is not to attempt to intervene in the market to try and artificially increase incomes, but to facilitate the right economic framework to enable farmers to succeed, compete successfully internationally and have a profitable future.

The Strategy for Sustainable Farming and Food, launched on 12 December 2002, sets out how Government, industry and consumers will work with the whole of the food chain to secure a sustainable future for English farming and food industries, as viable industries contributing to a better environment and healthy and prosperous communities.

Farm Subsidies

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs how much has been paid to small farmers, broken down by region and nation of the UK, in respect of set aside in 2002. [138236]

Alun Michael: £1,462,507.39 was paid to small producers in England in respect of set-aside land under the 2002 Arable Area Payments Scheme broken down by the regions covered by the former MAFF Regional Service Centres as follows. The details for the other nations of the UK are a matter for their own devolved Assemblies.

	Value of payments (£)
Wessex	77,251.61
Anglia	357,857.83
Northern	54,357.30
North Mercia	75,573.83
South West	146,351.33
North East	140,390.60
East Midlands	184,345.21
South East	296,056.08
South Mercia	130,323.60

Farmers (Age Profiles)

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what the average age is of British farmers; and how this has changed over the last 30 years. [137283]

Mr. Bradshaw: The average age of holders in the United Kingdom has increased from 53 in 1975 (the earliest year for which figures are available) to 54 in 2000. The available data are shown in the table:

	Estimated Average age of UK holders
1975	53
1990	53
1993	53
1995	54
1997	53
2000	54

Notes:
The EC Farm Structure Survey is held across all Member States of the European Union four times each decade, to assess the agricultural situation across the Community and to monitor trends in the structure of holdings.
The holder is defined as the (natural or legal) person in whose name the holding, be a hereditary long-term leaseholder, or a usufructuary or a trustee.
The data are collected in age bands. The average age has been calculated by utilising the mid-point of each age band. A mid point of 67 is assumed for the age band "Aged 65 and over".
Source:
EC Farm Structure Survey

Farmers (Bankruptcy)

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of farmers have become bankrupt in each of the past five years. [137277]

Mr. Bradshaw: Data on farming bankruptcies for England and Wales are given in the table. The last whole year for which bankruptcy figures are available is 2002, figures for 2003 are for the first two quarters.

Between 1998 and 2002 total farming bankruptcies have been between 200 and 300; this represents less than 0.1 per cent. of farmers, partners and directors and their spouses[1] in England and Wales.

Number of bankruptcies[2] in the agricultural and horticultural sector

England and Wales 1998–2003

	Total Bankruptcies
1998	222
1999	258
2000	240
2001	273
2002	208
2003[3]	117

[1] June Agricultural and Horticultural Census. Data on farmers are not separately available.

[2] Department of Trade and Industry. Includes bankruptcies of self-employed individuals and company insolvencies.

[3] Q1 and Q2

Farmers Markets

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the regional farm produce markets in England. [137274]

Mr. Bradshaw: This information is not held centrally but a list of farmers' markets selling regional farm produce can be found on the National Association of Farmers' Markets website http://www.farmersmarkets.net.

Farming

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs how many farmers are working in *(a)* the north west, *(b)* Lancashire and *(c)* the Chorley constituency. [136919]

Mr. Bradshaw: Data for the total number farmers, partners, directors and spouses combined are collected annually from the June agricultural and horticultural census as a total.

Figures for 2002 are as follows:

Farmers, partners, directors and spouses (full and part time)

North west	27,392
Lancashire CC	7,783
Chorley	569

Note:
The north west region includes Merseyside.
Source:
June 2002 Agricultural Census.

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs how many farmers are in *(a)* dairy, *(b)* arable, *(c)* sheep, *(d)* beef, *(e)* poultry, *(f)* other and *(g)* pig farming in (i) the north west, (ii) Lancashire and (iii) Chorley. [136920]

Mr. Bradshaw: Agricultural and horticultural holdings are classified annually from the June agricultural and horticultural census into nine different types.

For 2002 the figures are:

Farmers, partners, directors and spouses (full and part time) by farm type

FF farm type	*North west*	*Lancashire CC*	*Chorley*
Cereals	905	136	12
General cropping	1,047	525	16
Horticulture	1,543	677	50
Pigs and poultry	1,060	408	47
Dairy	7,381	2,062	123
Cattle and sheep (LFA)	5,683	1,565	44
Cattle and sheep (lowland)	5,300	1,209	143
Mixed	1,231	272	40
Other types	3,242	930	95
All types	27,392	7,783	569

Notes:
1. LFA—less favoured area.
2. The north west region includes Merseyside.
Source:
June 2002 Agricultural Census.

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs how many dairy cows there were in each of the last five years; and what the average size of dairy herds was in each year in *(a)* the north west, *(b)* Lancashire and *(c)* Chorley. [136921]

Mr. Bradshaw: Data for dairy cows are collected annually from the June agricultural and horticultural census as a total.

For the last five years the figures are:

Dairy cows and average dairy herd size

	North west	*Lancashire CC*	*Chorley*
1998			
Dairy cows	354,937	86,178	4,984
Average dairy herd size	83.9	78.7	73.1
1999			
Dairy cows	361,748	86,728	4,713
Average dairy herd size	88.5	81.9	71.7
2000			
Dairy cows	348,150	83,038	4,658
Average dairy herd size	92.9	85.1	76.2
2001			
Dairy cows	289,194	83,402	4,748
Average dairy herd size	94.9	88.8	80.3
2002			
Dairy cows	315,908	78,498	4,628
Average dairy herd size	90.7	86.1	79.7

Notes:
1. The north west region includes Merseyside.
2. Dairy cows—holdings with dairy cows producing milk.
3. Dairy herd—holdings with dairy cows producing milk and heifers in first calf.
4. 1993 to 1999 figures refer to main holdings only. 2000 onwards include main and minor holdings.
Source:
June Agricultural Census.

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs how many farmers left the industry in the last five years in *(a)* the North West, *(b)* Lancashire and *(c)* Chorley. [136922]

Mr. Bradshaw: Data for the total number farmers, partners, directors and spouses combined are collected annually from the June agricultural and horticultural census as a total. Figures are not available for each item.

Figures for the last five years show net changes only and include gains as well as losses.

The available figures cover all holdings for 2000–02 and only main holdings for 1998 and 1999.

Farmers, partners, directors and spouses (full and part-time)

	North west	Lancashire CC	Chorley
Main holdings only			
1998	26,536	7,444	500
1999	26,024	7,364	508
Main and minor holdings			
2000	27,538	7,949	595
2001	28,684	8,202	607
2002	27,392	7,783	569

Note:
The North West region includes Merseyside
Source:
June 2002 Agricultural Census

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the viability of the farming industry in East Sussex. [137275]

Mr. Bradshaw: The Government wants the whole country's farming industry to succeed. That is why we launched the Strategy for Sustainable Farming and Food on 12 December 2002. The Strategy builds on the work of Sir Don Curry's Policy Commission on the Future of Farming and Food and provides a clear and strategic long-term direction towards a more sustainable future. The Government will work in partnership with industry and other stakeholders to implement the strategy, providing the leadership to allow farmers to flourish by their own efforts and to become better connected to markets and consumer requirements.

We are making good progress towards delivering these objectives. Most recently through June's CAP reform agreement which represents a real shift in agricultural policy. It sets out a new course for agriculture in Europe: a sustainable future where farmers do not farm for subsidy but produce what consumers want to buy, delivering a key aim of the Strategy—reconnecting farmers to the market.

The Government has also established an Implementation Group of nine senior independent members, chaired by Sir Don Curry, to oversee delivery. Regional delivery plans have been drawn up to co-ordinate the approach within and between different areas of the country and the delivery plan for the south-east is now in the final stages of development.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs how many farmers farm in East Sussex; and how many farmed there in 1993. [137251]

Mr. Bradshaw: Data for the total number farmers, partners, directors and spouses combined are collected annually from the June agricultural and horticultural census as a total.

Figures including main holdings are available only up to 1999.

Total farmers, partners, directors and spouses (full and part-time) in East Sussex

	Number
Main holdings only	
1993	3,051
1999	3,066
Main and minor holdings	
2000	3,112
2002	3,326

Notes:
1. Spouses are included only if they are working on the holding.
2. Due to a register improvement exercise in 2001, figures prior to this are not directly comparable with later results.
Source:
June Agricultural Census.

Farming Industry

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of farmers she expects to leave agricultural production in the next five years. [137289]

Mr. Bradshaw: There is no estimate made of the number of farmers expected to leave the industry in the future.

Great Bustard

Mr. Martlew: To ask the Secretary of State for Environment, Food and Rural Affairs what plans there are to reintroduce the great bustard in England; and if she will make a statement. [137122]

Mr. Bradshaw: On the 31 October, I approved a 10-year trial reintroduction of the Great Bustard onto Salisbury Plain. This species has been extinct from England since 1832.

The Licence permits the Great Bustard Consortium, a conservation group, to release up to 40 chicks per year onto Salisbury Plain. The first releases are not likely to be before September 2004. A further licence under the Convention on International Trade in Endangered Species (CITES) will be required to permit the import of the chicks from Russia.

The Department will review the trial on an annual basis in consultation with, among others, English Nature, the Joint Nature Conservancy Committee and the Royal Society for the Protection of Birds. It will be terminated in the event of evidence of harm to the donor population in Russia, or to native biodiversity.

Growth Promoters

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to restrict the use of growth promoters in *(a)* animals and *(b)* fish destined for human consumption. [137558]

Mr. Bradshaw: The authorisation and use of antimicrobials used in farming to promote growth is subject to strict controls set down by the European Union (Council Directive 70/524/EC amended). Under these rules such products cannot be authorised unless they satisfy statutory criteria designed to ensure that, at the level permitted in feedstuffs they will not adversely affect human or animal health or the environment.

Additionally they may only be used in accordance with the terms set out in an annex to the Directive, which specifies the species in which they may be used, authorised dosage rates and the withdrawal periods that must be applied before animals can be slaughtered for human consumption.

The UK Government supported the recent adoption of a new Regulation that will replace Directive 70/524/EEC from September next year. One of the major consequences of this change will be the phasing out, across the EU, of all remaining antimicrobial growth promoters by 1 January 2006, as a precautionary measure.

In the meantime the Government are continuing to work closely with the industry's Responsible Use of Medicines Alliance (RUMA) both to promote the responsible use of these products and in drawing up plans to assist industry to adjust to their use being banned from January 2006.

Japanese Knotweed

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy to amend the Wildlife and Countryside Act 1981 to make it a legal obligation on landowners to clear Japanese knotweed when it spreads within a site. [134227]

Mr. Bradshaw: Section 14 of the Wildlife and Countryside Act 1981 makes it an offence for any person to plant or otherwise cause to grow in the wild any plant listed in Schedule 9 of the Act, including Japanese knotweed. I have no current plans to amend the Act as the hon. Gentleman proposes.

The Rural White Paper for England "Our Countryside; Our Future" made a commitment to review the provisions of Part 1 of the Wildlife and Countryside Act 1981 with a view to rationalising the identification and protection of rare and endangered species. This Department aims to consult on this in the near future.

Livestock Industry

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list those livestock auction markets which *(a)* operated in 1997 and *(b)* operate currently. [136193]

Mr. Bradshaw: The list of livestock auction markets operating in 1997 is not readily available.

Based principally on information provided by the Livestock Auctioneers Association the lists of livestock auction markets for England and Wales which operate currently and the closures since 1997 are as follows:

Operating currently				
England (99)				
Acklinton	Andoversford	Ashford	Axminster	Bakewell
Barnard Castle	Beeston	Bellingham	Bentham	Bideford
Bishop's Castle	Blackmoor Gate	Bridgnorth	Bristol	Broughton-in-Furness
Carlisle	Chagford	Chelford	Chippenham	Cirencester
Claughton-on-Brock	Clitheroe	Cockermouth	Colchester	Cutcombe
Darlington	Derby	Exeter	Frome	Gisburn
Hailsham	Hallworthy	Hatherleigh	Hawes	Hereford
Hexham	Highbridge	Holsborthy	Honiton	Hull
Kendal	Kington	Kirkby Stephen	Kirkby Thore	Lancaster
Lazonby	Leek	Leominster	Leyburn	Liskeard
Longtown	Louth	Ludlow	Maidstone	Malton
Market Drayton	Market Harborough	Masham	Melton Mowbray	Middleton-in-Teesdale
Newark	Newton Abbot	Northallerton	Norwich	Oswestry
Otley(Wharfedale)	Ponteland	Reading	Ross-on-Wye	Rothbury
Rugby	Ruswarp, Nr Whitby	St. Austell	St. Johns Chapel	Salisbury
Scots Gap, Morpeth	Sedbergh	Selby	Shaftesbury	Shrewsbury
Skipton	South Molton	Stratford-upon-Avon	Taunton	Tavistock
Tenbury Wells	Thame	Thirsk	Thrapston	Tow Law
Truro	Ulverston	Uttoxeter	Wigton	Winslow
Wales (40)				
Abergavenny	Aberystwyth	Bala	Brecon	Bryncir
Builth Wells	Cardigan	Carmarthen	Corwen	Cowbridge
Crymmych	Dolgellau	Gaerwen	Haverfordwest	Hay-on-Wye
Knighton	Lampeter	Llandeilo	Llandovery	Llandysul
Llanrwst	Llanybydder	Machynlleth	Mold	Neath
Newcastle	Newport	Newtown	Penybont	Rhayader
Emlyn Ruthin	Sarn	St. Asaph	Sennybridge	Synod Inn
Talgarth	Talybont-on- Usk	Tregaron	Welshpool	Whitland
Closures since 1997				
England (53)				
Ashbourne	Ashburton	Avon	Banbury	Barnstaple
Beccles	Beverley	Beverley	Bishop Auckland	Brickfields
Bridgewater	Bury St. Edmunds	Cambourne	Canterbury	Chelmsford
Chelmsford	Chester	Congleton	Corby Glen	Craven Arms
Crewe	Driffield	Gloucester	Goole	Grantham

Guildford	Haslingden	Hellifield	Helston	Hope
Kidderminster	Kingsbridge	Ledbury	Lichfield	Newport (Salop)
Northampton	Oakham	Otley	Penistone	Penkridge
Penzance	Plympton	Preston	Ripon	Rye
Sevenoaks	Stamford	Stokesley	Sturminster	Tetbury
Wadebridge	Wetherby	Wickham		
Wales (12)				
Blackmill	Gowerton	Kinnerton	Llanfair Caereinion	Llangadog
Llangefni	Llanidloes	Llanwrtyd Wells	Monmouth	Pembroke
Talycafn	Ystrad Aeron			

Meat Imports

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what studies she has received of *(a)* policy on and *(b)* the cost of meat import controls from areas of high disease risk in (i) other EU member states and (ii) other countries. [136219]

Mr. Bradshaw: We received the Cabinet Office report which included information on other EU member states. A summary of which can be found in section four of the Cabinet Office Review The Organisation of the Government's Controls of Imports of Animals, Fish, Plants and their Products' on the Cabinet Office website. We have received no further studies since then.

The issue of controls on personal imports continues to be discussed regularly in meetings of the Standing Committee on the Food Chain and Animal Health in Brussels.

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of the proposed reform of the Common Agricultural Policy on the importation of meat to the UK from South America. [133227]

Mr. Bradshaw: The reform of the Common Agricultural Policy agreed in Luxembourg in June does not affect tariffs and duties on imports of meat from third countries.

Milk

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with the Department for Education and Skills regarding *(a)* the provision of free school milk and *(b)* the extension of the provision of free school milk to all those aged 11 and under. [136034]

Mr. Bradshaw: We have not recently held any discussions with the Department for Education and Skills relating to school milk.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the farmgate prices for milk in the UK; and what the farmgate prices are for milk in other EU nations. [135775]

Mr. Bradshaw: The table gives the most recent data available from Eurostat on the average farmgate price of milk of 3.7 per cent. fat content in euros per 100 kg for the EU 15.

This data show the UK farmgate prices are consistently below the EU average. The reasons for this were examined by KPMG in their report on "Prices and Profitability in the British Dairy Chain", which was commissioned by the Milk Development Council. The report concluded that the lower prices were the result of the structure of the UK dairy sector, the comparatively low value of the mix of dairy products in the UK and a low level of innovation. It also suggested a number of areas where the efficiency of the dairy supply chain could be improved.

Selling price of raw cows milk, 3.7 per cent. fat content: EU 15 (euros per kg)

	1998	*1999*	*2000*	*2001*	*2002*[1]
Belgium	27.47	26.33	27.44	29.93	26.37
Denmark	30.8	30.26	30.86	32.34	
Germany	29.52	28.47	30	32.82	29.98
Greece	32.72	33.69	33.47	35.62	34.55
Spain	27.99	27.33	27.05	30.33	28.12
France	28.52	28.11	28.81	29.99	29.26
Ireland	27.92	26.66	27.2	28.56	
Italy	34.84	34.23			
Luxembourg	31.45	30.65	30.53	32.73	31.89
Netherlands	30.59	28.62	29.15	31.27	29.65
Austria	27.64	27.76	27.83	31.76	30.14
Portugal	28.39	28.49	28.97	32.17	32.87
Finland	32.05	32.15	32.72	33.97	34.36
Sweden	32.71	33.11	34.74	31.22	
United Kingdom	26.76	26.13	26.09	25.57	

[1] Eurostat data for 2002 are not yet complete

Source:
Eurostat Cronos Database

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of the UK milk quota was leased in each of the last 10 years. [135747]

Mr. Bradshaw: The table gives details of the amounts of quota leased in each of the last 10 years, both in terms of volume and as a percentage of total UK quota.

Quota year	*Amount leased (million litres)*	*Percentage leased*
1994–95	1,230	8.69
1995–96	1,327	9.37
1996–97	1,381	9.75
1997–98	1,490	10.53
1998–99	1,552	10.96
1999–2000	1,490	10.52
2000–01	1,445	10.20
2001–02	2,116	14.93
2002–03	2,039	14.39
2003–04	[1]194	1.37

[1] The figure for 2003–04 represents the current total as at 29 October. It is significantly lower than previous years, in part because the figure is not for a complete year, but also because of the effects of the Thomsen ECJ judgment (which has meant that non-producing quota holders will no longer be able to lease out their quota indefinitely). Quota holders who are no longer in active milk production will, by 31 March 2004, have to sell their milk quota, resume production, or otherwise have their quota confiscated.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* amount and *(b)* proportion of the UK national milk quota was unused in each of the last 10 years. [135748]

Mr. Bradshaw: The table gives the total amounts of unused quota in the UK for the period 1993–94 to 2002–03. The entire national quota allocation (some 14.2 billion litres) was used in the years 1993–94 to 1999–2000 because the UK ended each of them slightly over the quota threshold.

Quota year	*Amount unused (million litres)*	*Percentage unused*
1993–94	0	0.00
1994–95	0	0.00
1995–96	0	0.00
1996–97	0	0.00
1997–98	0	0.00
1998–99	0	0.00
1999–2000	0	0.00
2000–01	307.4	2.17
2001–02	81.9	0.58
2002–03	119.4	0.84

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much of the UK milk quota has been held by the Government in the national reserve in each of the past five years. [135749]

Mr. Bradshaw: The table gives the total amount of quota in the national reserve for each quota year from 1998–99 to 2003–04. The national reserve quota is divided between two 'pots'—the confiscated reserve holding quota to which the right to restoration applies, and the remainder holding quota which is currently used in the Temporary Reallocation of Quota scheme (designed to help producers who exceed their quota due to herd movement restrictions). Where quota is confiscated, the quota holder from whom the quota is taken reserves the right to apply for the restoration of the confiscated quota within a certain period if production recommences on the holding. At present, the period in which quota can be restored is six years; however, this has been reduced to two years under the new EU Council Regulation which comes into force on 1 April 2004.

Quota year	*Confiscated reserve (litres)*	*National reserve (litres)*	*Total*	*Total as percentage of UK quota*
1998–99	2,193,571	3,232,752	5,426,323	0.04
1999–2000	2,181,337	3,232,752	5,414,089	0.04
2000–01	2,180,719	4,608,324	6,789,043	0.05
2001–02	6,558,258	4,820,256	11,378,514	0.08
2002–03	10,511,463	7,255,287	17,766,750	0.13
2003–04	20,431,426	7,342,507	27,773,933	0.20

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for the future of the milk quota system; and if she will make a statement. [135776]

Mr. Bradshaw: We have made it clear that we would like to see the milk quota system abolished. It is a bureaucratic constraint on production, it distorts the market, and it adds to the industry's costs. It was, therefore, disappointing that the Luxembourg agreement on CAP reform extended the quota system to 2014/15.

We carried out a consultation exercise on proposed amendments to our national Dairy Produce Quotas Regulations 2002 earlier this year. The proposals related to the possible introduction of two discretionary elements of the Council Regulation on milk quotas, breaking the link between quota and land and a 70 per cent. usage rule, and also some administrative changes. A summary of the responses we received is available on our website at www.defra.gov.uk/corporate/consult/responses.htm. We intend to make an announcement shortly on how we will proceed.

Organic Farming

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the level of financial support in the EU for organic farming. [137272]

Mr. Bradshaw: It is not possible to comment on the direct level of financial support available in other member states since the mix of land types and crops on which aid is based varies so greatly. The latest information we have on aid available elsewhere in the European Union however suggests that the recent increase in support payments being made available under the Organic Farming Scheme (OFS), which is part of the England Rural Development Programme (ERDP) and which encourages the expansion of organic production, is generally comparable to what is available elsewhere in the Community.

Under the OFS, farmers moving from conventional to organic farming methods receive financial help during the conversion process. From 30 May, assistance is now also being made available under the scheme for existing organic farmers who comply with certain environmental measures. The following table shows Defra's spending in the financial year 2002–03 on financial and other support for organic farming:

£

Category of support	*Total spend 2002–03*
Financial support: Under the Organic Farming Scheme (OFS)	12,567,000
Other support: Defra funding for the Organic Conversion Information Service (OCIS)	301,000
Defra funding for research for development purposes which includes a large component dealing with research on organic farming	1,809,000

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* financial and *(b)* other support was provided to organic farming in the last year for which figures are available. [137273]

Mr. Bradshaw: The following table shows Defra's spending in the financial year 2002–03 on financial and other support for organic farming:

£

Category of support	*Total Spend 2002-03*
(a) Financial support: Under the Organic Farming Scheme (OFS), which is part of the England Rural Development Programme (ERDP).	12,567,000
(b) Other support: Organic Conversion Information Service (OCIS).	301,000
Defra funding for research for development purposes which includes a large component dealing with research on organic farming.	1,809,000

Pet Ownership

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs how she communicates messages on responsible pet ownership to pet owners; and if she will encourage pet owners to insure their pets. [137062]

Mr. Bradshaw: Local and national media, including specialist magazines, leaflets, advertisements and the internet are used to communicate messages from welfare organisations and pet owners' groups on the care of pets. A decision on whether to take out pet insurance is for individual owners.

Pig Farming

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what the size of the national pig herd is; what estimates she has made of the likely size of the pig herd over the next five years; and if she will make a statement. [137259]

Mr. Bradshaw: The provisional results of the June 2003 survey of agriculture show that the UK pig herd had fallen to 5,039 thousand head. This is a 38 per cent. decline in the size of the UK pig herd since June 1998 (five years ago) when the UK pig herd was 8,146 thousand head. The future size of the pig herd will depend on the profitability of the sector. Profitability will be influenced by several factors, including exchange rates, the expansion of the EU and the ability of the industry to deal with diseases that are currently affecting sow productivity.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the viability of the British pig industry. [137284]

Mr. Bradshaw: Profitability in the pig sector typically fluctuates over time as market prices follow a cyclical path. Productivity and performance also vary considerably within the sector. Average profitability has generally been positive in 2003 largely due to weaker sterling and stronger prices. Raising the average level of performance across the industry will be key to sustaining industry profitability over the longer term. Estimates of 2003 net margins in the pig sector are found in the report 'Economic Position of the farming industry', published on the Defra Website at http://statistics.defra.gov.uk/esg/reports/repfi.pdf.

Mr. Gordon Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment her Department has made of the effectiveness of the enforcement of welfare standards for pigs. [134188]

Mr. Bradshaw: The primary responsibility for enforcing the new pig welfare regulations—The Welfare of Farmed Animals (England) (Amendment) Regulations 2003 (S.I. 2003 No. 299)—and checking that the pig welfare codes are being observed—lies with the State Veterinary Service (SVS) and local authorities.

The SVS check welfare on pig farms on both random and targeted bases and also make checks following complaints from the public. The SVS measure welfare on pig farms by assessing levels of compliance with standards set by the legislation and Code of Recommendations for the Welfare of Livestock: Pigs. In cases of non-compliance, the action to gain a resolution is taken, ranging from advice to prosecution.

The detailed computerised system which reports the results of welfare inspections by the SVS was upgraded on 1 January 2000. The data on checks on farms are analysed to enable the SVS better to target inspections. A summary of the results of checks conducted on pig farms by the SVS in 2002 was published in the report of the Chief Veterinary Officer "Animal Health 2002" (Defra Publication PB 8258, or at www.defra.gov.uk/corporate/publications/pubcat/cvo/2002/index.htm).

Sheep Exports

Mr. Prosser: To ask the Secretary of State for Environment, Food and Rural Affairs which port the MV Caroline is using to carry live sheep exports from the UK. [135930]

Mr. Bradshaw: The MV Caroline has used the ports at Dover and Berwick upon Tweed for exports of live sheep from the UK.

Mr. Prosser: To ask the Secretary of State for Environment, Food and Rural Affairs how many live sheep were exported from Berwick to continental Europe on 26 August; when and where health certification was carried out in respect of the sheep; how many of the sheep were rejected as unfit for the intended journey *(a)* during inspection for health certification purposes and *(b)* at the docks, and to where those sheep were taken; and what the address was of the final destination given on the route plan for each of the consignments. [135931]

Mr. Bradshaw: The information requested is as follows:

Sheep Exports

26 August 2003	
Total animals	1,711
Where consignments were certified	England and Scotland
Animals rejected at certification	75
Animals rejected at Berwick docks	0
Destination	Netherlands

The sheep for the consignment above were certified within 24 hours prior to export. There were 75 animals

rejected during health certification which remained in Great Britain. The consignment was for sheep for further fattening which were transported to holdings in Netherlands.

Mr. Prosser: To ask the Secretary of State for Environment, Food and Rural Affairs how many live sheep were exported from Dover to continental Europe on 11 September; when and where health certification was carried out in respect of the sheep; how many of the sheep were rejected as unfit for the intended journey, *(a)* during inspection for health certification purposes and *(b)* at Dover docks and to where those sheep were taken; and what the address was of the final destination given on the route plan for each of the consignments. [135932]

Mr. Bradshaw: The information requested is as follows:

Sheep Exports

11 September 2003	
Total animals	2,726
Where consignments were certified	England and Scotland
Animals rejected at certification	18
Animals rejected at Dover docks	0
Destination	Netherlands and France

The sheep for the consignment above were certified within 24 hours prior to export. There were 18 animals rejected during health certification which remained in Great Britain. The consignment was for sheep for further fattening which were transported to holdings in France and Netherlands.

Sustainable Development

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with colleagues in other Departments on *(a)* delivery of sustainable development and *(b)* promoting sustainable energy sources. [136108]

Mr. Bradshaw: My right hon. Friend the Secretary of State for Environment, Food and Rural Affairs chairs the Sustainable Development Task Force, which is focused on the delivery of sustainable development and brings together Ministers and key stakeholders. At the last meeting, on 15 October, papers on progress on renewable energy and energy efficiency; water and sanitation; and sustainable consumption and production were discussed. Task Force papers and minutes can be found on the Government's sustainable development website (www.sustainable-development.gov.uk).

My right hon. Friend and the Secretary of State for the Department of Trade and Industry co-chair a new Ministerial Implementation Group that oversees delivery of the objectives set out in the Energy White Paper, including development of sustainable energy sources. The first two meetings of the Committee were held on 10 July and 9 October.

Wildlife Protection

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent measures she has put in place to improve protection for wildlife. [137290]

Mr. Bradshaw: The Wildlife and Countryside Act 1981 (as amended) is the principal source of legislation which offers protection for native wildife. The Countryside and Rights of Way Act 2000, which came into force in January 2001, also introduced stronger enforcement powers for police officers investigating native species wildlife offences, and tougher penalties—including prison sentences—for people found guilty of committing offences under the 1981 Act.

Protection of wildlife often involves the protection of their habitat. The Countryside and Rights of Way Act 2000 introduced substantial improvements to the legislative regime protecting our nationally important designated areas for wildlife and geology, more commonly known as Sites of Special Scientific Interest (SSSIs).

The Conservation (Natural Habitats, &c.) Regulations 1994, implements the EC Habitats Directive in Great Britain, and provides further protection to various species and their habitats. The Government has consulted on a number of further improvements to the Habitat Regulations and on regulations to transpose the Habitats Directive to cover an area offshore. To date the Government has classified 242 Special Protection Areas under the EC Birds Directive and submitted 601 candidate Special Areas of Conservation to the European Commission under the EC Habitats Directive in the UK. Additionally 27 new Ramsar sites in the UK have been notified since 1999.

In addition to species protection through the Wildlife and Countryside Act 1981 and the Habitats Regulations 1994 this Government also puts great effort into supporting the Convention on International Trade in Endangered Species of wild fauna and flora (CITES). This regulates trade in endangered or vulnerable animals and plants, and products derived from them, to ensure that the trade is sustainable. For example, at last year's Conference of Parties in Chile, the UK successfully proposed the listing of basking sharks on Appendix II of the Convention, protecting them from unsustainable and unregulated international trade.

The Department, together with HM Customs and Excise and the police, rigorously enforces the UK's commitments under CITES, campaigns vigorously to increase public awareness of the CITES controls, and takes firm action against anyone caught illegally importing endangered species in breach of the European CITES Regulations.

The Government also launched the National Wildlife Crime Intelligence Unit in 2002. It is a national focal point for gathering and analysing intelligence on serious wildlife crime, and is making an important contribution to the fight against these crimes at the national and international levels.

In addition to the range of protective measures, the Government has also put in place a number of measures to encourage efforts to deliver benefits for wildlife, such as Species and Habitat Action Plans and agri-environment schemes.

Action plans for the conservation and enhancement of 45 habitats and 391 species have been published under the UK Biodiversity Action Plan. Under section 74 (2) of the Countryside and Rights of Way Act

2000 a list of habitats and species of principal importance for the conservation of biological diversity in England was published in December 2002. The list can be viewed at http://defraweb/wildlife-countryside/cl/habitats/habitats-list.pdf.

Section 74 (3) of the Act requires the Secretary of State to take or promote the taking by others of steps to further the conservation of the habitats and species of principal importance in England. In October 2002 the Government published Working with the grain of nature—a biodiversity strategy for England. The strategy aims to ensure that consideration of biodiversity is embedded into all relevant areas of public and private policy. It is the principal means by which we will comply with the duty under section 74 (3), including through continued implementation of the habitat and species action plans. The strategy can be viewed at http://defraweb/wildlife-countryside/ewd/biostrat/index.htm

Considerable efforts are currently being made to increase the efforts we put into farmland biodiversity including encouragement to enhance wildlife populations. Significant funding is provided for agri-environment schemes promoting environmentally sustainable farming practices; more than £1 billion has been made available for the seven-year period 2000 to 2007.

As part of our aim of streamlining and simplifying existing schemes whilst also improving their effectiveness we introduced in February this year a pilot entry level scheme to reward simple management practices designed to benefit a range of biodiversity and landscape objectives. If successful the Government will roll out the scheme throughout England in 2005.

INTERNATIONAL DEVELOPMENT

Ethiopia

7. **Julie Morgan:** To ask the Secretary of State, Department for International Development what plans he has to provide aid to address health problems in Ethiopia. [137789]

Hilary Benn: We support health in Ethiopia in a number of ways. Our plans for development partnership include direct budget support to assist the implementation of Ethiopia's poverty reduction strategy, This should benefit health, in accordance with Ethiopia's own priorities. Details of this are set out in our Country Assistance Plan for Ethiopia; an initial contribution of £10 million budget support was made earlier this year.

In addition we contribute to the health sector through our support to help improve the effectiveness of the national response to HIV/AIDS, and we support emergency humanitarian health interventions where urgent needs are identified.

15. **Mr. Borrow:** To ask the Secretary of State for International Development what assessment his Department has made of the famine relief programme in Ethiopia in 2002–03. [137797]

Hilary Benn: The famine relief programme was reasonably timely, well resourced, and well implemented The possibility of famine was identified early and help was quickly sought from external donors who responded generously. The primary response was the provision of food aid to selected communities and targeted households with communities. Our monitoring indicates that the food was sent and distributed according to the plan.

In some areas high level of humanitarian need persisted in spite of the provision of food aid, reflecting the need for medical and public health interventions. DFID also provided this additional support in these areas.

Looking ahead we recognise that food aid is not always the best, or only vehicle. We are looking into alternative approaches with other donors and with the Government of Ethiopia.

Afghanistan

8. **Helen Jones:** To ask the Secretary of State, Department for International Development what steps he is taking to assist farmers in Afghanistan with the introduction of crops other than opium. [137790]

Mr. Gareth Thomas: We have doubled our alternative livelihoods budget for Afghanistan to £20 million over 3 years. This includes a £5.4 million contribution to the £70 million UK Drug Strategy for Afghanistan. We are designing a fund to research into alternative crops. It is equally important, however, to develop non-farm alternative livelihoods to ensure longer term sustainability. DFID projects in Badakshan and Eastern Hazarajat are developing sustainable economic alternatives and social incentives to enable farmers to stop growing poppy.

9. **Paul Flynn:** To ask the Secretary of State, Department for International Development what assessment he has made of the value of UK development aid to Afghanistan in the last two years. [137791]

Mr. Gareth Thomas: The UK has provided £150 million in development assistance over the last two years, Afghanistan has make tremendous progress although great challenges remain and it will take time to reduce poverty. We have supported the establishment of the new government in Afghanistan with financial assistance and technical advice. We have also supported UN efforts to re-open schools and provide health care.

UN Special Session

10. **Mr. Colman:** To ask the Secretary of State for International Development if he will make a statement on the outcome of the UN General Assembly Special Session on financing for development. [137792]

Hilary Benn: The United Nations High Level Dialogue on Financing for Development confirmed the continuing engagement of the international community in the process begun at Monterrey in 2002. There was consensus on the need to get the Doha Development Agenda back on track; provide more and better aid; improve the Highly Indebted Poor Countries (HIPC) initiative; and overcome obstacles to achievement of the Millennium Development Goals such as HIV/AIDS and conflict, I confirmed UK commitment to multilateralism, especially on trade; promoted our

proposals for an International Finance Facility; and called for a better managed international and UN response to conflict and humanitarian crises.

Kenya

11. **Mr. Grogan:** To ask the Secretary of State, Department for International Development if he will make a statement on development assistance for Kenya. [137793]

Hilary Benn: The aim of British development assistance to Kenya is to reduce poverty. Direct assistance in 2002–03 totalled over £42 million, including an allocation of £10 million to respond to the new Government's drive towards universal free primary education. We also support HIV/AIDS prevention and care, reproductive health care, malaria prevention, private sector development, public sector reform and initiatives to promote civic education and improved access to justice for poor people. In addition Britain contributes substantially through multilateral agencies, including over £4 million towards EC budget support for Kenya provided in June 2003.

Drinking Water

12. **Mr. Stunell:** To ask the Secretary of State for International Development if he will make a statement on the steps being taken by the Government towards meeting target 10 of the UN Millennium Development Goals on the supply of potable water. [137794]

Mr. Gareth Thomas: The Government are committed to achieving the Millennium Development Goal targets on water and sanitation. These include halving, by 2015, the proportion of people without sustainable access to safe drinking water and the adoption of national policies and strategies for integrated water resources management in all developing countries by 2005. In 1999–2001 the UK was the fourth largest donor in the water sector, behind Japan, the United States and Germany.

Our strategy is described in 'Addressing the Water Crisis—Healthier and More Productive Lives for Poor People', which was launched in March 2001. It stresses the importance of the improved management of water resources to benefit the lives of the world's poor. A copy has been deposited in the Library. Our development assistance is provided in response to our partner countries' needs as driven by their Poverty Reduction Strategy Papers (PRSPs). We are working actively with their governments to support production of PRSPs and to ensure that water and sanitation issues are adequately represented.

Iraq

13. **Mr. Dalyell:** To ask the Secretary of State for International Development if he will make a statement on his Department's aid programme in Iraq, with particular reference to the protection and safety of aid workers. [137795]

Hilary Benn: DFID has committed £209 million towards humanitarian and reconstruction assistance in Iraq. About £151 million of this funding is being channelled through the United Nations, the Red Cross and Red Crescent Movement and non-governmental organisations. At the Madrid Donors' Conference on Iraq, on 23 to 24 October, the Government announced that the UK would commit a further £296 million towards reconstruction in Iraq up to March 2006, including £29 million as our share of planned European Community spending.

In the current security circumstances in Iraq, the safety of aid workers is of particular concern. In view of recent attacks on their offices, it is fully understandable that the International Committee of the Red Cross and the United Nations should review their security procedures and ways of working, even if that means temporarily reducing their presence in the country. DFID has offered £3 million towards UN security measures in response to an appeal following the bombing of the UN Headquarters in Baghdad in August. DFID has also offered additional finance, if needed, for increased security provisions for those NGOs that we are supporting in Iraq. DFID, and other Government Departments, have put in place special security provisions for their own staff working in Iraq.

Lynne Jones: To ask the Secretary of State for International Development whether he estimates there is adequate clean water for the rations of infant formula being delivered in Iraq; and what measures are being taken to encourage breast feeding. [136986]

Hilary Benn: 50 per cent. of Iraqis now have access to piped water and the Ministry of Public Works plan to increase this to 70 per cent. by December 2004. In addition, water tankering by UNICEF provides 14.6 million litres of water to deprived areas of Baghdad, Basra, Mosul, and Kirkuk, benefiting over 825,000 people.

UNICEF promotes breast feeding among its activities for child development, and assists malnourished children in therapeutic feeding centres. Despite the security situation, they are still implementing a number of programmes including health education and breastfeeding promotion.

Palestine

14. **Mr. Walter:** To ask the Secretary of State for International Development what assessment he has made of the effectiveness of UK aid to the occupied Palestinian territories. [137796]

Hilary Benn: Working closely with other donors, and maintaining flexibility, are key ways in which we seek to maintain effectiveness in the current volatile political, social and economic environment. Lately the international development effort has moved towards shorter-term support for the immediate needs of the Palestinian people. According to World Bank analysis, direct budget support has proved to be the most effective aid instrument in the current circumstances, allowing the Palestinian Authority to maintain basic service delivery, while providing significant macro-economic benefits. The welfare impact of this support has been significant: as poverty and unemployment levels have risen, the extended coverage of public sector salaries has provided an essential safety net for many families and communities. Our support for service delivery through

UNRWA and NGOs has also been important in mitigating the effects of the worsening humanitarian situation.

There are, however, limits to what development assistance can achieve. Poverty reduction can only be addressed significantly in the context of a just peace settlement and the creation of a viable Palestinian state, What is most needed to reduce poverty is relaxation of Israeli curfews, closures and checkpoints, and eventual withdrawal, so the economy can grow again.

Aceh

Angus Robertson: To ask the Secretary of State for International Development what assessment his Department has made of the impact the imposition of martial law in Aceh on 15 May has had on the work of aid workers; what representations he has made to the head of the Aceh Martial Law Administration, and when; and if he will make a statement. [137518]

Mr. Gareth Thomas: The imposition of martial law in Aceh on 15 May, and the subsequent increased restrictions on access for non-Indonesians, have severely impacted on the ability of aid workers to operate in Aceh. No international NGOs are currently working in Aceh, and the UN has only a very limited presence in the province. However most aid organisations have found ways of working through local partners.

The UK, through the Tokyo Group of donors in Jakarta (the United States, Japan, European Union and the World Bank), are encouraging a return to negotiations and a peaceful solution to the conflict in Aceh. The recent Tokyo Group statement calls for improved access for international agencies, NGOs and for the impact on the people of Aceh to be minimized. In addition to this, the British Ambassador to Indonesia wrote to the Indonesian Government in August 2003 requesting that NGOs be granted permission to return to Aceh, and my right hon. Friend the Minister of State for Foreign and Commonwealth Affairs, stressed to President Megawati in June 2003 that Indonesian military action in Aceh should be proportionate and in accordance with international standards on human rights. We have not approached the head of the Aceh Martial Law Administration as our concerns about the situation in Aceh are raised through the Indonesian Central Government.

Baku-Ceyhan Pipeline

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the proposed oil pipeline from Baku to Ceyhan. [137520]

Hilary Benn: I refer my hon. Friend to the written statement made on 5 November, which sets out DFID's position on funding by the International Finance Corporation (IFC) of the World Bank Group, for the Baku-Tbilisi-Ceyhan (BTC) pipeline.

On 11 November the Executive Board of the European Bank for Reconstruction and Development (EBRD) also approved non-concessional funding for the pipeline. DFID took the same position on funding for the BTC project by EBRD as we did by IFC.

Bechtel

Malcolm Bruce: To ask the Secretary of State for International Development if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [138062]

Hilary Benn: There have been no contracts issued by DFID.

Control Risk Group

Mr. Robathan: To ask the Secretary of State for International Development if he will make a statement on the purpose of the contract awarded to Control Risk Group for an armed protection team. [137741]

Hilary Benn: The contract to Control Risks Group is to provide security support services for DFID staff working in Iraq.

Croatia

Mr. Robathan: To ask the Secretary of State for International Development what the results were of the £315,756 contract awarded to P-E International PCL to offer support to Ministry of European integration in Croatia; and if he will make a statement on its priority within his Department's budget. [137743]

Mr. Gareth Thomas: It is too early to assess the results of the £315,756 contract awarded to PE International PCL. However, the Croatian Government has indicated the importance it attaches to this support. The project commenced in February 2003 and is due to be completed in February 2004. DFID's support is assisting the Croatian Ministry of European Integration to plan and manage the process of European Integration. The assistance is a key component of DFID's bilateral programme to Croatia, supporting national and European Union objectives. Public administration reform will continue to be a priority for the DFID's work in Croatia.

Debt Management

Mr. Best: To ask the Secretary of State for International Development whether the UK is supporting debt management capacity-building programmes; and whether this support is available to all heavily indebted poor countries. [137637]

Hilary Benn: Since 1998, the UK has been co-financing the Heavily Indebted Poor Countries (HIPC) Capacity Building Programme (CBP) with four other donors; two further donors have since joined the consortium. The Programme aims to build the capacity of HIPC countries to analyse and manage their debt position, and to negotiate debt relief with creditors and the International Financial Institutions. The CBP works with four regional organisations—three based in Africa and one in Latin America. The Programme is now in its third phase. One of the main objectives of this phase is to turn these organisations into centres of excellence, so that they are able to provide lasting high quality training, advisory and advocacy support to their HIPC member states in key issues of debt management. DFID

has committed over £4 million to the Project and, through its bilateral programmes, has also funded individual activities under the CBP, such as Debt Advisers for Guyana and Rwanda and strategy workshops in Ghana, Tanzania and Uganda. To date, 36 out of a total of 42 HIPC countries have benefited from the Programme.

Ghana

Mr. Nigel Jones: To ask the Secretary of State for International Development when he expects Ghana to receive benefit from being a qualifier for highly indebted poor country debt relief; and if he will make a statement. [137688]

Hilary Benn: Ghana qualified for relief under the enhanced Heavily Indebted Poor Countries (HIPC) Initiative in February 2002, when it started to receive debt relief. Under the Initiative, countries qualify for relief in two stages. The first stage is Decision Point, when they start to receive interim relief on their "flow" of payments. During this interim period, countries such as Ghana are not required to service their debt and cease to make debt service payments. The second stage, Completion Point, is reached when HIPC governments have demonstrated progress in tackling poverty. At this final stage they receive an irrevocable reduction in their stock of debt. HIPC countries spend the savings from debt relief on their poverty reduction programmes, thereby increasing resources for social expenditure. Ghana is expected to reach its Completion Point in mid 2004, provided its poverty reduction strategy is implemented satisfactorily.

Global Fund

Mr. Beggs: To ask the Secretary of State for International Development what the total funding contributed in 2003 by the United Kingdom to the Global Fund to Fight AIDS, TB and Malaria was; and what plans there are to increase the contribution for 2004. [137658]

Mr. Gareth Thomas: Since 1997, the Department for International Development has stepped up its spending on HIV/AIDS from £38 million in 1997–98 to more than £270 million in 2002–03. According to UNAIDS, UK is currently the second largest bilateral donor active in the field of HIV/AIDS.

Since May 1997 DFID has committed over £1.5 billion to support the development of health systems in partner countries. This will help to build capacity to deliver medicines to the poor and assist them in making effective choices about the selection of drugs.

The UK has a long-term commitment to the Global Fund to Fight HIV/AIDS, TB and Malaria and recognises that in order to be effective it needs predictable and sustainable financing. The UK recently extended its pledge by a further two years to 2008 bringing our total contribution to US$280 million.

The pattern of our disbursements has been agreed with the Global Fund Secretariat—for the financial year 2003–04 the UK has provided £25 million, and for the financial year 2004–05 we will provide £30 million.

UK funding will be subject to the GFATM reflecting a clear poverty focus, achieving a better financing system, integrating the Fund's activities more effectively with national programmes and meeting agreed benchmarks to monitor its effectiveness. I am pleased to report that good progress was made at the recent sixth board meeting in Thailand on many of these issues.

Land Mines

Mr. Sarwar: To ask the Secretary of State for International Development if he will make a statement on aid to fund land mine clearance. [137116]

Hilary Benn: DFID is a strong supporter of global humanitarian demining. Since 1997 the Department has provided in excess of £70 million for Global Demining. The following table provides a breakdown.

Figures for Global Demining 1997–2003

£ million

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*[1]	*2003–04*[2]
UNICEF	—	—	1	1	—	0.15	0.65
United Nations Mine Action Service (UNMAS)	—	—	—	1	1	1	1
United Nations Development Programme (UNDP)	—	—	—	1	2.1	2.6	1
Bilateral Programmes	4.3	3.5	16	14.4	6	8.2	7.5
Research and Knowledge (including the Geneva Centre for Humanitarian Demining (GICHD))	0.38	0.43	0.7	2	1.5	1.5	1.5
Total	4.68	3.93	17.7	19.4	10.6	13.45	11.65

[1] Includes Afghanistan
[2] Includes Afghanistan and Iraq

HIV/AIDS Drug Programme

Mr. Battle: To ask the Secretary of State for International Development how much the Department is contributing to the World Health Organisation's AIDS/HIV drug procurement programme; and if he will make a statement. [135992]

Mr. Gareth Thomas: The WHO's HIV/AIDS drug procurement programme is an initiative that we welcome and look forward to its launch on 1 December. I will write to my hon. Friend for Leeds, West with more details once the programme has been launched.

Democratic Republic of Congo

Dr. Cable: To ask the Secretary of State for International Development, how many *(a)* UN Force and *(b)* UN Mission in the Democratic Republic of Congo representatives there are in the Democratic Republic of Congo; what plans there are to increase this

number; what plans there are to send British troops; and if he will make a statement. [136859]

Mr. Rammell: I have been asked to reply.

Currently there are 8,045 military personnel and 61 civilian police personnel in the UN Mission in the Democratic Republic of Congo (MONUC). There are also 606 international civilian staff and 704 local civilian personnel. UN Security Council Resolution 1493 of 28 July 2003 increased the authorised maximum troop level to 10,800 and there are plans to increase the actual number of military personnel to 10,300 by mid-November 2003. At present, there are six UK personnel in MONUC in key HQ positions.

Market Research

Matthew Taylor: To ask the Secretary of State for International Development if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137017]

Mr. Gareth Thomas: In 1998, the Department for International Development (DFID) undertook baseline qualitative and quantitative research among the UK public and opinion leaders. The purpose was (1) to explore existing attitudes to and perceptions of Britain's overseas development programme; (2) to understand how language and communications relating to international development work might be improved; (3) to pre-test new concepts and identify approaches that achieve real domestic resonance. The results of the research are published on the Department's website.

DFID commissions two annual public opinion polls. Both polls monitor public attitudes to and support for international development. One (undertaken annually since 1999) monitors the opinion of the UK adult population and the results are used to inform, and monitor the impact of, the development awareness work of the Department. The second (undertaken annually since 2000) monitors the opinion of schoolchildren and the results are used to inform, and monitor the impact of, the development education work of the Department. The results of both polls are published on the Department's website.

This year, DFID commissioned focus group research. The purpose is to research how we can increase levels of understanding of, and support for, international development within the UK. When the results are available, they will be published on the Department's website.

Since May 1997, no DFID agencies or non-departmental public bodies have commissioned market or opinion research.

Meteoric Tactical Solutions

Mr. Robathan: To ask the Secretary of State for International Development what the purpose was of the contract awarded to Meteoric Tactical Solutions (PTY) Ltd. for close protection. [137742]

Hilary Benn: The contract awarded to Meteoric Tactical Solutions (PTY) Ltd. is to provide security support services for DFID staff working in Iraq.

Millennium Development Goal

Miss McIntosh: To ask the Secretary of State for International Development what assessment his Department has made of progress towards the Millennium Development Goal to halve the proportion of people in the world without safe access to water and sanitation by 2015; and what additional funds will be made available to water and sanitation projects to reach the Millennium Development Goal. [137175]

Hilary Benn: The Global Water Supply and Sanitation Assessment 2000, produced by the World Health Organisation (WHO)/United Nations Children's Fund (UNICEF)) Joint Monitoring Programme, provides baseline figures on progress towards the Millennium Development Goals (MDGs). Among the main findings are:

(a) The percentage of people served with some form of improved water supply rose from 79 per cent. in 1990 to 82 per cent. in 2000. Over the same period the proportion of the world's population with access to sanitation facilities increased from 55 per cent. to 60 per cent.;

(b) At the beginning of 2000 one-sixth (1.1 billion people) of the world's population was without access to improved water supply and two fifths (2.4 billion people) lacked access to improved sanitation The majority of these people lived in Asia and Africa;

(c) Although an enormous number of people gained access to services between 1990 and 2000, with approximately 816 million additional people gaining access to water supplies and 747 million people gaining access to sanitation facilities, the percentage increases appear modest because of global population growth during that time;

(d) The water supply and sanitation sector will face enormous challenges over the coming decades. The assessment estimates that, to achieve the 2015 target in Africa, Asia and Latin America and the Caribbean alone, an additional 2.2 billion people will need access to sanitation and 1.5 billion will need access to water supply by that date.

The Joint Monitoring Programme is continuing. DFID has provided substantial financial support and technical assistance to this initiative from the outset. The Government remains firmly committed to the Millennium Development Goals (MDGs). The MDG targets for water and sanitation are central to DFID's approach to poverty reduction and sustainable development and they remain important priorities for DFID.

We are working actively with partner country governments to support production of their own agendas for development, known as Poverty Reduction Strategy Papers, and toensure that water and sanitation are adequately represented in them.

The Global Assessment 2000 can be accessed on: http://www.who.int/docstore/water sanitation health/Globassessment/GlobalTOC.htm

Southern African States

Mr. Nigel Jones: To ask the Secretary of State for International Development what recent assessment he has made of the policies of southern African states towards minority groups. [137691]

Hilary Benn: The only recent assessment my Department has made on this subject is a study commissioned in 2002 on options for the international community to respond to the situation of the San in Botswana. This has been placed in the Library of the House.

Uganda

Mr. Sarwar: To ask the Secretary of State for International Development if he will make a statement on aid to Uganda for HIV projects. [137117]

Hilary Benn: We are addressing HIV/AIDS in Uganda through an HIV Umbrella Programme, which has an allocation of £6.2 million for 2002–2005. Our Programme's purpose is to improve the coordination and monitoring of the Uganda's Strategic HIV/AIDS Framework. This Framework is an important component of Uganda's overall Poverty Eradication Action Plan (PEAP), and aims to: monitor HIV prevalence; provide guidance for activities aimed at preventing the spread of HIV/AIDS and mitigating its effects; and help mobilise resources to implement national AIDS programmes. UK assistance also supports the Government of Uganda's improving its own capacity to take effective action against HIV/AIDS, plus service delivery and research on HIV/AIDS by civil society organisations.

Women's Poverty

Mr. Best: To ask the Secretary of State for International Development what measures his Department is taking to address women's poverty. [137636]

Hilary Benn: The majority of the world's poor are women. Women's empowerment and equality are central preconditions for sustainable poverty elimination.

The elimination of women's poverty, and the pursuit of gender equality in all areas of development, lie at the heart of DFID's work. The focus is on supporting changes in policy, laws and attitudes, while maintaining links with work at the grassroots. This combines specific activities aimed at empowering women with a commitment to put concerns about gender equality into the mainstream of development programmes. DFID supports action through three channels; support to government, civil society and the private sector; collaboration and coordination with international development organisations such as the United Nations; and through building capacity and information through research and knowledge development.

More details about DFID's strategy and programmes are set out in the DFID publication 'Poverty Elimination and the Empowerment of Women'. I shall send a copy to my hon. Friend.

Zimbabwe

Mr. Robathan: To ask the Secretary of State for International Development what recent reports he has received from departmental officials on feeding schemes in Zimbabwe; and if he will publish them. [137102]

Hilary Benn: DFID officials provide frequent reports on the humanitarian situation in Zimbabwe. As we move into the period of more serious food shortages this material will be used to update Parliament and the public, including through the DFID website. Public reporting of DFID-funded food aid programmes in Zimbabwe is already extensive. The UN World Food Programme (WFP) reports quarterly on the Emergency Operation. The reports are distributed to all interested parties and are published on the WFP website. The latest WFP quarterly report (July to September) has just been released. DFID's recent pledge of £5 million to WFP will enable them to increase the coverage of their monitoring and also the frequency of their reports to a monthly basis.

The UN website for Humanitarian Information (Reliefweb) provides published reports on NGO and non-food operations in addition to WFP reports. Other relevant information can be found on the website of the Southern African Humanitarian Information Management System (SAHIMS).

Mr. Nigel Jones: To ask the Secretary of State for International Development what assistance his Department is giving to those countries bordering Zimbabwe to help them deal with people who are fleeing across the border from Zimbabwe; and if he will make a statement. [137689]

Hilary Benn: To date the Governments of Botswana, Mozambique, South Africa and Zambia have not sought specific assistance from the UK to cope with this issue, additional to our ongoing programmes directed to poverty reduction. We are keeping in touch with relevant authorities and non-government organisations in the region about migration issues. We stand ready to respond to requests for help if necessary.

MINISTER FOR WOMEN

Equality

Vera Baird: To ask the Minister for Women what duty the new Equality and Human Rights Commission will have to promote equality in all areas. [137064]

Ms Hewitt: Promoting equality and diversity will be fundamental to the role of the Commission for Equality and Human Rights. As I said in my written statement to the House of 30 October, I shall be establishing a task force with members representing the interests concerned to provide advice on key issues for the CEHR in preparation for a White Paper setting out proposals for the CEHR in the spring. These will include proposals for the CEHR's statutory powers and duties.

Vera Baird: To ask the Minister for Women what plans she has to introduce a public sector duty to promote gender equality. [137063]

Ms Hewitt: The Government are taking forward a significant legislative agenda on equality matters, and has committed itself to introduce a duty on public bodies to promote equality of opportunity for women and men generally when parliamentary time allows.

Women's Appointments

Mrs. Spelman: To ask the Minister for Women what steps she is taking to increase the number of women in senior positions which require professional qualifications. [134735]

Ms Hewitt: We are working in partnership with organisations to increase the number of women in senior positions across the labour market, including women with professional qualifications.

Earlier this year, I asked Derek Higgs to look into the role and effectiveness of non-executive directors and have welcomed his proposals on how to widen the pool from which non-executive directors are drawn, which could bring more women into the boardroom.

Following his findings I then asked Laura Tyson from the London Business School to look specifically at how we might encourage greater diversity of directors on boards. Her recommendations include more rigorous and transparent selection processes; training for board members and measurement of board diversity.

We recognise that we must work in partnership with business to achieve change. That is why I am meeting with some of the Chairs and Chief Executives of the FTSE 100 to encourage greater diversity on their boards and to ask them to consider what other steps they might take.

In April this year the Government published A Strategy for Women in Science, Engineering and Technology to improve the position of women in SET in employment, education and policy-making in the United Kingdom. The Strategy is our response to the "SET FAIR report" from Baroness Greenfield which was published in November 2002.

Our approach builds on mainstream policies with a series of action points in employment, education, and science and it draws support from recent measures to secure gender equality. It is aimed at academia, industry and public service equally. It sets out new initiatives which we believe will contribute significantly to improving the participation of women in SET. (http://www2.set4women.gov.uk/set4women/research/the_greenfield_response.htm)

We want women to achieve their full potential whatever career they choose and we are committed to encouraging more women into politics, local government and public appointments. Within the Civil Service women comprise just over 26 per cent. at the senior civil servant level.

TRADE AND INDUSTRY

Communication Technologies (Disabled Access)

Miss McIntosh: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of the Communications Act 2003 on access by disabled people to modern communication technologies. [137911]

Mr. Timms: The Communications Act only received Royal Assent on 17 July 2003. It is too early to assess the impact. The Communications Act contains specific measures to improve access to modern communications technologies for disabled users. The Universal Service Order made under the Communications Act sets out specific obligations on access to communications services for disabled users. Ofcom has responsibility to ensure compliance with these obligations. Section 10 of the Communications Act creates a new duty on Ofcom to encourage the availability of easily usable apparatus for all consumers, including disabled users, and sections 303 to 308 deal with the provision of television services for the deaf or visually impaired. Ofcom will report on the progress it has made in these areas as part of its annual report.

Industrial Action

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what steps her Department is taking to limit the *(a)* number and *(b)* impact of unofficial strikes in the United Kingdom. [137421]

Mr. Sutcliffe: The Government encourage parties to resolve their industrial disputes through negotiation, and the Advisory, Conciliation and Arbitration Service stands ready to assist where the parties request their involvement. While the number of stoppages in the last year—official and unofficial combined—is a record low, the Government, where necessary, make contingency plans to ensure key services are delivered.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the unofficial strike action among Royal Mail staff in the south of England. [137425]

Mr. Timms: No one will benefit from industrial action by postal workers in London. It will disrupt services to consumers and businesses that rely on Royal Mail's services.

Resolution of disputes is a matter for the management of Royal Mail and the Communication Workers' Union.

The Government have continued to encourage them to sit down together and reach a settlement. The Government welcome the talks that are taking place at ACAS to resolve the outstanding issues.

Market Research

Matthew Taylor: To ask the Secretary of State for Trade and Industry if she will list each item of market and opinion research commissioned since May 1997 by *(a)* her Department and *(b)* agencies and non-departmental public bodies for which her Department is responsible; what the purpose of each item was; and whether the results were published. [132013]

Ms Hewitt: The Department does not centrally collect the information sought at the required level of detail and to provide it would entail disproportionate cost.

Statistical surveys to businesses and local authorities conducted by the Department and its agencies are monitored centrally to facilitate control of compliance costs to business and departmental expenditure on survey activity. It is not possible, however, to determine with any degree of accuracy which surveys fall into the categories of market and opinion research, or which contain an element of these. The answer would incur disproportionate cost because of the need to ask all

Directorates in DTI, plus agencies and associated non-departmental public bodies, to attempt to provide details of each survey and piece of research commissioned since 1997.

Fireworks

Mr. Woodward: To ask the Secretary of State for Trade and Industry what the Government's estimate is of the number of Chinese bomb fireworks imported into the United Kingdom in each of the last four years. [137975]

Mr. Sutcliffe: The information requested is not available because the system of classification used to record trade does not separately identify Chinese bomb fireworks.

Small Businesses (Start-ups)

David Davis: To ask the Secretary of State for Trade and Industry what the start-up rate for small businesses in *(a)* Haltemprice and Howden constituency, *(b)* the East Riding of Yorkshire, *(c)* Hull, *(d)* Humberside and *(e)* the UK was in each year since 1997. [136714]

Nigel Griffiths: The numbers of businesses that registered and de-registered for VAT in each calendar year since 1997, and the number of businesses that were registered at the start of each of these years (stocks), in the United Kingdom, are available at: www.sbs.gov.uk/statistics/vatstats.php

The latest year for which VAT registration data are available is 2002. Data are not available for parliamentary constituencies.

VAT registrations, all sizes of business, 1997–2002

Number

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
East Riding of Yorkshire	770	810	790	800	725	870
City of Kingston-upon-Hull	445	400	390	430	415	455
Former county of The Humber	1,865	1,855	1,820	1,870	1,780	1,980
United Kingdom	187,690	187,515	181,370	184,035	174,620	175,800

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry how many businesses in Pendle *(a)* registered and *(b)* de-registered for VAT in each year since 1997. [138101]

Nigel Griffiths: The latest year for which VAT registration and de-registration data are available is 2002.

The numbers of businesses that registered and de-registered for VAT in Pendle, Lancashire county, the North West Government Office Region (GOR) and the United Kingdom in the calendar years 1997–2002 are as follows:

VAT registrations, all sizes of business, 1997 to 2002

Number

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Pendle	175	185	195	220	215	205
Lancashire	2,940	2,995	2,925	2,945	2,895	2,875
North West GOR	18,460	18,720	17,830	18,285	17,445	17,595
United Kingdom	187,690	187,515	181,370	184,035	174,620	175,800

VAT de-registrations, all sizes of business, 1997 to 2002

Number

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Pendle	200	190	180	185	205	175
Lancashire	2,720	2,615	2,690	2,630	3,035	2,895
North West GOR	16,230	16,270	16,290	16,735	16,550	17,750
United Kingdom	151,900	153,450	160,410	165,475	167,185	176,040

VAT registrations 1997–2002, rate per 10,000 resident adults[1]

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Pendle	26	27	29	32	31	29
Lancashire	33	33	33	33	32	32
North West GOR	35	35	34	34	33	33
United Kingdom	41	41	39	39	37	37

VAT de-registrations 1997 to 2002, rate per 10,000 resident adults[1]

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Pendle	30	28	27	27	30	25
Lancashire	30	29	30	29	34	32
North West GOR	30	31	31	31	31	33
United Kingdom	33	33	35	35	35	37

[1] Mid-year resident adults (aged 16 and over)

Source:

Business Start-ups and Closures: VAT Registrations and De-registrations 1994–2002

CULTURE, MEDIA AND SPORT

Powerboats (Lake Windermere)

Mr. Gordon Marsden: To ask the Secretary of State for Culture, Media and Sport if she will make available alternative facilities for powerboat users following the Lake District National Parks Authority decision to introduce a 10 mph speed limit on Lake Windermere. [137848]

Mr. Caborn: During the inquiry into the implementation of the Byelaws at Lake Windermere, Sport England along with the British Water Ski Federation considered the issue of the displacement of motorised watersports from the Lake. Sport England and the British Water Ski Federation continue to work together with those affected by the Byelaws to negotiate access to suitable areas of water for the continuation of these sports.

The Government would not seek to impose specific alternative venues on those affected by the Navigation Byelaws on Lake Windermere. We believe it is for individuals to find convenient sites that will enable them to pursue water skiing and the other motorised water sports that will be affected by the Byelaws.

Correspondence

Lynne Jones: To ask the Secretary of State for Culture, Media and Sport when she will reply to the letter of 11 April from the hon. Member for Birmingham, Selly Oak (Minister's reference 0301088). [134639]

Tessa Jowell: I wrote to my hon. Friend on 10 November 2003. I apologise for the delay in replying.

Investigatory Powers

Brian White: To ask the Secretary of State for Culture, Media and Sport what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans she has for removing these legacy powers. [136129]

Mr. Caborn: Under section 10(8) of the Football Spectators Act 1989 it is a condition of every 'Licence to Admit Spectators' that the Football Licensing Authority (FLA) be entitled *(a)* to enter at any reasonable time any premises at which a designated match is being played or is to be played *(b)* make such inspection of the ground and such inquiries relating to them as necessary and *(c)* to examine any records relating to the operation of the national football membership scheme on the premises, and take copies of such records. Under section 13 (6) of the Act, any inspector appointed by the Licensing Authority may *(a)* enter at any reasonable time any premises at which a designated football matches are played *(b)* make an inspection of the premises and such inquiries relating to the ground as necessary and *(c)* to examine the safety certificate and any records kept under the Sports Ground Safety Act 1975, or part of that Act, and take copies of such records.

Section 43 of the Gaming Act 1968 gives the Inspectors of the Gaming Board of Great Britain the rights to entry to licensed premises and other related rights. In relation to Society Lotteries, Section 12 of Schedule 1A (b) (c) and (d) allows the Gaming Board to inspect and take copies of documents and computer records, information kept "otherwise than in writing" and any aspect of the management of these lotteries. This also applies to powers to deal with the registration of lottery managers under Schedule 2a of the Act.

None of these existing powers will be superseded by use of the Regulation of Investigatory Powers Act 2000 and consequently there are no plans to amend or repeal any of these powers.

Museums (London)

Simon Hughes: To ask the Secretary of State for Culture, Media and Sport if she will list the museums in London to which her Department contributes, that charge for entry; and in each case what level of the entry charge is for adults. [137835]

Estelle Morris: The independent Design Museum, which receives a contribution from my Department towards educational programmes, charges £6.00 for adult admission. The Wellington Museum at Apsley House, to which grant-in-aid is contributed currently through the Victoria & Albert Museum, charges £4.50 for adult admission. In addition, the Cabinet War Rooms and HMS Belfast, which are entirely self-supporting branches of the Imperial War Museum, charge adults admission at £6.00 and £7.00 respectively. In all cases, concessionary rates and reduced rates for adult groups are available.

Voluntary Youth Football Teams

Mrs. Brooke: To ask the Secretary of State for Culture, Media and Sport whether all those assisting with voluntary youth football teams require Criminal Record Bureau checks; and what representations she has received on this issue. [138239]

Mr. Caborn: All those who assist with voluntary youth football teams and have unsupervised access to children are checked and screened against the Criminal Records Bureau in the interest of child protection.

As part of one of the most comprehensive child protection processes in sport, 53,000 people, so far, have completed the Football Association's course in Child Protection and Best Practice. I am not aware of any representations to my right hon. Friend the Secretary of State on this issue.

DEFENCE

Armed Forces (Wales)

Mr. Llwyd: To ask the Secretary of State for Defence how many *(a)* Royal Navy, *(b)* Royal Marine, *(c)* Army and *(d)* RAF personnel are stationed in Wales, broken down by location; and if he will make a statement. [137311]

Mr. Caplin: The number of UK Regular Forces Personnel located in Wales, by local authority area as at 1 July 2002 were as follows.

	Total	Naval service	Army	RAF
Wales	2,110	20	920	1,160
Isle of Anglesey	370	10	20	340
Bridgend	[2]	0	[2]	0
Cardiff	80	0	70	[2]
Carmarthenshire	[2]	0	[2]	[2]
Conwy	[2]	[2]	0	0
Denbighshire	[2]	0	[2]	0
Flintshire	180	0	0	180
Monmouthshire	10	0	10	0
Newport	20	0	20	0
Pembrokeshire	540	0	520	20
Powys	230	0	230	0
Swansea	30	0	20	[2]
Torfaen	[2]	0	[2]	0
Vale of Glamorgan	610	10	0	600
Wrexham	30	0	20	[2]

[1] Figure is under 5

Note:
Naval Service includes both Royal Navy and Royal Marine personnel.

Armed Forces Strength

Bob Russell: To ask the Secretary of State for Defence what the percentage shortfall of personnel is in each service of the armed forces. [137487]

Mr. Ingram: The percentage deficit of Full Time Trained personnel against the Trained Requirement for each Service at 1 September 2003 are as follows:

Service	Deficit (percentage)
All services	3.0
Naval services	2.8
Army	3.6
Royal Air Force	1.9

These figures include trained United Kingdom Regular Forces, Full Time Reserve Service personnel and trained Gurkhas. They exclude trained personnel in the Royal Irish Regiment (Home Service, full and part time), Gibraltar Permanent Cadre and mobilised reservists.

Bob Russell: To ask the Secretary of State for Defence how many vacancies there are for each of the armed forces; and how many there were on the corresponding date for each of the last six years for which figures are available. [137488]

Mr. Ingram: The information is in the table:

Full Time Trained Strengths and Requirements

	As at 1 April						1 September
	1998	1999	2000	2001	2002	2003	2003
All services							
Total Trained Requirement	202,230	199,240	198,160	198,460	196,150	195,130	195,020
Total Trained Strength	194,040	191,130	190,420	189,020	187,110	188,620	189,170
Surplus/Deficit	-8,190	-8,100	-7,740	-9,440	-9,030	-6,510	-5,840
Naval Service							
Total Trained Requirement	41,940	40,940	39,860	39,900	39,180	38,510	38,580
Total Trained Strength	40,480	39,320	38,880	38,540	37,490	37,600	37,490
Surplus/Deficit	-1,460	-1,620	-990	-1,360	-1,690	-910	-1,090
Army							
Total Trained Requirement	105,770	105,270	106,400	106,970	106,970	106,980	106,730
Total Trained Strength	100,880	99,900	100,330	100,380	100,420	102,120	102,940
Surplus/Deficit	-4,890	-5,370	-6,060	-6,600	-6,560	-4,850	-3,790
Royal Air Force							
Total Trained Requirement	54,530	53,020	51,900	51,590	49,990	49,640	49,710
Total Trained Strength	52,680	51,910	51,210	50,110	49,200	48,900	48,750
Surplus/Deficit	-1,850	-1,120	-690	-1,490	-790	-750	-960

Note:
Due to founding the totals may not always equal the sum of the parts.
Source:
DASA (Tri-Service)

These figures include trained United Kingdom Regular Forces, Full Time Reserve Service personnel and trained Gurkhas. They exclude trained personnel in the Royal Irish Regiment (Home Service, full and part time), Gibraltar Permanent Cadre and mobilised reservists.

Civil Contingency Reaction Forces

Mr. Keetch: To ask the Secretary of State for Defence how many reservists have signed up for the Civil Contingency Reaction Forces; what percentage of the *(a)* operational requirement and *(b)* Government target this represents; and if he will make a statement. [137673]

Mr. Ingram: To date, some 5,000 volunteers have signed up to serve in a Civil Contingency Reaction Force (CCRF). This figure represents around 70 per cent. of the Government's target. CCRFs remain on target to achieve operational capability by the end of this year.

Cluster Munitions

Norman Lamb: To ask the Secretary of State for Defence what percentage of cluster munitions delivered by British forces during the conflict in Iraq were manufactured by Israeli Military Industries. [135858]

Mr. Ingram: Two types of cluster munitions were used by British Forces during the Iraq conflict; RBL 755 cluster bomb and Shell 155mm Extended Range

Bomblet Shell (ERBS). Only ERBS is manufactured by Israel Manufacturing Industries. Final details of ERBS usage during the Iraq conflict are not yet available.

Fylingdales

Mr. Hancock: To ask the Secretary of State for Defence (1) if he will make it his policy to order a full environmental impact study prior to the Fylingdales base accepting United States missile defence technology; and if he will make a statement; [137899]

(2) what research his Department has *(a)* commissioned and *(b)* evaluated on the effects of the base at Fylingdales on the environment of the local area; and if he will make a statement. [137916]

Mr. Ingram: It is already the Ministry of Defence policy to carry out environmental impact assessments of all new projects and training activities. To this end, the MOD commissioned some time ago from independent consultants an Environmental and Land Use Report on the planned upgrade of the RAF Fylingdales radar for missile defence purposes. This report was passed to the local planning authorities in June 2003 and can be accessed on the MOD website. It confirms our view that nothing in the package of work involves an environmental impact or change of use, and that radar emissions are well within health guidelines. Nevertheless, in order to reassure the public, monitoring of the radar emissions will continue and the data made available publicly. Separately, an epidemiological study is being undertaken by the local NHS Primary Care Trust to determine if there is any evidence of increased rates of disease in the area which might warrant further investigation.

Procurement Budget (Wales)

Mr. Llwyd: To ask the Secretary of State for Defence what the total expenditure was on procurement by each of the services in the last year for which figures are available; and how much of the procurement budget for each was spent in Wales. [137308]

Mr. Ingram: I refer the hon. Member to the answer given by the then Under-Secretary of State on 17 December 2002, *Official Report*, column 715W, to the hon. Member for Moray (Angus Robertson). The latest figures for spend on procurement in terms of Service or environment remain those for 1998–99, and were published by the Defence Analytical Services Agency in the United Kingdom "Defence Statistics" for 2000 available in the Library of the House.

The Ministry of Defence systems changed following the introduction of Smart Acquisition and the move from cash accounting to resource accounting and budgeting. Consideration moved from recording and analysing inputs to the armed forces to providing capability.

The latest figures regarding expenditure by the Defence Procurement Agency, broken down by capability, are expected to be published later this month and copies will be placed in the Library of the House. The figures are not broken down into spend in regional areas.

Territorial Army

Mr. Keetch: To ask the Secretary of State for Defence what the total strength is of the Territorial Army; how many members of the Territorial Army *(a)* collected their bounty and *(b)* voluntarily left the service in each month since April; and if he will make a statement. [136597]

Mr. Caplin: The total strength of the Territorial Army as at September 2003 is 36,900. This includes 4,160 mobilised reservists. Information on those who have voluntarily left since April 2003 is shown in the table:

	Voluntarily left the TA
April	100
May	90
June	120
July	80
August	80
September	80

Note:
Data have been rounded to the nearest 10.

Information on the number of TA personnel who have collected their bounty is not yet available. I will write to the hon. Member once the data has been collated and place a copy of my letter in the Library of the House.

Written Answers to Questions

Wednesday 12 November 2003

[Continued from column 328W]

HEALTH

Accident and Emergency Services

Chris Grayling: To ask the Secretary of State for Health how many and what proportion of patients have been treated within the four-hour accident and emergency waiting time target in each of the past 12 months *(a)* in England and *(b)* broken down by strategic health authority. [135418]

Ms Rosie Winterton: Information on the total time patients spend in accident and emergency departments from arrival to admission, transfer or discharge is collected each quarter from national health service trusts and is routinely published on the Department's website at: http://www.doh.gov.uk/hospitalactivity/ Copies of the information for England and for each NHS trust and strategic health authority are available in the Library.

Age-related Macular Degeneration

Mr. David Stewart: To ask the Secretary of State for Health when he expects to implement National Institute for Clinical Excellence guidance on photodynamic therapy for age-related macular degeneration. [136158]

Ms Rosie Winterton *[holding answer 3 November 2003]:* Implementation of the National Institute for Clinical Excellence (NICE) guidance has already begun. Patients are already receiving photodynamic therapy (PDT) treatment on the national health service and we expect the implementation of the NICE guidance to have been fully implemented by the middle of 2004. We will be working with the NHS to facilitate the implementation to give patients increased access to PDT during this time.

It was the Department's assessment, informed by advice from NICE, that the NHS would be unable to implement the guidance in full within the usual three-month period. We have previously varied the direction on five occasions when it was required to implement effectively the guidance to provide the service to patients.

The extension was given because of concerns about the lack of capacity, for example, in reading centres, to implement the recommendations. Within the nine months allowed for full implementation, commissioners are expected to expand the service in a planned way to ensure there is sufficient capacity which is appropriately located to meet patient need, a fully trained workforce and access to expert diagnostic services. This will include the creation of new, and the expansion of existing, PDT centres and expert reading centres.

The guidance issued to primary care trusts (PCTs) on PDT asks that PCTs should make funds available within nine months. We expect implementation to have been fully achieved within this timeframe, with all eligible patients having access to available treatment. PCTs may complete implementation earlier should their service planning enable them to do so.

Ambulance Services

Helen Jones: To ask the Secretary of State for Health how much was spent on consultancy fees by Mersey Regional Ambulance NHS Trust in each of the past five years; if he will list each consultant employed by the Trust; and on what matters they were requested to advise. [137779]

Miss Melanie Johnson *[holding answer 11 November 2003]:* The financial returns submitted by Mersey Regional Ambulance National Health Service Trust for the years 1998–99 to 2002–03 indicated that there was no expenditure on external contract staffing and consultancy.

Helen Jones: To ask the Secretary of State for Health how much has been claimed in expenses by the Chief Executive of Mersey Regional Ambulance Trust since his appointment; and what his salary was in the past two years, including bonuses, where payable. [137781]

Miss Melanie Johnson *[holding answer 11 November 2003]:* The current salary for Chief Executive of Mersey Regional Ambulance Service, Ms Janet Davies, is £88,060. The expenses claimed for the period November 2001 to October 2003 was £69.50.

Helen Jones: To ask the Secretary of State for Health how much was spent on travel by directors of the Mersey Regional Ambulance Trust in each of the past five years. [137782]

Miss Melanie Johnson *[holding answer 11 November 2003]:* Information on expenditure on travel by directors of the Mersey Regional Ambulance Service National Health Service Trust in each of the past five years, is shown in the table.

Year	*Amount*
2003–04	2,479.00
2002–03	3,793.00
2001–02	6,433.00
2000–01	4,050.00
1999–2000	4,309.00

Ambulances

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on the recent sector report from the Commission for Health Improvement; and what the CHI found in ambulance trusts. [138070]

Ms Rosie Winterton: The Department welcomed the report by the Commission for Health Improvement, which brought together information from the previously published clinical governance reviews of ambulance trusts.

The report recognised the value both patients and the general public place in the ambulance service, together with how services are meeting the challenge of dealing with increased emergency calls.

Chris Grayling: To ask the Secretary of State for Health what representations his Department has received from *(a)* patient and consumer organisations and *(b)* professional and trade asscociations in relation to the Ambulance Service. [138072]

Ms Rosie Winterton: The Department receives regular representations from patient and consumer organisations together with professional and trade associations in relation to the Ambulance Service.

Asbestos

Chris McCafferty: To ask the Secretary of State for Health how many people contracted *(a)* mesothelioma and *(b)* other asbestos-related diseases in the last five years for which figures are available; where this information is publicly available; and from what year his Department's records began. [136762]

Mr. Browne: I have been asked to reply.

No source of information provides a complete count of the number of people contracting mesothelioma but one indication is the number of people who have died as a result of contracting mesothelioma.

Mesothelioma deaths in Great Britain 1997–01

	Mesothelioma deaths
1997	1,367
1998	1,541
1999	1,615
2000	[1] 1,631
2001	[1] 1,848

[1] Provisional

Source:
Mesothelioma register.

The annual number of mesothelioma deaths continues to increase. Because there is typically a long period between asbestos exposure and the onset of disease, many of the deaths occurring now are a result of exposures during the 1970s and earlier decades when work with asbestos was less tightly controlled.

The HSE mesothelioma register began keeping records of mesothelioma deaths in 1967.

No source of information provides a complete count of the number of people contracting asbestosis or diffuse pleural thickening. However, one indicator used is the annual number of awards of Industrial Injuries Disablement Benefit Scheme.

New Cases of asbestosis and diffuse pleural thickening in Great Britain 1998–02

	Asbestosis (pneumoconiosis caused by asbestos)	*Diffuse pleural thickening*
1998	316	227
1999	407	242
2000	447	273
2001	461	291
2002	563	379

Source:
Department of Work and Pensions Industrial Injuries Disablement Benefit Scheme.

Data are available from 1948 from the Industrial Disablement Scheme (pneumoconiosis caused by asbestos) and from 1985 for diffuse pleural thickening.

Statistics on the annual number of asbestos related lung cancer cases are not available. Deaths from asbestos related lung cancer cannot be individually distinguished from lung cancers due to other causes such as smoking. However, it is estimated that there were between approximately 1,750 and 3,500 deaths in 2001.

Asbestos related disease statistics are published on the statistics pages of the Health and Safety Executive (HSE) Website.

Care Homes

Mr. Collins: To ask the Secretary of State for Health what discussions he has had with representatives of the Leonard Cheshire Organisation regarding capital costs associated with improving their properties to meet national care standards. [137923]

Dr. Ladyman: I am meeting with representatives from Leonard Cheshire on the 20 November and they will be able to raise this issue on that occasion.

Cervical Cancer

Dr. Cable: To ask the Secretary of State for Health what proportion of deaths from cervical cancer occurred in women *(a)* over the age of 60 and *(b)* under the age of 30 in (i) 2001 and (ii) 2002; and if he will make a statement. [136879]

John Healey: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Dr. Vincent Cable, dated 12 November 2003:

As National Statistician, I have been asked to reply to your recent question asking what proportion of deaths from cervical cancer occurred in women *(a)* over the age of 60 and *(b)* under the age of 30 in (i) 2001 and (ii) 2002; and if he will make a statement. (136879)

The figures requested are given in the table.

Deaths from cervical cancer[1], women, England and Wales, 2001 and 2002[2]

	2001		*2002*	
Age group	*Number of deaths*	*Percentage of total deaths*	*Number of deaths*	*Percentage of total deaths*
Under 30	22	2	15	1
30–59	407	39	391	39
60 and over	610	59	595	59
All ages	1,039	100	1,001	100

[1] Selected using code C53 from the International Classification of Diseases Tenth Revision.

[2] Figures are for deaths occurring in each calendar year.

Commission for Patient and Public Involvement in Health

Mr. Colman: To ask the Secretary of State for Health what proportion of the budget of the Commission for Patient and Public Involvement in Health in *(a)* 2003–04 and *(b)* 2004–05 is allocated to the running costs of its nine regional offices. [136773]

Ms Rosie Winterton: The Commission for Patient and Public Involvement in Health (CPPIH) has an annual allocation of £34.5 million. This financial year, 2003–04, the Department has made additional funding available for staff training, taking the total up to £35.4 million. It is for the CPPIH to determine how best to meet its business needs within this budget.

The Department's role in the CPPIH's finances is to monitor for propriety, regularity and value for money through the annual report and end of year accounts.

Dentistry

Sir Paul Beresford: To ask the Secretary of State for Health when he will publish an order under section 60 of the Health Act 1999 to amend the Dentists Act 1984 to introduce Clinical Dental Technicians and other Professions Complementary to Dentistry; what consultation period will be specified for the order; and if he will make a statement. [138045]

Ms Rosie Winterton *[holding answer 11 November 2003]:* I expect to publish the Order in the spring. Consultation on the draft Order will run for three months, as required by the Health Act, 1999.

Dr. Jack Cunningham: To ask the Secretary of State for Health what assessment he has made of *(a)* the availability of and *(b)* access to national health dental services in Copeland and West Cumbria. [137092]

Miss Melanie Johnson *[holding answer 10 November 2003]:* At the end of June, in the West Cumbria primary care trust area, there were 43 dentists who provided national health service dentistry in the general dental service (GDS). In addition, 70,000 patients were registered with a GDS dentist. This represents 54 per cent. of its resident population and 51 per cent. of adults and 67 per cent. of children.

Registrations cover patients seen within the last 15 months.

A dental access centre in Egremont, West Cumbria also provides routine and emergency NHS treatment to patients.

Departmental Energy Use

Mr. Laurence Robertson: To ask the Secretary of State for Health how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135054]

Ms Rosie Winterton: I refer the hon. Member to the response given by my hon. Friend the Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs on 3 November 2003, *Official Report*, column 404W, setting out detail of energy used from 1997.

The Department does not forecast usage of energy for its administrative estate. However, it has adopted the target published in the "Sustainable Development in Government First Annual Report" to reduce greenhouse emissions to air by one per cent. per annum.

Diabetes

Tim Loughton: To ask the Secretary of State for Health how many people in each of the last 10 years have been diagnosed with Type 2 diabetes. [134834]

Ms Rosie Winterton: This information is not available in the form requested. However, based on information from the Health Survey for England, the following figures may be estimated.

	Number of people with diabetes in the UK
1994	1,378,707
1998	1,684,111

Data are not routinely collected on the number of people being diagnosed with diabetes. Local health care providers will, however, increasingly gather information as they build registers of people with diabetes as they begin to implement the national service framework.

Diagnostic and Treatment Centres

Dr. Fox: To ask the Secretary of State for Health if he will list the diagnostic services provided by the diagnostic and treatment centres announced so far. [129597]

Mr. Hutton: Treatment centres will provide safe, fast, pre-booked surgery and diagnostic tests for patients, by separating scheduled treatment from emergency pressures, in some of the specialties with the highest waiting times. These will cover mixed surgical procedures, and in particular, patients waiting for treatment in orthopaedics and ophthalmology.

The diagnostic services provided in both the national health service and independent sector treatment centres will include endoscopy, radiology and pathology.

Diet and Nutrition

Dr. Gibson: To ask the Secretary of State for Health when the most recent National Diet and Nutrition Survey was published; what percentage of women aged 35 to 49 it found had a total daily folic acid intake of less than 400 microgrammes; and what his Department's recommended total daily folic acid intake is from *(a)* the normal diet and *(b)* supplemental sources for women in that age group. [137053]

Miss Melanie Johnson: The latest National Diet and Nutrition Survey, published in July 2003, showed that 84 per cent. of women aged 35 to 49 had folate intakes below 400 micrograms per day. The recommended intake for folate from diet for these women is 200 micrograms per day. The Department recommends that all women planning a pregnancy should take

400 micrograms per day of folic acid (a synthetic form of folate) as a daily supplement to reduce the risk of neural tube defects.

EU Clinical Trial Directive

Mr. Cunningham: To ask the Secretary of State for Health what evaluation his Department has made of the long term effects of the EU Clinical Trial Directive on clinical research in the UK. [132585]

Miss Melanie Johnson *[holding answer 20 October 2003]:* The European Directive on the conduct of clinical trials was adopted in February 2001. The main aim of the Directive is to simplify and harmonise procedures across the Community whilst ensuring the protection of trial subjects and providing a safe environment for the development of new medicines. Member states are required to implement the Directive fully by 1 May 2004.

The scope of the Directive is wide and the UK Regulations will apply to all clinical trials on medicinal products for human use conducted in the UK, including academic and healthy volunteer studies, with the exception of non-interventional trials.

The former Parliamentary Under-Secretary of State for Health, my noble Friend Lord Hunt of Kings Heath, invited the Medical Research Council (MRC) and the Academy of Medical Sciences to co-ordinate a report on the impact of the Directive on academic studies. The impact assessment, prepared by the MRC with the active support of others including Cancer Research UK, the National Co-ordinating Centre for Health Technology Assessment and a number of academic experts formed the basis for a response to the Medicines and Health products Regulatory Agency (MHRA) consultation on the draft regulations to implement the Directive into UK law earlier this year.

In responding to concerns, and to provide an environment in which patients are protected but high quality research is not inhibited, the Government have taken steps to attempt to influence the Commission in its consideration of a Commission Directive on Good Clinical Practice (GCP) and also in reviewing guidance that the Commission published earlier this year.

In another initiative, the Department and the MRC have announced a joint project to work with experts to find practical solutions to the issues identified in the impact assessment. Details of the project can be found on www.ncchta.org/eudirective/index.asp.

With our careful exploration of the impact on publicly-funded research and organisations that support it and delays in the Commission finalising the GCP Directive and other guidance, the United Kingdom's implementing regulations are not expected to be made until early in 2004.

Further information on the scope of the Directive and the proposed UK implementing regulations is available on the MHRA's website www.mhra.gov.uk on the Clinical Trials Directive pages.

Food Supplements

Mr. Austin Mitchell: To ask the Secretary of State for Health if he will compensate manufacturers and retailers for the cost of destroying products which will become illegal in July 2005 under the provisions of the Food Supplements (England) Regulations on the basis that they contain ingredients missing from the list of permitted nutrients and nutrient sources. [136627]

Miss Melanie Johnson: The Government have no such plans.

Genito-urinary Medicine

Mrs. Gillan: To ask the Secretary of State for Health how many people have waited *(a)* up to three months, *(b)* up to six months and *(c)* up to nine months for an appointment at a genito-urinary management clinic in (i) Chesham and Amersham and (ii) Buckinghamshire in each year since 1996. [136573]

Miss Melanie Johnson *[holding answer 5 November 2003]:* No patients have been reported by provider trusts for the Chesham, Amersham and Buckinghamshire area as waiting up to three months, six months or nine months for an outpatient appointment for genito-urinary medicine.

Health Care (Gloucestershire)

Mr. Laurence Robertson: To ask the Secretary of State for Health (1) what discussions he has had with *(a)* Gloucestershire primary care trusts and *(b)* Gloucestershire hospital trusts about their budgetary shortfalls for 2003–04; and if he will make a statement; [134045]

(2) if he will make a statement on the proposed cuts in services *(a)* at Tewkesbury Hospital and *(b)* in Gloucestershire. [134046]

Ms Rosie Winterton *[holding answser 23 October 2003]:* In line with the Government's policy of shifting the balance of power, responsibility for performance and financial management of local national health servie organisations now rests with strategic health authorities (SHAs).

The Avon, Gloucestershire and Wiltshire SHA is working closely with all organisations within the local health community to ensure that robust plans are in place to achieve year end financial balance and achievement of NHS plan targets. The SHA is having regular meetings with all three local primary care trusts (PCTs) and the hospital trust to monitor progress.

The PCTs and the hospital trust are reviewing service provision and are currently considering a range of measures, including the utilisation of community hospital beds.

Health Care (York)

Hugh Bayley: To ask the Secretary of State for Health what NHS revenue funding *(a)* in cash terms and *(b)* at current prices was provided for (i) York NHS Trust services and (ii) York Primary Care Trust for community and mental health services transferred to it from the NHS Trust, in each year since 1992. [135959]

Miss Melanie Johnson: The information requested is shown in the table.

£

Year	York Hospitals National Health Service Trust Net expenditure Cash terms	York Hospitals National Health Service Trust Net expenditure Current prices	Selby and York Primary Care Trust Net expenditure Cash terms	Selby and York Primary Care Trust Net expenditure Current prices
1992–93	30,756,432	39,493,094	—	—
1993–94	28,891,523	35,980,377	—	—
1994–95	26,341,022	32,195,441	—	—
1995–96	26,461,149	31,560,732	—	—
1996–97	14,143,552	16,374,779	—	—
1997–98	32,203,315	36,152,222	—	—
1998–99	35,164,130	38,427,803	—	—
1999–2000	34,538,617	37,060,192	—	—
2000–01	36,566,218	38,571,146	—	—
2001–02	24,336,434	25,030,016	12,392,798	12,745,989

Notes:
1. It is not possible to provide information on funding to NHS Trusts and PCTs for Community and Mental Health Services (including Learning Disabilities). Expenditure information by providers is included in financial returns, which are submitted on an annual basis. This expenditure information provides the closest to that required in the question.
2. The figures contain expenditure on Learning Disability services which cannot be disaggregated from certain mental health services.
3. In 1996–97, York Health Services NHS Trust submitted no information on Community Health Services and services commissioned through Royal Colleges. Therefore, information for 1996–97 is incomplete.
4. Current prices have been calculated using the gross domestic product deflator at market prices.

Sources:
1. York Health Services NHS Trust Financial returns 1992–2003.
2. Selby and York Primary Care Trust Financial Returns 2001 to 2003 (Selby and York is the closest geographic match to "York PCT" in the question).

Health Visitors

Mr. Gardiner: To ask the Secretary of State for Health what estimate his Department has made of the number of health visitors at Grade G due to retire in the next *(a)* five and *(b)* 10 years; and what efforts his Department has made to maintain or improve numbers of health visitors. [136294]

Mr. Hutton: Information on the number of health visitors at Grade G due to retire in the next five and 10 years is not available.

The total number of qualified health visitors broken down by gender in age bands 50–54 and 55 or over are shown in the table.

NHS health visitors, by gender in the specified age bands in England as at 30 September each year

headcount

	1999	2000	2001	2002
Total health visitors	12,800	12,827	13,053	12,774
Of which:				
All staff aged 50–54	2,355	2,361	2,271	2,163
Male	21	32	29	20
Female	2,334	2,329	2,242	2,143
All staff aged 55 or over	1,717	1,725	1,910	2,054
Male	14	13	11	10
Female	1,703	1,712	1,899	2,044

Note:
Figures consist of NHS health visitors employed by health authorities, primary care trusts and NHS trusts in England.

Source:
Department of Health Non-Medical Workforce Census

The Government is implementing a range of measures to recruit and retain more healthcare professionals, including health visitors. These include improving pay and conditions, encouraging the National Health Service to become a better, more flexible and diverse employer, increasing training, investing in childcare and continuing professional development, attracting back returners and running national recruitment campaigns.

Heath Care (Bath/North East Somerset)

Dan Norris: To ask the Secretary of State for Health how much was spent on primary health services in Bath and North East Somerset in *(a)* 1996–97 and *(b)* 2003–04; and what that investment represents per head of population. [136326]

Ms Rosie Winterton: The information is not available in the format requested. Bath and North East Somerset Primary Care Trust (PCT) did not come into existence until 2001–02. Therefore, figures are provided for the Somerset Health Authority (HA) area for 1996–97, and for the Bath and North East Somerset PCT area for 2002–03. These figures are not, therefore, comparable.

Expenditure on primary health services is the total primary healthcare commissioned by the HA and by the PCT. Expenditure per head is normally expressed by weighted head of population, but this is not possible for 2002–03, because weighted population data are not available for PCT areas. Therefore, in this case, resident population figures have been used.

Commission of primary health care: expenditure and expenditure per head

	£
1996–97	
Somerset HA area	
Expenditure	55,641,000
Expenditure per head	121.65
2002–03	
Bath and North East Somerset PCT area	
Expenditure	37,525,000
Expenditure per head	222.22

Notes:
1. The PCT expenditure figures are not comparable as the areas are different between the two years provided.
2. Allocations per weighted head of population provide a much more reliable measure to identify differences between funding of HAs and PCTs.
3. Expenditure is taken from audited HA accounts and PCT summarisation schedules, which are prepared on a resource basis and therefore differ from cash allocations in the year. The expenditure is the total commissioning of primary health care by Somerset HA and by Bath and North East Somerset PCT. The majority of general dental services expenditure is not included in the HA or PCT summarisation forms and is separately accounted for by the Dental Practice Board. An element of pharmaceutical services expenditure is accounted for by the Prescription Pricing Authority and not by HAs or PCTs.

Sources:
1. Somerset HA audited annual accounts 1996–97.
2. Bath and North East Somerset PCT audited summarisation schedules 2002–03.
3. HA weighted population figures for 1996–97.
4. PCT resident population figures for 2002–03?2002–03 data remain provisional.

Dan Norris: To ask the Secretary of State for Health how much is being spent per person in Bath and North East Somerset on all local health services in 2003; and what was spent in 1997. [136328]

Ms Rosie Winterton: Bath and North East Somerset Primary Care Trust (PCT) did not come into existence until 2001–02, so figures are provided for the Somerset Health Authority (HA) area for 1996–97 and for the Bath and North East Somerset PCT area for 2002–03.

Expenditure is the total expenditure by the HA and the commissioner net operating costs of the PCT. Expenditure per head is normally expressed by weighted head of population, but this is not possible for 2002–03, because weighted population data are not available for PCT areas. In this case, resident population figures have been used.

Total expenditure per head

		£
1996–97	Somerset HA area	608.58
2002–03	Bath and North East Somerset PCT area	821.14

Notes:

1. In many HAs there are factors which distort the expenditure per head. These include: the HA acting in a lead capacity to commission healthcare or fund training on behalf of other health bodies; and asset revaluations in NHS trusts being funded through health authorities or primary care trusts. For these reasons, expenditure per head cannot be compared reliably between HAs.

2. Allocations per weighted head of population provide a much more reliable measure to identify differences between funding of HAs.

3. Expenditure is taken from audited health HA accounts and PCT summarisation schedules, which are prepared on a resource basis and therefore differ from cash allocations in the year. The expenditure is the total expenditure by the Somerset HA for 1997 and the net operating commissioner costs of the Bath and North East Somerset PCT for 2002–03. The majority of general dental services expenditure is not included in HA accounts or PCT summarisation schedules and is separately accounted for by the Dental Practice Board. An element of pharmaceutical services expenditure is accounted for by the Prescription Pricing Authority and not by HAs or PCTs.

Sources:

1. Somerset HA audited annual accounts 1996–97.
2. Bath and North East Somerset PCT audited summarisation schedules 2002–03.
3. HA weighted population figures for 1996–97.
4. PCT resident population figures for 2002–03—2002–03 data remain provisional.

Hull and East Yorkshire NHS Hospitals Trust

David Davis: To ask the Secretary of State for Health how many hospital managers there are in the Hull and East Yorkshire NHS Hospitals Trust. [136059]

Miss Melanie Johnson: There are 198 managers employed by Hull and East Yorkshire Hospitals National Health Service Trust as at 30 September 2002. This figure is a headcount.

This figure includes 37 managers in posts that require them to be a qualified nurse, midwife or health visitor, a qualified therapist or a qualified scientist.

Source:

Department of Health Non-Medical Workforce Census.

IVF Treatment

Mr. Wiggin: To ask the Secretary of State for Health if he will make a statement on IVF treatment in the UK. [136673]

Miss Melanie Johnson *[holding answer 6 November 2003]:* In vitro fertilisation (IVF) treatment in the United Kingdom is regulated by the Human Fertilisation and Embryology Authority. It is provided by the national health service and by the private sector. In England, access to NHS infertility treatment varies according to location. Therefore, the Government has asked the National Institute for Clinical Excellence to prepare a guideline on the assessment and treatment of people with fertility problems. The guideline is due for publication in February 2004.

Mental Health

Tim Loughton: To ask the Secretary of State for Health when the service improvements set out in the document, "Sign of the Times", will be implemented in the NHS. [134767]

Ms Rosie Winterton: "Sign of the Times" was a consultation document on improving mental health services for deaf people. The consultation continued until April of this year and officials are currently considering how best to represent the many high quality and detailed responses received.

MRI Scanners

Simon Hughes: To ask the Secretary of State for Health if he will list the hospitals in London using MRI scanners; and when each scanner was installed. [137365]

Mr. Hutton *[holding answer 10 November 2003]:* The information requested is shown in the table.

Hospitals in London using MRI scanners

Trust name	*Hospital*	*Strategic health authority*	*Installed (year)*
Barnet and Chase Farm Hospitals NHST	Barnet General Hospital	North Central London	1999
Barnet and Chase Farm Hospitals NHST (Enfield Alliance MRI)	Chase Farm Hospital	North Central London	1998
Great Ormond Street Hospital for Children NHST	Great Ormond Street Hospital	North Central London	2000
Great Ormond Street Hospital for Children NHST	Great Ormond Street Hospital	North Central London	1996
North Middlesex University Hospital NHST	North Middlesex Hospital	North Central London	1997
Royal Free Hampstead NHST	Royal Free Hospital	North Central London	2000
Royal Free Hampstead NHST	Royal Free Hospital	North Central London	1996
University College London Hospitals NHST	Middlesex Hospital	North Central London	1997
University College London Hospitals NHST	The National Hospital for Neurology and Neurosurgery	North Central London	2000
University College London Hospitals NHST	Queen Square Imaging Centre	North Central London	1993

Hospitals in London using MRI scanners

Trust name	*Hospital*	*Strategic health authority*	*Installed (year)*
University College London Hospitals NHST	Middlesex Hospital	North Central London	1997
Whittington Hospital NHST	Whittington Hospital	North Central London	1995
Barking, Havering and Redbridge Hospitals NHST (Havering Alliance MRI)	Oldchurch Hospital	North East London	1998
Barts and The London NHST	Royal London Hospital	North East London	2003
Barts and The London NHST	St Bartholomew's Hospital	North East London	1993
Whipps Cross University Hospital NHST	Whipps Cross Hospital	North East London	1994
Chelsea and Westminster Healthcare NHST	Chelsea and Westminster Hospital	North West London	2002
Hammersmith Hospitals NHST	Charing Cross Hospital	North West London	1996
Hammersmith Hospitals NHST	Hammersmith Hospital	North West London	2002
North West London Hospitals NHST	Central Middlesex Hospital	North West London	1999
North West London Hospitals NHST	Northwick Park Hospital	North West London	1996
Royal Brompton and Harefield NHST	Royal Brompton Hospital	North West London	1997
Royal Brompton and Harefield NHST	Royal Brompton Hospital	North West London	2000
Royal National Orthopaedic Hospital NHST	Royal National Orthopaedic Hospital	North West London	1998
St Mary's Hospital NHST	St Mary's Hospital	North West London	1998
St Mary's Hospital NHST	St Mary's Hospital	North West London	1996
Guy's and St Thomas' Hospital NHST	Guys Hospital	South East London	2001
Guy's and St Thomas' Hospital NHST	St Thomas' Hospital	South East London	1993
Kings College Hospital NHST	King's College Hospital	South East London	2001
Kings College Hospital NHST	King's College Hospital (Neuro)	South East London	1996
Queen Elizabeth Hospital NHST	Queen Elizabeth Hospital	South East London	2001
Queen Mary's Sidcup NHST (Sidcup MRI)	Queen Mary's Hospital	South East London	1998
South London and Maudsley NHST	The Maudsley Hospital	South East London	1999
Epsom and St Helier NHST	St Helier Hospital	South West London	1994
Epsom and St Helier NHST (Epsom Alliance MRI)	Epsom General Hospital	South West London	1999
Mayday Healthcare NHST	Mayday Hospital	South West London	1999
St Georges Healthcare NHST	St Georges Hospital	South West London	1993
St Georges Healthcare NHST (Atkinson Morley MRI)	Atkinson Morley Hospital	South West London	1996
The Royal Marsden NHST	Royal Marsden Hospital—Sutton	South West London	2003
The Royal Marsden NHST	Royal Marsden Hospital—Fulham	South West London	2001
The Royal Marsden NHST	Royal Marsden Hospital—Sutton	South West London	1995
West Middlesex University Hospital NHST (West Middlesex MRI)	West Middlesex Hospital	South West London	2000

National Tariff

Mr. Cousins: To ask the Secretary of State for Health pursuant to his answer of 16 October 2003 to the right hon. Member for Holborn and St. Pancras (Mr. Dobson), *Official Report*, columns 338–89W, if he will list the regional variations in *(a)* wages and *(b)* other costs of service delivery in the standard national tariff, broken down by region. [136543]

Mr. Hutton: The national tariff is adjusted to give a local tariff for each provider. This is done using a market forces factor (MFF). The MFF takes account of unavoidable differences across the country in the costs of staff, land and buildings. Other running costs are assumed not to vary. The MFF is not a regional adjustment, but is specific to each provider. A table listing the MFF adjustment for each provider has been placed in the Library.

NHS Finance

Mr. Luff: To ask the Secretary of State for Health if he will list the funding per head of population in each English primary care trust area for financial year 2003–04. [136725]

Mr. Hutton: Primary care trusts revenue allocations per weighted and unweighted head of population in 2003–04 have been placed in the Library.

NHS Staff (Attacks)

Mr. Jenkins: To ask the Secretary of State for Health what action he is taking to reduce the number of violent attacks on NHS staff. [136419]

Mr. Hutton: The Counter Fraud and Security Management Service (CFSMS) was launched in April 2003 with a remit encompassing policy and operational responsibility for the management of security in the national health service.

Specific measures on tackling violence were announced in April by my right hon. Friend the Member for Darlington (Mr. Milburn), as follows:

a national and consistent incident reporting system for recording physical assaults, and a consistent local reporting system for non-physical incidents, using clear and legally based definitions with the ability to track cases from start to conclusion, allowing for monitoring and intervention where necessary. to ensure the best possible outcome for the person assaulted;

from 2004–05, the CFSMS will begin training nominated staff from health bodies for the new role of local security management specialist (LSMS). The LSMS staff will work with and assist the police in investigating cases of assault in order to increase the number of successful prosecutions. However, as an interim measure to cover the period until the LSMS staff are in place, the CFSMS will use its existing highly trained and professional operational service in this role; and

a new legal protection unit to work with health bodies and provide them with advice on cost-effective methods of pursuing a wide range of sanctions against offenders, and also to work with the police and the Crown Prosecution Service to increase the prosecution rate of individuals who assault staff and professionals working in the NHS.

Older People

Sandra Gidley: To ask the Secretary of State for Health how his Department has audited the production

of audits by local health care providers of their risk management procedures to reduce the risk of older people falling. [137930]

Dr. Ladyman: Data has not been collected centrally. This is a matter for local health and social care communities and part of their planning to ensure integrated falls services are in place by April 2005.

Ophthalmology Services

Mr. Lidington: To ask the Secretary of State for Health (1) what consultation he has had with *(a)* ophthalmologists in Buckinghamshire, *(b)* the Buckinghamshire Association for the Blind, *(c)* primary care trusts in Buckinghamshire and *(d)* the Buckinghamshire hospitals NHS Trust about his plans for a diagnostic and treatment centre for ophthalmology in Buckinghamshire and Oxfordshire; [130808]

(2) what assessment he has made of the impact on ophthalmology services at Stoke Mandeville hospital of his plans for a diagnostic and treatment centre for ophthalmology in Buckinghamshire and Oxfordshire; [130809]

(3) what arrangements he is proposing for managing *(a)* operative and *(b)* post-operative complications at the planned diagnostic and treatment centre for ophthalmology for Buckinghamshire and Oxfordshire; [130810]

(4) what representations he has received from local doctors about the accuracy of the information on the demands for cataract surgery on which he has based his plans for a diagnostic and treatment centre for ophthalmology in Buckinghamshire and Oxfordshire. [130870]

Mr. Hutton *[holding answers 18 September 2003]:* Local primary care trusts (PCTs) have met with ophthalmologists and they have been actively involved in refining the proposal for a treatment centre for cataract surgery in Buckinghamshire and will continue to be involved in further developing the plans. Buckinghamshire hospitals trust has also been involved and will continue to be. Links are also being developed with local groups including patient support groups and the PCTs will be looking to work with them as the treatment centre plans progress.

Treatment centres in Oxfordshire and Buckinghamshire will provide more choice for patients and provide services closer to home. Existing local services are held in high regard and an important outcome for local hospitals will be the opportunity of developing further their specialist service and chronic disease management. Clinicians and managers at Buckinghamshire hospitals trusts are involved in these discussions.

Discussions have taken place with Stoke Mandeville hospital to ensure that the viability and quality of the current service will not be adversely affected.

The treatment centre will offer additional opportunities for care of patients by increasing capacity and bringing down wait times and are a service enhancement to the PCT population.

Treatment centres will be expected to be able to deal with typical surgical problems to at least the same standard as national health service providers. Local trusts, PCTs and new providers will agree protocols for referring and transferring patients who require emergency or urgent care that cannot be provided by the treatment centres.

In autumn 2002, the NHS undertook a national capacity planning process led by local NHS commissioners. This identified a range of capacity gaps that needed to be met for the NHS to meet the waiting time target set for 2005. Where the NHS was not able to demonstrate robust plans to meet this demand the residual activity was included in the independent sector treatment centre programme.

Advice and guidance has been made available to local NHS sponsors who are responsible for running an appropriate consultation with the patients and staff. I have been assured by the Thames Valley Strategic health authority that the treatment centre offers the opportunity to reduce waiting lists for cataract surgery further, with all the benefits that cataract surgery brings to the quality of life for older people. It also creates capacity in the ophthalmology departments of local trusts to enable more complex eye surgery to be carried out.

The details of the scheme, together with a wider review of ophthalmology services generally, will be worked out locally with clinicians and other stakeholders. The specific issues raised in these questions will be managed locally as the NHS makes these new units a success.

Letters have been received at the SHA from ophthalmologists in Buckinghamshire and Oxfordshire outlining local concerns. These have been addressed in meetings with clinicians and managers.

Prescriptions

David Davis: To ask the Secretary of State for Health (1) what assessment he has made of the changes in workload for clerical staff, which may arise from the decision to reduce the maximum length of a prescription from three months to one month; [136711]

(2) what estimate he made of the costs that will arise from the decision to reduce the maximum length of a prescription from three months to one month. [136712]

Ms Rosie Winterton: We have made no such estimates. It is for prescribers to determine the duration of prescriptions, based on their clinical assessment of patients and other relevant factors, including the minimisation of waste. We have not issued guidance on the duration of prescriptions. However, it is common practice for general practitioner prescriptions to be issued for one month or 28 days at a time.

Road Safety

Mr. Battle: To ask the Secretary of State for Health what the cost to the NHS of road traffic accidents was in 2002–03. [136047]

Ms Rosie Winterton: Under the provisions of the Road Traffic (NHS Charges) Act 1999, £105 million was recovered and paid to national health services hospitals in England and Wales and Scotland for treating those injured in road traffic accidents in 2002–03. This amount is not the full cost of treating road traffic casualties. However, as costs are recovered only where the injured person receives personal injury compensation, it includes only hospital treatment costs, and the tariff system under which the scheme operates reflects average costs rather than actual costs.

Information on the total cost to the NHS of treating all road traffic accident victims is not held centrally.

Smoking

Mr. Jim Cunningham: To ask the Secretary of State for Health what assessment his Department has made of the effect of raising the minimum age for smoking to *(a)* 18 and *(b)* 21 years old, with particular reference to the development and health of young people. [136811]

Miss Melanie Johnson *[holding answer 10 November 2003]:* The Government is aware of the difficulties in enforcing the existing age limit for smoking. We are not convinced that raising the minimum age to 18 or 21 will resolve the problem of teenage smoking. The key is to improve enforcement of existing legislation. The Department continues to work closely with representatives of Trading Standards and the Local Authorities Co-ordinators of Regulatory Services to achieve this.

STDs

Simon Hughes: To ask the Secretary of State for Health how many finished consultant episodes for sexually transmitted diseases there were in each English region in each of the last six years. [137368]

Miss Melanie Johnson *[holding answer 10 November 2003]:* The number of finished consultant episodes for sexually transmitted diseases diagnosed in genitourinary medicine clinics in each of the English national health service regions (up to 2002) are shown in the table.

Data for episodes diagnosed and treated in other settings, such as contraception services, are not held centrally. Nor does the data identify the grades of staff undertaking the diagnoses, therefore it will include diagnoses and treatment undertaken by other clinic staff, such as nurses, as well as consultants.

	Male	*Female*	*Total*
East Midlands			
1997	14,679	20,174	34,853
1998	14,833	19,811	34,644
1999	14,269	17,916	32,185
2000	15,745	19,142	34,887
2001	16,667	20,437	37,104
2002	17,147	22,084	39,231
Eastern			
1997	16,795	22,490	39,285
1998	18,295	24,299	42,594
1999	19,956	26,273	46,229
2000	21,079	27,312	48,391
2001	22,726	29,865	52,591
2002	24,702	32,694	57,396
London			
1997	74,846	86,839	161,685
1998	78,538	94,155	172,693
1999	82,072	98,626	180,698
2000	86,360	101,676	188,036
2001	93,059	108,868	201,927
2002	97,891	112,582	210,473
North East			
1997	7,869	8,966	16,835
1998	7,924	8,892	16,816
1999	8,592	9,839	18,431
2000	9,138	10,715	19,853
2001	8,652	10,295	18,947
2002	9,005	10,560	19,565
North West			
1997	20,958	23,987	44,945
1998	23,142	25,159	48,301
1999	25,717	28,111	53,828
2000	28,123	30,144	58,267
2001	30,273	33,075	63,348
2002	32,022	34,636	66,658
South East			
1997	30,385	38,332	68,717
1998	32,955	39,586	72,541
1999	35,020	42,090	77,110
2000	39,097	45,628	84,725
2001	40,748	46,976	87,724
2002	44,366	50,040	94,406
South West			
1997	16,429	19,030	35,459
1998	17,568	20,585	38,153
1999	18,741	21,562	40,303
2000	20,888	23,971	44,859
2001	22,214	26,066	48,280
2002	24,240	27,220	51,460
West Midlands			
1997	16,554	20,990	37,544
1998	15,377	19,318	34,695
1999	16,835	20,835	37,670
2000	18,560	23,111	41,671
2001	20,952	26,834	47,786
2002	21,815	28,716	50,531
Yorkshire and Humber			
1997	18,401	24,168	42,569
1998	19,452	25,061	44,513
1999	19,440	25,101	44,541
2000	20,252	25,802	46,054
2001	22,004	28,259	50,263
2002	23,688	30,010	53,698

Source:
Health Protection Agency, KC60 returns

Termination Payments

Mr. Gordon Prentice: To ask the Secretary of State for Health how many termination payments have been made by NHS trusts to *(a)* chief executives and *(b)* senior managers since January 2000; and what the total amount paid was for each trust. [138100]

Mr. Hutton: This information is not collected centrally as determination of such payments are a local matter.

HOUSE OF COMMONS COMMISSION

Ticket Office (College Green)

Mr. Flook: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission when the ticket office on College Green will be dismantled. [136945]

Sir Archy Kirkwood: The work will be carried out later this month.

EDUCATION AND SKILLS

Class Sizes

Miss McIntosh: To ask the Secretary of State for Education and Skills what the average class size of *(a)* primary and *(b)* secondary schools in the Vale of York was for each of the previous three academic years. [137002]

Mr. Miliband: The information requested is shown in the table.

Maintained primary and secondary schools[1]: average class size[2,3]: Vale of York parliamentary constituency

	Taught by one teacher	
Position at January each year	*Maintained primary*	*Maintained secondary*
2001	24.4	21.2
2002	23.6	20.8
2003	24.1	20.8

[1] Includes middle schools as deemed.
[2] Classes as taught during one selected period in each school on the day of the census in January.
[3] Classes taught by one teacher.
Source:
Annual Schools Census

Euro K4

Mr. Michael Foster: To ask the Secretary of State for Education and Skills if he will list the local authorities allocated money under the Euro K4 project. [135649]

Alan Johnson: Euro K4 is a project run by Worcestershire county council. No other local authorities receive funding from the project.

Graduate Tax

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) what the expected deficits or surpluses are over the first 20 years for the Government in relation to higher education spending under the present proposals for income-contingent loans, assuming a zero real rate of interest; [137685]

(2) whether his Department has commissioned outside institutions and individuals to model variants of a graduate tax; [137686]

(3) what discussions his Department has had with outside bodies regarding the hypothecation of revenues from a graduate tax for use solely in funding higher education; [137687]

(4) how many *(a)* variants of a time-limited graduate tax, *(b)* principal variants of a quantum-limited graduate tax and *(c)* variants of a graduate tax were modelled by his Department in connection with its plans to fund higher education; [137744]

(5) which securitisation and bond issuance schemes his Department has assessed to fund or bridge the cash flow gap in the first years of the main variants of a graduate tax; [137753]

(6) if he will publish the estimated cash flow profile over 20 years for Government receipts under his present proposals for income-contingent loans; [137754]

(7) what assessment he has made of alternative models of a graduate tax based on an increase in national insurance contributions payable by graduates and businesses during *(a)* all and *(b)* part of a graduate's working life; [137755]

(8) what mechanisms his Department has assessed to fund or bridge the cash flow gap in the first years of the main variants of graduate tax modelled by his Department; [137756]

(9) what the cash flow profiles over 20 years are of the principal variants of a graduate tax which his Department has assessed; and what the main assumptions underlying them are; [137757]

(10) what *(a)* the average monthly repayments, *(b)* total payment made by the student and *(c)* the shortfall/surplus at a zero real rate of interest under a graduate tax levied would be at (i) 1p, (ii) 2p and (iii) 3p in the pound of income above £15,000 for (A) 10 years, (B) 15 years, (C) 20 years, (D) 25 years and (E) 30 years after leaving university. [137758]

Alan Johnson: I refer my hon. Friend to my answer of 30 October 2003, *Official Report*, column 429, and also to the two letters to my hon. Friend from my right hon. Friend the Secretary of State for Education and Skills, dated 11 April 2003 and 3 June 2003. Copies of both letters are in the House Library.

Higher Education

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what research he has commissioned on Government expenditure on higher education in EU member states. [137678]

Alan Johnson: My Department has not directly commissioned any specific research in this area. My Department uses OECD's annual "Education at a Glance" publication as the best source of comparative information of this nature, and we contribute both financially and in time spent by our statisticians, to its production. It gives statistical information on Government expenditure on higher education in all the current EU member states and in four of the states due to accede in 2004: Poland, Hungary and the Czech and Slovak republics.

In "Education at a Glance", each country's expenditure on higher education is reported as a percentage of total public expenditure and as a percentage of Gross Domestic Product. The publication

also gives the relative proportions of public and private expenditure on higher education institutions, for both 2000 and 1995.

Mr. Woodward: To ask the Secretary of State for Education and Skills what additional resources the Government have allocated to higher education establishments in each of the last five years in *(a)* the north west region and *(b)* St. Helens. [138012]

Alan Johnson: The table shows the resources for higher education provided via the Higher Education Funding Council for England in St. Helens and for the north west region in each of the last five years.

£ million

	North West	*St. Helens*
1999–2000	471.7	2.2
2000–01	488. 1	2.4
2001–02	505.8	2.5
2002–03	539.0	2.6
2003–04	576.3	2.5
Total	2,580.9	12.1

As a result of the 2002 Spending Review publicly planned spending per FTE in higher education will rise by 7 per cent. in real terms between 2002–03 and 2005–06. Higher education in the north west will receive its share of this increase.

Higher Education White Paper

Paul Farrelly: To ask the Secretary of State for Education and Skills in which category postcards from students at *(a)* Loughborough and *(b)* other universities to the Prime Minister were placed in the Government's response to the consultation on the Higher Education White Paper. [137552]

Alan Johnson: We have received postcards from students at various universities in a number of campaigns over the last year. However, we received no such postcard campaigns in response to the higher education White Paper, during the period for comment which ran until 30 April.

Paul Farrelly: To ask the Secretary of State for Education and Skills in which category of response the submission by the hon. Member for Newcastle-under-Lyme was placed in the responses to the consultation on the Higher Education White Paper. [137553]

Alan Johnson: The hon. Member's letters to my right hon. Friend the Secretary of State for Education and Skills were responded to separately and in full by my right hon. Friend. They were accordingly not included in the commentary of responses which was published on 28 July.

Independent Adjudicator (Higher Education)

Mr. Boswell: To ask the Secretary of State for Education and Skills what the estimated annual case workload of the Independent Adjudicator for higher education is; and what annual resources have been allocated for this function. [137875]

Alan Johnson: We are informed by the Office of the Independent Adjudicator for Higher Education (OIA) that its annual case workload is estimated initially to be around 300 cases a year. The Department is providing up to £1 million in total over the two financial years 2003–04 and 2004–05 to establish the OIA. Thereafter, the OIA is expected to be funded by institutions.

Knowledge Transfer Centres

Mr. Boswell: To ask the Secretary of State for Education and Skills what representations he has received on the Higher Education White Paper proposals for regional centres for knowledge transfer. [137876]

Alan Johnson: The Higher Education Funding Council for England (HEFCE) has been seeking views on the knowledge transfer proposals in the Higher Education White Paper through its consultation on the future development of the Higher Education Innovation Fund (HEIF). This included the role of knowledge exchanges to spread good practice in interactions between higher education and business at regional level. The consultation exercise closed on 24 October and the HEIF 2 guidance is currently being reviewed in the light of the responses received.

Qualifications

Mr. Boswell: To ask the Secretary of State for Education and Skills what research he has conducted into the differential in the qualifications required for future jobs between *(a)* newly-created jobs and *(b)* replacement jobs; and what estimate he has made of the number of jobs in each category. [136458]

Mr. Ivan Lewis: Research conducted by the Department into the area in question consists of the Projections of Occupations and Qualifications 2000/2001 commissioned from the University of Warwick Institute for Employment Research and Cambridge Econometrics and covering estimates for the period 1999 to 2010. New projections have been commissioned by the Sector Skills Development Agency and will be published in early 2004.

This research estimates that about two million additional jobs will be created over the period 1999 to 2010. However, there will be a net requirement for about 13.5 million job openings to cover these new jobs and to replace people retiring and dying and moving into and out of their jobs.

The research did not cover the differential in the qualifications required for these two categories of jobs. However, the same research suggests that, between 1999 and 2010, the number of people employed with qualifications at levels 4 and 5 will increase from 7.10 million to 9.43 million, the number of people employed with level 3 qualifications will increase from 5.10 million to 5.38 million, the number of people employed with qualifications at level 2 will fall from 6.17million to 6.12 million and the number of people employed with qualifications at level 1 will increase from 5.78 million to 6.25 million.

School Pupil Statistics

Mr. Damian Green: To ask the Secretary of State for Education and Skills what the breakdown by *(a)* gender and *(b)* ethnic groups as a percentage of (i) primary and (ii) secondary school pupils was in each local education authority as at 1 January. [137172]

Mr. Miliband: The information requested has been placed in the House of Commons Library.

Scientific Careers

Dr. Kumar: To ask the Secretary of State for Education and Skills what is being done to promote scientific careers to school students; and what involvement professional bodies have in such information and promotion schemes. [137539]

Alan Johnson: Our strategy for science, engineering and technology was set out in "Investing in Innovation" published in July 2002 in response to the recommendations made in Sir Gareth Roberts' report "SET for Success". Our response to Baroness Greenfield's report "SET Fair" outlines our strategy to tackle under-representation of women in science. Both of these included looking at the promotion of science careers. We are working closely with colleagues at the DTI and the Promoting SET for Women Unit to take forward the recommendations in those reports.

We believe that a good way of promoting science, including careers, in schools is by introducing current scientific developments into the classroom. As well as making science both exciting and relevant this will give young people an understanding of the role of science in society. We are working with a range of bodies, including professional bodies, to achieve this. We have consulted on the programme of study for science at Key Stage 4, following a review by the QCA. The new programme of study will set out a core for science, suitable for all learners, to increase flexibility of qualifications at Key Stage 4. From September 2003, a new science GCSE, "Science in the 21st Century" will be piloted in 50 schools. It aims to provide a sound and stimulating science education that will engage all students with contemporary science issues; and to increase the number of young people studying science subjects post-16. Connexions Personal Advisers provide independent advice to students on all careers, including scientific careers.

The Science and Engineering Ambassadors' scheme (SEAs) launched jointly by this Department and the DTI in January 2002, aims to show young people the links between what they learn at school and the world of work. Ambassadors work with young people across the key stages and give them an understanding of the opportunities that a science, engineering or technology based career can offer.

Specialist Status Colleges

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 27 October 2003, *Official Report*, column 80W, whether, with reference to specialist status colleges, a school's previous performance in value added terms is a factor in any bid for specialist status. [137890]

Mr. Miliband: A school's previous performance in value added terms is taken into account by the Department's specialist school assessors.

Student Finance

Mr. Dhanda: To ask the Secretary of State for Education and Skills what plans he has to increase financial support for undergraduate students of medicine. [137098]

Alan Johnson: Undergraduate medical students already receive more help overall than other higher education students.

For the first four years of their courses, English domiciled medical students receive support from my Department. Students from poorer backgrounds receive means-tested grants for fees of up to £1,125 per year (2003/04 rate). For years five and six, support is provided by the Department of Health, and currently students in those years pay no fee contributions. Most of the cost of their courses is met by the Government through HE Funding Council support.

Medical students will benefit from the new Higher Education Grants of £1,000 to be introduced in academic year 2004/05, which three in 10 of all students will receive in full and an additional number will receive in part. And in addition to the non means-tested loans undergraduate medical students receive from the Student Loans Company, they can receive means-tested bursaries from the Department of Health in years five and six.

Students Charter

Mr. Boswell: To ask the Secretary of State for Education and Skills when the Students' Charter was last revised; and if he will make a statement. [137877]

Alan Johnson: The Charter for Higher Education was published in 1993 by the last Government and an addendum was produced in 1997. The document is now obsolete and no longer issued by the Department. Information about students' general entitlements and responsibilities while at university is best prepared at a local level, allowing it to be tailored to reflect the circumstances of the particular institution. Many universities do publish charter-type documents of their own and there are no plans to republish a central document. In addition, our proposals for improving student information mean that institutions will be publishing far more information than ever before about the quality and standards of their provision.

Teaching Assistants

Mr. Kidney: To ask the Secretary of State for Education and Skills what national standards his Department *(a)* sets and *(b)* recognises for the employment of teaching assistants in schools, with particular reference to (i) pay and (ii) training. [137578]

Mr. Miliband: Pay for support staff including teaching assistants is a matter for local determination: the government believes that this is the best way of ensuring a flexible system that can respond to local needs and circumstances. It is also for employers to decide what skills, experience and qualifications are needed for teaching assistant posts and the training of support staff is the responsibility of local authorities and schools.

In October the National Joint Council (NJC) for Local Government Services published guidance on the employment and grading of school support staff including examples of job profiles that can be used to support job evaluations and advice on training and development. The development of this guidance has been recognised by all signatories to the National Agreement on Raising Standards and Tackling Workload as an important step to support the implementation of the agreement.

My Department supported the development of the National Occupational Standards for Teaching Assistants by the Local Government National Training Organisation, published in September 2001, which awarding bodies have used to develop NVQs at levels 2 and 3 available from September 2002.

We have also supported the development of standards for the new higher level teaching assistant (HLTA) role by the Teacher Training Agency (TTA). These were published in September 2003 and link to the standards for qualified teacher status (QTS). We continue to support the TTA as they develop an HLTA assessment and training programme which will be widely available from April 2004.

The Department has in addition, for the first time, introduced regulations which define the conditions under which school support staff can undertake specified work under the direction and supervision of a teacher. The new Education (Specified Work and Registration) (England) Regulations 2003 emphasise the importance of headteachers satisfying themselves that the member of support staff has been adequately trained and refer to the HLTA standards.

Top-up Fees

Paul Farrelly: To ask the Secretary of State for Education and Skills who he intends will be responsible for raising the maximum cap on top-up fees; and by what mechanism. [137554]

Alan Johnson: I can assure my hon. Friend that the £3,000 fee cap will not be raised by more than the rate of inflation for the lifetime of the next Parliament.

The precise mechanism for raising the fee cap will be established under the proposed legislation. Under the current arrangements, the standard fee can be uprated for inflation by negative resolution of the House. However, it can only be increased by more than inflation by affirmative resolution, which would require a debate and vote in both Houses.

Tuition Fees

Paul Farrelly: To ask the Secretary of State for Education and Skills what estimate he has made of the amount that would be raised for higher education per £100 increase in annual tuition fees by all universities. [137569]

Alan Johnson: For every £100 increase in annual tuition fees by all universities, the higher education sector would receive approximately £75 million in additional income.[1] This figure was set out in the letter to my hon. Friend from my right hon. Friend the Secretary of State for Education and Skills dated 11 April 2003, a copy of which is in the House Library.

[1] This is in addition to fee income to universities from the standard fee of £1,125, not including full time post graduates (apart from PGCE students). All figures are for students at English HE Institutions for 2003–04.

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) what estimate he has made of the additional amount that will be raised by universities if his proposals for variable top-up fees are implemented; [137161]

(2) what estimate he has made of the amount that would be raised for universities if tuition fees rose to *(a)* £1,500, *(b)* £2,000, *(c)* £2,500 and *(d)* £3,000 per annum for all universities. [137163]

Alan Johnson: From 2006, universities will be able to set their fees above the current standard fee, provided they have an access agreement approved by the Office for Fair Access.

The following table sets out the approximate extra income from fees if all universities set their fee for all courses at the levels specified[1]:

[1] All figures are for students at English HE Institutions for 2003/04.

£ million

Level of higher fee	*Approx. additional income from fees*[1]
£1,500	280
£2,000	660
£2,500	1,035
£3,000	1,410

[1] This is in addition to fee income to universities from the standard fee of £1,125, not including full-time post graduates (apart from PGCE students).

Paul Farrelly: To ask the Secretary of State for Education and Skills what assessment his Department has made of the impact on access by poorer students to medical places if they are charged the maximum tuition fee. [137214]

Alan Johnson: The Government have made a number of proposals to safeguard access to higher education for those from low income families. Such students will continue, as now, to have the cost of the standard tuition fee (£1,125 in 2003/04) met by the Government. Around three in 10 students will also receive means tested Higher Education Grants of £1,000 and, in addition, many students from lower income families will be eligible for partial fee remission and HE grant as well as bursaries and other support from universities under arrangements agreed by the Office of Fair Access.

Fees for English domiciled medical students in years five and six are currently paid by the Department of Health. These students also qualify for means tested NHS bursaries in their fifth and subsequent years of study. Department of Health Ministers have indicated that they will, if necessary, take measures to ensure that any increase in the level of tuition fees will not have an adverse impact on the supply, retention, diversity or quality of students on health professional courses, including medicine.

Arrangements for repayment of fee loans will, for all graduates, be heavily subsidised: graduates will repay their loans at zero real rate of interest and only when their income exceeds £15,000 per year. Repayments will then be made at a rate of 9 per cent. of income above £15,000. Figures collected in March 2003 show that 73 per cent. of newly qualified medical graduates in hospital posts earn £34,533 per annum. This compares very favourably with the salaries of other newly qualified graduates. According to Graduate Prospects, the average starting salary for graduate-level jobs was £18,000 in 2002/03.

Finally, I refer my hon. Friend to the answer I gave on 6 November in which I stated that I had placed in the House Library copies of a number of pieces of international research on the impact on social access to a range of university courses.

Mr. Clappison: To ask the Secretary of State for Education and Skills if he will break down by *(a)* region and *(b)* local education authority the proportion of students (i) not paying tuition fees and (ii) receiving a contribution towards tuition fees. [137476]

Alan Johnson: In England and Wales students on full-time undergraduate courses and their families are expected to make a contribution towards the cost of their tuition only if they can afford to do so.

The percentage of students in England and Wales in academic year 2001/02 (latest year for which data are available) who have been assessed to make a nil or partial contribution towards the cost of their tuition is shown in the table:

Student support scheme students[1]: 2001/02

Academic year	*Percentage*
Nil contribution towards the cost of tuition from student/parents/spouse/partner[2]	43
Partial contribution towards the cost of tuition from student/parents/spouse/partner	16

[1] Contributions towards the cost of tuition are assessed by local education authorities in England and Wales for students normally domiciled in their area and studying in the UK.

[2] Includes students on courses where the fee support was not subject to income-assessment (e.g. PGCE courses, and some other ITT courses; and designated courses at private institutions).

Source:
F503G survey of local education authorities

National level data are published annually in the Department's Statistical First Releases (SFRs) (SFR 11/2003 for 2001/02). Data are collected from the Local Education Authorities (LEAs) to produce national estimates and the data collection exercise does not allow for the production of firm figures below this level, and therefore data by region and local education authority are not available.

Mr. Clappison: To ask the Secretary of State for Education and Skills whether he plans to provide assistance for graduate teachers in the repayment of graduate contributions towards tuition fees and loans; and what assessment he has made of the effect of his proposals for graduate contributions on teacher recruitment. [137522]

Alan Johnson: Since September 2002, the Repayment of Teachers' Loans Scheme has been available on a pilot basis for new teachers of priority subjects taking up employment in maintained schools. This scheme supplements the £6,000 training bursaries and £4,000 Golden Hellos that have been offered to eligible graduate trainees since September 2000. Any changes to these arrangements would be announced at the appropriate time.

Mr. Nicholas Brown: To ask the Secretary of State for Education and Skills (1) what research he has undertaken into the impact of tuition fee increases on student demand for university courses; [137654]

(2) what research he has undertaken to establish the level of tuition fees that would set supply equal to demand for particular university courses; [137652]

(3) what research he has undertaken to establish the impact of differential tuition fees on the pattern of student demand for different university courses. [137653]

Mr. Clappison: To ask the Secretary of State for Education and Skills what research has been commissioned by his Department on the effect of *(a)* upfront tuition fees, *(b)* deferred repayment of tuition fees and *(c)* variable tuition fees on university applications. [137473]

Alan Johnson: Evidence from research into the impact of variable fees overseas indicates that there is little impact on demand for higher education. I have placed a number of pieces of relevant research in the House Library.

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what assessment he has made of the impact of variable tuition fees on *(a)* the number of young people deciding to pursue degree courses and *(b)* the long-term consequences on (i) skills and (ii) employability of the work force. [137679]

Alan Johnson: Evidence from research into the impact of variable fees overseas indicates that there is little impact on demand for higher education. I have placed a number of pieces of relevant research in the House Library. The HE White Paper also explained that research[1] demonstrates that the number of jobs in occupations most likely to be filled by those who have been through Higher Education will grow by over one and a half million over the next decade.

[1] Wilson R. A. and Green A. E. (2001). Projections of qualifications: 2000/2001. Research in support of the National Skills Taskforce, Department for Education and Employment.

FOREIGN AND COMMONWEALTH AFFAIRS

Burma

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has held with United Nations partners on the Burmese Government's atrocities against the *(a)* Karen, *(b)* Karenni and *(c)* Shan people; and what evidence he has collated on crimes against humanity committed in Burma. [135919]

Mr. Mike O'Brien: There is no doubt that appalling human rights violations have taken place in Burma over many years and that the ethnic minorities have suffered disproportionately. We regularly discuss these issues with our UN partners at the UN Commission on Human Rights and at the United Nations General Assembly.

We do not currently have independent verification of crimes against humanity in Burma. However, we receive regular reports from the UN's Special Rapporteur for Human Rights in Burma, the British embassy in Rangoon, and International Non Government Organisations detailing human rights abuses in Burma.

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times the Government has raised concerns with Burma's regime regarding the Burmese military's atrocities against the Karen, Karenni and Shan people in the last 12 months; and if he will make a statement. [135920]

Mr. Mike O'Brien: We regularly raise human rights abuses, including those against the Karen, Karenni and Shan people, with the Burmese regime.

Concern over the treatment of ethnic groups in Burma was raised (with the Burmese) at the UN Commission on Human Rights in April 2003 and in last November's UN General Assembly resolution on Burma. Human Rights abuses against the ethnic nationalities were also highlighted by the EU when it strengthened the EU Common Position on Burma earlier this year.

Central African Republic

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the security situation in the Central African Republic; how it has developed since September 2002; and if he will make a statement. [136635]

Mr. Mullin: In a military coup of 15 March 2003, forces loyal to General Bozize took over the capital Bangui, ousting the incumbent President Patasse. After an initial spate of looting and retribution, troops of the Communaute Economique et Monetaire de l'Afrique Centrale helped restore control. The situation remains volatile outside Bangui, where remnants of Patasse's supporters and local militia have taken advantage of the instability. The transitional government is gradually restoring calm. The government supports international efforts to restore stability to the country.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with members of the governments of *(a)* EU member states, *(b)* EU candidate countries, *(c)* member states of the Economic Community of Central African States, *(d)* South Africa and *(e)* the USA on the developments in the (i) political and (ii) humanitarian situation in the Central African Republic since March; and if he will make a statement. [136641]

Mr. Mullin: Since March this year, the Government has had regular discussions with international partners in the EU, UN and the region on the political and humanitarian situation in the Central African Republic, and has supported efforts to restore peace and stability there.

Colombia

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to assist the Colombian authorities in their fight against terrorist organisations. [136769]

Mr. Rammell: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Newport, West (Paul Flynn) on 5 November 2003, *Official Report*, column 654W.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Colombia regarding the legalisation of paramilitary organisations. [136784]

Mr. Rammell: We are unaware of any moves to legalise paramilitary organisations in Colombia. We have concerns, however, about Decree 128 (2003) which is relevant to the peace process with the AUG. We have stressed to the Colombian Government that in pursuing a peace process with any of the illegal armed groups there should be no general amnesty or pardon for those who have committed human rights violations, and that all negotiations should be open, transparent and treated on the same basis.

East Timor

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs further to his answer of 22 October 2003, *Official Report*, columns 615–16, if he will publish official statements on East Timor and discussions with the head of the diplomatic service in Jakarta in October 1975. [136200]

Mr. Mike O'Brien: In accordance with the Public Records Acts the papers relating to the then Permanent Under-Secretary's visit to Indonesia in 1975 will be reviewed in 2005 for release on 1 January 2006. I agreed to the early release of the 1975–76 files relating to the Balibo case on a one-off basis. The release of these files should therefore not be taken as a precedent.

India and Pakistan

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* members of the Government of Pakistan, *(b)* members of the Government of India, *(c)* members of the governments of EU member states, *(d)* members of the governments of EU candidate states and *(e)* members of the Administration of the USA concerning (i) the confidence-building measures proposed by India last week and (ii) the reaction of Pakistan; and if he will make a statement. [136352]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary released two press statements following the Indian announcement of a further package of proposals of ways to improve relations with Pakistan, and Pakistan's formal response. The first statement made on 22 October is available on the Foreign and Commonwealth Office website: www.fco.gov.uk/policy/news/press-releases. The second statement made

on 31 October was released locally by our British High Commissions in New Delhi and Islamabad, a copy of which is available on our High Commission in Islamabad's website: britainonline.org.pk/highcomm/downloads/31octa.pdf.

The Foreign Secretary has also had discussions with both Indian Foreign Minister Sinha and Pakistani Foreign Minister Kasuri over the last week. Both the Foreign Secretary and I met Foreign Minister Kasuri on 4 November in London, during which we discussed the measures proposed by India and Pakistan to further improve relations between the two countries. Foreign Minister Kasuri said that he hoped both sides would implement quickly the steps on which they agree and work together to close the gap on those where there is less common ground. I also met Tariq Aziz, the Secretary to the National Security Council in Islamabad on 23 October. We remain in regular contact with the US and EU member states over our shared concern to encourage India and Pakistan to work together towards normalising their relations and resolving their differences, including over Kashmir.

Iraq

Glenda Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the compatibility of order 39, issued by the Coalition Administration of Iraq, with *(a)* paragraph 43 of the 1907 Hague regulations, *(b)* the 4th Geneva Convention and *(c)* UNSCR 1483. [135761]

Mr. Rammell: The Government are satisfied that UNSCR 1483 (2003) provides a sound legal basis for the CPA Foreign Investment Order. Resolution 1483 authorises the Coalition to undertake activities to promote economic reform in Iraq, in coordination with the Special Representative of the UN Secretary General.

Linda Perham: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has *(a)* to contribute funds to the reconstruction of Iraq and *(b)* to develop and implement investment programmes to aid in that reconstruction. [136586]

Mr. Rammell: At the Iraq Donors Conference held in Madrid on 23 and 24 October my right hon. Friend the Secretary of State for International Development (Hilary Benn) announced the UK contribution of £544 million for reconstruction and investment projects in Iraq.

Linda Perham: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to help with the repayment of Iraqi debt. [136587]

Mr. Rammell: The UK is playing a very active role in achieving a sustainable solution to Iraq's debt. My right hon. Friend the Chancellor of the Exchequer is promoting a multilateral settlement through the Paris Club. G7 Finance Ministers have called for this to be achieved by the end of 2004, and for non-Paris Club members to co-operate with this process. A moratorium on debt repayment has been agreed by the members of the Paris Club for that period.

Kashmir

Mr. Weir: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the governments of *(a)* India and *(b)* Pakistan on the situation in Kashmir; and if he will make a statement. [137068]

Mr. Mike O'Brien: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Hendon (Mr. Dismore) today (UIN136828).

Narcotics Trade

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to assist South American governments in *(a)* combating the production of and *(b)* tackling the international trade in narcotics. [136770]

Mr. Rammell: The Government are working closely with Latin American and Caribbean countries to address the serious problem of drugs, particularly the production and trafficking of cocaine.

In FY 2002–03, the FCO's Drugs and Crime Fund (DCF) provided over £5 million in counter-narcotics related assistance to priority countries in Latin America and the Caribbean where illegal drugs are produced or trafficked. This has led to the seizure of over 11 tonnes of cocaine, worth over £662 million, throughout the region so far this year.

UK counter-drugs assistance focuses on improving local law enforcement capabilities primarily by providing law enforcement training and drug detection equipment. The UK also has 23 Drug Liaison Officers (DLOs) and three Crime Liaison Officers (CLOs) stationed in the region.

DCF has also supported several UNODC projects in the region, such as training in precursor chemicals in Colombia and illicit coca crop monitoring surveys in Colombia and Peru, which will lead to improved understanding of the nature and scale of the drug problem.

Occupied Territories

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his colleagues in the EU concerning the expansion of Israeli settlements in the occupied territories. [136212]

Mr. Rammell: My right hon. Friend the Foreign Secretary discussed continuing settlement expansion with his EU counterparts at the General Affairs and External Relations Council in Luxembourg on 13 October. The European Council Declarations of 17 October called on Israel to reverse its settlement policy and dismantle settlement outposts.

We fully support the roadmap's requirement that Israel should immediately freeze all settlement activity, including "natural growth" and dismantle the outposts erected since March 2001. The continuing expansion of settlements in the Occupied Territories threatens the basis for a viable Palestinian state and makes a negotiated settlement more difficult to reach.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the US Administration concerning Israeli activity to expand settlements in the occupied territories. [136213]

Mr. Rammell: My noble Friend the Baroness Symons of Vernham Dean expressed our concerns about Israeli settlement activity to the US Assistant Secretary of State, William Burns, on 24 September. My right hon. Friend the Secretary of State for International Development also raised the matter with Elliott Abrams, Senior Director of the US National Security Council on 8 October. Our embassy in Washington continues to discuss Israeli settlements in the occupied territories as part of regular discussions with the US Administration on the Middle East Peace Process.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Israeli Government concerning its efforts to expand settlements and encourage new outposts in the occupied territories. [136214]

Mr. Rammell: My right hon. Friend the Foreign Secretary expressed our concerns about settlement expansion to the Israeli Prime Minister, Ariel Sharon, when he visited London on 14 July, and the Israeli Foreign Minister, Silvan Shalom, on 18 July. My noble Friend the Baroness Symons of Vernham Dean reiterated these representations when she met Mr. Shalom in Jerusalem on 30 September. She also raised settlements and Israeli authorisation of settlement outposts with Yosef Paritzky, the Israel Minister for National Infrastructure on 29 October.

Regions of Knowledge

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what applications the Government has made to the European Commission to ensure that the United Kingdom benefits from the Commission's Regions of Knowledge initiative; what the Government's assessment is of whether this is a productive use of EU funds; and if he will make a statement. [135883]

Ms Hewitt: I have been asked to reply.

Regions of Knowledge is a pilot initiative of the European Parliament which is being administered by the Commission. It invited regional consortia to bid for funds, and consequently it was not appropriate for Her Majesty's Government to apply directly. We are aware that several bids including UK participants were prepared, but those submitted are currently confidential.

Science research and innovation are key drivers of regional development. The potential value added of this initiative is considerable in comparison to the modest €2.5 million funding proposed.

Sri Lanka

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on discrimination against Christians in Sri Lanka. [136004]

Mr. Mike O'Brien: We are concerned about reports of discrimination against religious minorities (including Christians) in Sri Lanka and regularly raise this, and other human rights issues, with the Sri Lankan Government. Our High Commission monitors the situation closely, and is in regular contact with religious leaders. The right to freedom of religion is enshrined in the Sri Lankan Constitution, and there are dedicated ministries for Christian as well as Hindu, Buddhist, and Muslim affairs.

Subcontinent

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on current India-Pakistan relations. [136828]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary has had discussions with both Indian Foreign Minister Sinha and Pakistani Foreign Minister Kasuri in the last week. Both the Foreign Secretary and I met Foreign Minister Kasuri on 4 November in London during which we discussed the measures proposed by India and Pakistan to further improve relations between the two countries. He urged both sides to implement quickly the steps on which they agreed and work together to close the gap on those where there is less common ground. In particular, he urged both governments to find a way forward on the Srinagar-Muzaffarabad bus route, a proposal that was welcomed by Kashmiris on both sides of the Line of Control. The Foreign Secretary also encouraged both governments to continue to work together towards normalising their relations and resolving their differences, including over Kashmir.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the Pakistani Foreign Minister's comments on 29 October concerning the proposed confidence building measures initiated by India; what impact those comments have had on the dialogue between the two countries; and if he will make a statement. [136904]

Mr. Mullin: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Hendon (Mr. Dismore) today (UIN136828).

Western Sahara

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with Mr. Kofi Annan on the Western Sahara, with particular reference to Moroccan engagement with the latest Baker Plan. [136005]

Mr. Rammell: Officials have been in contact with their United Nations counterparts over this issue, particularly in the lead up to the unanimous adoption of UN Security Council (UNSC) resolution 1513 on 28 October 2003 which extended the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) until 31 January 2004.

HOME DEPARTMENT

Correspondence

Dr. Jack Cunningham: To ask the Secretary of State for the Home Department when he will reply to the letters of 10 March and 5 September of the right hon. Member for Copeland concerning a constituent awaiting release from prison. [137089]

Paul Goggins *[holding answer 10 November 2003]:* I wrote to the right hon. Member on 12 November.

Criminal Records

Mr. Burns: To ask the Secretary of State for the Home Department how long on average it took to process an application for screening for criminal records of care home workers in *(a)* July 2002, *(b)* October 2002, *(c)* January 2003, *(d)* April 2003 and *(e)* July 2003. [127463]

Paul Goggins: The information is not available in the form requested, as there are currently no IT procedures to extract this information from the Criminal Records Bureau (CRB) database. It is expected that, as systems develop, this information will become available at some point in the future.

Average turnaround times for Standard and Enhanced Disclosures during the periods specified are shown in the table:

Days

	Standard	*Enhanced*
July 2002	16.71	21.04
October 2002	16.75	32.00
January 2003	26.00	47.72
April 2003	12.27	23.18
July 2003	19.25	25.91

The turnaround times for January are higher than usual because of lost production days between Christmas and New Year due to staff holidays, and a training and consolidation exercise of new PNC procedures.

The CRB has been steadily improving its performance since October 2002. The increase in July can be attributed to a surge in applications during the last two weeks in June in advance of the increase in fees which came into effect on 1 July. Approximately 50,000 extra applications were received in addition to the Bureau's normal intake at that time of about 43,000 applications per week. While these extra applications temporarily increased the turnaround times for applications, the CRB nevertheless continued to meet its service standard targets.

Euro

Mr. Stephen O'Brien: To ask the Secretary of State for the Home Department how much has been spent in each year by his Department in preparing for UK entry to the euro; how much his Department plans to spend on preparations for UK entry to the euro for each year from the current financial year up to and including 2005–06; and what estimates he has made of the total costs to his Department of changeover to the European Single Currency. [131592]

Caroline Flint: I refer the hon. Member to the reply given by my hon. Friend the Financial Secretary on 14 October 2003, *Official Report*, column 142W.

Miscarriages of Justice (Compensation)

Mr. Dhanda: To ask the Secretary of State for the Home Department how many people freed from prison due to miscarriages of justice, after serving less than 20 years, have received an interim payment for compensation; and what proportion have waited more than nine months for compensation. [133571]

Paul Goggins *[holding answer 21 October 2003]:* This information is not readily available. Interim payments are considered only after eligibility for compensation has been determined. There is then a target to refer any written request for an initial interim payment to the Assessor within five working days.

Prisons

Mr. Hancock: To ask the Secretary of State for the Home Department what the *(a)* built capacity and *(b)* number of inmates are for each of Her Majesty's Prisons for each of the last three years. [137549]

Paul Goggins: Figures for operational capacity and population for each prison service establishment in England and Wales in the last three years are set out in the table. These figures represent the position as regards operational capacity and population at end of June for each year:

Prisons: operational capacity and population at end of June for each year

	2002		*2001*		*2000*	
Prison	*Population*	*Capacity*	*Population*	*Capacity*	*Population*	*Capacity*
Acklington	111	787	782	782	763	782
Albany	441	446	446	446	439	446
Altcourse[1]	1,004	965	773	850	838	900
Ashfield	319	400	387	400	316	400
Ashwell	481	494	378	386	481	494
Askham Grange	135	141	128	132	113	132
Aylesbury	351	352	355	352	349	355
Bedford	447	440	396	422	353	400
Belmarsh	857	869	829	935	821	869
Birmingham	910	900	830	850	1,027	1,080
Blakenhurst	855	850	817	850	844	850
Blantyre House	120	120	118	120	115	120
Blundestone	421	424	414	424	408	424
Brinsford	464	493	454	493	473	493

Prisons: operational capacity and population at end of June for each year

	2002		2001		2000	
Prison	*Population*	*Capacity*	*Population*	*Capacity*	*Population*	*Capacity*
Bristol	602	603	548	555	495	569
Brixton	760	772	780	784	799	827
Brockhill	161	167	150	166	155	159
Buckley Hall	203	390	388	390	353	390
Bullingdon	914	933	872	921	852	891
Bullwood Hall	181	184	162	180	160	180
Camp Hill	539	545	535	545	469	485
Canterbury	286	314	273	304	267	300
Cardiff	645	669	616	638	520	707
Castington	329	406	304	406	253	366
Channings Wood	616	625	584	615	570	615
Chelmsford	564	576	463	501	360	501
Coldingley	377	378	363	370	306	322
Cookham Wood	144	153	151	150	137	150
Dartmoor	622	642	594	652	660	712
Deerbolt	478	486	382	426	464	488
Doncaster	1,123	1,111	1,086	1,111	1,023	1,111
Dorchester	242	272	219	272	245	272
Dovegate[2]	724	800	—	—	—	—
Dover	147	158	186	193	310	316
Downview	245	292	322	343	338	343
Drake Hall	276	304	232	267	162	295
Durham	716	730	659	737	883	961
East Sutton Park	95	100	89	100	70	100
Eastwood Park	322	328	299	324	301	328
Elmley	934	955	914	950	895	950
Erlestoke	327	326	320	326	292	326
Everthorpe	374	386	465	470	458	470
Exeter	500	533	469	535	433	527
Featherstone	602	611	581	597	587	599
Feltham	666	715	657	729	717	818
Ford	529	541	339	501	375	501
Forest Bank	981	1040	748	800	716	800
Foston Hall	207	219	156	168	167	182
Frankland	633	638	641	707	519	557
Full Sutton	597	607	581	607	590	596
Garth	645	667	622	653	637	653
Gartree	283	289	284	282	359	366
Glen Parva	802	802	774	802	810	852
Gloucester	300	330	261	281	292	329
Grendon/Spring Hill	453	487	439	457	441	487
Guys Marsh	514	524	508	524	70	524
Haslar	109	160	157	160	301	160
Hatfield	170	180	173	180	895	180
Haverigg	559	564	532	554	292	402
Hewell Grange	187	191	170	187	458	191
Highdown	738	714	724	714	433	714
Highpoint	874	910	821	852	768	812
Hindley	516	559	486	558	380	558
Hollesley Bay	418	462	333	399	311	361
Holloway	480	483	474	483	490	492
Holme House	980	995	953	971	945	971
Hull	663	653	532	633	538	633
Huntercombe	346	352	315	368	339	368
Kingston	184	197	175	193	179	189
Kirkham	528	561	452	577	499	606
Kirklevington	181	183	179	183	173	183
Lancaster	242	244	218	240	137	150
Lancaster Farms	474	546	490	536	462	536
Latchmere House	188	192	163	193	184	193
Leeds	1,253	1,254	1,239	1,254	1,199	1,254
Leicester	371	371	336	361	342	361
Lewes	525	546	443	496	455	496
Leyhill	425	432	383	422	380	422
Lincoln	547	550	496	552	457	520
Lindholme	684	761	579	613	473	642
Littlehey	653	660	606	648	642	648
Liverpool	1,473	1,504	1,233	1,510	1,260	1,510
Long Lartin	440	441	451	523	452	472

Prisons: operational capacity and population at end of June for each year

	2002		2001		2000	
Prison	*Population*	*Capacity*	*Population*	*Capacity*	*Population*	*Capacity*
Low Newton	286	296	251	285	207	245
Lowdham Grange	521	524	494	500	510	524
Maidstone	448	447	373	393	556	576
Manchester	1,251	1,257	1,117	1,163	1,103	1,163
Moorland	775	779	770	779	764	779
Morton Hall	188	196	188	192	198	208
New Hall	348	396	347	386	366	385
North Sea Camp	245	267	177	208	207	208
Northallerton	222	254	163	264	220	298
Norwich	743	772	699	794	650	744
Nottingham	510	510	501	523	457	466
Onley	504	580	591	640	488	640
Parc	927	968	918	948	813	920
Parkhurst	515	527	406	517	451	522
Pentonville	1,167	1,175	1,183	1,175	1,076	1,175
Portland	450	542	509	542	523	572
Preston	633	630	552	602	551	620
Ranby	757	778	729	779	736	779
Reading	265	289	219	241	220	247
Risley	833	835	803	837	792	824
Rochester	169	164	373	444	357	444
Rye Hill[3]	658	660	597	600	—	—
Send	215	220	216	220	201	220
Shepton Mallet	180	189	149	174	208	224
Shrewsbury	343	342	311	342	331	342
Stafford	636	640	615	627	624	627
Standford Hill	373	384	328	384	281	384
Stocken	571	582	571	582	572	582
Stoke Heath	652	688	531	564	573	622
Styal	455	463	424	455	449	455
Sudbury	507	519	498	519	502	519
Swaleside	111	111	743	775	735	782
Swansea	361	366	187	201	295	346
Swinfen Hall	306	320	307	319	301	320
The Mount	750	760	719	745	739	745
The Verne	583	587	566	577	562	577
The Weare	394	400	387	400	372	400
The Wolds	409	410	397	405	401	405
Thorn Cross	200	316	221	316	235	316
Usk/Prescoed	331	348	329	348	295	339
Wakefield	571	581	558	586	562	578
Wandsworth	1,443	1,461	1,342	1,371	1,277	1,371
Wayland	648	660	619	648	634	648
Wealstun	622	632	612	632	611	628
Wellingborough	521	526	505	518	503	518
Werrington	130	134	132	140	100	106
Wetherby	333	360	345	360	271	360
Whatton	276	280	273	275	269	275
Whitemoor	420	444	370	408	384	408
Winchester	619	637	602	630	569	624
Woodhill	726	773	641	775	631	781
Wormwood Scrubs	1,190	1,192	981	987	801	847
Wymott	813	821	776	805	795	805

[1] Altcourse increased its operational capacity to 1,010 in July 2002.
[2] Dovegate opened in July 2001.
[3] Rye Hill opened in January 2001.

The figures in the "Capacity" columns of the table refer to operational capacity: the total number of prisoners that an establishment can hold, taking into account control, security and the proper operation of the planned regime. It is determined by area managers on the basis of operational judgement and experience.

The figures in "Population" columns in the table may include prisoners out on authorised absence, which can cause the official population to appear slightly higher than the operational capacity.

Entertainment

Mr. Oaten: To ask the Secretary of State for the Home Department how much was spent by his Department in the last 12 months on entertainment, broken down by the costs of *(a)* food and *(b)* drink. [135899]

Mr. Blunkett: Home Office expenditure on official entertainment is made in accordance with departmental guidance on financial procedures and propriety based on the principles set out in Government Accounting.

In 2002–03, the cost of hospitality (entertaining non-civil servants) and management entertainment of civil servants was £72,000. This was about 0.006 per cent. of the Home Department's Administration Costs in the 2002–03 Resource Accounts. The Department does not separately identify the costs of food and drink.

Recovered Assets Incentive Fund

Mr. Dismore: To ask the Secretary of State for the Home Department which organisations, and at which level, will be able to bid for sums from the Recovered Assets Incentive Fund; whether bids will be permitted direct from *(a)* police operational command units and *(b)* local crime and disorder partnerships; against what criteria bids will be assessed; what amount he expects to be available under the Fund in (i) this and (ii) the next financial year; and if he will make a statement. [133906]

Caroline Flint: The Recovered Assets Incentive Fund was set up this financial year to incentivise asset recovery by asset recovery agencies including law enforcement and prosecuting authorities. £15.5 million a year for three years has been allocated to the Fund. The funds have been fully committed over the next three years to projects agreed by the Association of Chief Police Officers (ACPO) and others, that will increase the confiscation of criminal assets. The fund is not open to bids from other organisations or partnerships.

Of £46.5 million that will be available under the Fund over the next three years, up to £38 million will be spent on funding an ACPO proposal to set up an additional four multi-agency regional asset recovery teams to disrupt organised crime groups and to confiscate criminal assets. The teams will comprise staff from the police, National Crime Squad, Her Majesty's Customs and Excise, National Criminal Intelligence Service, Crown Prosecution Service, Assets Recovery Agency and Inland Revenue. The balance of the Fund will be spent on asset recovery projects managed respectively by the Crown Prosecution Service, the Department for Constitutional Affairs, and the Assets Recovery Agency.

An additional £7 million a year for three years has been made available separately from the Recovered Assets Incentive Fund for community projects. This year £4 million has been allocated to the Adventure Capital Fund to regenerate communities. The Adventure Capital Fund Round 2 is open to applications from community-based organisations operating anywhere in England, which are engaged in specified areas of activity including crime reduction and drug prevention, and which are seeking to achieve sustainability through enterprise, while investing surpluses for community benefit. The Adventure Capital fund is not open to bids from other organisations or partnerships.

£1.5 million has been allocated to anti-gun crime initiatives. £1.2 million of this is being disbursed by eight of the regional government offices to projects that will help local communities in the most affected areas in tackling gun crime and gun culture. The money has now been allocated and is not open to bids. £300,000 is being used to support the Disarm Trust, and it is open to projects working to tackle gun crime in local communities to seek support or funding from the Trust. A further £1.5 million has been allocated to regional government offices to fund capacity building in crime and disorder reduction partnerships.

Of the £7 million available for next year, £3 million has been committed to fund community justice centre pilot schemes. The balance of £4 million is not yet committed but there are no plans to invite specific bids.

Sentencing

Mr. Oaten: To ask the Secretary of State for the Home Department how many criminal convictions *(a)* carried a prison sentence and *(b)* carried a community-based sentence, in each year from 1990 to 2002; and if he will make a statement. [124593]

Paul Goggins: The available information is contained in the table.

Statistics for 2002 will be published in the autumn.

Number of offenders sentenced to a community sentence or immediate custody for all offences at all courts[1]

England and Wales 1990–2001	*Community sentence*	*Immediate custody*
1990	100,884	57,748
1991	104,457	61,363
1992	102,413	58,092
1993	114,806	58,738
1994	128,875	69,588
1995	129,922	79,538
1996	132,637	85,249
1997	139,990	93,841
1998	149,388	100,566
1999	151,633	105,323
2000[2]	155,538	106,187
2001	164,997	106,273

[1] These data are on the principal offence basis.
[2] Staffordshire Police Force were only able to supply a sample of data for magistrates courts proceedings covering one full week in each quarter for 2000. Estimates based on this sample are included in the figures, as they are considered sufficiently robust at this high level of analysis.

Terrorism Offences

Patrick Mercer: To ask the Secretary of State for the Home Department how many people have been *(a)* convicted and *(b)* acquitted of offences under the (i) Terrorism Act 2000 and (ii) Anti-Terrorism, Crime and Security Act 2001. [137370]

Mr. Blunkett *[holding answer 11 November 2003]:* According to Home Office records cross-referenced with records held by the National Joint Unit in New Scotland Yard and the Crown Prosecution Service show that 25 individuals have been convicted under the Anti-Terrorism, Crime and Security Act 2001. There have been no acquittals.

Figures on how many individuals have been convicted and acquitted under the Terrorism Act 2000 are published annually in the Criminal Statistics for England and Wales supplementary tables. The latest published figures are for the financial year 2001–02 and show that two individuals were convicted and two were acquitted. The Terrorism Act provides a range of important powers for the police to conduct investigation. Many of these arrested under its provisions are subsequently charged under other criminal legislation.

Figures for 2002–03 are due to be published later this year. Figures for 2003–04 will be published when the relevant data has been collated and verified.

NORTHERN IRELAND

Belfast-Larne Railway

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list the speed restrictions that apply to the Belfast to Larne railway line. [137667]

Mr. Spellar: The details in the table show all the permanent speed restrictions on the Belfast/Larne line. There are currently no temporary speed restrictions on the line at this time.

Translink anticipate that once the track relay between Bleach Green Junction and Whitehead is complete and tested trains can revert to the line speed which is appropriate for track geometry for that section of line.

Permanent speed restrictions on the Belfast/Larne line

Reason	*Location*	*Mileposts*	*Mph*
Track alignment	Lagan Junction—Donegall Quay	113.75–114.00	30
Track alignment	Donegall Quay—Yorkgate (Signal 217–219)	114.00–115.00	45
Track alignment	Donegall Quay—(to and from up loop)	114.25–114.50	25
Track condition	Carrickfergus—Jordanstown (up line only)	10.00–05.25	30
Track condition	Jordanstown—Bleach Green Junction (up line only)	05.25–04.75	20
Track condition	Bleach Green Junction (down line to Larne line)	04.75–05.00	50
Track condition	Bleach Green Junction—Jordanstown (down line only)	05.00–05.50	30
Track condition	Jordanstown—Trooperslane (down line only)	05.50–07.75	50
Track condition	Trooperslane (down line only)	07.75–08.25	30
Track condition	Trooperslane—Carrickfergus (down line only)	08.25–09.50	50
Track condition	Carrickfergus station (down line only)	09.50–09.75	30
Track alignment	Kilroot—Down line to single line	12.25–12.50	30
Track condition	Whitehead (to and from Up Loop)	14.25–14.50	15
Track condition	Through Whitehead station	14.25–14.75	30
Track alignment	Magheramorne Curves	19.50–20.00	30
Track alignment	Larne Town Curves	23.00–24.25	40
Track alignment	Larne Town—Larne Harbour single line to Down line (through No. 940 points)	23.75–24.00	20

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many of the new trains and rolling stock for the Northern Ireland network will be allocated to serve on the East Antrim line between Belfast to Larne; and when these trains and rolling stock will be operational in *(a)* East Antrim and *(b)* other areas of Northern Ireland. [137668]

Mr. Spellar: Translink advise that they have set up a team to determine optimum use of the new train sets on the basis of accessibility and logistics, potential for passenger growth, current infrastructure constraints and other criteria including improvement of network integration. They will announce their intentions for the new train sets when this work is complete. It is intended that the first new train set should be in operation in mid 2004 with the remaining 22 sets coming into service progressively during the rest of 2004 and 2005.

Community and Voluntary Sector

Mr. Beggs: To ask the Secretary of State for Northern Ireland when the results of the Department of Social Development study into whether a section of the community and voluntary sector in Northern Ireland requires an alternative to lottery-based funding will be published; and if he will make a statement. [137666]

Mr. Spellar: The Voluntary and Community Unit (VCU) within the Department for Social Development (DSD) commissioned research jointly with the Community Relations Council to assess the level of access to lottery funds by religious groups and the impact on groups with religious objections to applying for lottery funding. Work is under way to prepare a summary publication of the results of the research for general release. There is no specific date for publication but it is anticipated that this will take place in the new year.

The Department for Culture, Media and Sport (DCMS) has overall policy responsibility for lottery funding and officials from VCU will discuss the research findings with DCMS in due course.

Curriculum

Mr. Beggs: To ask the Secretary of State for Northern Ireland when the results of the review of the enriched curriculum trial in the Belfast Education and Library Board area will be made available. [137660]

Jane Kennedy: This is a four-year study and the results should be available around the autumn of 2004. Some interim results on pupils at the end of year 3 have been made available to individual schools in the Shankill area of Belfast for information.

Disabled Grants Scheme

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many applications to the Disabled Grants Scheme are outstanding; and what plans he has to introduce targets to speed up the application process. [137664]

Mr. Spellar: I will write to the hon. Gentleman as soon as possible and a copy of the letter will be placed in the Library.

Eastern Board GPs

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many GP practices within the Eastern Board are *(a)* accepting and *(b)* refusing to accept new patients onto their lists. [137807]

Angela Smith: There are 184 GP practices in the Eastern Board and according to the information currently held by the Central Services Agency (CSA) they are all accepting patients, and no GP has notified the CSA that they have closed their list.

Employment

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many *(a)* jobs have been lost and *(b)* new jobs have been created in Northern Ireland in the past year. [137804]

Mr. Pearson: Over the 12 months to 7 November 2003, there were 4,957 redundancies in Northern Ireland confirmed to the Department of Enterprise, Trade and Investment.

Information on the number of jobs created is not available. However, figures from the NI Quarterly Employment Survey (QES) can be used to estimate the net change in employee jobs during the past year. Latest figures from the June 2003 QES showed that there were 667,610 employee jobs in Northern Ireland. This represented an increase of 5,650 (0.9 per cent.) from the figure for June 2002.

Energy Market

Mr. Beggs: To ask the Secretary of State for Northern Ireland what discussions he has had with the Government of the Republic of Ireland regarding the promotion of an integrated energy market on the island of Ireland; and if he will make a statement. [137669]

Mr. Pearson: I met Dermot Ahern TD, Minister for Communications, Marine and Natural Resources in July 2003 to consider further cross-border cooperation on energy in the context of the planned European single market for electricity and gas by 2007.

The discussion covered cross-border electricity trading arrangements, electricity systems interconnection and integration, all-island gas network, regulatory collaboration, climate change, emissions and renewable energy, and energy efficiency polices. We agreed that both Governments have a shared interest in more open and competitive energy markets, reduced energy costs and improved reliability of supply; and that any integration of energy markets should be mutually beneficial.

A joint steering group of senior officials from the two lead departments (Department of Enterprise, Trade and Investment and Department of Communications, Marine and Natural Resources) and the two regulatory authorities has been established to oversee on-going work on cross-border energy issues.

Fireworks

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many individuals have been charged with *(a)* selling fireworks illegally and *(b)* other fireworks offences in 2003. [137798]

Jane Kennedy: The Police Service of Northern Ireland, whose responsibility it is to enforce the fireworks regulations, do not centrally collate statistics on persons charged with selling fireworks illegally or other offences in respect of fireworks.

Fisheries Conservancy Board

Mr. Donaldson: To ask the Secretary of State for Northern Ireland for what year the last annual report of the Fisheries Conservancy Board for Northern Ireland was published; when he expects to publish the outstanding annual reports; and what the reasons are for delays in publication. [135862]

Angela Smith: The Annual Report for the Fisheries Conservancy Board for Northern Ireland for the year ended 31 December 2001 was laid in the Northern Ireland Assembly in December 2002. Copies of the Board's Annual Report for the year ended 31 December 2002 will be deposited in the Libraries of both Houses, and in the Northern Ireland Assembly Library, at the end of November or early December 2003. There have been no significant delays in publishing the FCB Annual Reports.

Intensive Care Beds

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many intensive care beds there are in Northern Ireland. [137812]

Angela Smith: The information is shown in the following table.

Number of intensive care beds in Northern Ireland

Provider Trust	*Acute*	*Mental Health*
Belfast City Hospital HSS Trust	7	0
Mater Infirmorum HSS Trust	3	0
The Royal Group of Hospitals HSS Trust	15	0
Ulster Community and Hospitals HSS Trust	6	0
Causeway HSS Trust	6	0
Homefirst Community HSS Trust	0	18
United Hospitals HSS Trust	6	0
Armagh and Dungannon HSS Trust	0	14
Craigavon Area Hospital Group HSS Trust	7	0
Altnagelvin Area Hospitals HSS Trust	5	0
Foyle Community HSS Trust	0	8
Sperrin Lakeland HSS Trust	0	10
Northern Ireland	55	50

Source:
Northern Ireland HPSS Trusts

Medical Staff

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action he is taking to protect medical staff in Northern Ireland from violent attacks. [137800]

Angela Smith: The Department of Health, Social Services and Public Safety is concerned about violent attacks against all staff working in the Health and Personal Social Services (HPSS) and regards such incidents as totally unacceptable.

Guidance, recommending the successful NHS initiative, "Zero Tolerance", was issued to Employing Authorities in the HPSS in February 2000 and the

Department set up a working group in February 2002 to examine the current arrangements for reducing the potential risks of violence against HPSS staff. The group reported in December 2002. After a period of consultation the Department issued further guidance and a final report to HPSS employers in September 2003. The Department has made the report available on the HPSS Extranet and has encouraged employers to share its contents widely with Professional Directors and those Directors responsible for programmes of care and facilities where staff may be exposed to risk with a view to reducing the risk of violence to all HPSS staff.

Mental Health

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many in-patient beds there are for child and adolescent psychiatry in Northern Ireland. [137805]

Angela Smith: In 2002–03 there were, on average, 31 in-patient beds available for child and adolescent psychiatry.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many inpatient beds there are in Northern Ireland for addictions treatment. [137806]

Angela Smith: The information is shown in the table.

Provider Trust	*Number of beds in Northern Ireland, designated for the treatment of addictions*
Down and Lisburn HSS Trust	14
Ulster Community and Hospitals HSS Trust	7
Homefirst Community HSS Trust	10
United Hospitals HSS Trust	6
Armagh and Dungannon HSS Trust	10
Sperrin Lakeland HSS Trust	7
Northern Ireland	54

Source:
Northern Ireland HPSS Trusts

Pacemakers

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many patients in Northern Ireland have received pacemakers in each of the last five years. [137808]

Angela Smith: The total number of patients who have had a pacemaker implanted in each of the last five years is shown in the table.

Patients who had a pacemaker implanted

	Number
1998–99	527
1999–2000	594
2000–01	705
2001–02	742
2002–03	637

Source:
Hospital Inpatients System

Physical Punishment

Ms Shipley: To ask the Secretary of State for Northern Ireland when he will publish the findings from the consultation paper, "Physical Punishment in the Home: Thinking About the Issues, Looking at the Evidence", issued in September 2001. [138205]

Mr. Pearson: The Office of Law Reform is now in the later stages of preparing an analysis of responses for publication. It is expected that publication will proceed in the new year.

Population Distribution

Mr. Andrew Turner: To ask the Secretary of State for Northern Ireland (1) what proportion of the population were identified within *(a)* the Unionist tradition and *(b)* the Nationalist tradition in each local authority at the time of each census since 1961; [137718]

(2) what evidence he has collated of changes in the balance of communities between Unionist and Nationalist traditions *(a)* in each ward in the City of Belfast and *(b)* in each ward of the City of Londonderry, since 1997; and if he will make a statement on the causes of those changes. [137719]

Mr. Pearson: The Census of Population does not ask respondents about whether they consider themselves to be from a Unionist or Nationalist tradition. Accordingly the Census cannot provide the information requested. Information on Unionist and Nationalist identity is usually obtained from sample surveys. However the sample sizes are too small to allow robust estimation at local authority and ward level.

Private Anthony Green

Mr. McNamara: To ask the Secretary of State for Northern Ireland when the police were notified of the shooting and subsequent death of Private Anthony Green at Shackleton Barracks, Ballykelly on 24 January 2001; when police officers arrived at the scene; when the scene of the crime was secured; when Corporal William Graham was interviewed; when interviews were conducted with each of the other occupants of the vehicle from which the fatal shot was fired, listing their ranks; when Corporal William Graham was arrested; and when he was charged. [132516]

Jane Kennedy: The police were notified of the shooting of Private Green at 14.49 hours on 24 January 2001, they attended and secured the scene at 15.15 hours. Private Graham was arrested and interviewed on 25 January 2001 for unlawful wounding. Interviews took place with three non-commissioned officers on 24 January and statements were obtained on 25 January 2001. Private Graham reported back on bail on 14 February 2001 and was re-arrested for the offence of manslaughter. He was released from police custody to be dealt with by way of report to the Department of Public Prosecutions and was committed for trial on 5 December 2001.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what steps were taken to secure weapons and ammunition following the fatal shooting of Private Anthony Green on 24 January 2001. [132517]

Jane Kennedy: The offending firearm, magazine and spent case were secured in situ and a full forensic examination of the scene was conducted. Following

that, the firearm, magazine and spent case were packaged and forwarded to the forensic science laboratory for examination and testing.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many witness statements were taken in the investigation of the shooting of Private Anthony Green on 24 January 2001. [132518]

Jane Kennedy: A total of 24 witness statements were taken.

Mr. McNamara: To ask the Secretary of State for Northern Ireland when Detective Sergeant Doherty was informed that questions in the House had been asked concerning the death of Private Anthony Green; and what authorisation was subsequently sought to discuss this with a bereaved relative on 29 June 2001. [132519]

Jane Kennedy: Detective Sergeant Doherty became aware that questions in the House had been asked shortly after they had been tabled. As the family liaison officer he spoke to Private Green's wife and his mother, to inform them that these matters were of interest to hon. Members.

Mr. McNamara: To ask the Secretary of State for Northern Ireland in whose custody and at what location the pages of the occurrence log for the Shackleton Barracks, Ballykelly covering 24 January 2001 are. [132520]

Jane Kennedy: The original watch keeper's log for 24 January 2001 is held in military archives at HQNI Lisburn.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what rank of officer was responsible for liaison with the family of Private Anthony Green following the fatal shooting on 24 January 2001; what the reasons were for the cancellation of the meeting with the mother of the deceased arranged for 24 September; what measures are planned to compensate Mrs. Green financially for the costs incurred in taking off time from work and arranging travel to Northern Ireland; and if he will ensure that arrangements are made for a new appointment. [132521]

Jane Kennedy: Detective Sergeant Doherty was the deputy senior investigation officer in this case and also acted in the role of family liaison officer updating the family on a regular basis. On 12 September 2003 the police were contacted by the Northern Echo newspaper and asked to respond to what appeared to be a complaint that police had failed to fully investigate her son's death. It was decided to postpone the meeting until it was clear what the precise nature of the allegations were. The meeting with Private Anthony Green's mother was postponed on 22 September, through her solicitors who undertook to inform their client.

I am advised by the Chief Constable of the PSNI that no request for a further meeting has been received, and that the police are available to discuss any outstanding matters of concern with the family. I understand that they have been in touch with Mrs. Green's solicitors in October with a view to arranging a meeting. The matter of compensation has not previously been raised by Mrs. Green or her solicitors but will certainly be considered by the PSNI if she supplies details along with properly receipted documentation for any financial loss incurred.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the cost was of the investigation into the death of Private Anthony Green. [132522]

Jane Kennedy: No costing programme was required to be kept in respect of this particular investigation and this could be obtained now only at disproportionate cost.

Secondary Schools

Mr. Andrew Turner: To ask the Secretary of State for Northern Ireland if he will list the secondary schools which have *(a)* increased their intake by more than 10 per cent. and *(b)* reduced their intake by more than 10 per cent. since 1997. [137715]

Jane Kennedy: Information from the Annual School Census is as follows:

(a) Increased intake by more than 10 per cent.

Ashfield Boys' High School
Ashfield Girls' High School
Aughnacloy High School
Clounagh Junior High School
Craigavon Senior High School
Cross and Passion College
Down Academy
Drumglass High School
Dunmuny High School
Enniskillen High School
Fivemiletown High School and Community College
Integrated College Dungannon
Lisnagarvey High School
Lisnaskea High School
Lurgan Junior High School
Maghera High School
Meanscoil Feirste
Monkstown Community College
Newtownhamilton High School
North Coast Integrated College
Slemish Integrated College
St. Catherine's College
St. Columban's High School
St. Columbanus's College
St. Fanchea's College
St. Joseph's High School, Coleraine
St. Joseph's Boys' High School, Newry
St. Malachy's High School, Castlewellan
St. Mary's High School, Belleek
St. Mary's College, Irvinestown
St. Mary's Grammar School, Magherafelt
St. Patrick's and St Brigid's High School
St. Patrick's College, Bearnageeha
St. Rose's High School

(b) Decreased intake by more than 10 per cent.

Bailee Community High School
Ballycastle High School
Balmoral High School
Belfast Boys' Model School
Carrickfergus College
Castle High School
Castlederg High School
City of Armagh High School
Coleraine Academical Institution
Coleraine College
Comber High School
Cookstown High School
Corpus Christi College
Crumlin High School
Drumcree College
Drumragh College
Duke of Westminster High School
Dundonald High School
Edmund Rice College
Erne Integrated College
Faughan Valley High School
Holy Trinity College
Lismore Comprehensive School
Lisnasharragh High School
Little Flower Girls' School
Massereene Community College
Mount Gilbert Community College
Movilla High School
Newtownabbey Community High School
NewiyHigh School
Omagh High School
Orangefield High School
Our Lady of Lourdes High School
Our Lady of Mercy Girls' School, Belfast
Our Lady of Mercy High School, Strabane
Priory College
St. Aidan's High School
St. Brecan's High School
St. Brigid's Fligh School, Armagh
St. Ciaran's High School
St. Colman's High School, Strabane
St. Comgall's High School, Larne
St. Comhghall's Fligh School, Lisnaskea
St. Eugene's College, Roslea
St. Eugene's High School, Castlederg
St. Gabriel's School
St. Gemma's High School
St. John's Fligh School
St. Joseph's College, Enniskillen
St. Joseph's High School, Crossmaglen
St. Joseph's High School, Coalisland
St. Malachy's High School, Antrim
St. Mark's High School
St. Mary's College, Ballymena
St. Mary's Fligh School, Downpatrick
St. Olcan's High School
St. Patrick's College, Ballymena
St. Patrick's High School, Dungiven
St. Patrick's High School, Lisburn
St. Patrick's College, Dungannon
Strabane High School
Tandragee Junior High School
Templemore Secondary School

Smoking

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to ban smoking on trains. [137810]

Mr. Spellar: Translink has advised that there has been a smoking ban on trains since April 1997.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what his policy is on smoking in public houses in Northern Ireland. [137811]

Angela Smith: The policy on smoking in public houses in Northern Ireland is driven by the Public Places Charter, launched by the Federation of the Retail Licensed Trade in October 2000. To date, over 700 licensed premises have signed up to the Charter which aims to encourage venues to improve provision for non-smokers as well as overall air quality. Potential customers are able to make informed choice by identifying the smoking policies in public houses and restaurants through appropriate signage.

The Department of Health, Social Services and Public Safety published a five year Tobacco Action Plan in July 2003. The Plan identifies 24 separate action points which are being taken forward by an Implementation Group. These include actions to promote the provision of smoke-free public places.

Social Housing

Mr. Andrew Turner: To ask the Secretary of State for Northern Ireland how many social housing properties *(a)* are vacant and *(b)* have been constructed in the last five years in each local government area in Northern Ireland. [137714]

Mr. Spellar: At 30 September 2003 the Housing Executive had 6,041 vacant properties. At 31 March 2003 registered house associations had 1,208 vacant properties.

The attached table details the number of social houses completed in the five year period 1998–99 to 2002–03.

Social housing: Completions for years 1998–99 to 2002–03

Houses completed

District council	*1998–00*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Antrim	13	4	0	31	9
Ards	36	7	15	84	0
Armagh	25	102	10	19	0
Ballymena	80	11	60	27	33
Ballymoney	11	0	12	0	4
Banbridge	37	0	10	32	1
Belfast	542	542	483	681	392
Carrick	33	31	52	27	15
Castlereagh	0	0	84	20	6
Coleraine	16	62	27	10	0
Cookstown	21	12	0	7	0
Craigavon	71	53	58	13	0
Derry	242	188	135	336	334
Down	97	69	116	37	51
Dungannon	20	44	3	12	14

Social housing: Completions for years 1998–99 to 2002–03

Houses completed

District council	*1998–00*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Fermanagh	42	67	35	38	5
Larne	49	0	0	15	0
Limavady	0	53	42	22	31
Lisburn	72	137	132	172	86
Magherafelt	13	24	6	2	5
Moyle	37	28	0	0	0
Newry and Mourne	91	46	80	25	38
Newtownabbey	34	20	32	27	12
North Down	9	97	4	56	44
Omagh	31	116	37	25	5
Strabane	66	25	75	62	50
Total	1,688	1,738	1,508	1,780	1,135

Work-related Stress

Dr. Cable: To ask the Secretary of State for Northern Ireland how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136848]

Mr. Pearson: The information requested is not held and could be obtained only at disproportionate cost.

CABINET OFFICE

Spam E-mails

Mr. Jenkins: To ask the Minister for the Cabinet Office what action he is taking to tackle spam e-mails as they affect e-government. [137907]

Mr. Timms: Junk e-mail or spam is a nuisance to all internet users and may slow down and impair the efficiency of networks. There will be new regulatory controls here on the sending of unsolicited direct marketing e-mail under the Privacy and Electronic Communications (EC Directive) Regulations 2003, which come into force on 11 December. The UK is also active in international discussions on how to tackle the problem of cross border spam, both in fora like the Organisation for Economic Cooperation and Development, and bilaterally with the US and other national governments (in October this year, for instance, Andrew Finder, the E-Envoy, took part in a visit to Washington to talk to US legislators and officials about spam issues).

CONSTITUTIONAL AFFAIRS

Bankruptcy

Malcolm Bruce: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on the current costs for which *(a)* a company, *(b)* a creditor and *(c)* a debtor is responsible when petitioning for bankruptcy; how much revenue has been generated from the costs of administering (i) company winding up petitions, (ii) creditors' bankruptcy petitions and (iii) debtors bankruptcy petitions in each year since 1997, broken down by (A) nation and (B) region of the United Kingdom; and what plans he has to undertake a review of these costs. [137844]

Mr. Leslie: The cost of insolvency from the point of view of the parties is made up of *(a)* fees charged by the Court Service, an executive agency of the Department for Constitutional Affairs, on issue and subsequent steps in the court proceedings; *(b)* fees charged by the Insolvency Service (part of the DTI); *(c)* lawyers and accountants fees.

My Department is not in a position to provide a breakdown of (a-c) from the point of view of the parties to the proceedings, either nationally or locally as it deals only with the part of the process relevant to *(a)*.

The fees currently payable (relevant to *(a)* above) on issue of proceedings are:

Debtor's Petition: £140

Creditor's Petition: £180

Winding up Petition: £180

Further fees may be payable during the course of the proceedings depending on the steps taken by parties. Those unable to pay the fees and in receipt of specified means tested benefits may claim exemption. Those not qualifying for exemption may apply for remission on grounds of hardship.

Lists of the fees payable on issue of insolvency proceedings (and the exemption and remission provisions) are published annually in the Civil Court Practice. Prior to the Civil Justice Reforms of April 1999 the same information was published annually in the County Court Practice and Supreme Court Practice. All of these publications are available in the Library of both Houses.

Figures on cost and income in insolvency proceedings (relevant to *(a)* above) are published in the Court Service Annual Report and Accounts. In the latest edition, 2002–03 (page 51), the cost of insolvency to the Court Service was put at £9,259,000. Income was put at £7,103,000. The Court Service Annual Report and Accounts is available in the Library of both Houses and on the internet www.courtservice.gov.uk/about_us/our_performance/annual report_02_03_contents.htm.

The Secretary of State and Lord Chancellor has no plan to carry out a review of the total cost of insolvency from the point of view of the parties to the proceedings.

Malcolm Bruce: To ask the Parliamentary Secretary, Department for Constitutional Affairs in how many petitions for debtors' bankruptcy in each year since 1997 the court fee was waived because the petitioner was receiving on benefits, broken down by nation and region. [137843]

Mr. Leslie: Figures collected centrally relating to the number of applications for fee exemption and/or remission are not broken down into specific insolvency

petition type and do not include the reasons therefore. They have been collected since April 1998 and only relate to the county courts in England and Wales.

The overall number of applications for fee exemption/remission for insolvency petitions since April 1998, by court and region, are provided in the following table.

Applications for fee exemption/remission in Insolvency petitions made in the county courts

Region	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
East Midlands	47	118	169	300	338	327
Eastern	76	302	491	579	747	569
London	4	22	52	82	250	157
Merseyside	3	32	48	96	165	179
North East	11	37	161	272	204	595
NorthWest	132	170	265	479	481	538
South East	302	307	479	537	719	691
South West	107	310	372	674	813	948
West Midlands	121	133	175	234	414	490
Yorkshire & Humber	139	570	901	895	919	586
England	942	2,001	3,113	4,148	5,050	5,080
Wales	38	93	357	536	468	288
England & Wales	980	2,094	3,470	4,684	5,518	5,368

Court Buildings

Mr. Hoyle: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much was spent on *(a)* repairs to and *(b)* staffing costs in court buildings in (i) Lancashire and (ii) Chorley, broken down by court in the last year for which figures are available. [137507]

Mr. Leslie: The actual expenditure on staffing costs and repairs to buildings is set out in the following table.

£

	Total expenditure on staffing costs	*Total expenditure on maintenance/ repairs*
Preston County Court	564,509	58,144
Preston Crown Court	1,217,498	12,115
Accrington County Court	118,036	9,246
Nelson County Court	85,734	1,312
Rawtenstall County Court	170,313	848
Blackburn County Court	416,210	3,624
Burnley County Court	248,290	11,952
Burnley Crown Court	301,788	
Blackpool County Court	497,451	5,636
Chorley County Court	133,466	1,544
Lancaster County Court	205,910	4,231
Total for Lancashire	3,959,205	108,652

Legal Aid

Ms Keeble: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much was paid out in *(a)* immigration and asylum legal aid and *(b)* total legal aid in (i) England and (ii) the East Midlands in each year since April 2000. [133180]

Mr. Lammy *[holding answer 29 October 2003]:* Legal aid payments are made by the Legal Services Commission, and for criminal legal aid in the higher courts, by the Court Service. Information about such payments will include work done outside the area and will also include payments to practitioners based outside the area. It is therefore not possible readily to identify separately payments relating to work done within a particular region. The figures given for the East Midlands are therefore estimates based on payments processed by the relevant Legal Services Commission Area Office and Court Service Office.

Legal aid expenditure for immigration and asylum[1] for the whole of England and Wales, compared to the East Midlands was as follows:

£ million

	England and Wales[2]	*East Midlands*
2000–01	81.1	2.1
2001–02	129.4	3.1
2002–03	176.2	4.4

Expenditure for all legal aid for the whole of England and Wales compared to the East Midlands was as follows:

£ million

	England and Wales[2]	*East Midlands*
2000–01	1,664.4	102.6
2001–02	1,716.9	103.5
2002–03	1,908.6	117.8

[1] Expenditure for immigration and asylum are the latest estimates and may differ slightly from previous figures given.
[2] Legal aid is administered nationally by the Legal Services Commission and the Court Service within England and Wales. In order to reduce the inaccuracies of regional estimates, payments made by offices within Wales have been included.

Magistrates Courts (Merseyside)

Mr. Ben Chapman: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on the collection of fines imposed by magistrates courts on Merseyside. [137376]

Mr. Leslie: The performance of the Merseyside Magistrates Courts (MCCs) in the collection of fines has not been satisfactory. However, there has been a steady improvement in the performance of the MCC over the last 12 months indicated by an 8 per cent. point increase from 31 per cent. in the corresponding quarter one figure in 2002–03. Merseyside MCC is one of the 12 MCCs that has been selected as needing support in driving up fine enforcement performance, and is now part of a Targeted Interventions Project.

Work-related Stress

Dr. Cable: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many cases

of work related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work related stress, and at what cost; what procedures have been put in place to reduce work related stress, and at what cost; and if he will make a statement. [136857]

Mr. Lammy: Detailed sick absence statistics are derived from medical and self-certificates, which are completed by staff or their GPs. While certain illnesses, such as "depression", "anxiety", "general debility" and even "stress" may be indicated on certificates, it is not possible to determine levels of "work-related stress". Consequently, we have no details on the number of working days lost due to work-related stress or the cost to the Department.

However, we know from recent staff opinion surveys that undue stress at work is a problem for some staff. To deal with this we have introduced a range of stress management courses for both managers and non-managers. Our in-house Welfare service is fully trained, and ideally placed, to deal with issues involving work-related stress.

My Department introduced a wide range of work-life balance policies during 2001, enabling staff to adopt more effective working patterns to better balance their work and home life. My Department won the Opportunity Now National Public Sector award earlier this year for these policies.

We have a legal obligation to provide a safe working environment for all our staff and, under the Government's Revitalising Health and Safety initiative, we are committed to meeting targets for reducing the number of working days lost generally to work related injuries and illnesses.

WORK AND PENSIONS

Automated Credit Transfer

Malcolm Bruce: To ask the Secretary of State for Work and Pensions if he will place in the Library the conclusions of research undertaken by departmental analysts prior to the introduction of benefit payment by automatic credit transfer. [137480]

Mr. Pond: I refer the hon. Member to the Department of Social Security research report no. 146; Payment of pensions and benefits: A survey of social security recipients paid by order book or girocheque, available in the Library.

Malcolm Bruce: To ask the Secretary of State for Work and Pensions what targets have been set for the payment of benefits by automated credit transfer; and if he will make a statement on the progress towards these targets in each benefit category. [137746]

Mr. Pond: The Department has a published Public Service Agreement target that by 2005, 85 per cent. of customers will have their benefits paid by Direct Payment.

Key figures on the progress of conversion to Direct Payment are available in the Library updated every four weeks.

Benefit Overpayments

Mr. Wood: To ask the Secretary of State for Work and Pensions how many requests he received to waive recovery of benefit and grant overpayments in the last year for which figures are available; and how many of these were granted. [137316]

Mr. Pond: Between April 2002 and March 2003 we received 689 requests to waive recovery of benefit and grant overpayments, of which 85 were granted.

Benefits Appeals

Mr. Wood: To ask the Secretary of State for Work and Pensions how many cases taken to a benefits appeal tribunal were upheld where the central issue related to partial sight or blindness in each of the last five years. [137315]

Mr. Pond: This is a matter for Christina Townsend Chief Executive of the Appeals Service. She will reply to the hon. Member.

Letter from Christina Townsend to Mr. Mike Wood, dated 12 November 2003:

The Secretary of State has asked me to reply to your question regarding the number of cases taken to a benefits appeal tribunal which were upheld where the central issue was related to partial sight or blindness in each of the last five years. Unfortunately we do not record cases broken down by partial sight or blindness across benefits; the information is therefore not available.

I am sorry that I cannot be more helpful.

Child Support Agency

Mr. Caton: To ask the Secretary of State for Work and Pensions when existing Child Support Agency cases will be transferred to the new assessment system. [137000]

Mr. Pond: I refer my hon. Friend to the written answer I gave the hon. Member for Moray (Angus Robertson) on 16 September 2003, *Official Report*, columns 696–97W.

Civil Servants

Mr. Lyons: To ask the Secretary of State for Work and Pensions how many civil servants in the Department achieved personal bonus targets in 2002–03; and what the total value of personal bonus targets was. [132796]

Maria Eagle: The Department does not operate a personal bonus target scheme. However, we estimate that approximately 110,000 staff achieved a level of performance during 2002–03 to qualify for a performance bonus as part of the forthcoming 2003 pay settlement. The settlement has not yet been finalised, but expenditure on performance bonuses last year amounted to £24.75 million.

Correspondence

Mr. Salmond: To ask the Secretary of State for Work and Pensions when he will reply to the letter dated 3 October from the hon. Member for Banff and

Buchan to the hon. Member for Gravesham (Mr. Pond) regarding his constituent, Ms E. Verney, of Cruden Bay. [137582]

Mr. Pond: I replied to the hon. Member on 7 November.

Disability

Miss McIntosh: To ask the Secretary of State for Work and Pensions what recent representations he has received regarding access to different modes of transport by disabled people. [137912]

Mr. McNulty: I have been asked to reply.

The Department receives correspondence both from individuals and organisations on all aspects of transport policy as it relates to disabled people.

We also invite comments, both in our regular dealings with disability organisations and through public consultation, on new proposals to improve access for disabled people to public transport.

Employment Demand

Mr. Nicholas Brown: To ask the Secretary of State for Work and Pensions what forecast he has made of the demand in the United Kingdom labour market in *(a)* five, *(b)* 10 and *(c)* 20 years' time; what forecast he has made of the need for (i) graduates, (ii) those with vocational qualifications and (iii) semi-skilled and unskilled workers; and if he will make a statement. [136023]

Mr. Browne: By long-standing convention, the Department for Work and Pensions does not make forecasts of the overall level of demand for labour.

Research published in the Skills in England Report 2002, suggests that demand for formal qualifications and for those with higher level skills—including graduates and those with higher level vocational qualifications—is likely to continue to grow. Demand for those with lower level skills is likely, overall, to decline.

Through the Government's active labour market policies, such as the New Deal and Ambition initiatives, we have provided thousands of people with the skills, experience and confidence they need to succeed in the modern labour market. Along with more people staying on in post-compulsory education there are increases in the number of people with skills and fewer people with low or no skills or qualifications.

Health and Safety

Mr. Oaten: To ask the Secretary of State for Work and Pensions what plans the Department has to increase the number of Health and Safety inspectors over the next three years. [137821]

Mr. Browne: Estimates of the number of Health and Safety inspectors who will be employed in each of the next three financial years have not yet been made.

The Health and Safety Commission (HSC) is now consulting on a new strategy for the years 2004–10. The Health and Safety Executive (HSE) is carrying out pilot studies in new ways of working to free up resource which can be used to deliver its mission to protect peoples' health and safety by ensuring risks to health and safety from the changing workplace are properly controlled. Responses to the draft strategy and the results of the pilot studies will be taken into account when deciding on the appropriate mix and number of staff (including inspectors) within HSE.

While regulation and enforcing compliance with the law remain vital elements of HSE's work, they are not the only means of achieving health and safety improvements. HSE plans to put more effort into educating, influencing and working in partnership with others (at all levels) who can help achieve further improvement in health and safety performance.

Loans

Mr. Gardiner: To ask the Secretary of State for Work and Pensions pursuant to his answer of 18 September 2003, *Official Report*, column 910W, on loans for those on low incomes, if he will commission a small scale study to assess this problem. [135106]

Mr. Pond: We have no plans to commission such a study at the present time.

Pensions

Tim Loughton: To ask the Secretary of State for Work and Pensions how many times pensioners have been written to mistakenly by his Department regarding nominating a bank account for future payments of pensions, pre-supposing they have not yet responded. [134805]

Mr. Pond: We do not have the information requested.

The conversion process will differ according to the client group in question. However, it will normally consist of one or more mailings followed by a telephone call if there is no response to the letter(s).

Key figures on the progress of conversion to Direct Payment are available in the Library updated every four weeks.

DEPUTY PRIME MINISTER

Arson

Mr. Woodward: To ask the Deputy Prime Minister what the estimated cost of arson to *(a)* property and *(b)* the economy in each of the last three years was in (i) the UK and (ii) Merseyside. [137990]

Mr. Raynsford: Data on the cost of arson are available for England and Wales and not separately for Merseyside. 1999 and 2000 are the most recent years for which reliable estimates are available.

The estimated cost of arson involving property (ie arson in domestic, commercial or public sector buildings) was an estimated £1,850 million in 1999 and £1,750 million in 2000. These figures include the cost of fire protection systems.

In 1999, arson cost the economy in England and Wales an estimated £2.1 billion; in 2000, this was an estimated £2.2 billion.

Mr. Woodward: To ask the Deputy Prime Minister what proportion of vehicles that were subject to arson in the last 12 months for which figures are available had more than one month's vehicle duty paid. [137992]

Mr. Raynsford: Information on the vehicle duty status of vehicles subject to arson is not held centrally, and could be provided only at disproportionate cost.

Mr. Woodward: To ask the Deputy Prime Minister what proportion of blazes attended by fire crews were the result of arson in each of the last three years in *(a)* the UK and *(b)* Merseyside. [137994]

Mr. Raynsford: The information requested is tabled as follows.

Malicious primary fires as a proportion of all primary fires, 2000–02

	2000	*2001*	*2002*
United Kingdom			
Total malicious primary fires	111,174	123,184	120,953
Total primary fires	219,663	228,229	218,916
Proportion malicious (percentage)	57	54	55
Merseyside			
Total malicious primary fires	5,347	5,604	5,553
Total primary fires	8,405	8,373	8,043
Proportion malicious (percentage)	64	67	69

Notes:
1. Malicious fires are those where deliberate ignition is proved or suspected.
2. Primary fires are those which cause damage to property or involve casualties.
3. Data for 2001 and 2002 are provisional

Empty Homes

Mr. Pickles: To ask the Deputy Prime Minister how many empty homes were owned by *(a)* local councils and *(b)* social housing authorities in each year since 1997. [138129]

Keith Hill: The information requested is tabled as follows:

Total number of vacant dwellings at 1 April

	Council	*RSL*	*Total*
1997	80,500	26,700	107,200
1998	81,700	29,200	110,900
1999	82,700	32,700	115,400
2000	86,000	37,500	123,500
2001	79,200	39,300	118,500
2002	76,600	39,700	116,300
2003	62,000	44,800	106,800

Housing (Overcrowding)

Ms Oona King: To ask the Deputy Prime Minister pursuant to the Parliamentary Under-Secretary's statement of 29 October 2003, *Official Report*, column 126WH, (1) on what basis his Department estimates that 25,000 households are statutorily overcrowded; [137905]

(2) if he will provide a regional breakdown of households which are statutorily overcrowded. [137906]

Yvette Cooper: The estimate was derived using data from the Survey of English Housing for the three years 1999–98, 1998–99, 1999–2000, supplemented with some data from the English House Condition Survey. It was necessary to use data from three years of the Survey of English Housing because the number of households statutorily overcrowded is so small, just over 0.1 per cent., that it would not have been possible to derive an estimate using data for a single year. Even combining years the estimate remains very tentative, and for this reason it is not possible to provide a regional breakdown.

Local Government Ombudsman

Mr. Clifton-Brown: To ask the Deputy Prime Minister how many cases were considered by the Local Government Ombudsman in the last year for which figures are available; how many cases were *(a)* upheld and *(b)* rejected; what the average time taken was to consider cases; and what the average cost per case was. [137197]

Mr. Raynsford: In 2002–03 the number of complaints on which determinations were made by the Commission for Local Administration in England (Local Government Ombudsman) was 18,376. Of these, 145 cases of maladministration led to the issue of reports, and 3,735 cases led to local settlements being made. In 5,560 cases no or insufficient evidence of maladministration or injustice were found. The rest of the complaints were found to be either premature or outside the Ombudsman's jurisdiction, or else the Ombudsman used his discretion not to pursue the complaint. The average time taken to consider cases was 14.3 weeks and the average cost per complaint was £538.

Section 106 Agreements

Mr. Clifton-Brown: To ask the Deputy Prime Minister (1) what the average value of section 106 agreements was in each of the last five years; [R] [137628]

(2) how many section 106 agreements have been made during each of the last five years; [R] [137630]

(3) what the average value of the section 106 agreements involved in planning permissions given on *(a)* call-in and *(b)* appeal by him was in each of the last five years. [R] [137626]

Keith Hill: The information requested is not held centrally and could be provided only at disproportionate cost. However, a study by John Henneberry and Heather Campbell of Sheffield University, published in 2001, estimated the average value of planning obligations as £148,730 in north England and £753,830 in south England. It also estimated that about 1.5 per cent. of planning applications in England involve a section 106 agreement. In 2001–02 there were 582,000 planning applications in England.

Mr. Clifton-Brown: To ask the Deputy Prime Minister (1) what discussions on his policy towards section 106 agreements he has had in the last three months with *(a)* the leaders of London boroughs, *(b)* the Mayor of London, *(c)* the Town and Country Planning Association, *(d)* the Housebuilders' Federation, *(e)* the Leader of Manchester City Council, *(f)* the construction industry, *(g)* the Leader of Liverpool City Council and *(h)* non-governmental organisations; [R] [137631]

(2) what discussions on his policy towards section 106 agreements he has had in the last three months with *(a)* the Royal Institute of Chartered Surveyors, *(b)* the Leader of Birmingham City Council, *(c)* the Chairman of the Environment Agency, *(d)* local authorities, *(e)* the British Property Federation, *(f)* leaders of metropolitan district councils, *(g)* representatives of the planning profession, *(h)* the Chairman of the Commission for Architecture and the Built Environment, *(i)* leaders of district councils and *(j)* the Better Regulation Task Force. [R] [137632]

Keith Hill: My right hon. Friend the Deputy Prime Minister speaks to a large number of individuals and organisations in the normal course of business, and in the process of reviewing policy.

Small Business

Mr. Prisk: To ask the Deputy Prime Minister what discussions he has had with *(a)* representatives of local government, *(b)* the Federation of Small Businesses and *(c)* other groups representing business on the effect of Part 8 of the Local Government Act 2003 on competition between local government and small businesses. [137607]

Mr. Raynsford: The Government consulted widely on the provisions in the Local Government Act 2003 and has considered the concerns of small businesses particularly with regard to the charging and trading provisions. In addition, officials in the Office of the Deputy Prime Minister held discussions with the Small Business Service of the Department for Trade and Industry (DTI), the Office of Fair Trading and CBI.

While the powers to charge for discretionary services will be available to all best value authorities, the trading powers set out in the Act will be subject to the council's CPA categorisation and only available to authorities with a fair good or excellent record on delivery of public service. Trading is only exercisable through a company structure which means it will be subject to the same regulation as other commercial bodies (for example on taxation). This will ensure that authorities keep any trading activities separate from their ordinary functions as well as promoting a level playing field with the private sector.

The Office of the Deputy Prime Minister intends to ensure that authorities do not distort markets through the provision of inappropriate subsidies to trading companies or the arrangement of preferential terms and other forms of unfair competition. To cover these concerns, we propose to impose certain conditions to regulate how authorities should engage in their trading activities. We will issue Guidance to reinforce this, to which authorities are required to have regard. Guidance on the charging powers will be published shortly. Authorities are subject to best value audit and inspection and must abide by competition legislation.

Valuation Bands (Pendle)

Mr. Gordon Prentice: To ask the Deputy Prime Minister how many appeals have been made against valuation bands of properties in Pendle in each year since 1992. [138103]

Mr. Raynsford: The number of appeals that have been made each year against valuation bands of properties within the Pendle Billing Authority since Council Tax was introduced on 1 April 1993 is tabled as follows:

	Number of appeals
1993–94	1,249
1994–95	109
1995–96	138
1996–97	142
1997–98	141
1998–99	115
1999–2000	108
2000–01	118
2001–02	73
2002–03	44
2003–04	[1]50

[1] To date

TREASURY

Bechtel

Malcolm Bruce: To ask the Chancellor of the Exchequer if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137881]

Mr. Boateng: The Chancellor's agencies have not had any contracts with Bechtel in this period.

Child Trust Fund

Dr. Kumar: To ask the Chancellor of the Exchequer if he will make a statement on the results of the Child Trust Fund; and how many people in each area have taken advantage of the scheme. [137646]

Mr. Boateng: The Child Trust Fund (CTF) is intended to encourage parents and children to develop the savings habit. It will ensure that every child, whatever their family background, will have access at the age of 18 when they begin their adult life, to a stock of assets which they can invest in their future.

It will also help children and their parents to understand the benefits of saving and investment and how to engage with financial institutions.

Detailed proposals covering the CTF were issued on 28 October. Accounts will first become available in April 2005. It will not be necessary to make a specific claim for the CTF—access will be through the child benefit system and parents will be sent a voucher with which to open an account for their child. Where an account has not been opened within 12 months of the issue of the voucher the Inland Revenue will open an account for the child to ensure that they do not miss out.

Financial Services Authority

Mr. Drew: To ask the Chancellor of the Exchequer whether the Financial Services Authority has adopted the financial literacy strategy used by the Treasury. [137672]

John Healey: HM Treasury works closely with the Financial Services Authority, and others, on issues of financial literacy.

The FSA announced the members of their Financial Capability Steering Group on 20 October 2003. The Group will develop and implement a national strategy for financial capability. The FSA has announced that, advised by the Steering Group, it will publish the strategy by the end of March 2004.

North Sea Oil Tax Regime

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer what impact he estimates the Energy Chapter of the Draft EU Constitution will have on the North Sea oil tax regime. [137721]

Dawn Primarolo: The Draft EU Constitutional Treaty is currently being discussed in the Intergovernmental Conference. The Draft has no legal force until it is agreed unanimously by member states.

The Government made it clear in its White Paper "The British Approach to the European Union Intergovernmental Conference 2003" that it would not agree to a new Treaty which was not in the UK's interests, and that it will insist that tax matters continue to be decided by unanimity.

Private Schools

Mr. Foulkes: To ask the Chancellor of the Exchequer what estimate he has made of the effect on value added tax revenue of private schools' charitable status in the last year for which figures are available. [137467]

John Healey: No such estimate has been made.

Tax Credits (Overpayment)

Sir Archy Kirkwood: To ask the Chancellor of the Exchequer if he will make a statement on the arrangements that will apply when recipients are required to repay their tax credits following changes in their income; what the maximum period is over which repayments can be made; what penalties exist for those failing to repay; and whether repayment will be required in a lump sum. [134926]

Dawn Primarolo: The Inland Revenue has published a code of practice on what happens when tax credit has been overpaid, copies of which are available in the Library of the House.

Financial penalties, and interest, can be imposed only where an overpayment arose because the claimant behaved fraudulently or negligently.

Sir Archy Kirkwood: To ask the Chancellor of the Exchequer what internal review procedures exist within the Inland Revenue for tax credit recipients faced with overpayments; and how these procedures differ from those that existed for working families tax credit. [134928]

Dawn Primarolo: Working families tax credit was a fixed award based on a snapshot of income and circumstances around the time of claim. Awards of new tax credits, however, are responsive to changes in circumstances and income and can be adjusted to reflect changes. The Inland Revenue has published a code of practice on recovery of overpayments of child and working tax credits.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what estimate he has made of *(a)* the number of cases of overpayment and *(b)* the amount of the overpayment of (i) working families tax credit, (ii) children's tax credit and (iii) disabled person's tax credit in 2002–03. [137642]

Dawn Primarolo: Working families and disabled person's tax credit awards were fixed for 26 weeks, based on a snapshot of income and circumstances around the time of claim, and were not amended to reflect changes in the recipients' circumstances or incomes during this period. Provided the award was based on accurate information, overpayments did not arise. Children's tax credit is not a payment; it is a tax allowance which reduces a taxpayer's overall tax liability for the year.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer when the Inland Revenue will publish the code of practice on overpayment of tax credits. [137643]

Dawn Primarolo *[holding answer 10 November 2003]:* The Inland Revenue is today publishing a Code of Practice on what happens when too much tax credit has been paid. Copies are available in the Library of the House.

Mr. Webb: To ask the Chancellor of the Exchequer (1) in what circumstances overpayments of tax credits are *(a)* recovered within the tax year in which they occurred and *(b)* recovered in the following tax year by means of a reduction in tax credit payments; [132597]

(2) how many recipients of tax credits have been overpaid and issued with demands for lump sum repayments; [132598]

John Thurso: To ask the Chancellor of the Exchequer how many recipients of tax credits in Scotland have been *(a)* overpaid and *(b)* issued with demands for lump sum repayments. [135934]

Dawn Primarolo: During the tax year, a tax credit award can be amended to reflect changes in claimants' circumstances or because an overpayment is likely to arise at the end of the year. This may mean that payments are reduced or that no further payments are made because too much has been paid out already. To make sure that payments are not reduced to a level that would cause hardship, however, the Inland Revenue makes additional payments if that would be the case.

Overpayments of tax credit are identified when tax credit entitlement is finalised after the end of that year. In addition, overpayments can be identified when, as part of their compliance activities, the Inland Revenue terminate a tax credits award because the claimant had never in fact been entitled to tax credit. In these cases, the overpayment may be recovered as soon as the award is terminated. Around 700 requests for payment in such cases had been made by the end of October, including around 100 to families in Scotland.

The Inland Revenue is today publishing a Code of Practice on what happens when too much tax credit has been paid. The Code will also cover the circumstances in

which the Revenue will not seek to recover a debt, for example, in cases of hardship. A copy of the Code has been placed in the House of Commons Library.

Tax Returns

Mr. Webb: To ask the Chancellor of the Exchequer pursuant to his written answer of 3 November 2003, *Official Report*, column 458W, on self-assessment, what information he has collated on the reasons for the increase in notices to file. [138021]

Dawn Primarolo: The 'notices to file' are served to those that:

Have previously filed electronically through their agent and the agents Electronic Lodgment Service (ELS).

Filed electronically by the internet.

Have previously submitted a substitute return. These are paper returns provided by a third party, often a software developer, which have been formally approved by the Inland Revenue.

The number of 'notices to file' have increased due to the increase in the number of people filing over the internet and through their agents who use the internet service and the Electronic Lodgement Service.

VAT Registrations

Mr. Prisk: To ask the Chancellor of the Exchequer if he will list the number of *(a)* new businesses, *(b)* business closures and *(c)* companies registered for value added tax in each year since 1996–97. [137602]

Nigel Griffiths: I have been asked to reply.

The numbers of businesses that registered and de-registered for VAT in each calendar year since 1996, and the number of businesses that were registered at the start of each of these years (stocks), in the United Kingdom, are available at www.sbs.gov.uk/statistics/vatstats.php, and are as follows:

	Registrations	*De-registrations*	*Stocks*
1996	171,005	154,630	1,629,165
1997	187,690	151,900	1,645,540
1998	187,515	153,450	1,681,335
1999	181,370	160,410	1,715,395
2000	184,035	165,475	1,736,360
2001	174,620	167,185	1,754,915
2002	175,800	176,040	1,762,355
2003	[1]—	[1]—	1,762,110

[1] Not yet available

These figures for the number of businesses comprise companies, partnerships and sole traders. Figures are not available for the number of companies alone.

Written Answers to Questions

Thursday 13 November 2003

LEADER OF THE HOUSE

COSAC

Llew Smith: To ask the Leader of the House what evaluation he has made of the proposals put forward by the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC) in respect of the relative powers of national Parliaments. [138068]

Mr. Hain: I am aware of COSAC's Contribution of 7 October, and have noted that it proposes that all Parliaments within the EU should hold simultaneous debates on the Commission's legislative and work programme. I shall consider further, in discussion with colleagues, what forum might be most appropriate for debate of the Commission's programme.

I note that the Contribution also endorses the provisions in the draft constitutional treaty for direct transfer of Commission documentation to national Parliaments and for an "early-warning mechanism" by which national Parliaments would be able to present a reasoned opinion if they felt that legislative proposals breached the principle of subsidiarity. The Government strongly support these provisions.

SOLICITOR-GENERAL

Libel

Norman Baker: To ask the Solicitor-General what guidance the Attorney-General has issued to judges in respect of the appropriateness of agreeing to injunctions to prevent a potential libel. [138582]

The Solicitor-General: The Attorney-General has not issued any such guidance.

CABINET OFFICE

Departmental Costs

Mr. Flight: To ask the Minister for the Cabinet Office what the cost was to his Department for *(a)* ministerial cars and drivers, *(b)* taxis, *(c)* train travel, *(d)* the use of helicopters, *(e)* airline tickets and *(f)* chartered aeroplanes in each year since 1997. [123088]

Mr. Alexander: The responsibility for the provision of ministerial cars and drivers has been delegated under the terms of the Framework Document to the Government Car Despatch Agency. I asked its Chief Executive, Mr. Nick Matheson to write to the hon. Member. A copy of his letter has been placed in the Libraries of the House.

The amount spent for official use of taxis in UK for financial years

	£
1997–98	25,535
1998–99	96,439
1999–2000	176,489
2000–01	220,720
2001–02	267,603

The UK rail travel figures

	£
1997–98	89,937
1998–99	466,598
1999–2000	460,500
2000–01	407,354
2001–02	417,420

The figures for all forms of air travel (UK and Overseas) inclusive for the same period

	£
1997–98	1,061,745
1998–99	1,218,293
1999–2000	1,155,755
2000–01	1,525,834
2001–02	1,780,405

The figures above for air travel do not include ministers travel costs overseas costing more than 500.

Since 1999, this Government have published an annual list of all visits overseas undertaken by Cabinet Ministers costing £500 or more during each financial year. The lists include details of the cost of trips involving charter and RAF flights. Copies of the lists covering the period 2 May 1997 to 31 March 2003 are available in the Libraries of the House.

All official travel in my Department is undertaken strictly in accordance with the rules contained in the Cabinet Office Management Code. All Ministerial travel is undertaken fully in accordance with the rules set out in the 'Ministerial Code' and 'Travel by Ministers', copies of which are available in the Libraries of the House.

TRADE AND INDUSTRY

Dr Walter King

Mr. Steen: To ask the Secretary of State for Trade and Industry when she will reply to the letters from the hon. Member for Totnes of 16 June and 30 July concerning Dr. Walter King of Dart Sensors Ltd, Totnes, Devon; and what the reasons are for the delay. [132590]

Mr. Mike O'Brien *[holding answer 20 October 2003]:* A reply was sent directly to Dr. Walter King of Dart Sensors in September. I apologise that due to an administrative oversight, a copy was not sent to the hon. Member at the time. A copy of this letter has now been forwarded to the hon. Member.

Champagne

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry how many litres of champagne were imported from France in each year since 1992. [138102]

Mr. Mike O'Brien: Data on UK imports of champagne are given in the table.

UK Imports of champagne from France

1992	11,097,820
1993	14,327,108
1994	17,805,364
1995	14,029,225
1996	15,633,002
1997	16,361,152
1998	18,145,100
1999	24,201,937
2000	14,836,442
2001	17,245,344
2002	24,398,314

Note:
Champagne is defined as code 22041011 of the harmonised commodity coding system.
Source:
HM Customs and Excise data

Employment Discrimination

Mr. Borrow: To ask the Secretary of State for Trade and Industry what interim measures she plans to put in place to tackle discrimination on the grounds of *(a)* sexual orientation, *(b)* religious belief and *(c)* age in advance of the establishment of a Commission for Equality and Human Rights in 2006. [137465]

Jacqui Smith: Regulations to prohibit discrimination at work on the grounds of sexual orientation and religion or belief come into force on 1 and 2 December 2003. We are working to ensure that employers, individuals and intermediaries have access to information and advice about the Regulations. A guide to the sexual orientation and religion or belief regulations has been available on the DTI website since the summer. Acas has just published practical workplace guidance on implementing the new legislation, after extensive consultation with a wide range of bodies concerned with employment issues, including the TUC and CBI.

This guidance has been available in draft form on the Acas website since the summer. In addition, DTI is raising awareness with intermediaries, including through regional events and by making available funds for which organisations from advisory, faith and lesbian, gay, bisexual backgrounds have been able to bid to provide relevant training. Acas are conducting a programme of training for intermediaries and employers.

We are currently considering the position for the age strand, which is due to come into force in October 2006.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry whether atheists are to be entitled to the same holiday allowance as religious employees under forthcoming EU legislation. [137611]

Jacqui Smith: The Employment Equality (Religion or Belief) 2003 regulations, which come into force on 2 December 2003, do not introduce rights for additional time off but will prohibit discrimination on grounds of religion or belief (including atheism). Employers will be required to treat people in an even handed way. If staff want time off for religious festivals employers will have to consider it in the way they would any other request for leave.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry whether, under the proposed European legislation to protect homosexual employees from discrimination, employers will be expected to identify the sexual orientation of their staff. [137645]

Jacqui Smith: No, other than in the very limited circumstances where being of a particular sexual orientation is a genuine occupational requirement for a job. If such a case arises, the employer may have to ask applicants and employees about their sexual orientation in order to find out if they are able to perform the functions of the job in question.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry (1) if she will make a statement on the proposed Employment Equality (Sexual Orientation) Regulations 2003;. [137609]

(2) if she will make a statement on the proposed Employment Equality (Religion or Belief) Regulations 2003. [137610]

Mr. Sutcliffe: The Employment Equality (Sexual Orientation) and Employment Equality (Religion or Belief) Regulations 2003, which come into force on 1 and 2 December 2003, are a major step forward in combating discrimination at work.

For the first time the Regulations will put in place protection against discrimination and harassment on the ground of sexual orientation and religion or belief in workplaces in England, Scotland and Wales. The Regulations were developed following widespread consultation since 2000 and they implement the Employment Discrimination Directive of November 2000.

EU Energy Chapter

Mr. Nicholas Brown: To ask the Secretary of State for Trade and Industry what estimate she has made of the impact of the Energy Chapter of the Draft EU Constitituion on private sector investment in the North Sea oil and gas fields; and what representations she has received. [137650]

Mr. Timms: The Department has made an assessment of the potential impact of the draft Constitution on the Department's powers to regulate recovery of hydrocarbons from the UK Continental Shelf. The potential impact of such changes on future private sector investment is a matter of some debate—not least owing to the changing roles of established players and a number of new entrants. There is considerable Community competence already in the field of energy, and a number of Directives and Regulations have been brought forward in the areas of energy and environment, often under qualified majority voting. Nevertheless, the Government will only agree to an extension of competence in energy policy if it is

consistent with the UK interest, and a number of organisations with UK oil and gas interests have made representations to Ministers.

Mr. Nicholas Brown: To ask the Secretary of State for Trade and Industry what impact she estimates the Energy Chapter of the Draft EU Constitution will have on the North Sea oil licensing regime. [137722]

Mr. Timms: EU competence in energy matters, including natural resources, will fall under Article 111-157 of the draft Constitutional Treaty, with voting by qualified majority. There is considerable Community competence already in the field of energy, and a number of Directives and Regulations have been brought forward in the areas of energy and environment, often under qualified majority voting. There is a carve out to preserve "Member State's choice between different energy sources and the general structure of its energy supply", where our understanding is that the EU would have to act by unanimity. Discussions on the draft Treaty are continuing in the framework of the Intergovernmental Conference: the UK Government would not agree to any proposals that was inconsistent with UK energy interest.

Mr. Blizzard: To ask the Secretary of State for Trade and Industry what effect she estimates the proposed energy chapter in the European Union constitution will have on licensing arrangements for the exploitation of the UK's offshore oil and gas. [137760]

Mr. Timms: EU competence in energy matters, including natural resources, will fall under Article 111-157 of the draft Constitutional Treaty, with voting by qualified majority. There is considerable Community competence already in the field of energy, and a number of Directives and Regulations have been brought forward in the areas of energy and environment, often under qualified majority voting. There is a carve out of preserve "Member State's Choice between different energy sources and the general structure of its energy supply", where our understanding is that the EU would have to act by unanimity. Discussions on the draft Treaty are continuing in the framework of the Intergovernmental Conference: the UK Government would not agree to any proposal that was inconsistent with UK energy interests.

Exports Licences (Morocco)

Jeremy Corbyn: To ask the Secretary of State for Trade and Industry if she will list the arms export licences applied for, and her decision on each, for export of arms to Morocco in each of the past five years; and what her policy is towards such applications. [136512]

Nigel Griffiths: Details of all relevant export licences issued and refused are published by destination in the Government's Annual Reports on Strategic Export Controls, copies of which are available from the Libraries of the House. For the period between 1 January 2003 and 31 October 2003 details are set out in the tables, as the 2003 Annual Report is not due for publication until next year:

Three Standard Individual Export licences (SIELS) were issued to end users in Morocco in that period. The export licences covered a range of items with various ratings, are set out as follows.

Rating	*Item*
ML1	3
ML2	18
ML3	1
ML5	1
ML22	8
PL5017	2
SIP1	2

Four Open Individual Export Licences (OIELS) were issued to end users in Morocco in that period. The export licences covered a range of items with various ratings, are set out as follows:

Rating	*Item*
ML1	2
ML2	4
ML5	1
ML9	1
ML13	2
ML22	1
PL5001	1

As with all export licence applications, all applications received for the export of arms to Morocco, are rigorously assessed on a case-by-case basis against the consolidated EU and national arms export licensing criteria in the light of circumstances prevailing at the time, taking account of other previously announced Government policies.

Mr. Drew: To ask the Secretary of State for Trade and Industry what checks are in place to ensure that licensed strategic exports of arms to Morocco do not get used in the Western Sahara. [136726]

Mr. MacShane: When assessing strategic export licence applications to Morocco, the Government carefully consider the risk that the goods may be used in the Western Sahara.

The criteria that we use to assess all strategic export licence applications specifically set out our commitment to take account of the risk of the goods being used aggressively against another country or being used to assert by force a territorial claim. We do not issue any export licences where a clear risk of such use exists. We use information, from a variety of sources, to monitor the use of UK-origin defence equipment overseas. We take very seriously any reports of misuse.

Industrial Action

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what assessment she has made of the implications for safety of industrial action at BNFL's Sellafield nuclear site. [137612]

Mr. Timms: The Department is in regular contact with HSE's Nuclear Installations Inspectorate (NII), the regulator of safety at licensed nuclear sites, regarding safety issues during the proposed industrial action at Sellafield. The site operator and the trade unions have given clear commitments to ensure safety is not prejudiced by any industrial action.

NII have reviewed BNFL's contingency arrangements and are satisfied that they provide an adequate framework for safety cover. An enhanced team of NII

Inspectors will be on site during normal working hours and will be carrying out safety related inspections during the strike in key areas to ensure minimum manning is in place and that contingency plans are followed. BNFL's risk assessments are also being examined to ensure adequate provisions are in place.

Standby emergency response arrangements will remain unaffected.

Internet

Brian Cotter: To ask the Secretary of State for Trade and Industry (1) how many small businesses she estimates do not have broadband access; and if she will make a statement; [137301]

(2) if she will make a statement on her Department's plans to increase broadband access in the small business sector. [137304]

Mr. Timms: Information on the number of small businesses that do not have broadband access is not held by my Department. Research for the DTI shows that 80 per cent. of homes and businesses in the UK are located in areas, that have access to a mass-market broadband solution.

Encouraging the provision of broadband access to the whole of the UK is one of the Government's top priorities. For example, DTIs plans include:

the UK Online for Business Programme, which promotes the benefits of broadband and ICTs more generally to SMEs;

the DTIs Broadband Aggregation Project, announced in July 2003, which aims to secure value for money for the public sector and ensure this has maximum impact on broadband availability, including for SMEs;

a joint DTI and Defra Rural Broadband Team, which was set up in May 2003 to address the issue of the availability of broadband in rural areas, including among SMEs;

a £30 million Broadband Fund administered by the Regional Development Agencies and the Devolved Administrations to develop broadband networks and run pilot projects to benefit SMEs, among others.

Nuclear Weapons

Mr. Caton: To ask the Secretary of State for Trade and Industry what assessment she has made of the involvement of British Nuclear Fuels, through their Westinghouse subsidiary in the USA, in the development of new low yield nuclear weapons. [137641]

Mr. Timms: The Westinghouse Savannah River Company (WSRC) is a subsidiary of Westinghouse Government Services Company (WGS), in which BNFL has a 40 per cent. passive economic interest. WSRC and WRS are pursuing potential business opportunities in US defence programmes. BNFL's business interests on US DOE sites through its subsidiaries relate to the environmental clean up market such as managing the solid waste program at the Savannah River Site, and not the weapons production business. BNFL is precluded by US Department of Energy (DOE) Security Agreements from involvement in the US defence programme.

Ofgem

Mr. Gardiner: To ask the Secretary of State for Trade and Industry for what reasons the change to the Gas Act Order made by a letter by Ofgem on 1 April 1999 was not entered onto the public register until 8 January 2003. [138597]

Mr. Timms: This is a matter for Ofgem.

Patents

Chris Ruane: To ask the Secretary of State for Trade and Industry if she will list the 20 universities *(a)* which have taken out the most patents in the UK and *(b)* with the highest incomes raised through the development of patented products, broken down by amount raised in the past 20 years; and if she will list the 10 most commercially successful patents from British universities, giving the name of the product and the amount of income generated. [133825]

Ms Hewitt: Patent Office databases are not structured to provide information on categories of applicants for patents. Generating the data would involve disproportionate cost. Some limited information on numbers of patents filed and income generated by UK universities is available from the Higher Education Business Interaction (HE-BI) survey but only for the last three years. This information was gathered on the basis that it would remain confidential due to its commercially sensitive nature, and as such may not be divulged.

The Government have asked Richard Lambert to examine how the long-term links between business and British universities can be strengthened to the benefit of the UK's economy. The full set of responses from institutions (who have given the review team permission to publish) is available on the Review's website (www.lambertrevlcw.Q-rR.uk) and the final report, will be submitted to Government shortly.

Pebble Bed Modular Reactor

Llew Smith: To ask the Secretary of State for Trade and Industry what discussions she has had with BNFL in respect of the company's involvement with the Pebble Bed modular reactor (PBMR) in South Africa; what information BNFL supplied to her Department on its research collaboration on the PBMR; and if she will make a statement. [138067]

Mr. Timms: I can confirm that BNFL has participated in the PBMR project since 2000, is discussing with its contractual partners how the project will move forward and is keeping my Department in touch.

Power Cuts

Malcolm Bruce: To ask the Secretary of State for Trade and Industry pursuant to the Answer of 29 October 2003, *Official Report*, column 252W, on power cuts, when she expects to publish the reports detailed in her Answer. [138025]

Mr. Timms: Ofgem and DTI are undertaking separate, but co-ordinated, investigations into the recent power cuts in London and Birmingham. PB Power was commissioned to investigate a number of technical issues which will help inform these

investigations. PB Power's findings will form part of Ofgem's final investigation report, due to be released by the end of this year.

The conclusions and recommendations of the Engineering Inspectorate's investigation will not be published without the consent of the companies involved, where such consent is required by section 105 of the Utilities Act 2000.

Royal Mail

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry (1) if she will make a statement on *(a)* Postcomm's access proposals to Royal Mail and *(b)* the precedent it would set for other third party access; [138302]

(2) what the reasons are for Postcomm's conclusion that the overall effect of their proposals concerning access points and prices would be contribution neutral; [138312]

(3) what proposals Postcomm has suggested to stop cream-skimming, if the access plans concerning Royal Mail are accepted; [138303]

(4) what assessment Postcomm made of the legal precedent set by its access proposals to Royal Mail; [138304]

(5) what the reasons are for Postcomm's proposals that Royal Mail should be contractually bound to deliver 98.5 per cent. of UK mail's items on the due date of delivery; and from where this figure was derived; [138306]

(6) if she will make a statement on the effect of increased competition on the Royal Mail's system of cross-subsidies; [138310]

(7) if she will make a statement on Postcomm's proposed access cost; [138311]

(8) what evidence she has assessed with respect to Postcomm's conclusion that its access plans are revenue neutral; [138314]

(9) what proposals Postcomm has suggested to discourage Royal Mail's large customers from seeking direct access to their facilities. [138315]

Mr. Timms: Access pricing and the related regulatory issues are a matter for the regulator, whose primary responsibility is to ensure the provision of a universal postal service.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if she will make a statement on *(a)* the proposal of Postcomm to allow Royal Mail's competitors direct access to their delivery offices and *(b)* the effect that this would have on the Three Year Renewal Plan, including (i) single daily delivery and (ii) simplified sorting. [138305]

Mr. Timms: This is a matter for Postcomm, whose primary responsibility is to ensure the provision of a universal postal service.

It is for Royal Mail to make representations to Postcomm about the impact of the regulator's proposals on its business.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if she will make a statement on Royal Mail's proposal that a minimum entry level of 1,000 items to a single access point should be set. [138307]

Mr. Timms: Access pricing is a matter for Postcomm and it is for them to consider Royal Mail's proposal.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if she will make a statement on how Postcomm's proposals concerning third party access by UK mail to Royal Mail's pipeline will effect its primary duty of protecting a universal service at a uniform tariff; and if she will make an assessment of the effect that the third party access will have on Royal Mail's long-term viability, with particular reference to its Three Year Renewal Plan. [138308]

Mr. Timms: Access price determination is a matter for Postcomm. It is for Royal Mail to assess the impact on its business and to make representations to Postcomm.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry who the new Chair of Postcomm is; and if the new Chair will be asked to review the third party access proposals concerning Royal Mail. [138309]

Mr. Timms: The new Chair of Postcomm is Nigel Stapleton.

Access pricing and the related regulatory issues are a matter for the regulator, whose primary responsibility is to ensure the provision of a universal postal service.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if she will make a statement on Royal Mail's analysis of the effect on its profits of the access determination proposed by Postcomm. [138313]

Mr. Timms: It is for the Royal Mail Board to analyse the potential impact on its profits and to make representations to Postcomm.

Small Businesses

Mr. Prisk: To ask the Secretary of State for Trade and Industry how many small businesses went *(a)* into liquidation and *(b)* bankrupt in each quarter since quarter 4, 1996–97. [137427]

Nigel Griffiths: The official insolvency statistics published by the DTI are not broken down by size of business.

Telecommunications Ombudsman

Mr. Clifton-Brown: To ask the Secretary of State for Trade and Industry how many cases were considered by the Telecommunications Ombudsman in the last year for which figures are available; how many cases were *(a)* upheld and *(b)* rejected; what the average time taken was to consider cases; and the average cost per case. [137195]

Mr. Timms: The Office of the Telecommunications Ombudsman (Otelo) is an independent, industry-funded dispute resolution service which handles complaints from consumers about telecoms companies. This is a matter for Otelo and I have asked the Ombudsman to write to the hon. Member.

Telephone Masts

Mr. Flook: To ask the Secretary of State for Trade and Industry what estimate she has made of the number of third generation mobile telephone masts that will be required in *(a)* Somerset, *(b)* Devon, *(c)* Dorset, *(d)* Wiltshire and *(e)* Cornwall. [136900]

Mr. Timms: It is not possible to give a reliable estimate of the number of new masts that will be needed to fulfil the obligations of the 3G licensees, either in total or by area. The number of masts required in an area will be affected by the level of consumer demand for 3G services, by commercial decisions related to the design of the networks, by the physical topography and by the requirements of planning authorities.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

American Ships (Disposal)

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the Government's policy is on whether the United States vessels now en route to Hartlepool should continue their voyage; [137142]

(2) what action she plans to take to manage the environmental risk posed by former United States naval vessels in British waters pending the resolution of the court proceedings due in December; [137700]

(3) assessment she has made of the implications for the work of *(a)* her Department and *(b)* the Environment Agency of the injunction obtained against Able UK by Friends of the Earth on 5 November; [137702]

(4) what representations the Government has made to the United States Marine Administration to secure the return of United States former naval vessels to the United States. [137701]

Mr. Morley *[holding answer 10 November 2003]:* Following discussions on Friday 7 November, between my right hon. Friend the Secretary of State and Secretary Mineta of the US Department of Transportation, it has been decided that for safety reasons, the first two ships currently on the way to the UK will continue to Hartlepool for safe storage, pending return to the US. This decision was taken after consideration by the Environment Agency and Government Departments of alternative storage sites. No other site is able to take the ships safely at short notice.

The US authorities have been told that the proposed shipment of these vessels to Hartlepool for dismantling cannot be completed consistent with international rules and Community law. In this situation the law requires the ships to be returned to the United States. However, the immediate return to the United States of the first two ships, which are now approaching the Channel, would be impracticable, not least because of concerns about the weather.

When the ships arrive at Hartlepool, the Environment Agency will place requirements on them to ensure the environment is fully protected and that the ships remain ready for return to the USA. No work is permitted on the ships given the current court injunction.

The UK Government and its Agencies continue to work intensively with the US authorities to examine the safety and liability concerns they have raised to proposals that the second pair of ships, currently in transit to the UK, return to the US, and are looking for rapid resolution of that question.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what contingency plans have been made by the Environment Agency to deal with United States vessels bound for decommissioning at Hartlepool if they are unable to enter the port. [137146]

Mr. Morley *[holding answer 10 November 2003]:* The port authority concerned, PD Teesport, has confirmed that the vessels would be permitted to enter the port.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs at what level in *(a)* the Environment Agency and *(b)* the Department for Environment, Food and Rural Affairs September's modification to Able UK's waste management licence was approved. [137698]

Mr. Morley *[holding answer 10 November 2003]:* The Environment Agency is the regulator of waste management issues in England and Wales. The modification was approved and signed by the local Environment Manager with specific responsibility for Teesside, in accordance with Agency procedures. The decision to sign the modification was cleared with the local Area Manager and appropriate Agency Directors.

The Government have no direct role in the approval of applications for waste management licence modifications, though there is a right of appeal to the Secretary of State should a licence modification application be rejected.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs whether the waste management licence originally issued by the Environment Agency to Able UK covered the dismantling of ships. [137699]

Mr. Morley *[holding answer 10 November 2003]:* No. The original licence issued by the Environment Agency for the site at Hartlepool did not specifically cover the dismantling of the ships. However, the licence authorises the dismantling of offshore structures, and any associated plant and equipment.

Bovine Tuberculosis

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the implications for the UK of their proposals to eradicate bovine TB. [136093]

Mr. Bradshaw: We have announced a review of the TB strategy for Great Britain. In developing the strategy, one of the important questions we will need to consider is how realistic a goal total eradication of the disease would be within the 10-year period over which the strategy will apply, and the most appropriate ways of achieving it. We expect to go out to public consultation on the strategy around the end of year.

In the meantime Defra is continuing to work hard to address the problem of bovine TB through its current programme of public health protection measures, cattle testing, cattle controls and extensive research.

Climate Change

Mr. Denham: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the agencies that have responsibilities for planning for the consequences of climate change on coastal areas; and if she will make a statement. [137391]

Mr. Morley: All agencies whose areas of work and influence will be affected by climate change, in coastal areas and elsewhere, have a responsibility to plan for the consequences of those changes.

Development planning in coastal areas is the responsibility of local planning authorities, while land and shoreline management is the responsibility of land owners, the Environment Agency and local athorities.

This Department provides guidance and assistance to planners in coastal areas by funding the UK Climate Impacts Programme (UKCIP), other research and development programmes and by promoting the production of Shoreline Management Plans which are designed to assist local planners in making decisions on future development and coastal defence needs over a 30–100 year period, taking account of natural processes and climate change effects. The Department has provided guidance on sea-level rise allowances for design of coastal defences since 1989 and these were confirmed this year in the light of the UKCIP 2002 climate-change scenarios.

Mr. Denham: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the area of coastal land that will be lost owing to the impact of climate change by 2050. [137392]

Mr. Morley: Estimates made by the Department suggest that some 400,000 ha of agricultural land and about 1 million properties are currently at risk of flooding from the sea. These all depend on coastal defences. In addition some 5,000 ha of agricultural land and 75,000 properties are at risk of coastal erosion. An assessment for Defra in 2001 suggested that the economic risk of coastal flooding could increase up to fivefold by the latter half of the century without any adaptation of defences. However, any loss of coastal land would depend almost entirely on the strategic coastal defence decisions made for each risk area.

The Office of Science and Technology's Foresight project on flood and coastal defence is currently examining the factors that drive change in flood and coastal erosion risk, but it has not made any estimates of land loss.

Mr. Denham: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the insurance industry regarding the insurance costs arising from climate change; and if she will make a statement. [137393]

Mr. Morley: The Association of British Insurers (ABI) is involved with the work of the Defra-funded UK Climate Impacts Programme, which helps stakeholder organisations assess how they might be affected by climate change, so that they can develop adaptation strategies.

In addition, there have been extensive discussions with ABI over the past few years on the Government's flood management policy, the background to which includes awareness that future climate change could enhance flood risks in some areas.

Dairy Farming

Mr. Flook: To ask the Secretary of State for Environment, Food and Rural Affairs how many farmers there were in dairy farming in each year since 1992, broken down by *(a)* conventional and *(b)* organic farming. [137381]

Mr. Morley: Data for the total number of farmers, partners, directors and spouses combined are collected annually from the June agricultural and horticultural census as a total. The following figures relate to holdings where dairy is the predominant activity, a breakdown between conventional and organic farming is not available.

Total farmers, partners, directors and spouses (full and part-time) in England on dairy type holdings

	Number
Main holdings only	
1992	40,464
1993	35,665
1994	39,744
1995	37,844
1996	36,656
1997	35,104
1998	34,405
1999	33,216
Main and minor holdings	
2000	31,418
2001	29,732
2002	30,014

Notes:
1. Spouses are only included if they are working on the holding.
2. Due to a register improvement exercise in 2001 figures prior to this are not directly comparable with later results.

Source:
June Agricultural Census

Foreign Ships (Disposal)

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs how many contracts involving the dismemberment of foreign ships have been entered into by breakers' yards in the United Kingdom in each of the last five years. [137067]

Mr. Morley: Records are only available for those ships that are notified under the transfrontier shipment of waste control system. In the last five years, only one contract has been entered into by a breakers yard in the UK.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will place in the Library copies of the assessments made by the Environment Agency of the environmental risk of the project by Able UK to decommission and recycle American ships in Hartlepool. [137188]

Mr. Morley: I will arrange for copies of the assessment to be placed in the Libraries of the House.

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Secretary of State for Environment, Food and Rural Affairs how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134690]

Alun Michael: The amount spent on residential properties for Ministers and officials for the 2002–03 financial year is as follows:

	Costs for 2002–03
Maintenance	0
Renovation	0
Council tax	0
Running costs	276,398.01

Notes:
1. The running costs are those paid by the Department to the Cabinet Office in respect of the capital charge and the costs for utilities, the Whitehall District Heating System, security and facilities management.
2. The figures are subject to final audit.

Information about the costs of official residences used by Ministers for previous financial years is already in the public domain.

Genetically Modified Crops

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs whether in the GM farm scale evaluations *(a)* commercially useful yield, *(b)* starch and *(c)* dry matter measurements of the final GM maize crop were independently obtained to confirm whether the use of this herbicide regime would allow an economically viable crop to be grown. [137656]

Mr. Morley: Such measurements were not made. The GM and conventional maize in each field evaluation were compared at every stage of growth and results were only included in the analysis where these correlates of yield were comparable and consistent with the protocol requiring 'cost-effective weed control'.

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs what yield penalty she predicts for GM crops if they are grown in the future using the management and herbicide regimes employed during the Field Scale Evaluation programme. [136804]

Mr. Morley *[holding answer 6 November 2003]:* Any new variety of a GM crop which has been approved for cultivation under Directive 2001/18 also has to comply with the relevant seeds legislation before it can be added to the National List or the EU common catalogue of plant varieties. The new variety must conform with certain requirements which include an assessment of its value for cultivation and use. The yield achieved in commercial cultivation of a crop depends on many factors including the particular variety chosen, the management system, the quality of the farmland, weather conditions and so on. Therefore predictions cannot be made.

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on *(a)* research into the overall efficacy of the Liberty (GA) herbicide regime in the Farm Scale Evaluation of GM maize and *(b)* research in the UK and other countries on the rate of development of resistance to the herbicide Liberty in common weeds. [136805]

Mr. Morley *[holding answer 6 November 2003]:* The published results of the farm-scale evaluations present the most in-depth study of the efficacy of Liberty (GA), as used in the evaluations, ever conducted. For full details see Heard et al. 2003; "Weeds in fields with contrasting conventional and genetically modified herbicide tolerant crops. 1. Effects on abundance and diversity"; *Philosophical Transactions of the Royal Society* (B). 358 (1439): 1819–1832. A copy of this journal has been placed in the Library.

As part of the procedure to issue consent for the release of a herbicide tolerant GM crop the applicants must present evidence that the use of the associated herbicide (eg Liberty in this case) does not lead to environmental harm through the development of resistance in common weeds. This includes a consideration based on any available research findings. The issue of weed resistance to herbicides is not unique to GM crops.

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs what measurements of GM crop yield were made during the recently completed Farm Scale Evaluation research programme to assess the commercial viability of the herbicide regimes adopted. [136806]

Mr. Morley *[holding answer 6 November 2003]:* The FSE research team measured surrogates of crop yield rather than yield directly. In particular these included repeated measurements of crop development for both the GM and non-GM crops. The data show little difference between the GM and non-GM. For further details see Champion et al. (2003) "Crop management and agronomic context of the Farm Scale Evaluations of genetically modified herbicide-tolerant crops". *Philosophical Transactions of the Royal Society* (B). 358 (1439): 1801–1818. A copy of this journal has been placed in the Library.

The FSE research team compared the crop development with the audited management practices and concluded that the trials of the GM crops in the FSE were consistent with cost effective weed control. The scientific probity of this conclusion was independently verified by the publishing journal and endorsed by the scientific steering committee who advised Ministers accordingly.

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* herbicide mixes and *(b)* levels of application per hectare she proposes to permit for commercial cultivation of GM maize; and whether these differ from the levels used in the farm scale evaluations. [136807]

Mr. Morley *[holding answer 6 November 2003]:* All pesticide products are approved on an individual basis. Only when we are satisfied that a pesticide is safe for the proposed use will approval for that use be granted.

Growers may only use approved herbicides in a mixture in compliance with the statutory conditions of approval for each of the products.

In practice throughout the farm-scale evaluations growers used the herbicide glufosinate ammonium alone on the GM maize fields.

The recommended individual and maximum permitted application rates of the herbicide glufosinate ammonium used on GM maize in the farm-scale evaluations were defined by the conditions of the simulated product licence that formed part of the experimental pesticide approval. This specified a maximum permitted rate of 8 litres per hectare and a recommended individual rate of 4 litres per hectare, depending on the weeds present and their growth stage. Application was permitted until the nine-leaf stage of maize. Before glufosinate ammonium could be used on a commercial scale on GM maize it would need full pesticide approval. In seeking approval the necessary data package would have to be supplied by the applicant and be subjected to the considerations of human and environmental safety which have been established for all pesticide uses. Any approval given would specify recommended and maximum application rates in the same way as the experimental permit. These conditions would be determined by the Pesticide Safety Directorate taking due account of advice from their expert advisory committee the Advisory Committee on Pesticides.

Where appropriate we shall be seeking to specify the management systems for the cultivation of GM crops through the conditions imposed with the consent.

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs when during the GM farm scale evaluations she was informed that neither the use of Liberty alone on GM maize nor the use of Atrazine on the non-GM control crop would replicate the herbicide use and management regimes which would be used in commercial plantings in the UK in future years. [136808]

Mr. Morley *[holding answer 6 November 2003]*: The farm-scale evaluations were set up to assess the relative impact on wildlife of GM and non-GM management of four crops, based on practices current at the time. They were not set up to investigate the impact of any potential future management changes for either crop, although they will provide an invaluable baseline in our understanding of any such future changes.

The decision to phase out Atrazine in the EU was taken on 3 October 2003, over a year after the completion of the last maize field trials. During the time of the trials (1999–2002) conventional maize practice predominately involved the use of Atrazine; this therefore formed a large part of the sample of FSE fields.

In 2002 some evidence emerged that farmers in the US often mixed Atrazine with glufosinate ammonium for use on GM maize crops. In the FSE, farmers of GM maize used glufosinate ammonium alone. The industry asserted that the UK and US differed in conditions and that glufosinate ammonium alone was typical of the likely practice in the UK. The scientific steering committee, whose role it is to advise me on the conduct of the FSE, considered that in the absence of evidence either way to justify the need for Atrazine to be used in conjunction with glufosinate ammonium in the UK that trials would continue as before. Accordingly, I was not advised that any action was necessary.

Now that Atrazine is being phased out it clearly will not be permitted on any fodder maize crop, GM or otherwise. However, the issue of whether other licensed herbicides could be mixed with glufosinate ammonium on GM crops remains.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she will take to protect organic farming from possible effects of GM crops. [137261]

Mr. Morley: We will consider the co-existence of GM and organic crops in the light of guidelines issued by the European Commission and a report we expect to receive shortly from the Agriculture and Environment Biotechnology Commission.

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs what recent bilateral meetings she has had with the United States Department of Agriculture at which the subject of GM crops was discussed; and if she will make a statement. [138216]

Mr. Morley: My right hon. Friend the Secretary of State from time to time discusses issues raised by genetically modified crops with her counterparts from the United States and other nations. However, there have been no recent bilateral meetings with the US Department of Agriculture on this issue.

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with her counterparts in *(a)* the Scottish Executive and *(b)* the Welsh Assembly on the regulation of GM crops. [138217]

Mr. Morley: My right hon. Friend the Secretary of State and I hold regular discussions with our counterparts in the Scottish Executive and Welsh Assembly Government on a range of issues, including GM crops.

Hunting

Mrs. Anne Campbell: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment the Government makes of the environmental impact of trophy hunting of endangered animals around the world; what steps the Government is taking to encourage the control of hunting of endangered species; and if she will make a statement. [137548]

Mr. Morley: The United Kingdom is a Party to the Convention on International Trade in Endangered Species (CITES), which regulates the trade in endangered species including those threatened by trophy hunting.

The Convention is implemented within the EU by means of Council Regulation (EC) No 338/97. The European Commission closely monitors the trade in CITES species and where scientific advisers judge that trade would be detrimental to the survival of a particular species in the wild, measures may be taken to suspend such trade.

A good example of this was provided earlier in the year when, on the basis of advice provided by the Scientific Review Group on Trade in Wild Fauna and Flora, the EU suspended trade in brown bear hunting trophies from Slovenia on the grounds that this trade was unsustainable.

Meadowland Protection

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to introduce protection for meadowland. [137291]

Mr. Morley: All uncultivated and semi-natural land is protected by the Environmental Impact Assessment (Uncultivated Land and Semi-natural Areas) Regulations 2001 (S.I.No 2001/3966). In addition, many meadows are protected by statutory designation as Sites of Special Scientific Interest. We also provide payments to farmers under agri-environment schemes for positive management and in some cases restoration or recreation of hay meadows.

National Fruit Show

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what support Ministers have given to the National Fruit Show (The Marden Fruit Show) since 1997. [134138]

Mr. Bradshaw *[holding answer 27 October 2003]*: Ministers have given no direct support to the National Fruit Show. However, exhibits at the show have illustrated how the fruit sector has benefited from Defra-funded research, including the breeding and development of new varieties, issues relating to storage and pest control, and the publication of best practice guides. Growers are also able to take advantage of funding opportunities that exist through England Rural Development Programme schemes, the Agriculture Development Scheme and the Organic Farming Scheme.

Public Water System

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* plans she has and *(b)* targets she has set to reduce fat and oil contamination in the public water system. [137252]

Mr. Morley: Changes to guidance to the Buildings Regulations recommend that measures to control grease should be installed in commercial hot food premises. There are no requirements in these Regulations or in water legislation that relate specifically to disposal of oils and fats from dwellings. However, under general provisions in section 111 of the Water Industry Act 1991, it is an offence for a person to empty into a public sewer, or any drain or sewer connecting with a public sewer, any matter which is likely to injure the sewer or drain, to interfere with the free flow of its contents or to affect prejudicially the treatment and disposal of its contents. Any person who is found guilty of an offence is liable to a fine or imprisonment.

Recycling

John Barrett: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of household waste was recycled in each year between 1985 and 1995 in England. [136780]

Mr. Morley: Government do not have this information. However, the Chartered Institute of Public Finance and Accountancy have published the following percentage recycling rates for England and Wales:

	Percentage recycled
1983–84	0.8
1991–92	2.6
1993–94	3.4

The Department's Municipal Waste Management Survey was first carried out for the year 1995–6. Since this survey's publication the recycling percentage given for 1995–6 has been adjusted in an attempt to make it more accurate, to 6.4 per cent. for England and Wales.

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for Environment, Food and Rural Affairs what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans she has for removing these legacy powers. [136126]

Alun Michael: There is no equivalent of the Police and Criminal Evidence Act 1984 codifying the investigatory powers of Defra investigators. There is a patchwork of powers. In relation to a range of offences Defra investigators (and inspectors) have fairly standard statutory powers to enter and inspect business premises, powers to inspect and copy business documents and powers to require provision of information in relation to the conduct of the business—all these powers are normally set out in the specific legislation which creates the offence under investigation. Investigators have a surviving common law right to seize and retain any evidence relating to suspected offences. For some suspected offences a search warrant is also available eg under the Medicines Act 1968.

None of these powers was superseded by any powers in RIPA 2000 and so there are no plans for removing 'legacy powers'.

Stewardship Scheme

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs how much money the United Kingdom has received from the EU under the Stewardship Scheme in each of the last three years. [137258]

Mr. Morley: The Countryside Stewardship Scheme in England has received the following EU funding:

£ million

	2001	*2002*	*2003*
Total	9.4	15.7	22.0
of which:			
EAGGF	9.4	11.5	10.7
Modulation	0.0	4.2	11.3

Notes:
European Guidance and Guarantee Fund (EAGGF)—these are funds allocated by the European Commission for rural development measures.
Modulation—these are funds made available by reducing CAP Pillar 1 payments and redirecting them to certain rural development schemes.
Years are EAGGF running from 16 October to 15 October each year.

South West Water

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the recent proposed investment programme and water bill charges for the period 2005 to 2010 by South West Water. [135144]

Mr. Morley: The Government have noted the proposed investment programme and bill charges for South West Water for the period 2005 to 2010. These figures are drawn from South West Water's own draft business plan for the 2004 periodic review of water price limits and represent the company's opening bid in what will be another 12 months of challenge, decisions and negotiation by the regulator Ofwat.

Full assessments of all company draft business plans will be made following receipt of guidance from the economic, environmental and quality regulators in early November and these assessments will underlie the Secretary of State's Principal Guidance, which will be issued early next year. The Secretary of State's initial guidance to the Director General of Ofwat, setting out the Government's early objectives for the review, was published in January this year.

Water Supplies

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with water companies on the adequacy of future supplies; and if she will make a statement. [137562]

Mr. Morley: The Environment Agency is the statutory body which has a duty to secure the proper use of water resources in England and Wales.

Since the Water Summit in 1997, there have been a number of developments in terms of securing long-term future water resources. Each water company in England and Wales has produced a water resources plan setting out how it proposes to maintain the supply and demand balance of water for the next 25 years. These plans were assessed by the Environment Agency and are reviewed on an annual basis.

As part of the fourth periodic review of water company prices, water companies are submitting updated water resource plans to the Environment Agency. The agency will report to Ministers on these plans as part of their advice for the fourth periodic review. The Ministerial guidance for the periodic review will be published in early 2004, and cover any related water supply issues.

Wild Birds (Imports)

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department is taking to reduce the importation of wild caught *(a)* parrots and *(b)* other birds into the UK. [135811]

Mr. Morley: The international trade in all parrots and many other species of wild birds is strictly regulated under Council Regulation (EC) No 338/97, which implements the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) within the EU. It is an offence to import CITES specimens without the appropriate documentation and trade is only permitted if we are satisfied that the specimens have been lawfully acquired and that the trade will not be detrimental to the wild populations of the species concerned.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate her Department has made of the numbers of wild caught *(a)* parrots and *(b)* other birds brought into the UK broken down by each country from which these imports originated in each of the last five years for which records are available. [135812]

Mr. Morley: The available information is set out in the attached tables: Table A for parrots, Table B for other birds.

Table A
Imports of parrots

Country	*Year*	*Number*
United Arab Emirates	2001	1
Angola	1999	1
Argentina	1998	120
	1999	410
	2000	441
	2001	58
Australia	2002	3
Benin	1999	1
Democratic Republic of Congo	1999	1
	2000	1
Congo	2002	1
Cote D'Ivoire	2002	200
Cameroon	1998	410
	1999	2,065
	2000	700
	2001	600
	2002	2,200
Egypt	2000	1
Ghana	2000	1
Gambia	2001	1
Guinea	1998	2,274
	2001	600
	2002	534
Guyana	1998	1,192
	1999	1,308
	2000	1,115
	2001	2,702
	2002	2,655
Indonesia	1998	182
Kenya	1998	1
	1999	1
	2000	1
	2001	1
Mali	1999	1
	2001	200
	2002	550
Mauritius	2000	1
Malaysia	1998	620
	2002	228

Table A
Imports of parrots

Country	Year	Number
Nigeria	1998	2
	1999	1
	2001	1
Nicaragua	2001	115
	2002	854
New Zealand	1998	40
Panama	1998	1
Peru	2002	249
Paraguay	1998	2
	2002	1,961
Senegal	2001	200
Surinam	2002	723
Total		25,531

Table B
Imports of other birds

Country	Year	Number
Argentina	1998	2
Democratic Republic of Congo	2001	6
Congo	2000	8
	2001	2
Cameroon	1998	11
	2001	19
	2002	33
Cape Verde Islands	2002	5
Ghana	2001	31
Guinea	1999	30
	2000	8
	2002	50
Guyana	1998	62
	1999	51
	2000	95
	2001	100
	2002	67
Iceland	1999	1
Indonesia	2000	1
Kazakhstan	1999	3
Nicaragua	2001	6
	2002	21
Netherlands	2000	1
Norway	1998	12
Peru	1999	13
	2000	56
	2001	5
	2002	12
Poland	2002	1
Paraguay	2002	387
Russian Federation	1998	10
	1999	33
Surinam	2002	14
Tanzania	1998	16
	1999	24
	2000	6
	2002	35
South Africa	1998	1
	2000	2
Total		1,240

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the number of wild caught *(a)* parrots and *(b)* other birds imported into EU countries in each of the last five years. [135818]

Mr. Morley: Our CITES records show that the number of wild caught parrots imported into the UK in each of the last five years were as follows.

	Number
1998	4,844
1999	3,789
2000	2,261
2001	4,479
2002	10,158
Total	25,531

The numbers of other wild-caught birds imported into the UK were:

	Number
1998	114
1999	155
2000	177
2001	169
2002	625
Total	1,240

The Department does not keep records of imports into other EU countries.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of Government support for the Convention on Trade in Endangered Species on the volume in trade of wild caught *(a)* parrots and *(b)* other birds imported into (i) Europe and (ii) the UK since the UK signed the Convention. [135820]

Mr. Morley: The Convention on International Trade in Endangered Species (CITES) aims to protect certain plants and animals by regulating and monitoring their international trade to prevent it reaching unsustainable levels. Currently CITES regulates international trade in over 30,000 species, of which approximately 25,000 are plants. The Convention came into force in 1975, and the UK became a party in 1976. Pre-Convention figures concerning the importation of parrots and other birds are not available.

No specific study has been made of the impact of the Convention on the trade in these species. However, all EU member states are required to provide annual reports on the trade in CITES species. These are closely monitored by the European Commission, and powers are available to enable member states to take urgent action in the event that a particular pattern of trade is judged to be unsustainable.

Wolves

Sir Paul Beresford: To ask the Secretary of State for Environment, Food and Rural Affairs whether the two grey wolves for which the former Department of the Environment issued a permit for importation from Canada in 1991 were *(a)* from a Canadian zoo and *(b)* from a wild population; which zoo was the intended British destination; whether grey wolves were classified as an endangered species in Canada in 1991; whether the wolves were imported; and if she will make a statement. [138046]

Mr. Morley *[holding answer 11 November 2003]:* The Department issued a licence on 9 December 1991 for the importation of two wolves from Canada. In response to the specific points raised the answers are as follows:

(a) The wolves came from a Canadian ranching operation which does not appear to be a zoo

(b) The animals were captive bred not taken from wild populations and were brought into Howletts Zoo for breeding purposes.

At the time of import wolves were listed upon Appendix II of the Convention on International Trade in Endangered Species (CITES). Appendix II species are defined as species not necessarily threatened with extinction, but in which trade must be controlled in order to avoid utilization incompatible with their survival.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Environment, Food and Rural Affairs how many cases of work-related stress have been reported in her Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost, what procedures have been put in place to reduce work-related stress, and at what cost; and if she will make a statement. [136854]

Alun Michael: Defra has received a total of two centrally reported cases of work-related stress among staff over the past three years. No compensation has been paid in these cases. Our current sickness absence system does not differentiate between stress and work-related stress.

The Department has set a target to reduce the number of working days lost from work-related injury and ill-health by 30 per cent. by 2010. This mirrors the Revitalising Health and Safety Strategy target.

Defra was established in June 2001. Since then, the Management Board has established a sub-committee on Stress which recommended a number of actions. The Stress Policy was updated and relaunched this year.

It is not possible to quantify the cost of this strategy without detailed analysis of all work groups which is not practicable.

TREASURY

Pension Funds

15. **Ann Winterton:** To ask the Chancellor of the Exchequer if he will calculate the amount in taxation he has levied from pension funds since May 1997. [138339]

Ruth Kelly: The amount of tax paid by pension funds since May 1997 is not held centrally. However, the Government do provide £13 billion in net tax relief every year for pension funds.

World Debt

16. **Lawrie Quinn**: To ask the Chancellor of the Exchequer what recent discussions he has had with African Finance Ministers on debt and the millennium development targets. [138342]

Mr. Boateng: I refer my right hon. Friend to the answer the Chancellor gave my hon. Friend the Member for Bristol, West (Valerie Davey), earlier today, *Offical Report*, col. 409.

Private Health Care

17. **Laura Moffatt:** To ask the Chancellor of the Exchequer what the cost to public funds of tax relief on private medical insurance was in the last year for which figures are available. [138343]

Dawn Primarolo: The cost of tax relief on private medical insurance premiums in the last full year the relief was given, 1996–97, was around £110 million.

Public Sector Borrowing

18. **Sir Nicholas Winterton:** To ask the Chancellor of the Exchequer how his projections for public sector borrowing have changed since the 2002 Budget. [138344]

Ruth Kelly: An interim forecast update for the public finances will be published in the pre-Budget Report as usual.

ECOFIN

19. **Mr. David:** To ask the Chancellor of the Exchequer if he will make a statement on the issues he raised at the recent ECOFIN Council meeting in Brussels. [138345]

Ruth Kelly: The Chancellor of the Exchequer attended the meeting of ECOFIN Ministers on 4 November. Discussion covered France's Excessive Deficit under the Stability and Growth Pact (SGP), an initial exchange of views on the proposed Transparency directive and taxation of Savings.

ECOFIN also endorsed an Economic Policy Committee paper on the impact of ageing on public finances, and agreed conclusions on the role of customs in controlling external borders.

Prior to the meeting there was a breakfast discussion of pension reform in the context of the Broad Economic Policy Guidelines, and a formal dialogue with all the Candidate Countries.

Over lunch, Finance Ministers discussed the economic and finance elements of the Intergovernmental Conference. The Chancellor, in particular, stressed that tax harmonisation and EU control over fiscal policy would be damaging for Europe's economic interests.

National Insurance

20. **Angela Watkinson:** To ask the Chancellor of the Exchequer what plans he has for future rates of National Insurance Contributions; and if he will make a statement. [138346]

Dawn Primarolo: Any changes to National Insurance rates will be announced, as usual, at the time of the pre-Budget Report.

Government Economic Targets

21. **Mr. Boswell:** To ask the Chancellor of the Exchequer what steps he intends to take to improve independent evaluation of compliance with Government economic targets. [138347]

Ruth Kelly: The Government's key economic targets are contained within the Treasury's latest Public Service Agreement (PSA), agreed as part of the 2002 Spending Review (SR2002). The Technical Note for these targets, published on the HM Treasury website, sets out exactly how performance will be judged, and the National Audit Office will validate the data systems underpinning each of the SR2002 PSA targets at least once during its lifetime. Furthermore, many of the key data used to measure performance against these targets are published as National Statistics, and thus compiled in accordance with the National Statistics Code of Practice.

Euro

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many *(a)* personal and *(b)* business euro accounts had been opened at the latest date for which figures are available. [138099]

Ruth Kelly: The latest quarterly review by the Association for Payment Clearing Services (APACS) identified that, as at end September 2003, there were around *(a)* 76,000 personal, and *(b)* 116,000 corporate euro bank accounts held in the United Kingdom.

Performance Monitoring

Mr. Flight: To ask the Chancellor of the Exchequer what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137948]

Ruth Kelly: Performance targets for the Chancellor's departments were agreed as part of the Spending Review 2002. The monitoring and measurement of these Public Service Agreement targets forms part of departmental performance management. Performance management is an integral part of the day-to-day running of the departments, and as such it is not possible to separate out specific costs. The monitoring of progress towards, and performance against, the Chancellor's department's PSA targets is undertaken by staff at all levels of the organisation.

Mr. Flight: To ask the Chancellor of the Exchequer if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if he will specify for each target *(i)* who sets it and (ii) who monitors achievement against it. [137964]

Ruth Kelly: Key performance targets for Her Majesty's Treasury are agreed as part of the Spending Review and the latest set were published in Spending Review 2002: Public Service Agreements 2003–2006 (Cm5571). Targets measure progress towards objectives. Performance is reported regularly, both in the Departmental Report, the Autumn Performance Report and on the HM-Treasury website at http://www.hm-treasury.gov.uk/performance/Treasury.cfm.

Information on the performance targets of the Chancellor's other departments along with the agencies and non-departmental public bodies is given in the following table.

Government Departments, agencies and NDPBs	
Inland Revenue	Key performance targets for the Inland Revenue are agreed as part of the Spending Review. The performance targets for 2003–06 were published in the Inland Revenue Spring Departmental Report 2003 (Cm 5925). Performance against targets is reported regularly.
HM Customs and Excise	Key performance targets for HM Customs and Excise are agreed as part of the Spending Review and the latest set were published in Spending Review 2002: Public Service Agreements 2003–2006 (Cm 5571). The department monitors progress towards the target along with HM Treasury and progress is reported regularly. The department has no agencies or NDPBs.
Office of Government Commerce	The Office of Government Commerce does not have separate PSA targets, they are included within HM Treasury targets.
Office for National Statistics	Key performance targets for the Office for National Statistics were set as part of the Spending Review 2002 and are monitored as part of departmental performance management. They are published on the National Statistics website www.statistics.gov.uk/about_ns/ONS/2002_spending_review_sda.asp.
The Royal Mint	Key performance targets for the Royal Mint are detailed in their Annual Report for 2002–03 (Cm821). Ministers set these performance targets on the advice of HM Treasury in consultation with its Shareholder Panel and the Royal Mint. The Royal Mint, the Treasury and its Shareholder Panel, including through meetings with the Minister, monitor achievement of these targets.
The Debt Management Office	The Debt Management Office's performance targets are published in its annual business plan. The targets are developed jointly by the Debt Management Office and HM Treasury and approved by Treasury Ministers. Performance against the targets is monitored by the Debt Management Office and reported on a regular basis.
The Valuation Office Agency	The Valuation Office Agency currently has eight key performance indicators that are underpinned by 20 specific targets. These are published in the Forward Plan 2003–2008. Targets are approved by the Paymaster General and announced in Parliament. The monitoring of achievement against these targets takes place by staff at all levels under the direction of the management board and are subject to internal audit by their parent department the Inland Revenue.
National Savings and Investments	National Savings and Investments is an Executive Agency of the Chancellor of the Exchequer and as such agrees its performance targets within the Spending Review and annual planning process. These targets are published in its Departmental Report
Government Actuary's Department	The Government Actuary's Department's performance targets are published in its annual business plan. The targets are developed in consultation with the relevant HMT Spending Team and are discussed on an annual basis. Achievements against these targets are also reported in its Spring Departmental Report.

Shipping Industry (NIC)

Mr. Peter Duncan: To ask the Chancellor of the Exchequer what assessment he has made of the effects of the change in employers' national insurance contributions in the shipping industry. [138326]

Dawn Primarolo: A Regulatory Impact Assessment covering the effects of the recent change in liability for employers' national insurance contributions on the shipping industry was published on the 18 September, when the relevant regulations were laid before Parliament.

Timber

Norman Baker: To ask the Chancellor of the Exchequer pursuant to the answer to the hon. Member for Guildford of 3 November 2003, *Official Report*, columns 457–58W, on timber, what environmental criteria his Department has specified in respect of banknote manufacture, with particular reference to use and reuse of water. [138581]

Ruth Kelly: The Bank of England issues banknotes in England and Wales on behalf of HM Treasury.

The contracted supplier of banknotes to the Bank of England is De La Rue International (DLR). DLR sources the paper from an internal subsidiary, Portals Ltd. based at Overton in Hampshire.

Banknote paper manufacture is subject to a PPC (Integrated Pollution and Prevention Control) permit, which among other criteria addresses the efficient use of water. The relevant enforcement authority is the Environment Agency.

VAT

Laura Moffatt: To ask the Chancellor of the Exchequer what plans he has to reduce VAT on goods purchased by charitable organisations for export to deserving causes in developing countries. [137515]

John Healey: Charities do not bear the cost of VAT on goods purchased for export outside the European Community. Charities are entitled to register for VAT and reclaim any VAT they are charged on goods they buy for export to developing countries.

This includes any VAT charged on the goods themselves and VAT charged on any other costs associated with the export of the goods.

HOME DEPARTMENT

Drug Misuse

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what additional resources his Department plans to use to counter drug misuse. [137822]

Caroline Flint: My right hon. Friend the Home Secretary announced a major increase in overall direct annual funding that will underpin the Government's updated Drug Strategy on 3 December 2002 as follows.

Government direct expenditure

	(£ billion)
2003–04	1.244
2004–05	1.344
2005–06	1.483

The Home Office is working in close partnership with other Government Departments, including the Department of Health, Department for Education and Skills and HM Customs and Excise, to ensure that these resources are invested to counter drug misuse and deliver Drug Strategy objectives and targets.

Significant tranches of Home Office investment announced recently include £190.2 million to fight crime and drug abuse and £107 million to help steer young people away from a life of drugs and crime.

Motor Vehicles (Blacked-out Windows)

Tom Cox: To ask the Secretary of State for the Home Department what guidance he gives to police forces on action to be taken against motorists who drive vehicles with densely blacked out windows; and if he will make a statement. [137394]

Caroline Flint: The blacking out of vehicle windows is governed by the Road Vehicles (Construction and Use) Regulations 1986. Regulation 32 prescribes minimum light transmittance (vlt) values, through the windscreen and to the windows to either side of the driver.

In order to clarify the legislation applying to vehicle window tinting we plan to amend regulation 32 to make it clear that the vlt values apply not only to the 'glazing' itself but also to any 'tint' or 'tinted film' applied to the glazing. The Association of Chief Police Officers are aware of this proposed amendment.

The enforcement of construction and use offences is an operational matter for individual chief officers of police. The police recognise the importance of such enforcement and ensure that these offences receive appropriate attention. They are aware of guidance employed by the Vehicle Operator Services Agency.

Passports

Simon Hughes: To ask the Secretary of State for the Home Department what action the Immigration Crime Team is taking to target criminals who fraudulently obtain passports; and how many fraudulent applications for passports have been detected after the passport has been issued in the last five years. [131764]

Beverley Hughes: The remit of the Immigration Crime Team (ICT) is to tackle serious and organised immigration crime including, where relevant, identity fraud and theft. Since its inception in January 2002 it has conducted three major operations into identity fraud. Others are under development. The first concerned the identity theft of British passports and led to the arrest of 29 persons in a series of co-ordinated raids. The second involved the arrest of two men for the manufacture and supply of forged British passports and the dismantling of their criminal enterprise. Both pleaded guilty, one received a five year sentence and the other 18 months. The operation resulted in one of the largest ever seizures

of high quality forged passports believed to have a street value of over £2 million. The third operation is currently sub judice.

Such operations are complex, involving lengthy investigation and demanding a high level of inter-agency co-operation. The ICT operates as part of Reflex, the Government's inter-agency task force created to combat organised immigration crime. Targeting identity fraud is a key priority for Reflex and while the ICT has been at the forefront of major operations other successes have been recorded by other Reflex partners. For example using Reflex funding the Metropolitan police have established a joint intelligence unit under Operation Maxim involving the Immigration Service and UK Passport Service (UKPS) with a remit to investigate identity fraud alongside related criminality.

UKPS records the number of fraudulent passport applications which have been detected after passports have been issued. Figures for passports detected in each of the last five years are shown as follows:

	Number
1999	153
2000	179
2001	161
2002	1,360
2003 to date	489

The significant increase in cases detected in the last two years is a result of the UKPS' access to infant death data and greater proactivity in tackling fraud. The UKPS is taking forward a range of initiatives to improve fraud prevention and detection. These include better arrangements for the recording and dissemination of lost, stolen and recovered passport information; increasing the professionalism of its fraud and intelligence units; changing the law to make passport fraud offences arrestable; investigating the use of biometrics to improve passport security; and using from February 2004 secure delivery for the despatch of all passports; and finally continuing to work actively with law enforcement agencies to apprehend, disrupt and dismantle the activities of those involved in passport fraud.

Prison Population

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the likely effect of the Criminal Justice Bill on the size of the prison population. [136255]

Paul Goggins: The projected net effect on the prison population of the implementation of the provisions to reform the sentencing framework is an increase of about 1,000 by 2009. These measures include the generic community sentence and more flexible types of custody such as intermittent custody, custody minus and custody plus. The long-term impact, once all these provisions have been implemented and sufficient time has passed for their full effects to be seen, is estimated to be an increase in the prison population of about 500.

Of the other parts of the Bill that have any significant impact, the firearms offences provisions in the Bill will provide for a mandatory minimum custodial sentence for unauthorised possession of a prohibited firearm. The estimated effect on the prison population of the implementation of these provisions, and the implementation of the provision providing for an increase in penalties for certain driving-related offences causing death, is an increase of about 500 in the prison population.

The life sentence provisions in the Bill will provide for the determination of a minimum custodial term in relation to mandatory life sentences. It is unlikely that the effect of these provisions on the prison population will be felt for at least a decade.

The restriction on bail for drug users will be piloted in selected court areas. This provision aims to reduce re-offending by encouraging drug-misusing offenders into effective drug treatment programmes. Part of the pilot evaluation will focus on the likely impact of this measure on the prison population if it were to be extended more widely. A further study is being conducted to assess the likely effect on the prison population of the introduction of a presumption against the grant of bail to defendants who have failed to surrender.

HEALTH

Commission for Social Care Inspection

Rob Marris: To ask the Secretary of State for Health for what reason the four shadow commissioners, and the shadow chief inspector, of the Commission for Social Care Inspection are based in the South East of England; and for what reason no shadow commissioners have been appointed from other regions. [135663]

Dr. Ladyman: The appointments of the shadow chair and commissioners of Commissioner for Social Care Inspection were made by the independent NHS Appointments Commission, not by Ministers. The shadow chair and commissioners appointed the shadow chief inspector.

These appointments have been made on the basis of ensuring that the best available people are appointed. It was important to ensure that the commissioners together were able not only to provide an appropriate range of experience and skill, but also diversity of background. Geographical origin was one of a number of factors considered. The fifth commissioner, who was appointed after the first four, is based in Sheffield and the shadow chair comes from Cheshire.

The appointment of the shadow chief inspector, as for any chief executive appointment, took no account of geographical origin as this was not regarded as relevant. As it happens, the chief inspector is from the North of England where he has spent much of his career.

Correspondence

David Winnick: To ask the Secretary of State for Health when he will reply to the letter of 1 October from the hon. Member for Walsall, North regarding a constituent, ref: PO103700. [138381]

Miss Melanie Johnson: A reply was sent to my hon. Friend on 12 November 2003.

Delayed Discharge

Mr. Blunt: To ask the Secretary of State for Health how many patients over 65 remain in an NHS hospital as a result of delayed discharge. [137450]

Dr. Ladyman: 4,170 adult patients remained in an acute hospital bed on any one day as a result of delayed discharge in June 2003. 3,150 of these patients were aged 75 or over.

PRIME MINISTER

Departmental Costs

Mr. Flight: To ask the Prime Minister what the cost was to his Department for *(a)* ministerial cars and drivers, *(b)* taxis, *(c)* train travel, *(d)* the use of helicopters, *(e)* airline tickets and *(f)* chartered aeroplanes in each year since 1997. [123072]

The Prime Minister: I refer the hon. Member to the answer the Minister for the Cabinet Office (Mr. Alexander) gave him today, at column 397–98W.

House of Lords

Mr. Gordon Prentice: To ask the Prime Minister if the Secretary of State will make it his policy to require the House of Lords Appointments Commission to give applicants for a people's peerage reasons for their rejection. [138512]

The Prime Minister: No.

Mr. Gordon Prentice: To ask the Prime Minister how many applications for a people's peerage received since 1 January were rejected in the first sift; and what proportion of the total this represents. [138523]

The Prime Minister: None. All nominations received since 1 January 2003 are still being considered by the Commission.

Mr. Gordon Prentice: To ask the Prime Minister how many civil servants are involved in the preliminary sift of applications for a people's peerage; at what grade; and if he will make a statement. [138524]

The Prime Minister: The House of Lords Appointments Commission is supported by a secretariat headed by a Senior Civil Servant.

The sifting process is set out in Section 2 of the House of Lords Appointments Commission Report on the First Term 2000–2003, a copy of which is available in the House Library.

Mr. Gordon Prentice: To ask the Prime Minister what role recruitment consultants PWC play in the selection of people's peers. [138525]

The Prime Minister: None.

Mr. Gordon Prentice: To ask the Prime Minister how much time was spent in each of the last 12 months by *(a)* the chair and *(b)* other Members of the House of Lords Appointments Commission on its work. [138510]

The Prime Minister: The full House of Lords Appointments Commission has met five times in the last 12 months. During the same period, sub-groups of Commission members have met as necessary to carry out Commission business.

Mr. Gordon Prentice: To ask the Prime Minister if he will require people's peers to publish *(a)* in the annual report and *(b)* on the website of the House of Lords Appointments Commission their assessments of their contribution to the work of the second chamber over the preceding year. [138513]

The Prime Minister: No.

Mr. Gordon Prentice: To ask the Prime Minister if he will issue guidance to the House of Lords Appointments Commission to permit it to select a proportion of applicants for a people's peerage by lot. [138516]

The Prime Minister: I wrote to the House of Lords Appointments Commission in July reaffirming that its remit is to recommend individuals based on their merit and ability to contribute effectively to the work of the House. Copies of this letter are available in the House Library.

Mr. Gordon Prentice: To ask the Prime Minister if he will require the House of Lords Appointments Commission to seek an undertaking from successful applicants for a people's peerage to participate fully in the work of the second chamber. [138517]

The Prime Minister: It is for every peer to decide for themselves how they attend the House. The House of Lords Appointments Commission has made clear both in its criteria and in discussion with appointees that wherever possible they should contribute when matters relating to their area of expertise arise. The Commission's information pack also makes it clear that this does not necessarily mean the same time commitment expected of "working peers".

Mr. Gordon Prentice: To ask the Prime Minister how many roadshows the House of Lords Appointments Commission *(a)* has embarked on since its creation and *(b)* plans to undertake. [138518]

The Prime Minister: In autumn 2000, the House of Lords Appointments Commission held four meetings in Belfast, Cardiff, Edinburgh and Manchester to share its approach and to encourage people to think about putting themselves forward. There are no immediate plans to hold more, although the issue is being kept under consideration.

Mr. Gordon Prentice: To ask the Prime Minister what his reasons were for re-appointing Lord Stevenson as chair of the House of Lords Appointments Commission; and whether an open competition was held for the post. [138522]

The Prime Minister: I refer my hon. Friend to the answer I gave him on 17 July 2003, *Official Report*, column 444W.

An open competition was not held for the re-appointment of any of the Commission members. This is in line with the Code of Practice of the Commissioner for Public Appointments.

Mr. Gordon Prentice: To ask the Prime Minister if he will restrict to two terms of three years the maximum length of service on the House of Lords Appointments Commission. [138660]

The Prime Minister: The House of Lords Appointments Commission comes within the remit of the Commissioner of Public Appointments and appointments to the Commission are made in accordance with the Code of Practice.

Mr. Gordon Prentice: To ask the Prime Minister if he will limit the term of appointment of people's peers; and if he will make re-appointment conditional on a record of active participation in the work of the House of Lords. [138695]

The Prime Minister: No. Membership of the House of Lords is currently for life.

Mr. Gordon Prentice: To ask the Prime Minister how many applications from aspiring people's peers have been received in each month since the last group of successful applications was announced. [138509]

The Prime Minister: Applications from members of the public for peerages are given in the table.

	2001	*2002*	*2003*
January	—	16	2
February	—	11	9
March	—	11	2
April	5	20	3
May	24	7	3
June	38	6	3
July	27	5	7
August	11	4	2
September	15	2	8
October	16	10	9
November	23	5	[1]2
December	8	4	—

[1] As from 10 November.

DEFENCE

Accounting Methods

Mr. Prisk: To ask the Secretary of State for Defence what accounting methods are used to value assets in his Department; and if he will make a statement. [137913]

Mr. Ingram: As mandated by HM Treasury and in accordance with Government Accounting regulations, the Ministry of Defence applies the Modified Historic Cost Accounting convention to asset valuations. This requires assets to be valued at their actual or estimated current value to the Department. A mixture of regular professional valuations and the application of appropriate indices between formal valuations are used to meet the requirement. During 2002–03, some 95.4 per cent. of the eligible asset base was professionally revalued as reported in the Annual Report and Accounts published on 30 October.

Chinook Helicopters

Norman Lamb: To ask the Secretary of State for Defence (1) what the total value of contracts in relation to the order for Chinook HC3 helicopters is; [137223]

(2) on what date is it intended that the Chinook HC3 helicopters ordered by the RAF will be delivered to a squadron to undertake their envisaged duties; [137222]

(3) pursuant to his answer of 12 May 2003, *Official Report*, column 37W, on Chinook helicopters, what reasons have been given to his Department by the US Department of Defense for its decision not to purchase the Chinook HC3 helicopters ordered by the RAF; whether the Chinook HC3 helicopters delivered to the United Kingdom have since been made airworthy; whether the Chinook HC3 helicopter retained by Boeing Helicopters at Philadelphia has been delivered to the United Kingdom; where the Chinook HC3 helicopters ordered for the RAF were stored prior to their shipment to the United Kingdom; what assessment was made of the conditions in which they were stored; what assessment was made of the condition of each of the helicopters following this storage; what his plans are for disposal of the fleet; what specific role the Chinook HC3 helicopter was intended to fulfil when the original order was placed with Boeing in October 1995; whether other helicopters have been evaluated for this role since then; and if he will make a statement. [137295]

Mr. Ingram *[holding answer 10 November 2003]*: I will write to the hon. Member and place a copy of my letter in the Library of the House.

Departmental Current Account

Mr. Keetch: To ask the Secretary of State for Defence how much money is in his Department's current account; and if he will make a statement. [137516]

Mr. Ingram: The Ministry of Defence, along with all other spending Departments, draws down Voted Supply at the beginning of each month from the Exchequer into its principal current account at the Office of Paymaster General. The amount of money in this current account will vary considerably during the month, typically from in excess of £2 billion at the beginning of the month to under £200 million at the end of the month. The balance in this account is monitored on a daily basis to ensure there are sufficient funds to meet the oncoming expenditure requirements in the rest of the month.

Eurofighter

Mr. Jack: To ask the Secretary of State for Defence if he will make a statement on the Government's commitment to the Eurofighter Typhoon project. [138383]

Mr. Ingram: The Government remain committed to the Typhoon programme. Production of the Tranche 1 aircraft is well advanced. Discussions with our three partner nations and with Industry regarding the order for Tranche 2 are ongoing. The order for Tranche 3 is not expected before 2007.

Mr. Jack: To ask the Secretary of State for Defence (1) what procedures would be followed in the case of the four Eurofighter Typhoon project partners choosing to reduce the number of aircraft ordered under the third tranche of the programme; [138384]

(2) what financial penalties the UK would face in the case of it not proceeding with Tranche III of the Eurofighter Programme. [138382]

Mr. Ingram: Under the collaborative procurement arrangements for the project, the attribution of costs and savings from any reduction of the third tranche of aircraft would need to be discussed and formally agreed between the four participating nations. No such discussions have taken place.

HMS Vanguard

Mr. Hancock: To ask the Secretary of State for Defence what the expected commissioning date is of HMS Vanguard; where the nuclear reactor power range tests will be carried out prior to commissioning; and if he will make a statement. [137550]

Mr. Ingram: HMS Vanguard is currently undergoing a Long Overhaul Period (Refit) (LOP(R)) and has not been decommissioned. As with any United Kingdom nuclear-powered submarine that has been defuelled and refuelled, Vanguard's nuclear reactor will undergo power range testing in the final stages of the LOP(R). This testing forms part of the LOP(R) work package and all LOP(R)s take place at Devonport Dockyard. Vanguard is due to return to service during the fourth quarter in 2004.

Infantry Battalions

Mr. Carmichael: To ask the Secretary of State for Defence pursuant to his answer of 3 November 2003, *Official Report*, column 425W, on infantry battalions, what discussions he *(a)* plans to hold and *(b)* has held with representatives of the Scottish infantry battalions prior to producing the Defence White Paper. [138203]

Mr. Ingram: There are currently no plans to hold discussions with representatives of the Scottish infantry battalions, prior to producing the Defence White Paper; nor have there been any recent discussions with them. Representations have, however, been received from representatives of a number of battalions throughout the United Kingdom.

Investment Strategy

Mr. Prisk: To ask the Secretary of State for Defence when the Investment Strategy for his Department will be published for this year; and if he will make a statement. [137915]

Mr. Ingram: The Defence Investment Strategy is published biennially following the settlement of each Spending Review. The current strategy is set out in the 2002 Defence Investment Strategy, which can be found on the Ministry of Defence's web page at www.mod.uk/linked_files/issues/invstrat2002.pdf. We expect to publish the next Defence Investment Strategy in Autumn 2004.

Iraq

Adam Price: To ask the Secretary of State for Defence how many investigations have been held in Iraq into incidents involving confirmed civilian fatalities allegedly caused by United Kingdom military personnel since the end of the conflict. [136966]

Mr. Ingram *[holding answer 6 November 2003]:* We investigate every incident in which we can confirm that there has been a civilian fatality allegedly caused by United Kingdom military personnel. We record centrally cases in which the initial investigation finds there are grounds for the Special Investigations Branch to conduct a formal investigation.

As at 12 November the Special Investigation Branch had begun 17 investigations.

Menwith Hill/Fylingdales

Llew Smith: To ask the Secretary of State for Defence what applications have been made in 2003 for *(a)* extensions to existing facilities and *(b)* construction of new facilities at (i) the National Security Agency Menwith Hill Station and (ii) RAF Fylingdales bases in Yorkshire; and which were granted. [138069]

Mr. Ingram: In accordance with the Department of Environment, Food and Rural Affairs Circular 18/84, development by the Crown does not require planning permission. Government Departments do however consult with local planning authorities and provide "Notice of Proposed Development" before proceeding with work that would otherwise require planning permission. Local planning authorities treat such notices in the same way as they would a statutory planning application.

Between 1 January and 31 October 2003, 15 Notices of Proposed Development were given to Harrogate borough council, the local planning authority for RAF Menwith Hill. Of these, six notices were for extensions to existing facilities and nine were for construction of new facilities. There were no objections by the planning authority to 11 proposals, and four proposals are awaiting a decision.

During the same time period, two Notices of Proposed Development were given to the North Yorks Moors National Park Authority, the local planning authority for RAF Fylingdales. Both are for construction of new facilities. There was no objection by the planning authority to one proposal, while the other proposal is awaiting a decision.

Missile Defence

Llew Smith: To ask the Secretary of State for Defence if, pursuant to his written statement of 12 June 2003, *Official Report*, column 57WS, on missile defence, he is now in a position to publish details of the bilateral arrangements to which he referred. [138022]

Mr. Hoon: On 3 October, I placed a copy of the Framework Memorandum of Understanding on Ballistic Missile Defence in the Library of the House.

As I set out in my Written Ministerial Statement on 12 June, further MOUs on the upgrade of the radar at RAF Fylingdales and on technical co-operation continue to be negotiated and remain confidential between the respective Governments at this stage.

Note of Dissent (Directions)

Dr. Cable: To ask the Secretary of State for Defence pursuant to his Answer of the right hon. Member for Dunfermline East (Mr. Gordon Brown), of 30 October *Official Report*, column 311W, on Note of Dissent (Directions), if he will place in the Library a copy of his direction; and if he will make a statement. [136968]

Mr. Ingram *[holding answer 6 November 2003]*: A copy of the Ministerial Direction has today been placed in the Library.

TRANSPORT

A36 (Safety)

Mr. Key: To ask the Secretary of State for Transport what safety measures he will put in place on the A36 through Plaitford and West Wellow in *(a)* financial year 2003–04 and *(b)* the next financial year and beyond. [137463]

Mr. Jamieson: I have asked the Acting Chief Executive of the Highways Agency, Mr. Stephen Hickey, to write to the hon. Member.

Letter from Stephen Hickey to Mr. Robert Key, dated 13 November 2003:

I have been asked by David Jamieson to reply to your recent Parliamentary Question asking what safety measures will be put in place on the A36 through Plaitford and West Wellow in this financial year, the next financial year and beyond.

The Highways Agency has identified a number of schemes that will improve the safety on this length of road. Many of these measures are outlined in the draft A36 Plaitford to West Wellow Speed and Safety Study sent to you for comment on 26 September.

During this financial year, signing improvements on both approaches to Blackhill Road have been completed. Works to improve the bus stop at Whinwhistle Road, providing raised kerbs, a new shelter and extended footway have also been completed. Also work is currently ongoing to install 2 safety cameras at Whinwhistle Road junction. Construction of a Toucan crossing at the eastern arm of Canada Common roundabout is planned subject to funding.

Schemes proposed for the next financial year involve the reduction of vehicle speeds through Plaitford by signing, road markings and vehicle-activated signs. The provision of a vehicle-activated sign to warn of queues at the Whinwhistle Road junction is also planned. Alterations to the width of the circulatory carriageway on Canada Common roundabout is proposed to reduce vehicle speeds and surface treatments are planned to reinforce speed limits.

Schemes being investigated for possible inclusion in future programmes include the provision of controlled and uncontrolled crossings along this length of road, and the reduction of the existing 50mph speed limit through Plaitford to 40mph.

American Ships (Disposal)

Mr. Lidington: To ask the Secretary of State for Transport on what dates his Department held the discussions with *(a)* English Nature, *(b)* the Environment Agency and *(c)* the Department for Environment, Food and Rural Affairs which were referred to in the press releases by the Maritime and Coastguard Agency of (i) 6 October and (ii) 10 October about the decommissioning of United States vessels by Able UK. [137144]

Mr. Jamieson *[holding answer 10 November 2003]*: There were a number of discussions with English Nature, the Environment Agency and the Department for Environment, Food and Rural Affairs prior to the issue of press releases on 4 and 10 October. (MCA did not issue a press release on 6 October.)

Mr. Lidington: To ask the Secretary of State for Transport on what date his Department was informed that the Environment Agency had warned *(a)* Able UK and *(b)* the United States authorities that the ships destined for recycling at Hartlepool should not sail. [137145]

Mr. McNulty *[holding answer 10 November 2003]*: I refer to replies given by my noble Friend, Lord Whitty, *Official Report, House of Lords*, 7 October 2003, c. 145–48. The Department was informed on 29 and 30 October that the Environment Agency were about to advise both Able UK and the United States authorities of validity problems with the licences issued for the dismantling of these vessels in the UK.

Mr. Sanders: To ask the Secretary of State for Transport (1) whether the Government advised the US ships *(a)* Canisteo and *(b)* Caloosahatchee on the courses they should take through the English Channel; [138379]

(2) whether the US ships *(a)* Canisteo and *(b)* Caloosahatchee were advised to keep to the eastbound shipping lane off Start Point; and if he will make a statement. [138380]

Mr. McNulty: The original course, which was approved by the Maritime and Coastguard Agency, took the vessels through the Casquets Traffic Separation Scheme (TSS) in the eastbound lane. At the time of entry into the Channel, Able UK were contacted by officers of the Maritime and Coastguard Agency and advised that this was the preferred route.

In practice the vessels passed north of the Casquets TSS and then joined the north-eastbound lane of the Dover Strait TSS. While the eastbound lane through the Casquets TSS was preferred by MCA, the route taken by the tugs was legitimate and safe.

Mr. Lidington: To ask the Secretary of State for Transport if he will place in the Library a chart showing the approved route in United Kingdom waters for United States ships sailing to Able UK's facility at Hartlepool. [137189]

Mr. Jamieson: I am arranging for copies of the relevant charts to be made available in the Libraries of both Houses.

Mr. Cousins: To ask the Secretary of State for Transport what steps he has taken to prevent redundant naval ships from the United States of America from entering United Kingdom territorial waters for disposal. [137147]

Mr. Jamieson: Powers of intervention may be exercised only where a ship is in UK Waters and it is considered necessary for the purpose of securing the safety of the ships or other ships; the safety of persons or property; or preventing or reducing significant pollution. These ships do not present such a threat.

Gatwick Airport

Norman Baker: To ask the Secretary of State for Transport pursuant to the Answer to the hon. Member for Horsham of 3 November 2003, *Official Report*,

column 391W, on Gatwick airport, whether the net economic benefit quoted takes into account externalities, with particular reference to environmental damage. [138580]

Mr. McNulty: The net economic benefits estimated for Gatwick and other south east airport options take into account the externalities associated with aviation's climate change impacts. In producing calculations of economic benefits of additional capacity at all south east airport options, it was assumed that by 2015 an economic instrument would be in place to meet the climate change impact of aircraft emissions. This has the effect of reducing forecast passenger numbers by 10 per cent. and reducing the net economic benefits of all the capacity options.

M4 and Severn Bridge

Mr. Edwards: To ask the Secretary of State for Transport if he will make a statement on the closure of the M4 and Severn Bridge on 2–3 November; what criteria were used in deciding on the closure; and whether the revised protocol by the steering group was applied. [137065]

Mr. Jamieson: I have asked the Acting Chief Executive of the Highways Agency, Mr. Stephen Hickey, to write to my hon. Friend.

Letter from Stephen Hickey to Mr. Huw Edwards, dated 13 November 2003:

I have been asked by David Jamieson to reply to your recent Parliamentary Question regarding the closure of the M4 and Severn Bridge on 2 to 3 November 2003.

The Highways Agency took the decision to close the M48 Severn Bridge at 05.10 hours on Sunday 2 November when the wind was recorded as gusting in excess of 40 knots. The bridge reopened at 16.00 hours on Monday 3 November. The revised protocol by the steering group was applied; this protocol can be seen at Table 1. The M4 Second Severn Crossing was not closed.

Table 1

Gust wind speed (Knots)	*Threshold requirement (i.e. criteria set within the monitoring equipment)*	*Response (i.e. Action to be Taken)*
30	30 Knots exceeded six times within any 10 minute period	All matrix signs to be set to indicate 40MPH
35	35 Knots exceeded three times in any 10-minute period. Leeward lane identified by wind direction	Alternate matrix signs to be amended to indicate leeward lane closed in each direction.
40	40 Knots exceeded six times in any 10 minute period	Introduce height restriction strategy, (if unavailable close to all traffic)
Decreasing	No gust has exceeded 30 knots within 30 minute period	Seek authority to remove the imposed restrictions

Rail Industry

Mr. Hancock: To ask the Secretary of State for Transport if he will make a statement on the benefits to the travelling public of private sector involvement in the rail industry, with particular regard to *(a)* safety and *(b)* punctuality; and if he will make a statement. [137897]

Mr. McNulty: Our priority is to tackle years of underinvestment by working in partnership with the private sector. Network Rail's programme of substantial network renewals, much of which is financed by private investment, will deliver lasting improvements in safety and punctuality for the travelling public now and in years to come. Privately financed train construction has also enabled a major fleet replacement programme which will again benefit passengers as new trains are safer and more comfortable.

Roadworks (Accidents)

Mr. Flook: To ask the Secretary of State for Transport how many accidents there have been in the roadworks on the M5 between junctions 21 and 20 since they began in October that have resulted in delays for drivers of more than 20 minutes. [137378]

Mr. Jamieson: I have asked the Acting Chief Executive of the Highways Agency, Mr. Stephen Hickey, to write to the hon. Member.

Letter from Stephen Hickey to Mr. Adrian Flook, dated 13 November 2003:

I have been asked by David Jamieson to reply to your recent Parliamentary Question about the number of accidents there have been in the roadworks on the M5 between junctions 21 and 20 since they began in October that have resulted in delays for drivers of more than twenty minutes.

There have been two accidents in the roadworks since they began that have resulted in delays of more than twenty minutes.

Rural Transport

Sandra Gidley: To ask the Secretary of State for Transport what action the Government is taking to assist older people in rural communities who do not have access to a car. [138164]

Mr. McNulty: We are providing specific funding to improve public transport services for rural communities generally, including many of direct benefit to older people without access to a car. This funding is supporting new and improved scheduled bus services and the development of more flexible transport solutions such as demand responsive buses, dial-a-ride schemes and shared taxis. These developments will be further assisted by the forthcoming introduction of regulation changes to make possible the registration of flexibly routed local bus services which will also be entitled to receive Bus Service Operators Grant.

We are also making legislative changes to improve older people's ability to access public transport. We have introduced the national statutory minimum concessionary fare scheme for older and disabled people. This guarantees half fare travel on local bus services with a free pass and covers rural areas which previously had no concessionary fare scheme. Also from 1 April 2003 we have ensured that concessionary travel schemes are available to men aged 60–64, bringing them into line with women of the same age. We have also introduced regulations to ensure that public transport is designed to meet the needs of older people with mobility problems.

WORK AND PENSIONS

Disability

Bob Russell: To ask the Secretary of State for Work and Pensions what powers exist to allow action to be taken against someone verbally abusing a person because of their disability; and if he will make a statement. [137856]

Maria Eagle: Under the Protection from Harassment Act 1997, the term 'harassment' extends to any form of persistent conduct which causes another alarm or distress, including harassment motivated by disability.

The Government recently amended the Criminal Justice Bill to extend the current law to cover sentences for offences aggravated by the victim's race and religion, so that it also includes offences aggravated by hostility towards the victim because of his or her sexual orientation or disability.

In October 2004 a number of changes will be introduced to the employment provisions of the Disability Discrimination Act 1995 as a consequence of implementing the EU employment directive, including a provision explicitly outlawing harassment for a reason relating to a person's disability.

Absenteeism

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions if he will make a statement on progress in reducing staff absences within the Department for Work and Pensions. [137356]

Maria Eagle: The Department for Work and Pensions has targets set by the Cabinet Office to help contribute to a reduction in public sector sickness absence. These involve an average working days lost figure of eight days by March 2006, and an interim target of 10 days by March 2004. The cumulative average working days lost figure for the period April to September 2003 was 12 days.

Ministers and senior managers in the Department fully recognise the importance of good attendance. They are committed to ensuring that managers have effective tools to enable them to manage sickness absence, including support for individuals to facilitate a return to work after illness. People who work for the Department and who have to bear the consequences of colleagues' absence, together with the customers the Department serves, have a right to expect that level of commitment.

A new Departmental Attendance Management policy was implemented in February 2003. This aims to encourage good attendance and provide support to enable people to return to work as quickly as possible following an absence. Formal unsatisfactory attendance action can be considered when an absence reaches eight days in a rolling 12-month period. To measure the effectiveness of the policy, an evaluation exercise will start shortly.

Each of the businesses that comprise the Department has initiatives in place aimed at getting sickness absence levels down. Jobcentre Plus, which is the biggest of the businesses, has an 'Improving Attendance' task force in place. Its emphasis is on reducing long-term absences (ie those over 28 days duration), by either facilitating a return to work, or effecting a termination of an individual's contract. The Department is also participating in the 'Well-being at work' pilots that are being run by the Health and Safety Executive. These are intended to combat workplace stress. In addition, the Department is committed to discharging its responsibilities to people with disabilities by making reasonable adjustments to the workplace to facilitate an individual's return to work. A pilot will also commence shortly that will involve the early intervention of occupational health nurses in addressing, quickly, those absences which have the potential to become long term.

Casual Appointments

Paul Holmes: To ask the Secretary of State for Work and Pensions how many employees have been employed on 13-week casual appointments in his Department in each year since 1997 *(a)* in the United Kingdom and *(b)* broken down by region; and if he will make a statement. [136772]

Maria Eagle: The Department generally only employs people on casual appointments in order to fulfil a short term need. The information requested is not held centrally and could be obtained only at disproportionate cost.

Maternity Allowance

Bob Russell: To ask the Secretary of State for Work and Pensions if he will amend the Maternity Allowance Claim Pack to inform applicants that there is a statutory time limit of three months in which to claim. [132800]

Maria Eagle: The Maternity Allowance claim form was amended from April 2003 to show the three month time limit for claims. The explanatory notes, which are included in the claim pack, will be amended from the next reprint, due in the new year.

Pensions

Mr. MacDougall: To ask the Secretary of State for Work and Pensions what assessment the Government have made of *(a)* the long-term cost of linking the basic state pension to earnings and *(b)* the effect on the incomes of the poorest pensioners if such a link replaced Pension Credit. [137448]

Malcolm Wicks: We estimate that introducing an earnings link in the basic State Pension from 2004–05 would cost around £600 million net in 2003–04 prices, rising to an extra £4.1 billion by 2010, £11.9 billion by 2020 and £25.0 billion by 2030 in today's prices.

If we were to scrap Pension Credit in favour of an earnings link, but retain the income guarantee level, the poorest pensioners would lose an average of around £400 a year in Pension Credit and the very poorest would gain nothing.

Mr. Webb: To ask the Secretary of State for Work and Pensions pursuant to the answer of 6 November 2003, *Official Report*, column 806W, on pensions, if he will estimate *(a)* the gross cost and *(b)* the cost net of savings on means tested benefits and increased income tax revenues of a combined policy of age additions to the basic state pension of (i) £10 per week at 75 and (ii) a further £5 a week at 80 from April 2004. [138464]

Malcolm Wicks: The estimated gross cost and the cost net of savings on means tested benefits and increased income tax revenues of a combined policy of age additions to the basic state pension of £10 per week at 75 and a further £5 a week at 80 from April 2004 are set out in the following table:

	£ billion
Gross cost	3.0
Net cost	1.8

Notes:
1. Options (i) and (ii) have been costed jointly.
2. Figures are in 2003–04 price terms and are rounded to the nearest £100 million.
3. Gross costs are estimated by the Government Actuary's Department.
4. Income-related benefit offsets are calculated using the DWP policy simulation model.
5. Income tax revenue increases calculated by the Inland Revenue using the 2000–01 Survey of Personal Incomes and April 2003 Budget forecasts.
6. The age addition increases are assumed to be flat-rate increases and are paid in full to all pensioners of applicable age.

INTERNATIONAL DEVELOPMENT

Adam Smith Institute

Mr. Robathan: To ask the Secretary of State for International Development on what grounds the Department agreed a contract with the Adam Smith Institute to offer support to the office of the Prime Minister; and what the purpose of the contract is. [137733]

Hilary Benn: The purpose of this short-term project was to provide consultancy support to develop the necessary skills and systems to enable the newly established Prime Minister's Office, of the Palestinian Authority, to carry out its functions effectively. The Adam Smith Institute had undertaken related work in Palestine. This enabled them to respond quickly and appropriately to this urgent short-term need.

Democratic Republic of Congo

Tom Brake: To ask the Secretary of State for International Development what conditions relative to activity in the Democratic Republic of Congo his Department attaches to the provision of aid to *(a)* Uganda and *(b)* Rwanda; what reports the Government has received on compliance with those conditions; and if he will make a statement. [136404]

Hilary Benn: UK development assistance to Uganda and Rwanda is provided to enable those Governments to implement their poverty reduction strategies, which are developed in consultation with a wide range of stakeholders including the partner governments. Our assistance continues to be subject to these Governments' commitment to the promotion of peace and stability within the Great Lakes region, including the promotion of transparency and legality regarding the exploitation of the region's natural resources.

Our judgment is that the Governments of Rwanda and Uganda are committed to regional stability, based on regular discussions with them and reports from Posts and other sources. Both countries have withdrawn their forces from the DRC. Both have also established commissions to investigate allegations made in the UN Panel Report about the exploitation of natural resources in the DRC. In Uganda, the Porter Commission reported to Government in May 2003. We are urging the Government of Rwanda to publish the findings of their National Judicial Commission and to take action where allegations are proven. Our assistance to Uganda is also conditional upon the Government conducting a comprehensive and strategic Defence Review, including a thorough analysis of external threats. The UK is providing support for this process, which is about to produce its recommendations.

The UK seeks to help resolve conflict and establish conditions for genuine development in the whole of the Great Lakes region. We are beginning a significant development programme in DRC, following the establishment of the Transitional National Government in July. We hope that over the medium term, this will become a substantial Development Partnership, similar in nature to those we have with Uganda and Rwanda.

Eritrea

John Barrett: To ask the Secretary of State for International Development if he will make a statement on the humanitarian situation in Eritrea. [137831]

Hilary Benn: The UN Humanitarian Coordinator in Eritrea has said that the situation has improved slightly but there is still major cause for concern. While the harvest is expected to be better than in 2002 it will be well below its full potential. We will continue to play our part in helping address urgent humanitarian needs, and have recently committed £500,000 to the UNICEF Appeal.

Ethiopia

John Barrett: To ask the Secretary of State for International Development what steps his Department is taking to help the Government of Ethiopia avoid future food shortages. [137830]

Hilary Benn: Our Country Assistance Plan for Ethiopia, which was published in March, outlines the various methods that we are using to take forward our longer-term food strategy. We work in support of the Government's own efforts to reduce food insecurity in the framework of Ethiopia's poverty reduction strategy, the Sustainable Development and Poverty Reduction Programme.

We are working at federal and regional level in Ethiopia on key food security issues. The Ethiopian Government have themselves developed an Action Plan to address the issue of food insecurity, which we expect to be discussed at a meeting of donors and government in December.

Gambia

John Barrett: To ask the Secretary of State for International Development what progress is being made in tackling malaria among children in the Gambia. [137833]

Hilary Benn: Malaria is endemic in The Gambia. It is the leading cause of morbidity and mortality especially among children under the age of five and pregnant women. It has a significant negative impact on productivity and is a major cause of poverty. Recent studies in The Gambia have shown that malaria is on the increase. In 2000, it accounted for 60 per cent. of all out patient consultations and 57.2 per cent. of all admissions and 36.9 per cent. of all deaths, including 25 per cent. of all deaths in children under five years of age[1].

The Global Fund to fight AIDS, Tuberculosis and Malaria (GFATM), to which DFID contributes, has recently agreed to provide US$13.8 million over five years for the prevention and treatment of malaria in The Gambia, The goal of this project, which is particularly focused on the coastal area, is the reduction of malaria morbidity and mortality in children under five years of age and pregnant women by 30 per cent. by the end of the project in the focus area.

[1] Figures from the Gambia Malaria Situation Analysis 2001.

Global Fund

Mr. Best: To ask the Secretary of State for International Development what steps the Government is taking to ensure that there are sufficient funds in the Global Fund to meet the £5 billion target for 2005. [137456]

Mr. Gareth Thomas: The UK has a long-term commitment to the Global Fund to Fight HIV/AIDS, TB and Malaria (GFATM). We recognise that in order to be effective the GFATM needs predictable and sustainable financing—which is why the UK recently extended its pledge by a further two years to 2008 bringing our total contribution to US$280million.

In addition, the Prime Minister has encouraged European Union member states to contribute to the GFATM. Last month the EC agreed to accelerate the disbursement of Euros 170 million to the Fund. Currently the 15 EU member states and the Commission are the largest donor to the GFATM, having contributed around 55 per cent. of the total pledge so far of US$4.8 billion.

The Global Fund is one of a number of instruments to tackle these terrible diseases. Since 1997, the Department for International Development has stepped up its spending on HIV/AIDS from £38 million in 1997–98 to more than £270 million in 2002–03. According to UNAIDS, UK is currently the 2nd largest bilateral donor active in the field of HIV/AIDS.

Since May 1997 DFID has committed over £1.5 billion to support the development of health systems in partner countries. This will help to build capacity to deliver medicines to the poor and assist them in making effective choices about the selection of drugs.

Mr. Best: To ask the Secretary of State for International Development what steps the Government is taking to ensure that the Global Fund to fight AIDS, TB and malaria is financially secure. [137457]

Mr. Gareth Thomas: The UK was a high profile advocate for the Global Fund for AIDS TB and Malaria (GFATM) and nearly two years after its inception continues to give it its full support.

The UK recognises that the GFATM needs predictable sustainable financing in order to be effective and therefore made a commitment to predictable multi year funding from the very start—increasing our pledge recently to $280 million through to 2008.

The UK, a Board member of the GFATM, works closely with the Fund particularly on improving its financial effectiveness. Decisions taken at the 6th Board Meeting last month—including moving the Fund to a voluntary replenishment system, and to continue to develop financial models that provide regular estimates of resources available for commitment and of demand, will help to give greater clarity on what resources are assured and will provide the GFATM with a sounder financial footing.

Iraq

Norman Lamb: To ask the Secretary of State for International Development pursuant to his answer of 5 November, reference 135853, how many of the unexploded bomblets remaining as a result of the cluster bombs and artillery used in the UK area of operations around Basra have been found within the city limits of Basra. [137640]

Hilary Benn: The information requested is not available.

Liberia

John Barrett: To ask the Secretary of State for International Development what response he will make to the UN humanitarian appeal in Liberia. [138683]

Hilary Benn: In response to the humanitarian crisis there we have allocated £7.6 million this year to support humanitarian assistance in Liberia. The UN consolidated appeal will be announced on 19 November. We will consider whether to make a further contribution in the light of the appeal and the conclusions of a joint DFID/FCO mission that is visiting Liberia this month.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for International Development what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137947]

Hilary Benn: Performance targets for DFID were agreed as part of Spending Review 2002. The monitoring and measurement of PSA targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the Department, and as such it is not possible to separate out the specific costs. The monitoring of progress towards, and performance against, the Department's PSA targets is undertaken by a wide variety of staff at all levels of the organisation.

Mr. Flight: To ask the Secretary of State for International Development if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are

required to meet; and if he will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137963]

Hilary Benn: Key performance targets for DFID are agreed as part of the Spending Review and the latest set were published in Spending Review 2002; Public Service Agreements 2003–06 (Cm 5571). The department monitors progress towards the targets along with HM Treasury and progress is reported regularly.

DFID does not have agencies or non-departmental public bodies required to meet targets.

DFID has five targets in its Public Service Agreement 2003–06. Two are based on achieving the Millennium Development Goals in the key regions in Africa and Asia. These are also linked to the poverty reduction targets of our partner countries. Two are focused on improving the effectiveness of the international system in reducing poverty. These include targets which have been agreed jointly with other Government Departments. The final target encompasses the Value for Money indicators which cover the efficient allocation of funds.

I am accountable for delivery of DFID's Public Service Agreement. The means of measuring achievement against these targets are set out in the Technical Note accompanying DFID's PSA. This note is available on the DFID website at: www.dfid.gov.uk.

St. Helena

Mr. Nigel Jones: To ask the Secretary of State for International Development what assistance he intends to give to St. Helena before the building of the proposed airport to discourage residents from leaving the island; and if he will make a statement on the future viability of the economy of St. Helena. [137690]

Mr. Gareth Thomas: We continue to provide substantial assistance for St. Helena, which this year is expected to be more than £10.5 million. Much of this support is needed to maintain essential government services, including education and healthcare, and to subsidise the island's vital passenger/supply ship. These and other services will be maintained: but we hope increasingly to devote a greater share of our assistance to activities that will generate more local revenue and reduce St. Helena's reliance upon our aid.

For example, in parallel with evaluating options for the possible development of air access and with the St. Helena Government we are reviewing the routing and scheduling of the RMS 'St Helena' to see if a better call pattern for the island can be established. We also are considering further strengthening of the St. Helena Development Agency (SHDA), in addition to some existing support through the SHDA from the FCO's Economic Diversification Fund, to help stimulate private sector growth. As regards staffing, some key posts in St. Helena have been advertised recently on enhanced terms that are designed to encourage key personnel to remain and/or to attract back suitable people with St. Helenian status who are living overseas. I understand that the first of these advertisements already has resulted in the appointment of a St. Helenian who currently lives in the UK; and the initial response to advertisements for two other posts last month has been encouraging.

We remain committed to supporting the St. Helena Government's efforts to revitalise and regenerate the island economy to the benefit of its community. Our shared goal, which may take some years to achieve, is sustainable economic and financial self-sufficiency for St. Helena.

Mr. Steen: To ask the Secretary of State, Department for International Development, what recent assessment he has made of the quality of treatment at Jamestown General Hospital, St. Helena. [137225]

Mr. Gareth Thomas: Healthcare services in St. Helena, including those available at Jamestown Hospital, are reviewed regularly. We are satisfied that both their quality and consistency are appropriate and proportionate to the needs of the island community. For example, the hospital incorporates: a modern operating theatre and maternity suite; a well equipped medical laboratory and blood transfusion services, and complete continuity of attendance by trained medical and nursing staff. The next review of our healthcare support is planned for early next year.

Zimbabwe

Mr. Robathan: To ask the Secretary of State for International Development when he last examined the methods used by aid agencies funded by his Department to draw up lists of aid recipients in Zimbabwe; and if he will make a statement. [138409]

Hilary Benn: DFID routinely subjects all proposals for UK funding to detailed technical appraisal before spending is approved. In the case of food aid to Zimbabwe, our most recent pledge of £5 million to support the Emergency Operation of the World Food Programme (WFP) followed close examination of the operational procedures set out in the Memorandum of Understanding signed between the WFP and the Government of Zimbabwe on 25 September. This included the process for identifying those members of the community who are in greatest need, regardless of political considerations or affiliation. WFP conducts rigorous training of its Implementing Partners (NGOs) on these procedures

In addition to UK's support for the WFP Emergency Operation, DFID is also providing funds directly to international and local NGOs who are undertaking humanitarian work in Zimbabwe, focusing on HIV/AIDS affected households, malnourished children and other vulnerable groups. Again, approval of financial support has been based upon careful technical appraisal of the approach and procedures for each proposal.

Mr. Robathan: To ask the Secretary of State for International Development pursuant to his answer of 5 November 2003, *Official Report*, column 653W, on Zimbabwe, if he will make it his policy to urge the United Nations to monitor delivery of food aid in Zimbabwe to its final recipients. [138550]

Hilary Benn: As I indicated in my previous reply, the United Nations closely monitors the delivery of food aid to its final recipients by the UN World Food Programme

(WFP). In response to pressure from the UK and other donors, the WFP has already strengthened its own internal monitoring, evaluation and reporting activities. Particular emphasis is placed on monitoring and reporting of any incidences of political interference. WFP also undertakes post-distribution monitoring, in which vulnerable households who were targeted for assistance are interviewed to assess their views of the selection and distribution processes. Donors and the UNDP have jointly established a Relief and Recovery Unit with the purpose of co-ordinating information about all ongoing humanitarian activities funded by the international community. This covers not only food but also other forms of assistance such as medicines, seeds and fertilisers. It also covers the operations of NGOs directly funded by donors, outside the UN Emergency Operation.

FOREIGN AND COMMONWEALTH

Animal Welfare

Rob Marris: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that the Protocol on Protection and Welfare of Animals enacted by the Treaty of Amsterdam remains part of European Union law by being annexed to the proposed new treaty establishing a constitution for the European Union; and if he will make a statement. [135664]

Mr. MacShane: The Government support annexation of the Protocol on the Protection and Welfare of Animals to the EU Constitutional Treaty. We have put the case for doing so in the legal experts group mandated to consider this in the Intergovernmental Conference.

Departmental Energy Use

Mr. Laurence Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135053]

Mr. Rammell: I refer the hon. Member in reply to parts *(a)* and *(b)* to the reply given to him by the Parliamentary Under-Secretary of State at the Department for the Environment, Food and Rural Affairs, my hon. Friend the Member for Exeter (Mr. Bradshaw) on 3 November 2003, *Official Report*, column 403W.

Compared to the previous year, the FCO's projected energy consumption in 2003–04 is an increase of 3 per cent. in total electricity usage. This is accounted for by the demands in development of our major financial management system (PRISM) and the modernisation of FCO working practices and procedures. These both rely heavily on electrically powered electronic technology. A decrease of 1 per cent. in other energy usage is projected.

We aim to achieve reductions by upgrading building facilities, using more energy efficient equipment, staff awareness campaigns and close monitoring of consumption.

Gibraltar

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the closure of the border between Spain and Gibraltar; and what steps he is taking to ensure that the border between Spain and Gibraltar is re-opened as soon as possible. [136915]

Mr. MacShane: The border between Spain and Gibraltar re-opened at 20:10 local time on 3 November.

As my right hon. Friend the Foreign Secretary made clear, we regarded the closure as unnecessary, unwelcome and disproportionate. We take the same view of the "health checks" imposed by the Spanish authorities subsequent to the border re-opening.

Government's Wine Cellar

Mr. Liddell-Grainger: To ask the Secretary of State for Foreign and Commonwealth Affairs who is responsible for the management of the Government's wine cellar. [136355]

Mr. Rammell: The Government Wine Cellar is administered on a day-to-day basis by the Head of Government Hospitality, a civil servant in Conference and Visits Group of the Foreign and Commonwealth Office. Advice on the stock and quality of wines in the cellar is given by the Government Hospitality Advisory Committee for the Purchase of Wine (GHACPW), composed of four appointed Masters of Wine and a Chairman. The GHACPW is an advisory non-departmental public body that reports to me as the Minister responsible for Government Hospitality and FCO Services as a whole.

Iraq

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the numbers of UK citizens travelling to Iraq to fight against coalition forces; and if he will make a statement. [137140]

Mr. Rammell *[holding answer 10 November 2003]:* We are aware of references in the media to this issue, but we have no reports to suggest that significant numbers of UK citizens are preparing to travel to, or are in Iraq, to fight Coalition forces. Nevertheless, we continue to investigate reports of this nature.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the intentions of aid agencies to stay in Iraq. [137523]

Hilary Benn: I have been asked to reply.

In the current circumstances in Iraq, aid agencies are understandably keeping under review their security procedures, their ways of working and the extent to which they maintain a presence in the country. Decisions in these areas are of course for them to take. DFID keeps in close contact with the United Nations and non-governmental organisations, particularly those which receive DFID funding, and is able to offer advice where appropriate. DFID has offered £3 million towards UN security measures in response to an appeal following the bombing of the UN Headquarters in Baghdad in August. DFID has also offered additional

finance, if needed, for increased security provisions for those NGOs that we are supporting in Iraq. DFID, and other Government Departments, have put in place special security provisions for their own staff working in Iraq.

Israel

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Israeli Government concerning the destruction of the shipment of vitamins meant for children in the Gaza Strip sent by The Holy Land Trust, Rabbis for Human Rights and the Palestine Children's Welfare Fund. [136783]

Mr. Rammell: We have not made representations to the Israeli Government about the specific shipment referred to. We have not been able to establish the fate of the shipment. But we continue to discuss with the Government of Israel the general humanitarian impact of its policies and the importance of unfettered access to humanitarian aid throughout the Occupied Territories.

Morocco

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs for what purposes the export licences to Morocco listed in the Strategic Export Controls report 2002 as involving *(a)* toxic chemical precursors and *(b)* technology for the production of toxins were granted. [136741]

Mr. Rammell: The 'toxic chemical precursors' were to be exported to Morocco for use in toothpaste preparation.

The 'technology for the production of toxins' to be exported to Morocco was for regulatory dossiers relating to the manufacture, safety and efficacy of medicines.

North Korea

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to help the development of good relations between the Democratic People's Republic of Korea and *(a)* the Republic of Korea, *(b)* Japan and *(c)* China. [136695]

Mr. Rammell: The Government actively support the six party process, begun in Beijing in August, to resolve the North Korean nuclear issue. The Republic of Korea, Japan, China and the Democratic People's Republic of Korea are all participants in that process.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Democratic People's Republic of Korea on the opening of an official embassy by the Republic in the United Kingdom. [136696]

Mr. Rammell: My right hon. Friend the Foreign Secretary has had no discussions with the Democratic People's Republic of Korea (DPRK) on the opening of their embassy in London, During my own meeting with the new DPRK ambassador, I expressed concern about the nuclear issue and human rights. I made clear that further development of our bilateral relationship would depend on North Korean actions to address these concerns, which are shared by the European Union and the wider international community.

Nuclear Proliferation

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to prevent the spread of nuclear weapons-related technology. [136771]

Mr. MacShane: Preventing the spread of technology with WMD application is a high priority for the Government. All licences for the export from the UK of nuclear technology with possible weapons-related application are rigorously scrutinised. I refer the hon. Member to the Statement made by the then Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office, my hon. Friend the Member for Exeter (Mr. Bradshaw) on 15 March 2002, *Official Report*, column 1298W.

The UK is a leading and active member of the Nuclear Suppliers Group (NSG), an international export control regime which seeks to contribute to the non-proliferation of nuclear weapons by controlling the export of nuclear related and dual use items and related technology. These are identified in the NSG technical annex and are incorporated into national and EU legislation.

Within the NSG the UK chairs the Licensing and Enforcement Experts Meeting where customs and other enforcement officials exchange information and intelligence relating to procurement methods, and discuss case studies on interdiction. The UK also provides technical experts who revise the lists of controlled goods to ensure that the NSG keeps pace with developments in technology, weapons systems and procurement methods.

Within the NSG and other export control regimes the UK supports outreach activities, in the form of bilateral talks and awareness raising seminars, which play a key role in our efforts to promote and support the implementation of responsible export controls around the world. In addition, joint teams of officials from FCO, DTI, MOD and HM Customs and Excise conduct dedicated export control bilateral meetings to address the practical issues surrounding the implementation of export licensing and enforcement systems.

Pakistan

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* his Department and *(b)* the Government have had with members and representatives of the governments of (i) Pakistan, (ii) India and (iii) China on the proposed construction of a nuclear power plant at Chashma, central Punjab province, Pakistan; what concerns have been raised during those discussions; what assurances were (A) sought and (B) given; and if he will make a statement. [136931]

Mr. Mike O'Brien: We are aware of the existing nuclear power plant at Chashma in central Punjab, and of the plans for a second reactor to be built at the same site with the co-operation of China. We understand that

these plans only involve co-operation over energy production and we have not raised any concerns with the representatives of the governments of Pakistan, India or China

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he is making to Pakistan concerning the fight against terrorism, with particular reference to the case of Dawood Ibrahim; and if he will make a statement. [136829]

Mr. Mike O'Brien: We regularly discuss the fight against terrorism with the Pakistani Government, most recently when I, and my right hon. Friend the Foreign Secretary, met the Pakistani Foreign Minister, Khurshid Kasuri, on 4 November.

On 3 November the al-Qaeda and Taliban Sanctions Committee of the UN Security Council added Dawood Ibrahim's name to its list of individuals linked to al-Qaeda. Like all UN members the UK is accordingly under an obligation to freeze his assets, and has now done so.

Russia

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance the Government is giving to the Russian Federation to work towards a constructive and peaceful solution to instability in Chechnya and the Caucasus region; and what steps his Department is taking to ensure that proper democratic processes are taking place in the area. [136697]

Mr. Rammell: The UK Government undertake regular dialogue with Russian counterparts at both official and ministerial level about the on-going conflict in Chechnya and its resolution. The UK Government also substantially fund humanitarian aid by international organisations and NGOs in the region, totalling around £74 million.

We have monitored the political process in Chechnya closely since its inception. We were disappointed by the conditions under which the recent Chechen Presidential elections were held, as I made clear in my 6 October press statement. A copy of the press release is available on the Foreign and Commonwealth website: www.fco.gov.uk/policy/news/press-releases. The UK supported similar statements by the EU. We have called on the new Chechen President to promote a genuinely open political process.

Uzbekistan

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs on what dates since 1 January 2001 the British Government have held meetings with the Government of Uzbekistan; and what was discussed at each meeting. [137018]

Mr. Straw: We have regular contacts with the Government of Uzbekistan across a range of issues, including human rights, regional security, bilateral co-operation, political and economic reform. It would incur disproportionate cost to compile detailed information about meetings of the kind requested by the right hon. Member.

Zimbabwe

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has raised the issue of the closure of United Nations relief and recovery units in Zimbabwe with the UN; and if he will make a statement. [138406]

Hilary Benn: I have been asked to reply.

The UN Relief and Recovery Unit (RRU) itself has not been closed. This unit, which was set up jointly by donors and the UN Development Programme (UNDP) in January 2002, continues to co-ordinate information sharing and to review policy issues, covering all humanitarian operations in Zimbabwe. The RRU publishes regular situation reports on the humanitarian situation in Zimbabwe.

However, the Government of Zimbabwe has not yet approved UNDP to operate three regional offices (Relief Information Validation units) that RRU had been using to facilitate fieldwork until the Government closed them in the summer. All RRU operations are presently implemented from the Headquarters in Harare, which is feasible but more difficult to manage. At meetings with DFID and other donors, the UN Humanitarian Co-ordinator in Zimbabwe has agreed to continue to press the Zimbabwe Government to allow the regional offices to operate.

NORTHERN IRELAND

Adult Learning

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action he is taking to facilitate adult learning in Northern Ireland. [137803]

Jane Kennedy: The Department for Employment and Learning offers a range of services and activities to facilitate adult learning in Northern Ireland, including:

funding for widespread provision in the statutory FE sector;

financial support for the Workers' Educational Association and the Ulster Peoples' College, to enable them to deliver adult education and training programmes;

funding for learners undertaking a range of courses via learndirect;

essential skills provision, which has been fully integrated into all the Department's programmes, to improve literacy and numeracy skills;

a range of New Deal initiatives providing opportunities to learn new skills;

the delivery of an all age guidance service providing career guidance to people in education and training and to the unemployed;

a Training for Work (TfW) vocational programme, aimed at adults who have not reached the entry point for any of the New Deal options; and

Worktrack, a temporary employment programme, focusing on the needs of unemployed adults.

Flooding

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will designate an agency with the sole responsibility for flooding. [137662]

Mr. Pearson: There are no plans for such designation. However the need for co-ordination between Agencies in dealing with flooding emergencies has been given priority with the establishment of an inter-Agency Flood Strategy Steering Group (FSSG). Under the direction of the FSSG, the Rivers Agency, in conjunction with Water Service, Roads Service and others are progressing measures to improve inter-Agency response.

Literacy

Mr. Beggs: To ask the Secretary of State for Northern Ireland what measures are in place to raise literacy standards among 14-year-old boys in Northern Ireland. [137671]

Jane Kennedy: Literacy standards among Key Stage 3 pupils are steadily improving and are currently at their highest ever. The literacy strategy element of the School Improvement Programme is particularly aimed at raising standards among all underachieving pupils, including boys, and this improvement reflects the contribution made by all education partners to its delivery. Specific guidance has been given to schools on maximising the performance of boys, particularly in literacy.

Older People (IT Skills)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action he is taking to maximise the education of older people in Northern Ireland in the use of information technology. [137802]

Jane Kennedy: The Department for Employment and Learning supports adult learners to develop IT skills through a range of programme and policy initiatives, These include the New Deal for 25+ for long-term unemployed people, which offers participants a range of appropriate training courses. Clients who are eligible for the Training Grant of New Deal 50 plus can access up to £1,500 over a two-year period for in-work training which can include IT skills. In the further education (FE) sector enrolments on information and communications technology (ICT) courses attract an enhanced level of financial support. Some 75 per cent. of current enrolments comprise students aged 25 or over, Learndirect plays a major role in the delivery of ICT programmes. 34 community-based learning venues throughout Northern Ireland offer all adults flexible access to a range of IT programmes at minimal cost to disadvantaged learners, including those over the age of retirement. Recent modifications to the learndirect learner funding model have been introduced to attract older learners on low income.

DEPUTY PRIME MINISTER

Advocacy Services

Mr. Drew: To ask the Deputy Prime Minister what discussions he has had with local authorities and social services departments about the provision of advocacy services. [118295]

Yvette Cooper: The Office of the Deputy Prime Minister has not held any substantive discussions with local authorities or social services departments on the provision of advocacy services.

Community Centres

Mr. Woodward: To ask the Deputy Prime Minister what proposals the Government have to expand the number of community centres in *(a)* the north west region, *(b)* Merseyside and *(c)* St. Helens. [137981]

Mr. Raynsford: The Office of the Deputy Prime Minister recognises the important role community centres can play in supporting sustainable communities. However their funding is not the responsibility of central government, it is a matter for local decision.

Concessionary Fares

David Taylor: To ask the Deputy Prime Minister what plans the Government have to improve concessionary fare schemes for older people. [137445]

Phil Hope: The Transport Act 2000 and the Travel Concessions (Eligibility) Act 2002 ensures that people aged 60 and over in England are entitled to a free bus pass allowing half-fare travel on local buses. Local authorities may provide more generous concessions if they choose, but we have no plans to require them to do so.

Council Tax

Matthew Green: To ask the Deputy Prime Minister what the total collected council tax was in each financial year since 1996–97. [138149]

Mr. Raynsford: The information requested is tabled as follows. The figures shown are the amounts of council tax collected during each financial year, irrespective of the year to which they related.

Amounts of council tax collected, England

	£ million
1996–97	8,404
1997–98	9,570
1998–99	10,579
1999–2000	11,457
2000–01	12,242
2001–02	13,208
2002–03	14,511

Mr. Edward Davey: To ask the Deputy Prime Minister what the average council tax payable for each Government Office Region, broken down by council tax band, was in each financial year since 1996–97. [138151]

Mr. Raynsford: The information requested is tabled as follows.

Average council taxes for Government Office Regions

£

	Band							
	A	*B*	*C*	*D*	*E*	*F*	*G*	*H*
1996–97								
North East	482	562	643	723	884	1,044	1,205	1,446
North West	497	579	662	745	911	1,076	1,242	1,490
Yorkshire and the Humber	445	519	593	667	815	963	1,112	1,334
East Midlands	444	518	592	666	814	962	1,110	1,332
West Midlands	437	510	583	656	802	948	1,093	1,312
East of England	403	470	537	604	738	872	1,007	1,208
London	411	479	548	616	753	890	1,027	1,232
South East	401	468	535	602	736	870	1,003	1,204
South West	415	484	553	622	760	898	1,037	1,244
England	431	502	574	646	790	933	1,077	1,292
1997–98								
North East	521	608	695	782	956	1,130	1,303	1,564
North West	532	621	709	798	975	1,153	1,330	1,596
Yorkshire and the Humber	473	552	631	710	868	1,026	1,183	1,420
East Midlands	470	548	627	705	862	1,018	1,175	1,410
West Midlands	467	545	623	701	857	1,013	1,168	1,402
East of England	426	497	568	639	781	923	1,065	1,278
London	434	506	579	651	796	940	1,085	1,302
South East	427	499	570	641	783	926	1,068	1,282
South West	445	519	593	667	815	963	1,112	1,334
England	459	535	612	688	841	994	1,147	1,376
1998–99								
North East	561	654	748	841	1,028	1,215	1,402	1,682
North West	571	666	761	856	1,046	1,236	1,427	1,712
Yorkshire and the Humber	512	597	683	768	939	1,109	1,280	1,536
East Midlands	517	604	690	776	948	1,121	1,293	1,552
West Midlands	505	589	673	757	925	1,093	1,262	1,514
East of England	473	551	630	709	867	1,024	1,182	1,418
London	458	534	611	687	840	992	1,145	1,374
South East	473	552	631	710	868	1,026	1,183	1,420
South West	487	569	650	731	893	1,056	1,218	1,462
England	498	581	664	747	913	1,079	1,245	1,494
1999–2000								
North East	597	696	796	895	1,094	1,293	1,492	1,790
North West	601	701	801	901	1,101	1,301	1,502	1,802
Yorkshire and the Humber	540	630	720	810	990	1,170	1,350	1,620
East Midlands	556	649	741	834	1,019	1,205	1,390	1,668
West Midlands	541	632	722	812	992	1,173	1,353	1,624
East of England	512	597	683	768	939	1,109	1,280	1,536
London	487	569	650	731	893	1,056	1,218	1,462
South East	509	594	679	764	934	1,104	1,273	1,528
South West	521	608	695	782	956	1,130	1,303	1,564
England	532	621	709	798	975	1,153	1,330	1,596
2000–01								
North East	627	731	836	940	1,149	1,358	1,567	1,880
North West	629	733	838	943	1,153	1,362	1,572	1,886
Yorkshire and the Humber	568	663	757	852	1,041	1,231	1,420	1,704
East Midlands	591	690	788	887	1,084	1,281	1,478	1,774
West Midlands	574	670	765	861	1,052	1,244	1,435	1,722
East of England	548	639	731	822	1,005	1,187	1,370	1,644
London	519	605	692	778	951	1,124	1,297	1,556
South East	542	632	723	813	994	1,174	1,355	1,626
South West	557	650	743	836	1,022	1,208	1,393	1,672
England	565	659	753	847	1,035	1,223	1,412	1,694
2001–02								
North East	658	767	877	987	1,206	1,425	1,644	1,973
North West	661	771	881	991	1,212	1,432	1,652	1,983
Yorkshire and the Humber	604	705	806	906	1,108	1,309	1,510	1,812
East Midlands	626	731	835	939	1,148	1,357	1,566	1,879
West Midlands	614	717	819	922	1,126	1,331	1,536	1,843
East of England	585	683	780	878	1,073	1,268	1,463	1,756
London	561	654	748	841	1,028	1,215	1,402	1,682
South East	577	673	770	866	1,058	1,250	1,443	1,731
South West	590	689	787	886	1,082	1,279	1,476	1,771
England	601	701	801	901	1,102	1,302	1,502	1,803

Average Council taxes for Government Office Regions

£

	Band							
	A	*B*	*C*	*D*	*E*	*F*	*G*	*H*
2002–03								
North East	712	831	949	1,068	1,305	1,543	1,780	2,136
North West	696	812	928	1,044	1,276	1,508	1,740	2,088
Yorkshire and the Humber	647	755	863	971	1,187	1,403	1,618	1,942
East Midlands	687	801	916	1,030	1,259	1,488	1,717	2,060
West Midlands	663	772	884	994	1,215	1,436	1,657	1,988
East of England	646	754	861	969	1,184	1,400	1,615	1,938
London	597	696	796	895	1,094	1,293	1,492	1,790
South East	633	738	844	949	1,160	1,371	1,582	1,898
South West	652	761	869	978	1,195	1,413	1,630	1,956
England	651	759	868	976	1,193	1,410	1,627	1,952
2003–04								
North East	774	903	1,032	1,161	1,419	1,677	1,935	2,322
North West	757	883	1,009	1,135	1,387	1,639	1,892	2,270
Yorkshire and the Humber	714	833	952	1,071	1,309	1,547	1,785	2,142
East Midlands	750	875	1,000	1,125	1,375	1,625	1,875	2,250
West Midlands	729	850	972	1,093	1,336	1,579	1,822	2,186
East of England	743	867	991	1,115	1,363	1,611	1,858	2,230
London	705	823	940	1,058	1,293	1,528	1,763	2,116
South East	732	854	976	1,098	1,342	1,586	1,830	2,196
South West	742	866	989	1,113	1,360	1,608	1,855	2,226
England	735	857	980	1,102	1,347	1,592	1,837	2,204

Ex-service Personnel (Housing)

Mr. Weir: To ask the Deputy Prime Minister what guidance his Department has given to local authorities relating to the rights of persons leaving the armed forces to be included in council house waiting lists on conclusion of their service in the area in which they last served. [138220]

Keith Hill: As the hon. Member will be aware, housing is a devolved matter.

The Code of Guidance on the Allocation of Accommodation which was issued to English housing authorities in November 2002 and came into force at the end of January 2003 states that housing authorities must consider all applications and cannot exclude applicants who, for example, are not currently resident in the district. However, the Code of Guidance makes clear that, in determining relative priorities for an allocation, authorities are able to have regard to whether or not applicants have a local connection with the district. The Code of Guidance does refer specifically to the rights of persons leaving the armed forces to be included in council waiting lists.

Housing

Mr. Drew: To ask the Deputy Prime Minister how much was spent by each local authority planning Large Scale Voluntary Transfer; and whether this expenditure was within the guidelines set by the Department in each case. [138680]

Keith Hill: The information requested is not held centrally, and could be provided only at disproportionate cost.

Mr. Gardiner: To ask the Deputy Prime Minister what steps his Department is taking to ensure that section 106 agreements between local authorities and housing associations do not provide a perverse financial incentive to develop one and two bedroom properties at the expense of three and four bedroom properties. [138588]

Keith Hill: I refer my hon. Friend to the answer given on 6 November 2003, *Official Report*, columns 796–97W.

Linda Perham: To ask the Deputy Prime Minister (1) what plans he has to ensure that housing advice reaches older people from ethnic minorities; [136657]

(2) what plans he has to develop proactive services for giving older people housing advice. [136658]

Yvette Cooper: Section 179 of the Housing Act 1996 requires local housing authorities to ensure that advice and information about homelessness and the prevention of homelessness is available free of charge to anyone in their district. The Homelessness Code of Guidance, to which local authorities must have regard by law, states that advisory services need to be accessible to everyone in the district, and well publicised. The Code also states that authorities need to monitor the provision of advisory services to ensure they continue to meet the needs of all sections of the community.

In addition, the Homelessness Act 2002 requires local housing authorities to ensure that advice and information is available free to everyone in their district about the right to apply for housing. If anyone is likely to have difficulty in making an application without assistance, the housing authority must ensure that any necessary assistance is available free of charge.

The Homelessness Directorate within the Office of the Deputy Prime Minister has issued good practice guidance to assist local authorities in the development of their strategies on preventing and tackling homelessness in their area, to include information on addressing the needs of older people who are homeless or at risk of homelessness, and the needs of homeless black and

minority ethnic people. This could include, for example, specialist mediation services for older people who have to leave a family home.

The Office of the Deputy Prime Minister has invested £2.5 million in 2003–04 with Shelter's National Homelessness Advice Service (NHAS). NHAS is a secondary advice and support service provided by Shelter in partnership with the National Association of Citizens Advice Bureaux and has been supported by Government since it was established in 1990. This service is open to anyone who is homeless or at risk of becoming homeless.

The Housing and Older People Development Group—which advises the Department of Health and the Office of the Deputy Prime Minister on housing issues affecting older people—is looking into ways to develop and enhance advice, information and advocacy services nationally and locally for older people and their carers, to help them in making choices about housing, care and support options. The group is also looking at ways of sharing information across agencies and to support and advise the advisers.

As part of its work, the Group is also considering strategies to improving access to information about mainstream services for black and minority ethnic older people.

As part of the Government's Supporting People programme, the Office of the Deputy Prime Minister has published a guide: "Reflecting the Needs and Concerns of Black and Minority Ethnic Communities in Supporting People" for housing support service providers. This can be found on the Supporting People website address at: www.spkweb.org.uk/files/020429impreflect.pdf

In addition to the Supporting People main website, a special BMESpark website has also been developed. This brings together expertise and experience in responding to the needs and concerns of black and minority ethnic communities as part of the Supporting People Programme. The BMESpark website address is www.bmespark.org.uk.

Investment Frameworks (West Midlands)

Mr. Stevenson: To ask the Deputy Prime Minister how many area investment frameworks have been established in the West Midlands Region. [137774]

Yvette Cooper: Advantage West Midlands (AWM) has developed six Regeneration Zones in the West Midlands Region, five of which are in urban areas.

The six zones encompass concentration of need and substantial opportunities, and include the most deprived wards in the region. They aim to regenerate communities by raising skills levels, creating development opportunities, reducing unemployment and tackling social exclusion.

A Regeneration Zone Partnership, which includes representatives from local authorities, businesses and the voluntary and community sectors, heads each Regeneration Zone and it is responsible for developing the Regeneration Zone Strategy, identifying needs in the area and how they might be addressed by funding streams available to partners. Substantial work is underway with the West Midlands Regional Observatory, to identify baseline conditions and outcome targets in each zone.

IT Contracts

Mr. Flight: To ask the Deputy Prime Minister how many outsourced IT contracts have been signed by his Department in each year since 1997; how much each of these contracts is worth; with whom they are signed; how many have been renegotiated; how many are still in place; and if he will make a statement. [126201]

Yvette Cooper: The Office of the Deputy Prime Minister (ODPM) was created in May 2002. Since 1997, the Office of the Deputy Prime Minister and its central departmental predecessors (DTLR and DETR) signed two IT contracts, totalling £10.7 million. Of these, one is a Department for Transport (DfT) contract providing joint services to the Office of the Deputy Prime Minister and the other is the sole responsibility of the Office of the Deputy Prime Minister. These contracts were let with:

LogicaCMG for the provision of the corporate payroll service for DfT and ODPM

Fujitsu for the provision of IT infrastructure and desktop services for the Government Office Network.

Both contracts are still in place and one has been renegotiated.

Referendums

Mr. Paterson: To ask the Deputy Prime Minister how much has been spent by his Office on referenda since its creation. [137512]

Mr. Raynsford: The Office of the Deputy Prime Minister has incurred no expenditure on holding referendums.

The Regional Assemblies (Preparations) Act 2003 provides for the forthcoming regional assembly referendums. Expenditure for these will be incurred by the Electoral Commission, who will request resources from the Speakers Committee to cover its referendum costs. Costs incurred by local authorities in running the referendums will be met from the consolidated fund. The Office of the Deputy Prime Minister will bear the associated costs of the information campaign and the work of the Boundary Committee.

The former Department of Environment, Transport and the Regions incurred expenditure of £1 million on the referendum held in London in 1998 on whether to establish the Greater London Authority.

Rented Homes

Mr. Jim Cunningham: To ask the Deputy Prime Minister when he expects the Law Commission to *(a)* publish its final report on renting homes and *(b)* publish draft legislation. [138058]

Keith Hill: On 5 November 2003, the Law Commission published "Renting Homes" (Law Com 284) in which they set out recommendations on the reform of housing law. The report was published ahead of the publication of a draft Bill in order to allow the

Office of the Deputy Prime Minister and others in the housing field to consider the policy issues underlying the Commission's proposals.

As the Commission pointed out in the press notice accompanying their report, the proposed new law will involve replacing a complex web of land law principles and statutory provisions that have grown up over the last 100 years.

Work is well in hand at the Commission on drafting the necessary legislation. Their aim is to publish a final report, together with a draft bill, in 2004. At this stage, it is not possible to be more precise.

Road Building

Mr. Paul Marsden: To ask the Deputy Prime Minister (1) if he will make a statement on the proposal by Norfolk County Council's Planning and Transportation Department to build a Northern Distributor Road through Ringland Valley; [138207]

(2) if he will undertake a full Environmental Audit on the proposals to build a road through the Ringland Valley in Norfolk. [138208]

Keith Hill: Options for a Northern Distributor Road form part of a review of the Norwich Area Transport Strategy currently being undertaken by Norfolk County Council. If, as an outcome of the review, the council decides to go ahead with preparation of plans for the Distributor Road, it would need to undertake a full appraisal of the scheme, covering the environmental impacts as well as the economic, safety, integration and accessibility effects.

Tenancy Deposit Scheme

Mr. Jim Cunningham: To ask the Deputy Prime Minister what assessment he has made of the reasons private landlords have given for refusing to participate in the pilot voluntary tenancy deposit scheme [138056]

Keith Hill: Shortly after the publication of the consultation paper last year we published 'An Evaluation of the pilot Tenancy Deposit Scheme'—a report on a study carried out by the University of York. A digest of this report had been published alongside the consultation paper.

Mr. Jim Cunningham: To ask the Deputy Prime Minister pursuant to the statement by the hon. Member for Pontefract and Castleford (Yvette Cooper), *Official Report*, column 118WH, what estimate his Department has made of the potential costs of independent adjudication under a tenancy deposit scheme. [138057]

Keith Hill: The estimated maximum cost of adjudications would be £19 million. However, this is based on the assumption that the rate of disputes inside a statutory scheme (requiring adjudication) would be the same as the current rate of alleged unreasonable withholding of deposits.

Travellers

Mr. Todd: To ask the Deputy Prime Minister what assessment he has made of the implications for *(a)* traveller migration to the UK, *(b)* demand for traveller sites and *(c)* unauthorised encampments of the introduction of changes in the law of trespass in the Irish Republic. [137208]

Yvette Cooper: Officials of the Office of the Deputy Prime Minister are currently reviewing policy on site provision and planning for gypsies and travellers. As part of this work they will also look into the wider implications of Irish traveller migration to the UK following the Republic of Ireland's legislative changes, and the possible demand for additional sites.

CULTURE, MEDIA AND SPORT

Capital Modernisation Fund

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport pursuant to her answer of 14 October 2003, *Official Report*, column 1534W, on the Capital Modernisation Fund, if she will provide a breakdown by governing body of the £20 million from the Capital Modernisation Fund. [138614]

Estelle Morris: The Rugby Football Union, the Football Association, the England and Wales Cricket Board, and the Lawn Tennis Association have been allocated £9.4 million each from the Community Club Development Programme over the period 2003–04 to 2005–06 (the first year of which is funded from the Capital Modernisation Fund).

The following governing bodies have been allocated £20 million between them over these three years:

the Badminton Association of England,
England Basketball,
the British Canoe Union,
British Cycling,
British Gymnastics,
the English Hockey Federation,
the British Judo Association,
the All England Netball Association,
the Amateur Rowing Association,
the Rugby Football League,
the Amateur Swimming Association, and
the English Table Tennis Association.

These allocations are subject to the amounts of governing bodies' bids to utilise funds from the Programme, and on the acceptance of their bids to do so.

Industrial Buildings

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport how much English Heritage has spent on renovating and bringing back into use pre-First World War industrial buildings since 1997; and if she will make a statement. [137557]

Mr. Caborn: Since 1997 English Heritage has awarded £2,754,799 in grants to industrial sites that are either wholly or partly pre-First World War in date. A further £235,619 has been awarded through the Aggregates Levy Sustainability Fund. In addition, some sites will have been supported through the Heritage Economic Regeneration Schemes, which English

Heritage run in partnership with local authorities. Details of this further funding could be provided only at disproportionate cost.

Prison Service

Mr. Donaldson: To ask the Secretary of State for Culture, Media and Sport if she will revoke the decision to exclude the prison service from the award of the Golden Jubilee Medal by Her Majesty The Queen. [133524]

Mr. Caborn: In February 2001 a decision was made by the Ministerial Group in charge of the Golden Jubilee to award a medal to commemorate the Queen's Golden Jubilee. The Queen's Golden Jubilee Medal would be awarded to members of the armed services, and Royal Fleet Auxiliary, who had completed five years service on 6 February 2002. In December 2001 a decision was made by the Ministerial Group to extend the eligibility for the Queen's Golden Jubilee Medal to the those members of the emergency "999" services, that had also completed five years service on the 6 February 2002. There are no plans to review these criteria and the Ministerial Group has long since been disbanded.

EDUCATION AND SKILLS

Volunteering

Dr. Kumar: To ask the Secretary of State for Education and Skills what action he is taking with the Home Office's Active Community Unit to increase volunteering in schools; and if he will make a statement. [137544]

Mr. Stephen Twigg: The Department is working closely with the Home Office's Active Community Unit (ACU) to ensure that volunteering by young people contributes to the Government's overall drive to increase community participation. One important element of the new Citizenship curriculum in schools is the involvement of pupils in the life and concerns of their neighbourhood and communities, including learning through community involvement and service. Since September 2002, we have been funding Active Citizens in Schools (ACiS)—a pilot which builds on aspect of Millennium Volunteers to encourage 11–15 year olds to make a commitment to volunteering in line with the citizenship curriculum and encourage them to become Millennium Volunteers when they reach the age of 16.

Free School Meals

Helen Jones: To ask the Secretary of State for Education and Skills what representations he has received on setting minimum standards for the nutritional value of a free school meal; and if he will make a statement. [136734]

Mr. Stephen Twigg *[holding answer 10 November 2003]:* The issue as to whether the national nutritional standards should be food or nutrient based was debated thoroughly during extensive consultation prior to the introduction of the standards in 2001. The overwhelming consensus was that food based standards would be simpler to implement and monitor, and would be consistent with cross Government messages aimed at teaching children to make healthy eating choices. There has been nothing in the intervening period to suggest that this decision should be reversed.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what information he has collated about the effect of the introduction of child tax credit on the numbers of children eligible for free school meals. [137166]

Mr. Stephen Twigg: The information requested is not currently available.

The number of pupils known to be eligible for free school meals is collected in January each year via the Annual Schools' Census. As a result, data on the number of pupils known to be eligible for free meals since the introduction of new rules in April 2003 will not be available until spring 2004.

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many children *(a)* were assessed as eligible for free school meals and *(b)* claimed free school meals in the most recent year for which figures are avilable, broken down by ethnic group. [137171]

Mr. Stephen Twigg: The table shows the information that is available centrally. It relates to pupils who are known to be eligible for, and claim, free school meals. Equivalent information for the take-up of free school meals is not collected at pupil level and therefore cannot be broken down by ethnic group.

Maintained primary and secondary schools: number of pupils known to be eligible for free school meals by ethnic group[1]
January 2003, England

	Pupils of compulsory school age and above			
	Maintained Primary[2]		*Maintained Secondary*[2]	
	Number of pupils known to be eligible for free school meals[3]	*Percentage of pupils known to be eligible for free school meals*[4]	*Number of pupils known to be eligible for free school meals*[3]	*Percentage of pupils known to be eligible for free school meals*[4]
White	444,762	15.6	337,313	12.3
White British	421,503	15.3	321,182	12.1
Irish	2,962	22.2	2,448	18.5
Traveller of Irish heritage	1,684	64.5	520	44.9
Any other White background	16,263	22.8	12,416	19.5
Gypsy/Roma	2,350	54.2	747	48.1
Mixed	29,393	28.2	15,988	24.7
White and Black Caribbean	13,099	35.3	7,163	30.5
White and Black African	2,887	30.1	1,398	26.0
White and Asian	4,186	20.3	2,108	16.7
Any other mixed background	9,221	25.1	5,319	22.9

Maintained primary and secondary schools: number of pupils known to be eligible for free school meals by ethnic group[1]
January 2003, England

	Pupils of compulsory school age and above			
	Maintained Primary[2]		Maintained Secondary[2]	
	Number of pupils known to be eligible for free school meals[3]	*Percentage of pupils known to be eligible for free school meals*[4]	*Number of pupils known to be eligible for free school meals*[3]	*Percentage of pupils known to be eligible for free school meals*[4]
Asian	63,568	27.0	60,229	29.4
Indian	8,852	11.8	9,474	12.0
Pakistani	32,128	32.5	29,191	38.3
Bangladeshi	17,864	44.6	17,471	57.8
Any other Asian background	4,724	21.5	4,093	21.4
Black	48,990	38.4	34,971	33.3
Black Caribbean	15,931	31.2	12,873	27.9
Black African	27,865	44.4	17,804	39.2
Any other Black background	5,194	37.6	4,294	31.9
Chinese	1,150	10.6	1,250	10.4
Any other ethnic group	11,964	40.7	8,902	35.8
Classified	599,827	17.8	458,653	14.6
Unclassified[5]	21,625	19.4	20,127	12.5
All Pupils [1]	621,452	17.9	478,780	14.5

[1] Pupils of compulsory school age and above.
[2] Includes middle schools as deemed.
[3] Excludes dually registered pupils and includes boarders.
[4] Number of pupils known to be eligible for free school meals expressed as a percentage of the number (headcount) of pupils in each ethnic group.
[5] Information was not sought or refused.
Source:
Annual Schools' Census

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many children received free school meals at the beginning of each school year since 1997. [137205]

Mr. Stephen Twigg: The number of pupils who took a free school meal on the day of the Annual Schools' Census and the number of pupils who were known to be eligible, and claimed, a free school meal are shown in the tables.

Maintained nursery and primary schools[1]*: School meal arrangements*
Position as at January each year—England

	Number on roll	*Number of pupils taking free school meals*[2]	*Percentage taking free school meals*	*Number of pupils known to be eligible for free school meals*	*Percentage known to be eligible for free school meals*
1997[3]	4,479,454	775,742	17.3	944,592	21.1
1998[3]	4,508,924	731,576	16.2	891,048	19.8
1999[3]	4,507,663	690,321	15.3	853,020	18.9
2000[3]	4,481,677	671,486	15.0	821,521	18.3
2001[3]	4,451,224	631,638	14.2	784,976	17.6
2002[3]	4,405,639	616,625	14.0	754,511	17.1
2003[4]	4,350,260	604,911	13.9	731,611	16.8

[1] Includes middle schools as deemed.
[2] The number of pupils who took a free school meal on the day of the Census.
[3] Excludes dually registered pupils and boarding pupils.
[4] Includes dually registered pupils and boarding pupils.

Maintained secondary schools[1]*: School meal arrangements*
Position as at January each year—England

	Number on roll	*Number of pupils taking free school meals*[2]	*Percentage taking free school meals*	*Number of pupils known to be eligible for free school meals*	*Percentage known to be eligible for free school meals*
1997[3]	3,036,994	381,243	12.6	552,903	18.2
1998[3]	3,069,029	367,798	12.0	537,073	17.5
1999[3]	3,118,277	367,795	11.8	527,339	16.9
2000[3]	3,177,998	368,303	11.6	523,630	16.5
2001[3]	3,226,973	353,469	11.0	509,676	15.8
2002[3]	3,260,931	354,256	10.9	486,353	14.9
2003[4]	3,308,492	349,777	10.6	478,915	14.5

[1] Includes middle schools as deemed.
[2] The number of pupils who took a free school meal on the day of the Census.
[3] Excludes dually registered pupils and boarding pupils.
[4] Includes dually registered pupils and boarding pupils.

Sexual Offences Bill

Mrs. Brooke: To ask the Secretary of State for Education and Skills (1) if he will reassess his guidelines on sex and relationship education for under 16-year-olds with reference to the Sexual Offences Bill; [137840]

(2) if he will reassess his guidance to teachers of under 16-year-olds with reference to the Sexual Offences Bill. [137842]

Mr. Stephen Twigg *[holding answer 11 November 2003]:* At present, the Department has no plans to revise its Sex and Relationship Guidance for schools. This position will be reviewed when the Sexual Offences Bill is passed.

Written Answers to Questions

Monday 17 November 2003

SOLICITOR-GENERAL

Extradition

Simon Hughes: To ask the Solicitor-General what the policy of the United Kingdom Government is on requesting extradition of individuals accused of torturing British nationals abroad, in the absence of a pending prosecution in the country where the accused is located. [137834]

The Solicitor-General: The courts of England and Wales may have jurisdiction in respect of an offence committed abroad if the offender, or the victim, is a British national. Once such jurisdiction is established then the procedures for investigating and prosecuting the case are the same as for any case prosecuted in the courts of England and Wales. The police are responsible for investigating allegations of criminal offences and for obtaining admissible evidence to prove the alleged offence. The CPS is responsible for the prosecution of all criminal cases resulting from police investigations. The police ask the advice of the CPS before charging any person with a criminal offence.

In complex and serious cases such as potential offences involving torture, the police will invariably consult with the CPS for advice on the sufficiency of the evidence before a person is charged. The CPS will consider each case that is passed to it by the police. Each case is carefully considered to assess whether it meets the test set out in the Code for Crown Prosecutors, issued under section 10 of the Prosecution of Offences Act 1985. Once the CPS has decided to start a prosecution, if the alleged offender is located abroad the CPS will refer an application for extradition to the Secretary of State for the Home Department who will forward the request through the appropriate diplomatic channels.

CONSTITUTIONAL AFFAIRS

Compensation Orders

Mrs. Brooke: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many compensation orders were awarded at *(a)* magistrates' courts and *(b)* Crown courts in each year since 2000; what the rate of default was in (i) each year and (ii) each court; and if he will make a statement. [138451]

Mr. Leslie: Information on compensation orders in Magistrates' Courts has not been historically collected by the Department for Constitutional Affairs. However, the Home Office Criminal Statistics Publication (Table SI, 6(A)) shows that in 2000, 97,073 offenders were ordered to pay compensation (excluding summary motoring offences) and in 2001, 97,134 offenders were ordered to pay compensation (excluding summary motoring offences). Information on the rate of default is not currently collected as compensation orders are measured with confiscation orders and other fines and not isolated. Magistrates' Courts Committees (MCCs) have a responsibility for the collection of a range of debts imposed by both the magistrates' courts and the Crown Court. Debt collected includes compensation but also fees, fines, confiscation orders, legal aid contributions and some maintenance orders. It is not yet possible to separate out only compensation orders from the total. There are plans, however, to isolate compensation orders in debt analysis under the Libra Project from around Autumn 2004 onwards. This will involve the use of the Libra Application which is the new IT system being developed for the Magistrates' Courts.

Figures concerning the number of compensation orders made in the Crown Court for the years 2000–02 are as follows. This information relates to defendants, not cases:

2000—6,892

2001—6,732

2002—7,100

Unfortunately, I am unable to provide information on the rate of default as the monies are paid into Magistrates Courts and the figures aggregated in the way explained above.

Appointments Commission

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many people were interviewed for the position of chair of the House of Lords Appointments Commission when it was first established. [138519]

Mr. Leslie: My Department is not responsible for the present House of Lords Appointments Commission, which is a non-departmental public body sponsored by the Cabinet Office. However, I understand that three people were interviewed for the post of chair when the Commission was first established.

Bailiffs

Malcolm Bruce: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many complaints have been made in each year since 1997 concerning the conduct of bailiffs; how many complaints have been investigated; how many complaints have resulted in a prosecution; how many convictions there were concerning the conduct of bailiffs; and if he will publish a list of banned bailiffs. [136800]

Mr. Leslie *[holding answer 6 November 2003]:* My Department is responsible for county court bailiffs only. Any complaint involving a county court bailiff, unless of a serious nature, is dealt with by the county court that s/he is assigned to. There is no database kept on complaints against individual bailiffs.

There are Certificated Bailiffs who act in a private capacity. They are given their authority to do so for a period of two years, by their local county court judge, in accordance with the Distress for Rent Rules 1988. A complaint against a Certificated Bailiff is considered by a judge of the county court that granted the certificate.

If the certificate is revoked the Department will be informed. The information will be recorded on the Register of Certificated Bailiffs that is kept centrally. The Register is open to public search through a central point of contact. No data is retained longer than three years. In 2001 two certificates were cancelled, in 2002, 13 were cancelled, and in 2003 to date 17 have been cancelled. Any prosecution would be taken by the member of the public affected by the action of a certificated bailiff. There is no data kept by the county court or the Department centrally.

Bechtel

Malcolm Bruce: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will list the contracts for consultancy and other work carried out by Bechtel in each year since 1997 for the Lord Chancellor's Department, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137738]

Mr. Lammy: According to our records, since 1997 the Lord Chancellor's Department has not entered into a contract with Bechtel for consultancy or other work.

Departmental Costs

Mr. Flight: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the cost was to his Department and its predecessor of use for official business of *(a)* ministerial cars and drivers, *(b)* taxis, *(c)* train travel, *(d)* the use of helicopters, *(e)* airline tickets and *(f)* chartered aeroplanes in each year since 1997. [123086]

Mr. Lammy: I refer the hon. Member for Arundel and South Downs to the answer of the Minister of State for the Cabinet Office (Mr. Alexander) of 13 November 2003, *Official Report*, column 397W, which deals with part *(a)* and *(f)* on behalf of my Department.

It is not possible to identify the Department's other travel costs without incurring disproportionate cost. The Department has published rules for official travel in its staff handbook and ministerial travel is governed by the Ministerial Code and Travel by Ministers.

Divorced Parents

Sir Nicholas Winterton: To ask the Parliamentary Secretary, Department for Constitutional Affairs pursuant to his answer of 22 October 2003, *Official Report*, column 631, on divorced parents, if he will collect separate figures for the numbers of *(a)* fathers and *(b)* mothers granted leave to remove their children from the United Kingdom. [136098]

Mr. Lammy: There are no plans to collect the data requested. No children statistics distinguish between orders in favour of mothers and fathers and to collect figures in this area would incur disproportionate cost. Figures are kept of the total number of orders made under section 13 of the Children Act 1989 for removal from the jurisdiction since 2000 (when figures were first collected). Separate figures are not held for mothers and fathers, though 333 such orders were made in 2002.

Law Commission (Acts)

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Department for Constitutional Affairs on what dates Acts have received Royal Assent enshrining legislative proposals published by the Law Commission since 1990. [138044]

Mr. Lammy: The Law Commission Reports published since 1990, together with the titles of the Acts incorporating the Reports' recommendations and the dates on which those Acts received Royal Assent, are set out in the table.

Report No.	*Title*	*Act*	*Royal Assent*
1990			
192	Family Law: The Ground for Divorce (HC 636)	Family Law Act 1996 (c 27)	04 July 1996
193	Private International Law: Choice of Law in Tort and Delict (Joint Report—Scot Law Com No 1 29) (HC 65)	Private International Law (Miscellaneous Provisions) Act 1995 (c 42)	08 November 1995
1991			
196	Rights of Suit in Respect of Carriage of Goods by Sea (Joint Report—Scot Law Com No 130) (HC 250)	Carriage of Goods by Sea Act 1992 (c 50)	16 July 1992
199	Transfer of Land: Implied Covenants for Title (HC 437)	Law of Property (Miscellaneous Provisions) Act 1994 (c 36)	03 November 1994
202 +	Criminal Law: Corroboration of Evidence in Criminal Trials (Cm 1620)	Criminal Justice and Public Order Act 1994 (c 33)	03 November 1994
1992			
205	Criminal Law: Rape within Marriage (HC 167)	Criminal Justice and Public Order Act 1994 (c 33)	03 November 1994
207	Family Law: Domestic Violence and Occupation of the Family Home (HC 1)	Family Law Act 1996 (c 27)	04 July 1996
1993			
215	Sale of Goods Forming Part of a Bulk (Joint Report—Scot Law Com No 145) (HC 807)	Sale of Goods (Amendment) Act 1995 (c 28)	19 July 1995
216	The Hearsay Rule in Civil Proceedings (Cm 2321)	Civil Evidence Act 1995 (c 38)	08 November 1995
217	Family Law: The Effect of Divorce on Wills	Law Reform (Succession) Act 1995 (c 41)	08 November 1995
1994			
220	The Law of Trusts: Delegation by Individual Trustees (HC 110)	Trustee Delegation Act 1999 (c 15)	15 July 1999

Report No.	Title	Act	Royal Assent
224	Structured Settlements and Interim and Provisional Damages (Cm 2646)	In part by the Finance Act 1995 (c 4); Civil Evidence Act 1995 (c 38); and Damages Act 1996 (c 48)	01 May 1995 08 November 1995 24 July 1996
226	Administrative Law: Judicial Review and Statutory Appeals (HC 669)	In part by Housing Act 1996 (c 52)	24 July 1996
228	Criminal Law: Conspiracy to Defraud (HC 11)	Theft (Amendment) Act 1996 (c 62)	18 December 1996
1995			
230	Legislating the Criminal Code: The Year and a Day Rule in Homicide (HC 183)	Law Reform (Year and a Day Rule) Act 1996 (c 19)	17 June 1996
235	Transfer of Land: Land Registration (jointly with HM Land Registry) (Cm 2950)	Land Registration Act 1997 (c2)	27 February 1997
1996			
242	Privity of Contract: Contracts for the Benefit of Third Parties (Cm 3329)	Contracts (Rights of Third Parties) Act 1999 (c 31)	11 November 1999
243	Offences of Dishonesty: Money Transfers (HC 690)	Theft (Amendment) Act 1996 (c 62)	18 December 1996
1999			
260	Trustees' Powers and Duties (Joint Report—Scot Law Com No 166) (HC 538/SE2)	Trustee Act 2000 (c 29)	23 November 2000
2001			
271	Land Registration for the Twenty-First Century (Joint Report with HM Land Registry) (HC 114)	Land Registration Act 2002 (c 9)	26 February 2002

Note:
This table does not contain 41 Consolidation Acts or the 3 Statute Law (Repeal) Acts passed since 1990.

Regulation of Investigatory Powers Act

Brian White: To ask the Parliamentary Secretary, Department for Constitutional Affairs what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136128]

Mr. Lammy: My Department has no existing statutory investigatory powers.

CULTURE, MEDIA AND SPORT

Community Fund

Tim Loughton: To ask the Secretary of State for Culture, Media and Sport (1) how many grants have been made from the Community Fund to projects in the East Worthing and Shoreham constituency since its inception; [138423]

(2) what the value is of grants made by the Community Fund to projects in the East Worthing and Shoreham constituency since its inception; and what the average value is of such grants per parliamentary constituency in the United Kingdom; [138424]

(3) if she will list the projects in the East Worthing and Shoreham constituency which have benefited from Community Fund grants. [138425]

Estelle Morris: Since the Lottery's start, the Community Fund has made 32 grants in the East Worthing and Shoreham constituency. The following table lists the recipients of the awards, when they received this and how much it was for.

The total value of awards received in the constituency of East Worthing and Shoreham from the Community Fund is £2,142,779.

UK constituencies on average have received £3,913,217 from the Community Fund.

Recipient	Award amount (£)	Award date
Worthing Boys Club	105,616	11 June 1996
Adur Furniture Network	98,000	11 June 1996
The Sussex Multiple Sclerosis Treatment Centre Ltd.	44,000	17 December 1996
Counselling For Carers	130,317	17 December 1996
Adur Carers Association	193,172	17 December 1996
Shoreham and District Mental Health Association	49,140	18 September 1997
Adur Special Needs Project	101,999	18 September 1997
1st Durrington Scout Group	175,000	18 September 1997
Alchemist Scrap Store Ltd.	68,500	26 March 1998
Sompting Parish Hall	31,654	30 September 1998
Adur Independent Mediation Service	3,691	5 November1998
Adur Carers Association	103,000	4 March 1999
Adur Community Transport Ltd.	70,283	4 March 1999
6th Shoreham-by-Sea Sea Scouts	4,950	11 March 1999
Fishersgate Community Association	104,863	5 August 1999
The Club	4,258	1 September 1999
Shoreham and District Mental Health Association	938	1 September 1999
Broadwater (Worthing) Community Association	2,500	11 November 1999
Adur Carers Association	161,020	30 August 2000

Recipient	Award amount (£)	Award date
Hurstfield Residents Association	735	20 September 2000
Lancing and Sompting Citizens Advice Bureau	146,856	27 October 2000
Adur Council For Voluntary Service	178,019	27 October 2000
Shoreham and Southwick U3A	4,242	22 November 2000
Shoreham and District Mental Health Association	75,941	20 December 2000
West Sussex Association for the Disabled	2,925	16 May 2001
Adur (Tenants and Leaseholders) Consultative Forum	1,006	18 July 2001
Broadwater (Worthing) Community Association	3,201	26 September 2001
4th Worthing Scout Group	5,000	29 November 2001
Worthing And District Crossroads Care Attendant Scheme	3,885	27 March 2002
Shoreham and District Mental Health Association	33,316	4 December 2002
St. John Ambulance	152,701	22 January 2003
Lancing and Sompting Citizens Advice Bureau	82,051	25 March 2003

This is derived from the Department's Awards Database and is based on information supplied by the distributing bodies.

Design

Mr. Best: To ask the Secretary of State for Culture, Media and Sport what support her Department is giving to the promotion of design *(a)* initiatives and *(b)* education. [136654]

Ms Hewitt: I have been asked to reply.

The more effective use of design throughout the British economy would improve prosperity and productivity. We promote design through the work of the Design Council, which is funded by the DTL.

For example, the Design Council's "Design Demonstrations" projects with companies provide exemplars of how design can radically improve performance. These projects are with manufacturing and emerging technology companies. The outputs will support awareness campaigns, to be undertaken with Regional Development Agencies and Business Link, to reach a wider business audience.

In education, the Design Council's "Design in Schools Week" places professionals in schools to inspire design and technology students and teachers. In 2002, 302 designers worked in 295 schools, this year, 372 designers worked in 360 schools.

Business Link and the Manufacturing Advisory Service provide extensive advice and brokerage services on design.

Digital Terrestrial Television

Annabelle Ewing: To ask the Secretary of State for Culture, Media and Sport what percentage of households in Scotland are able to receive digital terrestrial television services. [139025]

Estelle Morris: I understand from the BBC that the percentage of households in Scotland, able to receive digital terrestrial television services is 80.5 per cent. Further information can be found on the Freeview website: www.freeview.co.uk.

National Lottery Ticket Sales

John Barrett: To ask the Secretary of State for Culture, Media and Sport how many National Lottery ticket sales there were in the *(a)* EH30, *(b)* EH29, *(c)* EH28, *(d)* EH12, *(e)* EH4 and *(f)* EH11 postcode areas in each of the last 10 years; and how much was raised in each case. [138452]

Estelle Morris: Information on the number of National Lottery tickets sold is not available by postcode area. Revenue raised through ticket sales is not calculated by postcode on an on-going basis. However, in response to a question from my hon. Friend the Member for Morley and Rothwell (Mr. Challen) on 22 October 2002, *Official Report*, columns 182–83, my right hon. Friend the Minister for Sport and Tourism placed in the Library a table listing sales by postcode area since the Lottery's launch. I will provide an update of the table to the hon. Member as soon as it is available, and place a copy in the Libraries of both Houses.

Olympic Sports

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport what support will be given to Olympic sports in which UK participants in the Sydney Olympics gained medals. [137464]

Tessa Jowell: All Olympic sports that won medals in Sydney have had their funding confirmed to 31 March 2005. The National Governing Bodies of these sports are all preparing draft World Class programme plans for the Beijing Olympiad by March 2004 and refining those plans post Athens, by November 2004. The Sports Councils will review the plans during December and January and decisions on funding effective from April 2005 will be taken in January and February 2005.

Regional News

Andrew Mackinlay: To ask the Secretary of State for Culture, Media and Sport if she will request the Independent Television Commission to insist that television companies uphold franchise and licensing agreements relating to the broadcasting of regional news from specific county locations during the term of any franchise; and if she will make a statement. [139026]

Estelle Morris: This is a matter for the Independent Television Commission.

Social Inclusion

Mr. Best: To ask the Secretary of State for Culture, Media and Sport what recent discussions she has had with *(a)* regional cultural consortia, *(b)* libraries and *(c)* museums on measures to promote social inclusion in relation to access to (i) the arts and (ii) sport. [138372]

Estelle Morris: Departmental Ministers have regular discussions about social inclusion and access with representatives of our sectors, including libraries, museums and a wide variety of regional interests. We are pursuing access and inclusion through a range of initiatives that feed into our Public Service Agreement objectives and targets. The Department is also working closely with the Neighbourhood Renewal Unit and the Home Office to promote and support sports and cultural activities as ways of reducing social exclusion, through the building of community cohesion and trust and individual self-esteem and skills.

NORTHERN IRELAND

Attention Deficit Disorder

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to introduce in Northern Ireland non-drug behavioural therapies used in the United States for the treatment of attention deficit disorder; and if he will make a statement. [138976]

Angela Smith: Attention Deficit Hyperactivity Disorder is a very complex disorder with both genetic and environmental components to its aetiology. There is established evidence that medication is an effective mainstay of management and should be used within an overall package of care and support. This package should include advice around management of behaviour for parents, carers and teachers. Considerable local expertise is available through the child and adolescent mental health teams. If specific non-drug behavioural therapies are used this would be at the discretion of the clinicians.

Benefit Payments

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much was paid in *(a)* disability living allowance, *(b)* unemployment benefit and *(c)* incapacity benefit in Northern Ireland in the last 12 months for which figures are available. [138992]

Mr. Spellar: The most recent figures available are attached in the following table:

Benefit	*Expenditure from October 2002–September 2003 (£000)*
Disability living allowance	[illegible]526
Jobseekers allowance—income based	[illegible]9,249
Jobseekers allowance—contributory based	14,719
Incapacity benefit	319,061
Total	916,555

Note:
Unemployment benefit has now been replaced by jobseekers allowance, both income-based and contributory-based.

Chronic Obstructive Pulmonary Disease

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many deaths from chronic obstructive pulmonary disease there were in Northern Ireland in each of the last five years. [138977]

Mr. Pearson: The following table gives the number of deaths resulting from chronic obstructive pulmonary disease, registered in Northern Ireland from 1998 to 2002.

Number of registered deaths by year in Northern Ireland resulting from chronic obstructive pulmonary disease

	Deaths
1998	627
1999	704
2000	610
2001	584
2002	553

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to reduce the incidence of chronic obstructive pulmonary disease in Northern Ireland. [138978]

Angela Smith: Although there is evidence of some genetic component to chronic obstructive pulmonary disease, the majority of cases are associated with smoking, exposure to air pollution, including that caused by environmental tobacco smoke, and lung damage arising from respiratory infections.

The Department of Health, Social Services and Public Safety published a five year Tobacco Action Plan in July 2003. The Plan addresses a number of key issues, including prevention, helping smokers to quit and protecting the public from tobacco smoke. An Implementation Group, under the chairmanship of the Chief Medical Officer, is taking forward the 24 action points identified in the Plan.

Driving Licences

Lady Hermon: To ask the Secretary of State for Northern Ireland which countries are on the list of those whose driving licence is transferable to a Northern Ireland one; what criteria are used in deciding whether a country's driving licence is transferable to Northern Ireland; for what reason South Africa is excluded from this list; and what plans he has to amend the arrangements to include South Africa. [138726]

Angela Smith: There are 14 countries and territories currently designated for the purposes of exchangeable licences in Northern Ireland, namely Australia, Austria, Barbados, the Republic of Cyprus, Finland, Gibraltar, Malta, New Zealand, Norway, Singapore, Sweden and Zimbabwe, and the territories of Hong Kong and the British Virgin Islands.

In determining the suitability of a country for exchange purposes, the driver testing and licensing systems are assessed, to ensure that the drivers meet standards that are comparable to those in Northern Ireland. This includes an assessment of the driving test, the integrity of licensing system and the nature and format of the licence itself.

With regard to the Republic of South Africa (RSA), it is accepted that the nature of the driving test and the general driving standards are comparable to those in Northern Ireland. However, further consideration is being given to the integrity of the system for issuing licences. Furthermore, the RSA driving licence does not

indicate whether it has been issued in exchange for a licence from a third country. This is important since the standards in that third country may not have been assessed against Northern Ireland standards.

The Department of the Environment is continuing to assess the suitability of licences from RSA for exchange. The Department is also developing proposals to amend the relevant legislation to enable selective recognition of licences from other countries so that, for example, licences which had been issued in exchange for a licence from a third country, which does not meet Northern Ireland standards, could be excluded from the exchange arrangements. This will bring exchange arrangements in Northern Ireland into line with those in Great Britain. Depending on the availability of legislative opportunities, it is hoped to have the amendment in place before the end of 2005.

Hare Coursing

Mr. Pickthall: To ask the Secretary of State for Northern Ireland what assessment he has made of the impact of illegal coursing on the population of the Irish hare; and if he will commission research on the size of the population. [138561]

Angela Smith: No assessment has been made of the impact of illegal coursing on the population of the Irish hare in Northern Ireland.

The Irish Hare Species Action Plan, published by the Department of the Environment in 2000, identifies the need to carry out regular surveys of the Irish hare population in Northern Ireland. The purpose of these surveys is to estimate the size of the population and make deductions about the causes of any movement in the estimated numbers. A baseline survey was completed in 1997; this was followed by "The Northern Ireland Irish Hare Survey 2002", carried out by Professor Montgomery's research team at The Queen's University of Belfast. The Department will carry out regular, similar research into surveys of the Irish hare population to measure progress against the Species Action Plan targets "to maintain the existing range and to demonstrate a population increase by 2005; and to double the present population by 2010 over as much of the range as possible". The next of the surveys will be commissioned in spring 2004.

Separate research is also under way at Queen's University into the status and population dynamics of the Irish Hare, using DNA techniques, and on the ecology of the Irish hare.

Copies of the documents referred to above have been placed in the Library.

National Employment Plans

Mr. Beggs: To ask the Secretary of State for Northern Ireland what progress has been made to implement and monitor National Employment Plans in Northern Ireland. [132790]

Jane Kennedy: There is no separate Northern Ireland 'National Employment Plan' although our labour market plans are included within my right hon. Friend the Secretary of State's 'Draft Priorities and Budget 2004–07' document and the Department for Employment and Learning's 'Service Delivery Agreement 2003–04'. Copies of these documents are available in the Library. Northern Ireland contributes, as do Scotland and Wales, to the National Employment Action Plan for the UK.

In Northern Ireland, Government programmes, and projects receiving European funding, address the key European Employment Strategy issues of employability, skills needs, entrepreneurship and equal opportunities in the labour market. Northern Ireland contributes information on the implementation of programmes and projects as part of the monitoring of national progress against the Employment Guidelines issued by the European Commission.

WALES

Departmental Costs

Mr. Flight: To ask the Secretary of State for Wales what the cost was to his Department for *(a)* ministerial cars and drivers, *(b)* taxis, *(c)* train travel, *(d)* the use of helicopters, *(e)* airline tickets and *(f)* chartered aeroplanes in each year since 1997. [123073]

Mr. Hain: The Wales Office was created in July 1999. *(a)* I refer the hon. member to the reply which he received from Mr. N Matheson of the Government Car and Dispatch Agency (a copy of which can be found in the Libraries of the House of Commons) which addressed this issue.

(b) Cost to the department of taxis

	£
1999–2000[1]	310
2000–01	1,266
2001–02	2,851
2002–03	796
2003[2]–	912

[1] From July 1999
[2] To date

These figures exclude any amounts spent on taxis, black cabs and licensed hackney carriages outside departmental contracts and reclaimed by officials as travel and subsistence expenditure. That information could be obtained only at disproportionate cost.

(c) Cost to the department of trains

	£
1999–2000[1]	35,239
2000–01	62,121
2001–02	84,423
2002–03	124,035
2003–	67,895

[1] From July 1999
[2] To date

(d) and *(f)* The Wales Office has never used helicopters or chartered planes.

(e) Cost to the department of air line tickets

	£
1999–2000[1]	105
2000–01	6,851
2001–02	5,283
2002–03	695
2003[2]–	95

[1] From July 1999
[2] To date

Market Research

Matthew Taylor: To ask the Secretary of State for Wales if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137004]

Mr. Touhig: The Wales Office was established in 1999. Since then the Wales Office has not commissioned any market or opinion research.

New Jobs

Mr. Evans: To ask the Secretary of State for Wales (1) how many new jobs there are in *(a)* the private sector and *(b)* the public sector in Wales; [137649]

(2) how many new jobs there have been in *(a)* the private sector and *(b)* the public sector in Wales since 1997. [137648]

Mr. Touhig: Comparing the 12 months to August 2003 with 1997, there has been an increase of 49,000 people employed in the public sector and 61,000 employed in the private sector in Wales.

Source:
Labour Force Survey

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Wales what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137952]

Mr. Touhig: The setting, measuring and monitoring of Wales Office's performance targets is an integral part of the job of all managers. It is not possible to disaggregate the cost. The Wales Office Management Board regularly reviews targets. It consists of the eight most senior people in the Department. Their grades are 3 (one person), 6 (four people) and 7 (three people).

Mr. Flight: To ask the Secretary of State for Wales if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if he will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137967]

Mr. Touhig: This information is published in the Wales Office Departmental Report (Cm 5928), copies of which are available in the Library of the House.

The targets are set by Ministers on the advice of the Management Board and are monitored by Ministers and the Management Board.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Wales how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost, what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136852]

Mr. Touhig: Detailed sick absence statistics are derived from medical and self-certificates, which are completed by staff or their GPs. While certain illnesses, such as "depression", "anxiety", "general debility" and even "stress" may be indicated on certificates, it is not possible to determine levels of "work-related stress". Consequently, we have no details on the number of working days lost due to work-related stress or the cost to the Department.

The Wales Office staff have available to them the resources of the National Assembly, and since June 2003, of the Department for Constitutional Affairs in tackling stress. These include a range of stress management courses for both line managers and employees, Health, Safety and Welfare intranet site, a stress handbook for line managers, and a fully trained in-house Welfare service.

The Department offers flexible working patterns, enabling staff to adopt more effective working patterns to better balance their work and home life.

We have a legal obligation to provide a safe working environment for all our staff and, under the Government's Revitalising Health and Safety initiative, we are committed to meeting targets for reducing the number of working days lost generally to work-related injuries and illnesses.

WORK AND PENSIONS

Pension Schemes

18. **Mr. Best:** To ask the Secretary of State for Work and Pensions what measures are in place to protect the *(a)* values and *(b)* benefits of pension fund schemes created by the former publicly owned industries. [138651]

Malcolm Wicks: Responsibility for the pension fund schemes created by the former publicly owned industries is a matter for the relevant sponsor Departments, or their successors, and the successor companies themselves. More generally, however, we have proposed a range of protection measures which will apply to the pension funds created by the former publicly owned industries in the same way as they will to those of any other privately owned company.

Through the introduction of the new Pension Protection Fund, we are taking action to make sure that members of defined benefit schemes will still have the secure retirement they were expecting. The Government has also published and consulted on draft regulations

that increase the debt due from solvent employers when their salary-related pension scheme is wound up. In addition we are at present consulting on draft Regulations on the proposed new priority order.

Mr. Best: To ask the Secretary of State for Work and Pensions if he will introduce legislation to prevent employers from taking contribution holidays from their employees' pension fund schemes. [137921]

Malcolm Wicks: No.

Since pension provision by employers is voluntary, the levels of contributions are a matter for agreement between pension scheme trustees and sponsoring employers.

Under the new scheme-specific funding regime which will replace the Minimum Funding Requirement, trustees and sponsoring employers will be required to develop and agree, with the scheme actuary's advice, the funding principles for their scheme—including a determination of whether the level of contributions is sufficient to meet a scheme's long-term pension commitments.

The new simplified tax regime for approved pension schemes (set out in the document "Simplifying the taxation of pensions: increasing choice and flexibility for all" (December 2002)) would abolish the rules requiring approved occupational pension schemes to run off their surplus funds (for example by agreeing contributions holidays) or lose their full tax exempt status. In addition, the document "Action on Occupational Pensions" announced that pension funds will no longer be able to make payments of surplus to employers from an actuarial surplus only where the scheme was funded above a level sufficient to secure full buy-out of scheme liabilities.

Pension Credit

19. **Mr. Martlew:** To ask the Secretary of State for Work and Pensions what plans he has to maximise take-up of pension credit. [138652]

Malcolm Wicks: We want every pensioner to take up their entitlement. At the heart of our marketing campaign is a direct mail pack to all pensioner households who have not been converted to pension credit automatically. We will have written to all pensioner households by June 2004. To support this process we are running an advertising campaign on TV, radio and in the press to encourage pensioners to apply.

The Pension Service Local Service are also playing a key role in take-up of pension credit, particularly in encouraging pensioners who traditionally do not take up their entitlement to apply. Working closely with key partners such as Citizens Advice, Age Concern and local authorities and with local voluntary organisations the local service reach these pensioners at locations that suit their needs. Activities being undertaken include awareness sessions, information surgeries and take-up campaigns. Over this month the Local Service has held or plans to hold over 1,300 events which are expected to reach around 117,000 people.

21. **Mr. Burns:** To ask the Secretary of State for Work and Pensions how many pensioners he estimates will be in receipt of means-tested benefits as a result of the introduction of the pension credit by 2004–05. [138654]

Malcolm Wicks: The Department estimates that in 2004–05 there will be approximately three million pensioner benefit units receiving income related benefits.

Tom Brake: To ask the Secretary of State for Work and Pensions if he will make a statement on the pension credit. [138637]

Malcolm Wicks: Pension credit is making a real difference to the lives of millions of pensioners. As the Secretary of State reported on 11 November, at the end of October there were already 1.97 million pensioner households, around 2.3 million individuals, receiving pension credit. And 1.2 million households, around 1.4 million individuals, are now receiving more money than they did before, with the average award being £47.10 per week, *Official Report*, 11 November 2003, column 18WS.

Our advertising campaign is continuing and we are working with partner organisations, such as Help The Aged, Age Concern and Citizens Advice, to fulfil our aspiration that every pensioner takes up their entitlement.

And it is not too late to apply. Anyone who makes an application before October 2004, where entitlement exists, will have their award backdated to October 2003, or to the date entitlement begins if this is later.

Mr. Woodward: To ask the Secretary of State for Work and Pensions what he estimates that the average *(a)* single pensioner and *(b)* pensioner couple will receive each week under the pension credit in *(a)* the North West region, *(b)* Merseyside and *(c)* St. Helens South. [137982]

Malcolm Wicks: The information requested is for estimates. The figures set out in the following table are the actual average amounts.

Weekly average amount in payment (£)

Area	*All claimants*	*Couples*	*Singles*
North West and Merseyside (GOR)	45.92	58.26	43.30
Merseyside Metropolitan County Council	46.24	56.66	43.95
St. Helens South Parliamentary Constituency	44.63	55.37	42.23

Notes:
1. Figures are based on 100 per cent. Generalised Matching Service (GMS) data.
2. Local authorities, Government Office Regions (GOR), and Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Source:
IAD Information Centre, 100 per cent. sample

Mr. Woodward: To ask the Secretary of State for Work and Pensions how many people in *(a)* the north west region, *(b)* Merseyside and *(c)* St. Helens South have claimed the pension credit. [137985]

Malcolm Wicks: The information is not available in the format requested.

As at 17 October 2003 the number of people receiving pension credit in St. Helens South was 3,615, in Merseyside Metropolitan 67,185, and in the north west and Merseyside region 261,250.

Notes:
1. Figures have been rounded to the nearest five.
2. Figures are based on 100 per cent. Generalised Matching Service (CMS) data.
3. Local authorities, Government Office Regions (GOR), and parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Source:
IAD Information Centre, 100 per cent. sample.

Mr. Woodward: To ask the Secretary of State for Work and Pensions by how much he estimates the income of the average *(a)* single pensioner and *(b)* pensioner couples will change under the pension credit for (i) the north west region, (ii) Merseyside and (iii) St. Helens, South compared with that in 1997. [138014]

Malcolm Wicks: The information is not available in the format requested.

As at 17 October 2003 the average weekly gain for those on Pension Credit is indicated in the table.

Average weekly gain (£)

Area	*All claimants*	*Couples*	*Singles*
North west and Merseyside	5.31	7.40	4.86
Merseyside Metropolitan County Council	5.59	7.98	5.05
St. Helens, South Parliamentary Constituency	6.21	8.06	5.78

Notes:
1. Figures produced by IAD from 100 per cent Generalised Matching Service (GMS) data at 17 October 2003.
2. Gainer figures have been produced by comparing Pension Credit amount at 17 October 2003 with MIG amount immediately prior to introduction of Pension Credit.
3. Local authorities, Government Office Regions (GOR), and parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Source:
IAD Information Centre, 100 per cent sample.

The Government will be spending around £8 billion extra on pensioners in 2003–04 as a result of the measures introduced since 1997. This includes around £3.75 billion on the poorest third of pensioners—the very people who need help the most. This is almost six times as much as an earnings link to the basic state pension since 1998 would have given them.

Following the introduction of the Pension Credit, the average pensioner household will be £1,250 per year, or £24 per week, better off due to the Government's personal tax and benefit changes than they would have been under the 1997 system.

Mr. Woodward: To ask the Secretary of State for Work and Pensions what the Government's plans are to ensure maximum take-up in *(a)* the north west region, *(b)* Merseyside and *(c)* St. Helens South of the pension credit. [138015]

Malcolm Wicks: I refer my hon. Friend to the written answer which I gave to the hon. Member for Eltham (Clive Efford) on 15 September 2003, *Official Report*, column 559W. The Pension Service local service continues to work with partner organisations in the north west, Merseyside and St. Helens South, including Age Concern, local authorities and local voluntary organisations, to tell pensioners about pension credit, raise awareness and encourage those eligible to apply. Activities at the local level are particularly aimed at encouraging applications from pensioners who traditionally do not take up their entitlement and include awareness sessions, information surgeries and take-up campaigns.

Mr. Woodward: To ask the Secretary of State for Work and Pensions how many people in *(a)* the North West region, *(b)* Merseyside and *(c)* St. Helens South are entitled to the pension credit. [138016]

Malcolm Wicks: The information is not available in the format requested but we estimate that around 500,000 pensioner households in the North West and Merseyside region are eligible for Pension Credit.

Unemployment

22. **Mr. Borrow:** To ask the Secretary of State for Work and Pensions if he will make a statement on long-term trends in unemployment. [138655]

Mr. Browne: Labour market statistics continue to show employment growing and unemployment on a downward trend. In the last month the unemployment figure fell from 3.1 per cent. to 3.0 per cent., the lowest figure in over 25 years.

These are great achievements. But we know we still have more to do. We are working to ensure that all groups of people, in all parts of the country, have access to job opportunities and are given the support they need to overcome the barriers they face.

Pensioner Incomes

23. **Vera Baird:** To ask the Secretary of State for Work and Pensions what recent assessment he has made of the effect of Government policy on the incomes of *(a)* the poorest pensioners and *(b)* all pensioners. [138656]

Malcolm Wicks: As a result of Government measures already undertaken since 1997, including the introduction of pension credit in October, on average:

pensioner households will be £1,250 a year better off in real terms—around £24 extra a week; and

the poorest third of pensioner households will have gained £1,600 a year in real terms.

Providing a decent income for the poorest pensioners is key. Since April 2003, no pensioner has to get by on less than £102.10 per week (£155.80 for couples).

Age Discrimination

24. **Dr. Palmer:** To ask the Secretary of State for Work and Pensions if he will take steps to bring about the early elimination of age discrimination in employment. [138657]

Mr. Browne: We are committed to introducing legislation to outlaw age discrimination in employment in October 2006. Meanwhile we shall continue to promote the employment of those aged 50 and over through our Age Positive Campaign.

Asbestos Surveyors

Dr. Cable: To ask the Secretary of State for Work and Pensions how many United Kingdom Accreditation Service asbestos surveyors are registered in the United Kingdom; and if he will make a statement. [137814]

Mr. Browne: The United Kingdom Accreditation Service (UKAS) has accredited 50 organisations that carry out inspections for asbestos in building. A further 40 organisations have applied for accreditation. The Department holds no information on the numbers of surveyors employed by these organisations.

Council Tax Benefit

Mr. Dhanda: To ask the Secretary of State for Work and Pensions what steps his Department is taking to encourage people on low incomes to claim council tax benefit. [138653]

Mr. Pond: Local authorities have a statutory duty to promote council tax benefit for which they use leaflets, posters and information on websites. Most authorities also include information when issuing council tax bills.

A specific leaflet on council tax benefit is available from post offices, as well as information included in generic departmental guides.

Automated Credit Transfer

David Davis: To ask the Secretary of State for Work and Pensions how many people have migrated from over-the-counter post office benefit payments to direct bank transfer since 1 April in *(a)* Haltemprice and Howden, *(b)* the East Riding of Yorkshire and *(c)* England. [116766]

Mr. Pond: The information is not available in the precise format requested.

Information has been compiled from the data available on 22 March 2003 and that available on 6 September 2003, and is shown in the following table.

Number of customers receiving benefits that have migrated from payments at post offices to those paid into bank, building society or Post Office card accounts, which may also be collectable at post offices, between 22 March 2003 and 6 September 2003

	Number of customers
Haltemprice and Howden constituency	1,570
East Riding of Yorkshire local authority	6,615
England	977,770

The above figures are payload not caseload figures, therefore a claimant may be counted more than once if they are on several benefits.

Notes:
Customers who have chosen to be paid into a bank account a Post Office card account will continue to be paid by order book until their present order book runs out, and will not have been included in the numbers above where that order book was still current on 6 September.

Source:
DWP Information Centre, Information and Analysis Directorate (100 per cent. data).

Malcolm Bruce: To ask the Secretary of State for Work and Pensions what percentage of recipients in each benefit category do not have a bank account; what measures his Department is taking to encourage the take-up of the Post Office card accounts by those without a bank or building society account; and what targets his Department has set for the paying of benefits by automatic credit transfer to those without a bank or building society account. [137745]

Mr. Pond: The following table shows the percentage of recipients in each benefit category that do not have a bank account suitable for direct payment. This information has been derived from the data used to compile the Family Resources Survey[1] (FRS) 2001–02.

Benefit	*Per cent. of recipients in each benefit category that do not have a bank account suitable for direct payment*
Working age benefits	33
Disability and carer's benefit	23
Retirement pension[1]	10
Child benefit	12
War pensions	8
All benefits	13

[1] Excluding MIG cases.

The Department has a published Public Service Agreement target that by 2005, 85 per cent. of customers will have their benefits paid by direct payment. People are being provided with all the information they need on all of their "account options", including which accounts can be used at post office branches. It will be up to the customers themselves to decide which type of account they wish to have their money paid into. Already 87 per cent. of all customers have access to a bank account that can receive direct payment.

The move to direct payment is progressing well. Key figures on the progress of conversion to direct payment are available in the Library, updated every four weeks.

[1] GB household survey of people aged 16 and above and not in full time, non-advanced education.

Carers Allowance

John Robertson: To ask the Secretary of State for Work and Pensions what estimate he has made of the number of people aged over 65 years in *(a)* Glasgow, Anniesand and *(b)* the United Kingdom, who have an underlying entitlement to carers allowance but who cannot receive it because they are also in receipt of the state pension. [136943]

Maria Eagle: Information for Great Britain is as follows

Number of people aged over 65 years who have an underlying entitlement to carers allowance but who do not receive payment due to the receipt of State Pension as at 31 May 2003

	Number of people aged 65 and over who are entitled but do not receive payment
Anniesland Glasgow	140
Great Britain	54,625

Note:
Figures are rounded to the nearest 5

Source:
IAD Information Centre, 100 per cent. sample

It is assumed all people with an overlapping benefit who are over 65 are not receiving Carers Allowance because of State Pension.

Employment Statistics

Ms Munn: To ask the Secretary of State for Work and Pensions if he will make a statement on the number of people *(a)* in employment now and *(b)* in employment in 1997, broken down by (i) permanent and (ii) temporary employment. [138636]

Mr. Browne: Building on a platform of sound economic management, our welfare-to-work policies have helped increase the number of people in permanent employment by nearly two million since 1997.

We are now at record levels of employment and this has been achieved against a background of economic stability. As the number of people in employment has risen, the number of people in temporary jobs has actually fallen by over 260,000.

Hospital Patients (Benefit Cuts)

Dr. Iddon: To ask the Secretary of State for Work and Pensions how much the abolition of benefit cuts for patients in the first 52 weeks of a hospital stay has cost his Department. [138622]

Malcolm Wicks: The estimated cost of increasing the period of time to 52 weeks before relevant benefits are reduced is £65 million per year.

Notes:

1. Costs are based on 2001–02 administrative data and average amounts. Numbers are rounded to the nearest million and expressed in 2003–04 terms.

2. Costs take into account all benefits covered by the change from six to 52 weeks.

IT Expenditure

Dr. Pugh: To ask the Secretary of State for Work and Pensions what major IT projects with a value in excess of £10,000 he authorised expenditure on in each of the last three financial years. [125723]

Mr. Browne: Expenditure on projects is formally approved by the Department's governance process and authorised through review gates. These reviews ensure that projects are meeting the standards we expect (including business change, technical, financial and commercial criteria) before authority to progress to the next stage of their development is given.

Major IT projects are those contained within our modernisation programme which is regularly reviewed by the Secretary of State. The following table outlines the major IT projects included in the programme during the period April 2000 to March 2003 and provides supplementary information regarding the stage each project has reached and its key achievements to date. For completeness it includes two major modernisation projects to create new infrastructure for Jobcentre Plus and the Pension Service.

The key stages in the Department's project lifecycle are defined as follows:

0. Initial feasibility
1. Define and initiate
2. Design changes
3. Develop changes
4. Implement changes; realise benefits

It should be noted that project details may alter as they pass through the project lifecycle.

Project Name—2000–03	*What stage the project has reached*	*Key achievements to date*
Child support reform (CSR)	Implement Changes	Since 3 March 2003, new child support claims have been calculated using the new rules and new IT.
Customer management system	Implement changes	This system currently being rolled out will allow information supplied by customers to be gathered electronically by staff, improving efficiency and customer service. Staff will be able to check information supplied against that already held and issue the customer with a statement reflecting the information supplied.
Debt management	Implement changes	October 2003: Nine out of ten debt centres now set-up.
Digital office infrastructure (DOI) previously known as early office infrastructure	Implement changes	DOI aims to implement a modern IT infrastructure platform across the Department allowing staff access to modern business software. By October 2003 over 128,000 PCs had been installed.
Modernising the employment service	Realised benefits	March 2001: Worktrain website launched. February 2001: network of Jobpoint kiosks completed. October 2001: Employer Direct service goes national.
Corporate intranet	Implement changes	June 2001: Corporate Intranet redesigned to support creation of DWP. December 2002 all DWP staff have access to intranet following completion of DOI and MES desktops roll-outs.
Jobcentre plus implementation	Implement changes	Rollout of integrated offices across the country, replacing the Social Security and Employment Offices (286 to date) currently in place. Jobcentre Plus offices allow customers to access employment opportunities and benefit information in a modern environment.
New tax credits	Implement changes	January 2003: IT Gateway between Inland Revenue and DWP went live. April 2003: Payment of new awards of child tax credit and working tax credit start. October 2003: 30,000 minimum income guarantee child premium cases successfully completed.
Payment modernisation programme	Implement changes	From April 2003: Direct payment becomes the normal method of payment for new customers. Benefit systems aligned to accommodate direct payments.

Project Name—2000–03	*What stage the project has reached*	*Key achievements to date*
Universal banking programme	Implement changes	1 April 2003: Universal banking go live—new banking services available at post offices including Post Office card accounts.
Pension credit	Implement changes	April 2003: Advance application for pension credit invited. May 2003: Minimum income guarantee to pension credit—conversion started. October 2003: Pension credit payable. 1.97 million pensioner households are now in receipt—of which 82,000 are as a result of new pension credit awards in October. Pension credit application line have taken their millionth call.
Pensions transformation programme (PTP)	Design changes	The project is currently focusing on designing and delivering changes to the Pension Service organisation, business processes, services and IT.
Implementation of the Pension Service, including project empower	Realised benefits	26 pension centres operational, including those part of the Project Empower (Burnley and Swansea)
Resource management system	Develop changes	The project is configuring standard Oracle software and implementing best practice processes to replace the Department's existing resource management systems.
Pensions forecasting	Implement changes	October 2001: Combined pensions forecasting service available.
Interactive e-services	Implement changes	April 2003 customers are able to claim child benefit and provide information about changes of circumstances electronically via the internet.
ISCS/JSAPS modernisation project	Define and initiate	The Department's updated IS/IT strategy has identified new ways of delivering IT improvements at lower risk. The modernisation of our income support and jobseekers allowance systems is now being taken forward in line with updated IS/IT strategy principles for example, a preference for commercially available packages rather than bespoke development and staged incremental improvements rather than "big bang" replacement.
Modernising appeals programme	Initial feasibility	The programme was refocused in October 2003 because of doubts about its cost effectiveness. A new feasibility study has been commissioned to look at lower cost approaches, and to include any business change requirements resulting from the move to the Department of Constitutional Affairs.

Jobcentre Plus

Mr. Dismore: To ask the Secretary of State for Work and Pensions if he will make a statement on the future of call centres in London for Jobcentre Plus clients. [136830]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Andrew Dismore, dated November 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question about the future of call centres in London for Jobcentre Plus clients. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

Contact Centres are an essential part of the new Jobcentre Plus process and allow customers to make claims by telephone without the need to attend a Jobcentre Plus office. The range of services offered by contact centres will be increased in time, along with the ability for customers to make claims via the internet.

The Department for Work and Pensions is currently undertaking a review with all of its operational businesses, including Jobcentre Plus, to determine overall requirements for contact centre capacity for the period up to 2007. This report is likely to be issued towards the end of the year. This will then inform decisions that will be made regarding the future of the three existing London contact centre sites.

I hope this is helpful.

Market Research

Matthew Taylor: To ask the Secretary of State for Work and Pensions if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137007]

Mr. Browne: This information is not held centrally and could be provided only at disproportionate cost.

Minimum Income Guarantee

Mr. Woodward: To ask the Secretary of State for Work and Pensions how many pensioners he estimates in *(a)* the north west region, *(b)* Merseyside and *(c)* St. Helens, South are eligible for the Minimum Income Guarantee. [137983]

Malcolm Wicks: Minimum Income Guarantee was replaced by Pension Credit in October 2003. Estimates of the national number of pensioners previously eligible for, but not claiming the Minimum Income Guarantee, Housing Benefit and Council Tax Benefit are included in the publication "Income-Related Benefits—Estimates of Take Up in 2000/2001", copies of which are available in the Library.

Around 3.8 million pensioner households are eligible for Pension Credit nationally with around 500,000 in the north west and Merseyside region.

Mr. Woodward: To ask the Secretary of State for Work and Pensions how many pensioners in *(a)* the north west region, *(b)* Merseyside and *(c)* St. Helens South are in receipt of the minimum income guarantee. [137984]

Malcolm Wicks: As at May 2003, the number of minimum income guarantee recipients in St. Helens south was around 3,400, in Merseyside Metropolitan 61,800, and in the north west and Merseyside region, 248,600. These are the latest figures available.

Pension credit replaced minimum income guarantee from 6 October 2003.

Notes:
1. The MIG figure has been rounded to the nearest hundred.
2. The MIG figure is based on a 5 per cent. sample, and therefore subject to a degree of sampling variation.
3. Government office region/parliamentary constituency are assigned by matching postcodes against the relevant ONS postcode directory.
4. MIG recipients are defined as income support benefit units where the claimant, and/or partner is aged 60 or over.

Source:
IAD Information Centre, 5 per cent. sample

New Deal

Mr. Gibb: To ask the Secretary of State for Work and Pensions pursuant to his answer of 10 November 2003, *Official Report*, column 148W, on the New Deal, how many 18 to 24-year-olds left the New Deal for Young People with known destinations; and what percentage of these have subsequently found full-time employment. [139235]

Mr. Browne: Since the start of the programme, there have been 643,450[1] leavers from New Deal for Young People to known destinations, of which 55 per cent. have left to unsubsidised employment.

[1] Includes people who may have left the programme more than once.

Pensioners (Benefits)

Mr. Gordon Prentice: To ask the Secretary of State for Work and Pensions if he will estimate the total value of benefits unclaimed by pensioners in each year since 1997. [138693]

Malcolm Wicks: The information requested is not available.

Estimates of take-up of income-related benefits for Great Britain are in the Department's reports titled "Income-Related Benefits—Estimates of Take-Up". Copies of all the reports in the series are in the Library.

Mr. Willetts: To ask the Secretary of State for Work and Pensions (1) what estimate he has made of public expenditure on *(a)* housing benefit for pensioners, *(b)* council tax benefit for pensioners and *(c)* pension credit as a percentage of gross domestic product in (i) 1997–98, (ii) 2002–03, (iii) 2010, (iv) 2020, (v) 2030, (vi) 2040, (vii) 2050 and (viii) for other years for which estimates have been made, assuming that the value of the pension credit increases in line with prices and that (A) pensioners' incomes from other sources rise in line with prices and (B) that pensioners' incomes from other sources rise in line with earnings; [134474]

(2) what estimate he has made of public expenditure on *(a)* housing benefit for pensioners, *(b)* council tax benefit for pensioners and *(c)* pension credit as a percentage of gross domestic product in (i) 1997–98, (ii) 2002–03, (iii) 2010, (iv) 2020, (v) 2030, (vi) 2040, (vii) 2050 and (viii) for other years for which estimates have been made, assuming that the value of the pension credit increases in line with earnings and that (A) pensioners' incomes from other sources rise in line with prices and (B) that pensioners' incomes from other sources rise in line with earnings. [134475]

Malcolm Wicks: Expenditure on income support/minimum income guarantee, housing benefit and council tax benefit for pensioners as a proportion of gross domestic product in 1997–98 and 2002–03 is shown in Table 1.

Table 1: Expenditure on income support/minimum income guarantee, housing benefit for pensioners and council tax benefit for pensioners as a proportion of gross domestic product

Percentage

	Income support/minimum income guarantee	*Housing benefit*	*Council tax benefit*
1997–98	0.45	0.45	0.15
2002–03	0.40	0.45	0.15

Note:
Figures rounded to the nearest 0.05 per cent.

The latest projections of the full cost of pension credit (guarantee credit and savings credit) to 2050 are published on page 148, Annex 3 of the Pensions Green Paper 'Simplicity, security and choice: working and saving for retirement' (cm 5677). Based on a number of assumptions about the future, as set out in Annex 3, this shows that pension credit expenditure could rise to around one and a half per cent. of GDP by 2050.

One of the assumptions used was that on average, income brought to account in the pension credit would increase in line with average earnings.

The Pensioners' Incomes Series 2001–02, based on Family Resources Survey and Family Expenditure Survey data, shows that average pensioner incomes between 1979 and 1996–97 rose by 64 per cent. in real terms, compared to average earnings growth in the whole economy of 36 per cent. in real terms. More recent growth estimates are subject to uncertainty, but the growth in average pensioner incomes between 1994–95 and 2001–02 was around 23 per cent. in real terms, higher than average earnings (up 12 per cent. over the same period).

Robust projections of future spending on pension credit, housing benefit for pensioners and council tax benefit for pensioners, based on alternative assumptions, and in different years, are not available centrally and could be obtained only at disproportionate cost. However Table 2 provides a broad indication, of the likely relative costs in 2050 under alternative scenarios of pension credit uprating and pensioner income growth.

Table 2: Expenditure in 2050 on pension credit, housing benefit for pensioners and council tax benefit for pensioners as a proportion of gross domestic product

Percentage

Pension credit rises by	*Pensioner incomes rise by*	*Pension credit*	*Housing benefit*	*Council tax benefit*
Earnings	Prices	3.80	0.60	0.35
	Earnings	1.60	0.50	0.20
Prices	Prices	0.30	0.55	0.15
	Earnings	0.10	0.25	0.05

Note:
Figures rounded to the nearest 0.05 per cent.

As explained, given the evidence of past pensioner income growth, the likelihood that those eligible for pension credit in the future will have higher state

retirement pension income than previous cohorts, and the growth of non-pension income, such as earnings, this assumption is likely to be unrealistic.

The long-term cost of pension credit, housing benefit and council tax benefit will also depend greatly on the decisions made by future governments in annual uprating statements. This Government are committed to increase the guarantee in line with average earnings for the remainder of this Parliament, ensuring that all pensioners share in rising national prosperity. Following the introduction of pension credit, the Government will be spending an additional £9.2 billion on pensioners in 2004–05 as a result of measures introduced since 1997.

Pensioners (Council Tax)

Dr. Jack Cunningham: To ask the Secretary of State for Work and Pensions how many pensioners were in receipt of *(a)* full and *(b)* partial council tax benefit in Copeland (i) in 1996–97 and (ii) in the last financial year for which figures are available; what percentage of all pensioners in Copeland this represents in each case; and if he will make a statement. [138471]

Mr. Pond: The available information is in the table.

Council tax benefit beneficiaries aged 60 and over in the North West Government Office Region: May 1997 and May 2002

	Partial benefit	*Full benefit*	*Total*
Number of beneficiaries			
May 1997	143,000	181,000	324,000
May 2002	115,000	259,000	374,000
Beneficiaries as a percentage of people aged 60 and over in the North West Government Office Region			
May 1997	10.1	12.8	22.9
May 2002	8.1	18.2	26.2

Notes:

1. Figures are based on a 1 per cent sample and are therefore subject to a degree of sampling variation.
2. Valid figures from a 1 per cent. sample are not available by local authority as they would be subject to a high degree of sampling error.
3. Caseload figures have been rounded to the nearest thousand.
4. Percentages have been rounded to one decimal place.
5. Figures exclude any Second Adult Rebate cases.
6. Beneficiaries are classed as claimants and/or partners aged 60 or over.

Sources:

1. Housing Benefit and Council Tax Benefit Management Information System, 1 per cent. sample.
2. ONS, Population Estimates Unit, Mid-1997 and 2002.

Pensions

Mr. Martlew: To ask the Secretary of State for Work and Pensions what plans he has to amend the FRS17 account measure for company pension schemes; and if he will make a statement. [137121]

Malcolm Wicks: Amendment of FRS17 is not a Government responsibility. It set by the independent Accounting Standards Board for the purpose of providing clarity of liabilities in company accounts. Its full implementation has been deferred awaiting the development of a revised International Accounting Standard, being developed by the independent International Accounting Standards Board (IASB). It is anticipated that the revised international standard will be agreed by 2004.

Mr. Webb: To ask the Secretary of State for Work and Pensions by which means pensioners who receive their pension by order book and have not replied to his Department's literature about direct payment by April 2005 will receive their payments. [138797]

Maria Eagle: 90 per cent. of pensioners already have an account suitable to receive Direct Payment.

Key figures on the progress of conversion to Direct Payment are available in the Library and are updated every four weeks.

We will be writing to the remaining pensioners over the next year. In addition we will be making further contact with those who have not responded.

However, we have always recognised that there will be some people who are genuinely unable to operate any type of bank account. For those customers an exceptions method of payment will be available. It is likely that the exceptions method of payment will be a cheque based solution and will be available at Post Office branches.

Remploy

Adam Price: To ask the Secretary of State for Work and Pensions, how many disabled people were employed by Remploy in each of the last four years. [135285]

Maria Eagle: Remploy directly supports disabled people through employment in one of its businesses, through placement with a third party employer, or by providing ongoing support to an employee of a mainstream employer to enable them to retain employment.

The actual number of disabled people employed by Remploy is different to the number the company supports under WORKSTEP, as it includes a small number of disabled people who are not supported by the programme and excludes a number of people who are supported by Remploy under the WORKSTEP programme, but who are employed by a third party.

	Disabled people employed by Remploy
1999–2000	9,613
2000–01	9,255
2001–02	8,728
1001–03	7,191

	Disabled people supported by Remploy through WORKSTEP	*Of which employed by third party*
1999–2000	10,262	672
2000–01	10,423	1,196
2001–02	10,523	1,839
2002–03	9,543	2,411

Winter Fuel Payments

Mr. Stevenson: To ask the Secretary of State for Work and Pensions (1) what estimate he has made of the number of people who were newly entitled to the winter fuel payment in 2003–04 in *(a)* North Staffordshire, *(b)* Stoke-on-Trent and *(c)* the Stoke-on-Trent South constituency; [137775]

(2) how many people newly entitled to the winter fuel payment in 2003–04 claimed in *(a)* North Staffordshire, *(b)* Stoke-on-Trent and *(c)* Stoke-on-Trent South constituency. [137776]

Malcolm Wicks: The information is not available in the format requested. However, for the parliamentary constituencies of Stoke-on-Trent South, North and Central 3,911 winter fuel payment claim forms were issued to people who need to claim a payment for this winter. Of those 2,483 have submitted their claim forms.

We are publicising the availability of winter fuel payments and how to obtain a claim form. Those who need to claim for this winter have until 30 March 2004 to do so.

Note:

Information to identify those likely to be entitled was extracted from the Departmental Central Index based on postcodes.

John Barrett: To ask the Secretary of State for Work and Pensions how many people in *(a)* the City of Edinburgh local authority area, *(b)* Edinburgh West, *(c)* Edinburgh Central, *(d)* Edinburgh North and Leith, *(e)* Edinburgh South, *(f)* Edinburgh Pentlands, *(g)* Edinburgh East and Musselburgh will be eligible for winter fuel payments in 2003–04; and how many of these will receive the payment automatically. [138453]

Malcolm Wicks: The information is not available in the format requested. However, such information as is available is set out in the following table:

Winter fuel payments in Edinburgh 2002–03

	All	*Males*	*Females*
Parliamentary constituencies			
Edinburgh Central	11,815	4,630	7,190
Edinburgh East and Musselburgh	15,745	6,570	9,175
Edinburgh North and Leith	12,045	4,910	7,135
Edinburgh Pentlands	14,560	6,080	8,480
Edinburgh South	14,325	5,535	8,790
Edinburgh West	17,760	7,510	10,250
Local authority			
City of Edinburgh	83,065	33,975	49,090

Notes:

1. Numbers are rounded to the nearest five.

2. Figures taken from the Matching Intelligence Data Analysis Service Winter Fuel Payment 2002–03 exercise.

Source:

IAD Information Centre, 100 per cent sample.

The number of people who would receive the winter fuel payment automatically in winter 2003–04 is expected to be similar to those in the table.

DEFENCE

Al Yamamah Programme

Norman Lamb: To ask the Secretary of State for Defence whether his Department intends to introduce monitoring of sub-contractor performance in the Al Yamamah programme. [137237]

Mr. Ingram: The Department has no contractual relationship with sub-contractors, whose performance is a matter for the Al Yamamah Programme prime contractor, BAE Systems, and has no plans to introduce monitoring of sub-contractors.

Asset Valuation

Mr. Prisk: To ask the Secretary of State for Defence what representations he has made to the Treasury concerning the valuation of assets in his Department. [137914]

Mr. Hoon: Officials have held regular discussions and meetings with HM Treasury regarding the Department's financial position, including on the issue of asset valuations.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Defence if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137879]

Mr. Ingram: According to our records no contracts have been placed with Bechtel.

Chemical Ali

Harry Cohen: To ask the Secretary of State for Defence if he will make a statement on *(a)* the claim by UK armed forces to have killed the Iraqi known as Chemical Ali in Basra during the conflict earlier this year and *(b)* the recent claim by the US Administration to have captured Chemical Ali. [136708]

Mr. Ingram: Ali Hassan al-Majeed—"Chemical Ali"—is in US custody.

On 6 April there were indications that Ali Hassan al-Majeed had been in a building in Basra when it was destroyed by coalition aircraft. We said at the time that we believed that a body found was that of Ali Hassan al-Majeed but that we could not be certain until scientific tests had been performed to positively identify it. The tests subsequently proved that the body was not, in fact, his.

Chinook Helicopters

David Davis: To ask the Secretary of State for Defence (1) what process the Mark 3 Chinook helicopter has undergone to ascertain its readiness for release to operational service; [137492]

(2) what the latest estimate is of the cost of the Mark 3 Chinook helicopter procurement project; [137497]

(3) when the budget for the Chinook Mark 3 Procurement project was authorised; and what the total cost forecast was at contract stage; [137498]

(4) what the differences between the Mark 2 Chinook helicopter, the Chinook 47-H and the Mark 3 Chinook helicopter are; [137493]

(5) what the differences between the Mark 2 Chinook helicopter, the Chinook 47-H and the Mark 3 Chinook helicopter are; [137494]

(6) how the validation process of the FADEC system fitted to the Mark 3 Chinook helicopter differs from the validation process used to validate the FADEC system fitted to the Mark 2 and Mark 2a Chinook helicopter; [137613]

(7) how many lines of software cope were written in programming the FADEC system fitted to the Chinook Mark 3 helicopter; [137614]

(8) what operational requirement the Mark 3 Chinook helicopter was designed to fulfil when the original order was placed in October 1995; [137495]

(9) what cost-benefit analysis was conducted prior to initiating procurement of the Mark 3 Chinook helicopter; and what the results were; [137496]

(10) what software language was used in writing the software for the FADEC fitted to the Mark 3 Chinook helicopter; and what sub-contractors have been used to conduct this work; [137615]

(11) which company was contracted to fit the FADEC system into the Mark 3 Chinook helicopter; [137616]

(12) what differences there are between the FADEC system fitted to the Mark 3 Chinook and the MH47 Chinook helicopter. [137617]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

David Davis: To ask the Secretary of State for Defence if he will make a statement on the release to service of the Mark 3 Chinook helicopters. [138386]

Mr. Ingram: I will write to the hon. Member and place a copy of my letter in the Library of the House.

Cluster Munitions

Norman Lamb: To ask the Secretary of State for Defence how many *(a)* air-launched and *(b)* ground-launched cluster munitions his Department purchased from Israeli Military Industries in each of the last five years; and if he will make a statement. [135857]

Mr. Ingram: No air-launched cluster munitions are purchased from Israel. Ground-launched cluster munitions, which consist of Shell 155mm HE L20A1 Extended Range Bomblet Shell (ERBS), are purchased from Royal Ordnance Defence (ROD) as the prime contractor, who sub contract the manufacture of ERBS shell to Israeli Military Industries (IMI). The fuse is fitted by ROD Glascoed where the entire round is packaged.

The following quantities of ERBS have been purchased in the last five years: 6,000 in financial year 2002–03, 20,100 in financial year 2003–04, with a further quantity of 3,009 being provided against an option on the contract.

Clyde Dockyards

Angus Robertson: To ask the Secretary of State for defence pursuant to his answer of 20 October 2003, *Official Report*, columns 373–4W, on departmental staff, what the total number of civilian personnel working at the Clyde dockyards was at the time of transfer of management to the private sector; what the procedure was *(a)* leading up to the decision for the transfer to be undertaken and *(b)* from the time of the decision for the transfer to be undertaken to the handover to the private sector; what companies participated in the process; what commitments in relation to job maintenance in Scotland were (i) sought and (ii) given as part of the transfer; and if he will make a statement. [138570]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Defence Budget (Scotland)

Angus Robertson: To ask the Secretary of State for Defence how much of the defence budget was spent in Scotland in the most recent year for which figures are available *(a)* in actual terms and *(b)* as a percentage of the total defence budget; and if he will make a statement. [138573]

Mr. Ingram: The information is not held centrally in the form requested and could only be provided at disproportionate cost.

HMS Colchester

Mr. Jenkin: To ask the Secretary of State for Defence if he will take steps to name a Royal Navy fighting ship, HMS Colchester. [139006]

Mr. Ingram: The new class of Royal Navy destroyers (the Type 45 or D Class) are to bear names beginning with the letter 'D', so Colchester cannot be a candidate for any of these. The same applies to the new Astute Class of submarine whose names all begin with the letter 'A'.

The Ships Names and Badges Committee has the task of assessing all the possible names for new ships before making their recommendation through the First Sea Lord and Secretary of State for Defence for final approval by Her Majesty the Queen. I am sure that Colchester, of which there have been six ships previously with the name, whose last Battle Honour was at the Battle of Lowestoft in 1665, will be among the names considered for future suitable vessels.

Iraq

Mr. Tynan: To ask the Secretary of State for Defence how many *(a)* bridges, *(b)* sewerage pumping stations and *(c)* power stations have been reconstructed and repaired by United Kingdom forces operating in Iraq. [134597]

Mr. Ingram: Responsibility for the repair of civil infrastructure lies with the Coalition Provisional Administration. Where possible, and within resource constraints, United Kingdom Forces will assist the Iraqi authorities in the reconstruction and repair of Iraqi infrastructure when requested to do so.

UK Forces have supported Iraqi engineers in the repair of sewerage pumping stations and power stations but we do not hold central records of the numbers involved. We have no record of UK Forces having repaired or reconstructed bridges in Iraq.

Mr. Tynan: To ask the Secretary of State for Defence what *(a)* distance of (i) road and (ii) electricity transmission system has been repaired and *(b)* length of railway has been returned to service by United Kingdom forces operating in Iraq. [134598]

Mr. Ingram: Responsibility for the repair of civil infrastructure lies with the Coalition Provisional Administration (CPA). Where possible, and within resource constraints, United Kingdom forces will assist the provisional Iraqi authorities in the reconstruction and repair of Iraqi infrastructure when requested to do so.

We have no record of any repairs to the road network. UK forces have repaired approximately 50 kilometres of electricity transmission system. In addition, UK forces have carried out repairs to the rail network in the Um Qasr region of Iraq and supported Iraqi rail maintenance crews on a number of other occasions.

Mr. Keetch: To ask the Secretary of State for Defence whether all troops in the Gulf are fully equipped with desert clothing; and if he will make a statement. [122977]

Mr. Ingram *[holding answer 3 July 2003]:* The Ministry of Defence has previously acknowledged the difficulties faced during Operation Telic in determining the in-theatre rate of consumption of, and tracking of, desert clothing. However, I can confirm that sufficient personal equipment, including desert clothing, has been despatched to theatre to equip all deployed UK Servicemen and women.

Mr. Paul Marsden: To ask the Secretary of State for Defence what compensation will be paid to the estates of Iraqi civilians who died as a result of British military action in Iraq. [125109]

Mr. Ingram: There are no plans to pay compensation to Iraqi civilians killed during combat operations in Iraq.

The handling of claims made by Iraqis for losses which do not arise in connection with combat operations are governed by section 6 of the Coalition Provisional Authority Order Number 17. This provides that any such claims shall be submitted to and dealt with by the parent state of the person whose activities are alleged to have caused the loss. The claims will then be dealt with in a manner consistent with the national laws of that parent state.

Where a claim against British troops arises from activity which would not give rise to a legal liability to pay compensation under English law, there may nevertheless be an ex gratia payment made to the injured person or to the family of the deceased where this would be in accordance with local custom or directed to meet a particular urgent humanitarian need.

Llew Smith: To ask the Secretary of State for Defence if he will make a statement on the mechanisms in place for the sharing of information between the British and other coalition forces involved in operations in Iraq. [133309]

Mr. Ingram: The Ministry of Defence works closely with our partner nations to ensure effective sharing of information and intelligence including through the use of embedded officers within national command structures. Within the Multinational Division (South East), which is led by the United Kingdom, there is a combined Command and Control structure that includes all partner nations.

Mrs. Anne Campbell: To ask the Secretary of State for Defence what procedures are followed by UK personnel in Iraq before live ammunition is fired at civilians; and whether protocols have been agreed with US forces on procedures to be followed. [133417]

Mr. Ingram: Use of lethal force by United Kingdom armed forces personnel in Iraq is governed by the extant Rules of Engagement for Operation Telic. It is not our practice to comment on Rules of Engagement and I am withholding information regarding their contents under Exemption 1 of the Code of Practice on Access to Government Information.

We cannot comment on the Rules of Engagement used by other nations.

Military Colleges

Mr. Robathan: To ask the Secretary of State for Defence how many students awarded service scholarships, undergraduate bursaries and cadetships, who were due to enter military colleges in the past five years, have withdrawn from the scheme; how many of those who have withdrawn repaid in full funds advanced to them prior to their withdrawal; whether the armed forces continue to pursue those who have not repaid sums received; and how much has been written off in each of the past five years. [133866]

Mr. Caplin: Those awarded university cadetships or bursaries are required, as a condition of the offer, to agree to refund the costs of the cadetship or bursary should they fail to complete five years (cadetships) or three years (bursaries) productive service (six years for Medical Cadetships and the RAF Flying Branch). Each case is considered on its merits, but it is the Department's normal practice to seek to recover its appropriate outlay when the specified return of service is not given, through a decision to leave the Service attributable to the individual. Salary payments are not recovered in respect of cadetships. Allowance is not made for time served except in respect of uniform costs. Recovery is not sought from those individuals whose service, or bursary, is terminated through no fault of their own (e.g. on medical grounds) and may be waived in whole or part on compassionate grounds or in other exceptional circumstances.

The following table gives details of the number of withdrawals from Army and RAF scholarships, cadetships and bursaries.

Withdrawal from scholarships, cadetships and bursaries

	*RN/RM**	*Army*	*RAF*
1999–2000	11	57	Not available
2000–01	11	77	58
2001–02	24	69	58
2002–03	17	55	32
2003–04	17	34	21
Total	80	292	169

The number of recoveries initiated:

Recoveries initiated

	Army	*RAF*
1999–2000	46	58
2000–01	63	39
2001–02	68	48
2002–03	55	27
2003–04	34	18
Total	256	190

All award holder withdrawals (with the exception of the few who are excused repayment in accordance with the above policy) are pursued for full recovery, although some write-off actions have occurred and these are detailed as follows. The year in which write-off action is taken is not necessarily the year in which withdrawal occurred.

Number of cases involving write-off action

	Army	*RAF*
1999–2000	0	0
2000–01	0	4
2001–02	4	7
2002–03	4	2
2003–04	8	0
Total	16	13

I will write to the hon. Member once similar figures regarding withdrawals from Royal Marines scholarships, cadetships and bursaries have been collated and place a copy of my letter in the Library of the House.

Operation Southern Focus

Sue Doughty: To ask the Secretary of State for Defence if he will make a statement on the role of British forces in Operation Southern Focus. [129895]

Mr. Ingram: United Kingdom forces were not involved in Operation Southern Focus.

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for Defence what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136130]

Mr. Caplin: In addition to the powers governed by the Regulation of Investigatory Powers Act 2000, the Ministry of Defence Police have statutory investigatory powers under the MOD Police Act 1987 (as amended by the Anti-Terrorism Crime and Security Act 2001) and Service police investigatory powers are specified in the Army and Air Force Acts 1955 and the Naval Discipline Act 1957 (as amended by the various Armed Forces Acts).

No existing statutory investigatory powers will be superseded by use of the Regulation of Investigatory Powers Act. Existing statutory investigatory powers to compel production of information will not be used to compel disclosure of communications data under Part 1 Chapter 11 of RIPA and there are no plans to repeal those existing powers.

Reservists (Life Insurance)

Mr. Frank Field: To ask the Secretary of State for Defence pursuant to his answer of 27 October 2003, *Official Report*, columns 6–7W, on life insurance, what provisions were put in place to cover Reservists called up for service in the six months prior to 1 July. [138098]

Mr. Caplin: For many years, the Ministry of Defence has provided attributable death and injury benefits for Reservists under the War Pension Scheme and the Reserve Forces (Attributable Benefits Etc) Regulations. Commercial insurance has offered—and still offers—additional cover to those requiring it. The decision whether to take out such cover has always been a matter for the individual; MOD neither endorses nor sponsors commercial insurance schemes.

Reservists called up for service in the six months prior to 1 July 2003 could, if they wished, have taken out life cover under RPAX, and at that time been covered for war risks on joining the scheme. Information about RPAX was then, and still is, promulgated, periodically, to individual Reservists and units. In addition, Reservists would have been briefed on its availability at their respective mobilisation centres.

Saudi Arabia

Norman Lamb: To ask the Secretary of State for Defence pursuant to the answer of 3 November 2003, *Official Report*, column 428–29W, on Saudi Arabia, when his Department's Permanent Secretary raised the allegations against British Aerospace/BAE Systems and Robert Lee International with the Chairman of BAE Systems; how these allegations were raised; what type of claims have to be endorsed by staff of his Department's Director General of the Saudi Armed Forces Project; what the terms of the Al Yamamah contracts are in respect of the endorsement claims; and if he will make a statement. [137234]

Mr. Ingram: The Department's Permanent Secretary raised the matter with the Chairman of BAE Systems in May 2001, in the context of the Government's firm anti-fraud policies.

The Al Yamamah contracts provide for a set of accounting processes, jointly agreed between the UK and Saudi Arabian Governments, which cover the endorsement and recording of approved claims. The processes cover claims for goods and services supplied to Saudi Arabia under the Al Yamamah contracts. Staff of the Directorate General Saudi Armed Forces Project endorse the fact that such goods and services have been supplied to the agreed specification or standard and at

the price set out in the Al Yamamah contracts. All claims are made in the name of the Prime Contractor, BAE Systems.

Ships (Sale and Disposal)

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many *(a)* submarines and *(b)* surface ships are decommissioned and awaiting (i) sale and (ii) disposal. [137561]

Mr. Ingram: Currently, one conventionally powered (diesel electric) Upholder Class submarine is undergoing refurbishment pending handover to Canada. Twelve nuclear-powered submarines have been decommissioned and will be disposed of in due course. In addition, one decommissioned surface ship (a Fleet Diving Tender) is awaiting sale and one (Fearless Class) is awaiting disposal.

Territorial Army

Gregory Barker: To ask the Secretary of State for Defence how many Territorial Army personnel are on active service; and how many are expected to be on active service over the Christmas period. [138440]

Mr. Caplin: As at 1 September 2003, 4,160 members of the Territorial Army (TA) were mobilised, either on operations abroad, or in support of those operations in the United Kingdom.

It is estimated that 1,600 members of the TA will be on active service over the Christmas period. This figure does not include those individuals who, although still compulsorily mobilised, have returned home from active service but not yet completed their post operational tour leave.

Gregory Barker: To ask the Secretary of State for Defence if he will make a statement on the role of the Territorial Army in Iraq. [138441]

Mr. Caplin: The Territorial Army (TA) undertake any and every task that is performed by their regular armed forces counterparts and are present throughout British Army units in Iraq. This is entirely in accordance with the Strategic Defence Review which set out a requirement for the TA to become a more integrated, relevant, useable force, better able to support their Regular counterparts on operations overseas.

Gregory Barker: To ask the Secretary of State for Defence (1) what assessment he has made of the effect of the change in the number of annual training days in the Territorial Army on *(a)* morale, *(b)* retention and *(c)* recruitment; [138443]

(2) how the change in the number of annual Territorial Army training days will affect the pay of *(a)* privates and *(b)* majors in the TA. [138442]

Mr. Caplin: It has been assessed that the change in the numbers of annual training days in the Territorial Army being put in place will have no significant effect on morale, retention and recruitment.

The change will not affect the pay of privates or majors in the Territorial Army, nor will it impact on the ability of members of the Territorial Army to earn their annual bounty payment.

Unexploded Ordnance

Angus Robertson: To ask the Secretary of State for Defence what assessment his Department has made of the *(a)* quantity, *(b)* spread and *(c)* location of (i) mines, (ii) unexploded cluster bomb submunitions and (iii) unexploded conventional munitions in Iraq; what efforts are (A) planned and (B) underway to locate, defuse and remove these munitions; and if he will make a statement. [133319]

Mr. Ingram: The provision of a safe, secure and risk free environment for the Iraqi people is a key aspect of restoration activity for all members of the International Coalition in Iraq. The United Kingdom takes seriously its obligations as a member of that coalition to deal with unexploded ordnance. Unexploded ordnance in Iraq includes munitions from the Iran-Iraq war, mines laid by Iraqi forces, stores of ammunition and other ordnance left by Iraqi military and paramilitary forces as well as ordnance fired or dropped by both sides during recent hostilities.

Since the end of major combat operations UK and other Coalition forces have been engaged in clearing sites containing unexploded ordnance. In the UK's area of responsibility an average of about 45 new sites have been discovered each week. Whenever a site is discovered UK forces mark the site and inform those in the vicinity. The munitions are then recovered or destroyed as soon as resources permit. To date around 1,600 sites have been cleared, containing about 619,000 munitions. We do not record individual types of munitions cleared.

We are not in a position to comment on progress made in other areas of Iraq by our coalition partners.

Angus Robertson: To ask the Secretary of State for Defence what assessment his Department has made of the *(a)* quantity, *(b)* spread and *(c)* location of (i) mines, (ii) unexploded cluster bomb submunitions and (iii) unexploded conventional munitions in Afghanistan; what efforts are (A) planned and (B) underway to locate, defuse and remove these munitions; what countries are participating in these efforts; and if he will make a statement. [133320]

Mr. Ingram: Responsibility for the assessment and clearance of unexploded ordnance (UXO) in Afghanistan rests with that nation's ruling authorities. The majority of the assessment and the clearance of UXO is conducted by Non-Governmental Organisations (NGO) and commercial demining companies, in many cases working under the auspices of the United Nations. At the end of 2002, independent assessment showed that some 263 square kilometres of land had been cleared of UXO.

The Ministry of Defence carries out assessments of the quantity, spread and location of mines and UXO to ensure the force protection of our Service personnel or to counter any immediate threat to civilian life in Afghanistan. Military Explosive Ordnance Disposal (EOD) capability is currently provided by Canada, France, Germany, Italy, Sweden and Croatia as part of the International Stabilisation and Assistance Force (ISAF).

Wideawake Airport

Mr. Steen: To ask the Secretary of State for Defence what the running cost in 2003–04 is of the establishment at Wideawake airport, Ascension Island; and what the estimated budget for the next financial year is. [139101]

Mr. Caplin: Wideawake is a United States airfield and is jointly operated by the US Air Force and the RAF. Excluding the value of assets, the Department's net operating cost budget for RAF Ascension Island in Financial Year 2003–04 is £9,547,243. The equivalent figure presently planned for FY 2004–05 is £8,425,000.

PRIME MINISTER

House of Lords

Mr. Gordon Prentice: To ask the Prime Minister if the Secretary of State will require the House of Lords Appointments Commission to publish in its Annual Report statistics relating to the participation of people's peers in votes, questions and debates. [138515]

The Prime Minister: No.

Mr. Gordon Prentice: To ask the Prime Minister how many and what proportion of the local and national organisations contracted by the House of Lords Appointments Commission to help identify suitable nominees for a people's peerage responded to the request by furnishing names; and if he will make a statement. [138658]

The Prime Minister: The House of Lords Appointments Commission did not collate this information.

Mr. Gordon Prentice: To ask the Prime Minister how many applicants for a people's peerage since April 2001 were self-nominated. [138662]

The Prime Minister: The Appointments Commission does not distinguish between nominations and self-nominations and, therefore, does not keep figures on the number of self-nominations received. All nominations are considered against the same criteria, regardless of whether they are nominated or self-nominated, and all nominees complete the same nomination form.

EU Summits

Keith Vaz: To ask the Prime Minister how many EU summits are scheduled for next year; and how many the Prime Minister plans to attend *(a)* in connection with and *(b)* unconnected with the Presidency. [139237]

The Prime Minister: There are four European Council summits planned next year for Heads of State and Government, which I plan to attend. Two will be under the Irish Presidency and two under the Presidency of the Netherlands.

Heads of State (Television Footage)

Norman Baker: To ask the Prime Minister if he will set controls on the use of recorded footage of Her Majesty The Queen and foreign heads of state to prevent their use for political purposes by foreign heads of state and government. [139282]

The Prime Minister: The media facilities for this State Visit will follow the same pattern as in previous Visits, including the recent State Visit of President Putin in June this year.

It is not the role of the Government to instruct the media, both British and foreign, in the use of the material they obtain during their coverage of State Visits.

Iraq

Mr. Dalyell: To ask the Prime Minister pursuant to his answer of 27 October 2003, *Official Report*, column 50W, on Iraq, what steps he took to ascertain the nature of the delivery system to which the time of 45 minutes, mentioned in the Joint Intelligence Committee's assessment of 9 September, referred. [138629]

The Prime Minister: This intelligence report did not significantly amend the long standing Joint Intelligence Committee assessment that Iraq had command and control and logistical arrangements in place for the use of weapons of mass destruction. This particular piece of intelligence added precision as to timing which had not previously been available but did not change the overall picture and therefore there was no reason to seek further information.

As the Intelligence and Security Committee noted in their report on 9 September 2003 there was convincing intelligence that Iraq had active chemical, biological and nuclear programmes, the capability to produce chemical and biological weapons. All of this, irrespective of the means by which such weapons were to be delivered, was in breach of UN Security Council Resolutions.

Policy Advice

Norman Baker: To ask the Prime Minister if he will list the subjects on which he has asked the right hon. Member for Hartlepool (Mr. Mandelson) to undertake policy advice to ministers and other Government work since 1 January. [139275]

The Prime Minister: I refer the hon. Member to the answer I gave him on 11 September, *Official Report*, column 367W.

President Bush (State Visit)

Norman Baker: To ask the Prime Minister what analysis of historical precedent was undertaken in deciding to invite President Bush to make a State Visit to the United Kingdom. [139283]

The Prime Minister: Each State Visit is considered on an individual basis, underlining the relationship between the UK and the nation of the visiting Head of State. The UK and US have a deep and close relationship across a wide spectrum of issues.

TRADE AND INDUSTRY

Discrimination

Mr. Woodward: To ask the Secretary of State for Trade and Industry what the Government's policy is on extending discrimination law to include the media. [138165]

Ms Hewitt: Media organisations are covered by existing discrimination law in the same way as other employers and service providers. There are no plans to extend legislation specifically in relation to the media industry.

Arms Exports

Mr. Gardiner: To ask the Secretary of State for Trade and Industry pursuant to her answer of 6 October 2003, *Official Report*, column 1069W, for what reason her Department has not provided support to Interpol's international weapons and explosives tracking system. [138613]

Mr. Timms: The Department has no responsibility for tracking weapons or explosives.

British Energy

Dr. Kumar: To ask the Secretary of State for Trade and Industry what progress has been made in the restructuring of British Energy; and if she will make a statement. [139571]

Mr. Timms: I refer the hon. Member to the written statement made by my right hon. Friend the Secretary of State for Trade and Industry, on 14 October 2003, *Official Report*, columns 10WS–12WS about the progress in the restructuring of British Energy. I also refer to the company's further related announcement on 31 October "Update on Proposed Restructuring", a copy of which I have placed in the Libraries of the House.

Call Centres

Mr. Andrew Rosindell: To ask the Secretary of State for Trade and Industry if she will encourage large companies to keep their call centre bases in the United Kingdom. [135473]

Mr. Timms: Companies in the UK are operating in an increasingly competitive, global marketplace. It is a commercial matter for companies to decide where to locate their operations. In doing so companies will need to consider a number of factors including, inter alia, the strategic importance to the business of their call centre operations and the relative risks and benefits of transferring these overseas, the geographic distribution of their customer base and the need to be close to customers, location of their competitors, relative costs, and the ability to maintain service quality. The United Kingdom has by far the greatest number of call centre operations in Europe reflecting our expertise in call centre management and the wish by many companies to retain call centre bases here.

A protectionist approach would run the risk of forcing companies to locate completely out of the UK which would not be to our long term economic benefit. We are, however, continuing to create a stable, competitive, economic environment in the UK for all companies to operate in. Our long term economic interest will be based on our ability to innovate to produce high value-added goods and services, supported by a highly skilled workforce, high calibre managers, forward looking unions and knowledgeable consumers.

Company Regulation (Cold Calling)

Mr. Drew: To ask the Secretary of State for Trade and Industry what plans she has to regulate companies which cold call customers. [138717]

Mr. Timms: I refer my hon. Friend to the answer given to my hon. Friend the Member for Huddersfield (Mr. Sheerman) on 10 November 2003, *Official Report*, column 22W.

Competitiveness Council

Mr. Hood: To ask the Secretary of State for Trade and Industry what the outcome was of the Competitiveness Council held on 10 and 11 November; what the Government's stance was on the issues discussed, including its voting record; and if she will make a statement. [138785]

Jacqui Smith: I represented the UK at the Competitiveness Council, Brussels on 10 November 2003. Andy Kerr MSP was also present.

There was an initial exchange of views over the proposed Directive on Unfair Commercial Practices.

The Council reached General Agreement on the Electromagnetic Compatibility Directive. This is designed to guarantee free movement of electrical equipment within the Internal Market, whilst ensuring that such equipment does not create unacceptable levels of electromagnetic disturbance.

The Council adopted a Resolution on the application of New Approach Directives.

The Commission presented its new proposal for a Chemicals Regulation, stressing its importance for European industry. There were differing views of the impact on downstream users, and the Commission stated that it would like to discuss this, and the question of impact assessment at a public meeting on 23 November.

The Presidency said that this was a priority issue in the Competitiveness Council agenda. There will be a policy debate at the next meeting on 26 and 27 November 2003. I asked for environmental and industrial interests to work together, and called for more effective prioritisation and simplification of the registration procedure, with one substance and one registration.

There was a discussion on Competitiveness Policy. The Commission recognised the need for its proposals to take competitiveness aspects properly into account. The Council and European Parliament would be able to see improvements in the extended impact procedure in the 2004 work programme.

I supported the idea of a competitiveness test and called for a better regulation 'expert' working group to be established as soon as possible to help assess the quality of impact assessments.

The Presidency concluded that the Competitiveness Council needed to work with other Council formations to ensure they took competitiveness into account in their work.

The Presidency asked for views on the Growth Initiative in the light of the October European Council's conclusions.

Several of the projects are in the field of Research and Development. Key areas were nanotechnology, space and high speed networks for research bodies. I stated that I wanted to see clear criteria for projects based upon project readiness and EU added value. I also confirmed that UK preferences were close to those of the Commission.

The Presidency concluded that the Council should agree a new list of priority projects on 27 November, for presentation to the December European Council.

The Council agreed a Resolution on Researchers' Careers.

There was a discussion over lunch on the EU candidate site for ITER (International Thermonuclear Experimental Reactor).

Copyright Directive

Dr. Kumar: To ask the Secretary of State for Trade and Industry what progress has been made with ensuring compliance with the EU Copyright Directive; and if she will make a statement. [137542]

Ms Hewitt: The Copyright and Related Rights Regulations 2003 (SI 2003 No. 2498) bringing UK law into full compliance with the EU Copyright Directive came into force on 31 October 2003.

Debt Collection

Mr. Gardiner: To ask the Secretary of State for Trade and Industry if she will take steps to prevent companies from using the same home visiting personnel both to sell loans and collect debts. [138598]

Mr. Sutcliffe: The practice of one agent both selling loans, and collecting the payments due, is extensively used in the doorstep lending sector. This practice has not been shown to be inconsistent with either fair dealing or responsible lending and there is some evidence that it is valued by many consumers. I therefore do not intend to take any action in this matter.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will place in the Library the responses received to the Office of Fair Trading consultation on debt collection. [138237]

Mr. Sutcliffe *[holding answer 13 November 2003]:* The responses received to the Office of Fair Trading consultation on debt collection, other than those where the respondent requested confidentiality, are available for viewing at:

Office of Fair Trading
Fleetbank House
2–6 Salisbury Square
London
EC4Y 8JX

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many licences have been *(a)* granted and *(b)* revoked by the Office of Fair Trading to (i) debt collectors and (ii) lenders, (A) since the Consumer Credit Act 1974 was introduced and (B) in each year since 1997. [138238]

Mr. Sutcliffe *[holding answer 13 November 2003]:* The information is not available in the form requested. Information on licence revocations is not broken down by market sector and is not available for the early years. Disaggregated information is available on the issue of Minded to Revoke Notices (MTRs). There is no licence category which precisely corresponds to "lenders". "Consumer Credit Business" is likely to be wider and "Finance Companies" narrower. The available information is set out as follows:

Numbers of licences (a) granted and (b) revoked, to (i) debt collectors and (ii) lenders, (A) since 1974 and (B) each year since 1997

	(i) Debt collectors-Category E		*(ii) Lenders-Category A ('Consumer Credit business')*	
	(a) Licences granted	*(b) MTRevokes issued*	*(a) Licences granted covering Category A-i.e. 'Consumer Credit Business'*	*(b) MTRevokes issued to Finance Companies*
A Cumulatively 1976-May 2003 (breakdown unavailable 1974–1976 and after May 2003)	102,876	Not available	205,352	Not available
B Annually since 1997				
1997	8,176	20	10,778	12
1998	11,215	8	13,480	4
1999	10,723	24	12,644	9
2000	9,247	10	11,214	4
2001	8,586	3	10,223	4
2002	9,140	1	10,962	8
2003 (to end May)	3,996	0	4,797	7

Note:

A single Licence can cover more than one type of business category

	Total number of Licences revoked
1997	34
1998	15
1999	25
2000	31
2001	21
2002	26
To 30 September 2003	10

Employers' Liability Insurance

Brian Cotter: To ask the Secretary of State for Trade and Industry what discussions she has had with the Department for Work and Pensions on the progress of the second stage report of its review of Employers' Liability Compulsory Insurance. [130824]

Nigel Griffiths: I have had four meetings with colleagues on the review of Employers' Liability Insurance, and we will continue to meet to ensure good progress on the second stage report.

A statement was made to the House before Recess, on 22 May 2003, and a first stage report published on 3 June 2003, which is in the Library of the House. The second stage report will be published in the autumn.

Employment Regulations

Mr. Key: To ask the Secretary of State for Trade and Industry when she will lay before Parliament the final draft Conduct of Employment Agencies and Employment Business Regulations; and if she will make a statement. [137778]

Mr. Sutcliffe: I hope to make an announcement on this matter in the near future.

The new Regulations will take account of the needs of the private recruitment industry and the interests of those using the services provided.

Exports to Morocco

Mr. Drew: To ask the Secretary of State for Trade and Industry for what reason strategic exports of *(a)* toxic chemical precursors and *(b)* technology for the production of toxins have been licensed for sale to Morocco. [136727]

Mr. Timms: Following careful consideration against the consolidated EU and national arms export licensing criteria, these exports have been licensed for sale to Morocco as they are for the production of pharmaceuticals and toothpaste and will not be used for any strategic purposes.

Fireworks

Mr. Woodward: To ask the Secretary of State for Trade and Industry what methods the Government use to monitor the distribution, from ports of entry, of imported fireworks. [138003]

Mr. Browne: I have been asked to reply.

There is no routine monitoring of the distribution of fireworks from the port of entry.

The storage of fireworks is regulated by HSE in partnership with local authorities under the Explosives Act 1875. Anyone storing fireworks illegally will be liable to prosecution.

HSE works with local authorities and Customs and Excise to verify whether firework importers have licensed storage facilities in Great Britain. The evidence from these checks is that the overwhelming majority of fireworks imports declared to Customs and Excise are being imported by firms with licensed storage available to them.

Industrial Development Act

Malcolm Bruce: To ask the Secretary of State for Trade and Industry (1) how many jobs her Department forecast would be created under each scheme in each of the past six years under *(a)* section 7 and *(b)* section 8 of the Industrial Development Act 1982, and at what cost per job; how many people are still employed as a direct result of financial assistance in each scheme; and if she will make a statement on her Department's (i) financing and (ii) monitoring of jobs created under the Act; [138775]

(2) what the value was of *(a)* applications received and *(b)* offers accepted for financial assistance in each year since 1997 under (i) section 7 and (ii) section 8 of the Industrial Development Act 1982. [138776]

Jacqui Smith: The forecast of jobs expected to be created and safeguarded in England as a result of offers accepted under Section 7 (Regional Selective Assistance) and the average cost per job were:

	Jobs	Average cost per job (£)
1997–98	39,167	4,287
1998–99	27,838	4,606
1999–2000	35,270	3,152
2000–01	32,184	6,378
2001–02[1]	16,714	4,723
2002–03	19,856	5,426
Total	171,029	4,673

[1] The reduction in jobs is the result of a transfer of smaller RSA cases (capital investment less than £500,000) to a separate Enterprise Grant scheme under Section 8, w.e.f. 1 January 2000).

To date, 117,256 of these jobs have been achieved with approximately 65 per cent. of projects completed. The jobs achieved will increase as further projects are completed.

It is not policy to continue monitoring firms once the conditions of an offer of grant have been met.

Schemes under Section 8 are not primarily targeted on job creation and no forecasts have been made.

Further details on the schemes operating under Sections 7 and 8 can be found in the Industrial Development Act Annual Report, published by The Stationery Office.

Internet Banking

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what work her Department is doing with banks to improve the security of internet banking. [136170]

Mr. Timms: Security of Internet Banking services is a matter for the individual banks concerned and falls within the overall regime for the conduct of banking operations which is the responsibility of my right hon. Friend the Chancellor of the Exchequer. The Department promotes the security of business processes and transactions generally and is thus in regular contact with individual banks and the Association for Payment and Clearing Services (APACS). The banking sector has been an important contributor to the development of tScheme which is committed to improving trust in electronic commerce. TScheme was created in response to the Electronic Communications Act 2000.

The financial sector, including internet banking, is one of the business sectors targeted as part of the UK's critical information infrastructure policy which is the responsibility of my right hon. Friend the Home Secretary. I understand that there are regular contacts between the banking sector and the National Infrastructure Security Co-ordination Centre to develop and implement policy in this area.

Ministerial Visits

Mr. Hoyle: To ask the Secretary of State for Trade and Industry if she will list the visits made by Ministers in her Department in each of the last five years, broken down by constituency. [136918]

Ms Hewitt: These details are not held centrally and to provide the information would be only at disproportionate cost in terms of financial and physical resource.

Policyholders Protection Act 1975

Mr. Dismore: To ask the Secretary of State for Trade and Industry if she will make a statement on reform of the Policyholders Protection Act 1975 resulting from the case of Aitken *v.* Financial Services Compensation Scheme Ltd., 30 May, SL7 OH Court of Session. [136826]

Ruth Kelly: I have been asked to reply.

The courts have upheld the Financial Services Compensation Scheme decision in the case of Aitkin *v.* Financial Services Compensation Scheme. The Government see no reason to depart from our current policy as a result of the ruling.

Post Office

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will list the Post Office network income from clients for each year since 1997, broken down by main source. [138773]

Mr. Timms: The information requested is an operational matter for the Post Office. I have therefore asked the Chief Executive to reply direct to the hon. Member.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry which *(a)* local authorities and *(b)* housing associations used the Post Office for the payment of (i) rent and (ii) insurance premiums for home contents policies in each year since 1997. [137704]

Mr. Timms: We do not collect the information requested, which is an operational matter for the Post Office, and I have therefore asked the Chief Executive to reply direct to the hon. Member.

Post Office Card Account

Mr. Webb: To ask the Secretary of State for Trade and Industry which company operates the systems for the Post Office Card Account; and what safeguards have been put in place to ensure the adequate data protection of personal data of account holders where those data are transmitted outside the UK. [138796]

Mr. Timms: These are matters that fall within the day-to-day responsibility of Post Office Ltd. and I have therefore asked the Chief Executive to reply direct to the hon. Member.

Post Office Subsidy Scheme

John Thurso: To ask the Secretary of State for Trade and Industry how much of the Sub-Post Office Start-Up Capital Subsidy scheme has been spent to date, broken down by region. [138897]

Mr. Timms: I understand from Post Office Ltd, who administer the Scheme on my Department's behalf, that payments totalling £1,238,722.18 had been made to the end of September 2003, the latest date to which data is available. As at the same date, the total value of grants approved was £1,712,811.62. I also understand that details of grants approved and paid are not recorded by region but are available on a country basis and that payments totalling £151,401.98 had been made to sub post offices in Scotland as at the end of September 2003.

Post Offices (Closure)

Mr. Burns: To ask the Secretary of State for Trade and Industry how many urban post offices have been *(a)* proposed and *(b)* approved for closure since the inception of the network reinvention scheme in (i) West Chelmsford parliamentary constituency and (ii) mid-Essex. [137154]

Mr. Timms *[holding answer 12 November 2003]:* Proposals for post office closures and final decisions on them, following public consultation under the Code of Practice, are operational matters for Post Office Ltd. I am advised by Post Office Ltd that data on urban reinvention proposals and closures is not available in the form requested as the company does not require this data for operational reasons. However, I understand that since March 2000 the company has recorded details of post office closures, including those under the urban reinvention programme, which commenced in late 2002, on the basis of Government Region. In the East of England Region as a whole, there have been 43 closures under the urban reinvention programme to the end of September 2003, the latest quarter for which figures are currently available.

Working Time Directive

Miss McIntosh: To ask the Secretary of State for Trade and Industry pursuant to her oral answer of 6 November, if she will negotiate the maintenance of the UK opt-out of the 48 hour limit under Article 18 of the Working Time Directive before 23 November. [137819]

Ms Hewitt: The European Commission intends to issue an initial Communication on the Working Time opt-out, the definition of Working Time with regard to on-call time and the Working Time reference period, around the end of November. We are not expecting the Communication to contain any firm proposals. There will then follow a consultation period before the Commission produce formal proposals. The Government will fully engage in this process, and will seek to ensure that the outcome safeguards choice for individuals over the hours they work, whilst ensuring their employment rights are protected.

CABINET OFFICE

Duchy's Benevolent Fund

Mr. Gordon Prentice: To ask the Minister for the Cabinet Office if he will list the organisations located within the boundaries of Pendle Borough Council that have received grants from the Duchy's Benevolent Fund since January 2000. [138104]

Mr. Alexander: I am not a Trustee of the Duchy of Lancaster Benevolent Fund. However, the Secretary of the Fund has provided the following information:

Organisations located within boundaries of Pendle borough council that have received grants from the Duchy's Benevolent Fund since January 2000

	Organisations
2000	St Michaels and All Angels Church, Foulridge
	New Life Christian Centre, Colne
	Home Start, Pendle
	Pendle Girls Rugby League Club
	Nelson Youth and Community Centre
	Nelson Civic Junior Choir
2001	Hospice care for Burnley and Pendle
	Earby Mines Research Trust
	Burnley, Pendle and Rossendale CVS
	Pendle and Dist. MS Group
2002	Christ Church, Nelson
	Earby Coffee Stop
	New Road Comm. Centre, Earby
2003	Colourful Voices, Colrie
	Colne Open Door

Government Policy

Mr. Clifton-Brown: To ask the Minister for the Cabinet Office what his role is *(a)* as the interface between the Labour Party and the Government and *(b)* in providing the Prime Minister with strategic thinking on the general direction of Government policy and the values underpinning it. [137192]

Mr. Alexander: My ministerial responsibilities are set out in the List of Ministerial Responsibilities (LMR), copies of which are available in the Libraries of the House. LMR is also available in electronic form and can be accessed at www.knowledgenetwork.gov.uk/elmr/minister.nsf.

Knowledge Network Project

Dr. Cable: To ask the Minister for the Cabinet Office (1) if he will list, by subject, the statistics that have been collected for the first time at constituency level under the Knowledge Network project, stating in each case the date on which the first in the series was completed; if he will place a copy of the most recent of each set of statistics listed in the Library; and if he will make a statement; [135301]

(2) which information held on the Knowledge Network computer system will not be available to *(a)* the public and *(b)* hon. Members; and if he will make a statement; [135305]

(3) what the cost has been to date of the new Knowledge Network system; and if he will make a statement. [135306]

Mr. Alexander: The Knowledge Network is a government-wide electronic communications tool promoting collaborative working both within and between departments as part of the modernisation and e-government initiatives. The Network does not collect statistics by subject at constituency level.

Access to the Knowledge Network is restricted to Ministers and civil servants via the Government Secure Intranet. There is currently no access to the Knowledge Network other than for these groups. The UKonline website provides a range of government services and information to the public and is an easy entry point for people who want to search government information and find out about local services.

Since its inception in 1999, the Knowledge Network project has cost £13.7 million to develop and manage. £10 million of this was from the Capital Modernisation Fund to improve information sharing across Government.

Regulation of Investigatory Powers Act

Brian White: To ask the Minister for the Cabinet Office what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136127]

Mr. Alexander: My Department has no investigatory powers.

TREASURY

Business Costs

Malcolm Bruce: To ask the Chancellor of the Exchequer what assessment he has made of the cost to business of the statistical inquiries of businesses carried out by the Office for National Statistics in 2002; and if he will make a statement. [136798]

Ruth Kelly *[holding answer 6 November 2003]:* The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr. Malcolm Bruce, dated 17 November 2003:

The National Statistician has been asked to reply to your recent question concerning the cost to business of the statistical inquiries of businesses carried out by the Office for National Statistics in 2002. I am replying in his absence. (136798)

The overall compliance costs to business are controlled within limits agreed by Treasury Ministers and the Office for National Statistics (ONS). Each year ONS produces a Compliance Plan to help monitor and control the load on businesses of its statistical surveys. It also includes information on initiatives to minimise the form-filling load, such as the use of efficient and fair sampling procedures.

Between 1994 and 1997 compliance costs showed a progressive decrease. However from 1998 onwards compliance costs have risen steadily, as a result of the need for high quality statistics to capture changes in the economy, such as the development of E-commerce and the increasingly important service sector.

The latest compliance plan has calculated the compliance cost to business of ONS surveys in 2002 at £28.9 million at 2002 prices, which was within the agreed limit. The figure is the same as 1995 in real terms.

Heroin

Mr. Hepburn: To ask the Chancellor of the Exchequer how much heroin, and of what value, has been seized in *(a)* Tyne and Wear, *(b)* the North East and *(c)* the UK in each year since 1997. [138432]

John Healey: The Home Office has published data on controlled drugs seized in the UK by Customs and other law enforcement agencies in the annual Home Office Statistical Bulletin on Drugs Seizure and Offender Statistics 2000 and Home Office Findings 2002 (Seizures of drugs in the UK 2001). Figures for seizures in 2002, for the value of drugs seized in 2001, and for seizures in Tyne and Wear are not available. Copies are available in the Library of the House and on the Home Office Research, Development and Statistics Directorate's website at http://www.homeoffice.gov.uk/rds/pdfs2/hosb402.pdf.

Business Taxation

Mr. Prisk: To ask the Chancellor of the Exchequer (1) what assessment he has made of the rate of change in the burden of business taxation in *(a)* the UK, *(b)* Japan, *(c)* the USA and *(d)* EU member states; [137604]

(2) what assessment he has made of the burden of business taxation in *(a)* the UK and *(b)* the USA. [137605]

Dawn Primarolo: The OECD publishes figures on "taxes on corporate income" and "employers' social security contributions" in its annual Revenue Statistics publication, a copy of which is available in the Library of the House.

The Government are fully committed to a fair and modern UK tax system that recognises the realities of modern business. Since 1997, the Government have introduced a wide-ranging package of tax measures to make the UK an attractive place for business to locate, boost productivity and help small businesses.

Cancer Survival Rates

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what research he has commissioned on cancer survival rates in the United Kingdom compared with other EU countries. [133894]

Ruth Kelly *[holding answer 27 October 2003]:* The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr. Jim Cunningham, dated 17 November 2003:

The National Statistician has been asked to reply to your recent question concerning what research the Chancellor of the Exchequer has commissioned on cancer survival rates in the United Kingdom compared with other EU countries. I am replying in his absence. (133894)

Comparable statistics on cancer survival in the UK and most other EU countries have been produced in three studies funded by the European Commission (the EUROCARE studies). Cancer registries in the UK, including staff from the National Registry at ONS, have been involved in these studies since they began in 1989.

The results indicated that survival was generally highest in Sweden, the Netherlands, France and Switzerland, and lowest in Estonia, Poland, Slovakia and Slovenia. Survival in the UK and Denmark was lower than in other western European countries for common tumours such as those of lung, breast, stomach, large bowel, prostate and kidney. However, international differences in survival were not large for tumours amenable to cytotoxic therapy, such as testicular cancer and Hodgkin's disease.

Government plans for funding cancer research were published in the NHS Cancer Plan in September 2000; copies of which are available in the Library. The Plan acknowledged that "survival rates for many of the major cancers lag behind the rest of Europe".

CAT Standard

Tim Loughton: To ask the Chancellor of the Exchequer how many CAT standard products have been *(a)* launched and *(b)* withdrawn in each year since the CAT mark was introduced. [138426]

Ruth Kelly: This data is not collected centrally.

Tim Loughton: To ask the Chancellor of the Exchequer if he will list the CAT standard endorsed products, broken down by category of product. [138427]

Ruth Kelly: There are CAT standards for equity, insurance and cash ISA products and there is a CAT standard for fixed and variable rate mortgages.

Tim Loughton: To ask the Chancellor of the Exchequer how many credit card companies have *(a)* applied for and *(b)* been granted the CAT standard mark. [138428]

Ruth Kelly: The Government have not adopted a CAT standard for credit cards.

Consumer Debt

Dr. Kumar: To ask the Chancellor of the Exchequer what recent assessment he has made of the level of consumer debt; and what estimate he has made of the change in the number of companies offering *(a)* credit and *(b)* loans in the last three years. [138832]

Ruth Kelly: The Government's forthcoming pre-Budget report will include an assessment of developments in consumer debt. The Office of Fair Trading's Annual Report contains statistics on consumer credit licences granted and the Financial Services Authority's Annual Report contains statistics on lenders regulated by the FSA (available respectively at www.oft.gov.uk/News/Annual+report and www.fsa.gov.uk/pubs/annual).

Council Tax

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the average weekly amount of council tax, net of council tax benefit, paid by *(a)* all pensioner households and *(b)* pensioner households whose taxable income is below the income tax threshold. [137692]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Steve Webb, dated 17 November 2003:

As National Statistician, I have been asked to reply to your recent question asking for the average weekly amount of council tax and net council tax benefit paid by all pensioners, and pensioners whose taxable income is below the income tax threshold. (137692)

Estimates for council taxes are based on the analysis "The effects of taxes and benefits on household income 2001–02" produced by the ONS and published on the National Statistics website on October 21st 2003. The analysis can be obtained from the House of Commons Library or from the National Statistics website at http://www.statistics.gov.uk/taxesbenefits. It includes measures of income inequality for the United Kingdom as a whole based on data from the Expenditure and Food Survey. This is a sample survey covering about 7,500 households in the UK and sample sizes for pensioner households are only sufficient to give approximate estimates. The Family Resources Survey would have been an alternative source with a larger sample size, but the taxes and benefits analysis has been used for consistency with answers to other recent parliamentary questions.

Pensioner households have been defined as those where the Household Reference Person is retired or unoccupied and aged 65 or more and male, or 60 years of age or more and female, and economically inactive.

Detailed information on the definition of the Household Reference Person can be found in Appendix D of the document at the following address: http://www.statistics.gov.uk/downloads/theme_social/Family_Spending_2001-02_revised/Family_Spending_revised.pdf

Estimates for 2001–02 are shown in the following table for all pensioner households (single and couples) in Great Britain and for those who did not pay income tax (i.e. their reported income tax was zero). Council tax is not paid in Northern Ireland. The survey does not record the income tax threshold of household members so the absence of recorded income tax has been used as the relevant measure. Net council tax is defined as gross council tax less benefits and discounts, where a household reports taking up a council tax benefit entitlement.

Average weekly amount of Council Tax paid by (a) all single and couple pensioner households and (b) all single and couple pensioner households who did not report paying income tax[1] for 2001–02: Great Britain

£ per week

Single and couple pensioner households	*Average net council tax*	*Average council tax benefit*	*Average gross council tax*
All single and couple pensioner households	10.90	2.80	13.60
All single and couple pensioner households who did not report paying Income Tax	5.70	6.10	11.80

[1] Income Tax is net of tax relief at source on life assurance premiums

Mr. Edward Davey: To ask the Chancellor of the Exchequer how much council tax was paid as a proportion of gross incomes for households in each income quintile group in each English region for the last year for which data are available. [138147]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr. Edward Davey, dated 17 November 2003:

The National Statistician has been asked to reply to your recent question asking how much council tax was paid as a proportion of gross incomes for households in each income quintile group in each English region for the latest year for which data is available. I am replying in his absence. (138147)

Estimates in the following table are produced from the Office for National Statistics' analysis "The effects of taxes and benefits on household income" produced by the ONS and published on the National Statistics website on October 21st 2003. The analysis can be obtained from the House of Commons Library or from the National Statistics website at http://www.statistics.gov.uk/taxesbenefits. It includes measures of income inequality for the United Kingdom as a whole based on data from the Expenditure and Food Survey. This is a sample survey covering about 7,500 households in the UK and sample sizes for each region are only sufficient to give approximate estimates. The Family Resources Survey would have been an alternative source with a larger sample size, but the taxes and benefits analysis has been used for consistency with answers to other recent parliamentary questions.

The table shows, for 2001–02, the average net council tax paid for all households in each Government Office Region and for each income quintile group within each region where households are ranked by equivalised disposable income. Equivalisation is a standard methodology that takes into account the size and composition of households and adjusts their incomes to recognise differing demands on resources. The net council tax figures are gross council tax less reported council tax benefits and discounts. The table also shows the boundaries between equivalised disposable income quintiles, which have been calculated

separately for households in each Government Office Region. For example, the 1st quintile boundary is the income level below which one fifth of those households are estimated to lie. The results are subject to a high degree of uncertainty due to increased sampling variability arising from small sample sizes, particularly for some regions.

Net council tax paid by households within each Government Office Region by equivalised disposable income quintile, 2001–02: England

	North East			North West and Merseyside			Yorkshire and the Humber		
Quintile	*Income boundary[1] (£)*	*Net council tax (£)*	*Net council tax as % of gross income*	*Income boundary[1] (£)*	*Net council tax (£)*	*Net council tax as % of gross income*	*Income boundary[1] (£)*	*Net council tax (£)*	*Net council tax as % of gross income*
Bottom		242	3.1		397	4.7		373	4.0
	8,838			9,805			9,941		
2nd		419	3.4		430	3.4		372	2.9
	12,551			13,187			13,353		
3rd		502	2.6		656	3.3		525	2.7
	17,838			17,667			17,646		
4th		707	2.3		755	2.7		647	2.4
	25,843			24,065			23,660		
Top		872	1.5		938	1.8		846	1.7
All households in region		548	2.2		635	2.6		553	2.3

[1] Boundary point between equivalised disposable income quintiles

Source:

Office for National Statistics, based on the analysis 'The effects of taxes and benefits on household income'.

Net council tax paid by households within each Government Office Region by equivalised disposable income quintile, 2001–02 (continued): England

	East Midlands			West Midlands			Eastern		
Quintile	*Income boundary[1] (£)*	*Net council tax (£)*	*Net council tax as % of gross income*	*Income boundary[1] (£)*	*Net council tax (£)*	*Net council tax as % of gross income*	*Income boundary[1] (£)*	*Net council tax (£)*	*Net council tax as % of gross income*
Bottom		482	5.2		424	4.8		467	5.3
	10,265			9,829			10,977		
2nd		555	3.5		430	3.4		530	3.4
	14,708			13,721			16,010		
3rd		675	2.8		604	2.7		722	2.7
	19,597			17,811			22,095		
4th		724	2.3		777	2.3		779	2.1
	26,737			25,179			30,016		
Top		785	1.4		781	1.5		891	1.4
All households in region		644	2.4		603	2.3		678	2.2

[1] Boundary point between equivalised disposable income quintiles

Source:

Office for National Statistics, based on the analysis 'The effects of taxes and benefits on household income'.

Net council tax paid by households within each Government Office Region by equivalised disposable income quintile, 2001–02 (continued): England

	London			South East			South West		
Quintile	*Income boundary[1] (£)*	*Net council tax (£)*	*Net council tax as % of gross income*	*Income boundary[1] (£)*	*Net council tax (£)*	*Net council tax as % of gross income*	*Income boundary[1] (£)*	*Net council tax (£)*	*Net council tax as % of gross income*
Bottom		443	4.6		477	4.8		474	5.4
	11,432			12,550			10,609		
2nd		567	3.1		637	3.3		565	3.8
	17,512			18,002			14,441		
3rd		746	2.2		748	2.5		683	3.0
	25,609			24,649			19,341		
4th		790	1.7		826	1.9		748	2.5
	37,913			35,184			26,281		
Top		886	1.0		986	1.3		890	1.5
All households in region		686	1.7		735	2.0		672	2.5

[1] Boundary point between equivalised disposable income quintiles

Source:

Office for National Statistics, based on the analysis 'The effects of taxes and benefits on household income'.

Families (Taxation)

Mr. Pickles: To ask the Chancellor of the Exchequer if he will make a statement on the treatment for the purposes of *(a)* taxation and *(b)* tax credits of (i) families with two children of different ages and (ii) families with twins. [137461]

Dawn Primarolo: In any single tax year there are currently no differences in the treatment of families with two children of different ages and of families with twins for the purposes of taxation or tax credits.

Financial Literacy

Mr. Drew: To ask the Chancellor of the Exchequer if he will publish the Treasury's strategy for improving the level of financial literacy. [136757]

Ruth Kelly: Raising standards of financial literacy is an important part of the Government's wider strategy to reduce social and financial exclusion, and promote appropriate participation in the financial services industry, while tackling overindebtedness, and promote saving. Financially literate, confident, and independent consumers also spur firms to offer high quality, value for money products and services, and promotes effective competition.

A number of departments and agencies are active in achieving our ambitions. For example, we are the first Government to introduce a framework for Personal, Social and Health Education (PSHE) that provides for personal finance education to be taught throughout Key Stages 1 to 4 of the school curriculum.

We also work closely with the Financial Services Authority.

In his 2002 Review of Medium and Long Term Saving Ron Sandler suggested that the FSA should lead and coordinate further work in this area. Partly in response to those proposals, the FSA announced on 20 October 2003 the membership of their Financial Capability Steering Group. This group will bring together government, consumer representatives, the industry, the media, and the regulator to develop and implement a national strategy for financial capability.

The FSA has already delivered a great deal to help consumers and has fostered initiatives on financial literacy, working closely, for example, with the Personal Finance Education Group, which has undertaken valuable work on good practice I delivering personal finance teaching in schools. But the steering group announcement recognised that more needs to be done, to engage with and learn from the widest range of organisation.

Financial Services Authority

Mr. Martlew: To ask the Chancellor of the Exchequer what plans he has to make the equity release market subject to Financial Services Authority regulation. [138959]

Ruth Kelly: Mortgage based equity release schemes will be regulated by the Financial Services Authority (FSA) with effect from 31 October 2004. On 11 November 2003, I published a consultation document seeking views on whether home reversion plans should come within the scope of FSA regulation. Copies of this consultation document are available in the Library.

Flooding

Mr. Kidney: To ask the Chancellor of the Exchequer what assessment he has made of the scope for the application of economic instruments in promoting the development of flood defences. [138933]

Ruth Kelly: The 2001 Flood and Coastal Defence Funding Review recommended that the Government should consider the application of economic instruments as part of alternative funding streams for flood defence. We agree with the review's analysis and have therefore asked Defra to work up proposals as part of their Spending Review 2002 commitments. They have since consulted on a range of options, including a Floodplain Development Connection Charge to be levied on new developments in the floodplain. The work on this is still at a very early stage, and will be taken forward as part of Defra's new flood management strategy.

Graduate Income

Mr. Hepburn: To ask the Chancellor of the Exchequer what the average wage for a new graduate was in each year since 1997 in *(a)* the North East and *(b)* the UK. [137458]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr. Stephen Hepburn, dated 17 November 2003:

The National Statistician has been asked to reply to your recent Parliamentary Question about the average wage for new graduates in the North East and the UK. I am replying in his absence. (137458)

Table 1 overleaf gives estimates of the average gross weekly earnings of all working age graduates resident in the UK and the North East region who are full-time employees.

Table 2 gives estimates of the average gross weekly earnings of graduates aged 25 and under resident in the UK who are full-time employees. Similar estimates for graduates aged 25 and under resident in the North East region are not reliable because the survey sample sizes available are too small.

These estimates are from the Labour Force Survey (LFS) for the twelve month period ending August of each year from 1998 to 2003. Estimates for all new graduates, irrespective of age, cannot be produced as the LFS does not include a question about how long ago respondents graduated.

Table 1

Average gross weekly earnings of working age[1] graduates[2] who are full-time[3] employees

£

September to August	*UK*	*North East*
1997–8	513	453
1998–9	539	488
1999–2000	555	484
2000–1	582	497
2001–2	605	534
2002–3	625	552

[1] Men aged 16–64 and women aged 16–59

[2] People whose highest qualification is degree level or above

[3] The definition of full-time is based on respondents' self assessment

Note:

These Labour Force Survey (LFS) estimates have not been interim-adjusted to take account of the recent Census 2001 results.

Source:

ONS—Labour Force Survey

Table 2
Average gross weekly earnings of graduates[1] aged 25 and under resident in the UK who are full-time[2] employees

September to August	£
1997–8	285
1998–9	314
1999–0	319
2000–1	341
2001–2	356
2002–3	350

[1] People whose highest qualification is degree level or above
[2] The definition of full-time is based on respondents' self assessment
Note:
These Labour Force Survey (LFS) estimates have not been interim-adjusted to take account of the Census 2001 results
Source:
ONS Labour Force Survey.

International Monetary Fund

John Barrett: To ask the Chancellor of the Exchequer what steps he is taking to reform the workings of the International Monetary Fund in favour of lower income countries. [138389]

John Healey: The UK Government believe that International Monetary Fund (IMF) support to low-income countries should work within its areas of competence to help these countries achieve the macroeconomic stability and supporting policy measures crucial to poverty reduction and delivery of the Millennium Development Goals. The IMF's chief form of support to low-income countries is through the Poverty Reduction and Growth Facility, which was created in 1999. This facility is designed to support country-led poverty reduction strategies, and the UK has been at the forefront of efforts to ensure that the IMF's work is based on these strategies.

Discussions were held at the annual meetings of the IMF and World Bank in Dubai in September where my right hon. Friend the Chancellor of the Exchequer chaired the International Monetary and Finance Committee meetings. The Committee noted that faster growth will be needed in low-income countries in order to reduce poverty, and that this would require stronger policies and institutions, better governance and increased and more effective aid.

The Committee observed that the IMF should remain engaged with these countries in the long-term, encouraging it to undertake further initiatives to support higher sustained growth and poverty reduction, improved governance, and reduced vulnerability to shocks. The IMF will prepare a number of Board papers on these issues, and the Committee looks forward to a review of progress at its next meeting.

The Committee also noted the need for increased and more effective aid, and for enhanced market access. The Committee urged the IMF to work with the World Bank on aid effectiveness, aid absorption, results-based measurement systems and financing mechanisms, including the International Finance Facility. Developing and emerging market countries are being consulted on this, and France will host an international conference in spring next year.

In respect of representation of developing countries on the Boards of the IMF and World Bank, the Development Committee, meeting in Dubai, agreed to continue efforts to build the necessary political consensus on this issue, with a roadmap to be produced for the spring meetings. The International Monetary and Financial Committee welcomed measures under way and asked the IMF to examine these issues further.

Parliamentary Questions

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer (1) if he will make a statement on Her Majesty's Treasury's policy regarding the content and extent of answers to written parliamentary questions, with particular reference to the Treasury's policy on the provision of lists, where lists are requested by a written parliamentary question; [137644]

(2) pursuant to the Financial Secretary to the Treasury's Answer of 30 October 2003, *Official Report*, column 310W, on the euro, if he will list *(a)* the meetings attended by ministers to campaign for a pro-European consensus, the ministers at these meetings and the dates of these events and *(b)* the events planned at which ministers will campaign for a pro-European consensus, the ministers who will attend these events, and the dates of these events. [137694]

Ruth Kelly: I refer the hon. Gentlemen to the answer I gave him on 30 October.

Treasury Ministers seek to give accurate information to Parliament in reply to written questions, taking account of such factors as the level of detail sought by questioners and the availability of information.

Pension Incomes

Mr. Gardiner: To ask the Chancellor of the Exchequer what assessment he has made of the impact of an increase in the use of property to generate pension incomes on *(a)* the British economy, *(b)* Government expenditure and *(c)* the housing market. [138616]

Ruth Kelly: Box A3 in Annex A of PBR 2002 discusses the impact on the housing market and the wider economy of diversification out of equities into property.

Pensions and Financial Ombudsmen

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer how many *(a)* Pensions Ombudsman and *(b)* Financial Ombudsman cases were considered in the last year for which figures are available; how many cases were (i) upheld and (ii) rejected; what the average time taken to consider a case was; and what the average cost per case was. [137333]

Ruth Kelly: The Pensions Ombudsman operates a two stage process. Stage 1 involves identifying which applications are to be accepted for investigation and redirecting those where the decision is not to investigate. Stage 2 involves an in-depth investigation.

The Pensions Ombudsman's Office tell me that for the year ended 31 March 2003, they dealt with a total of 4363 cases. The table below shows a breakdown of all cases resolved during the period:

Outcome of cases	*Year ended 31 March 2003*
Stage 1	3,684 of which 98 per cent. of decisions were taken within four weeks.
Stage 2	679 decisions made in the course of the year.

So far as the Pensions Ombudsman's formal determinations are concerned 23 per cent. resulted in a finding of the complaint being upheld; 34 per cent. of the complaint being not upheld and 43 per cent. of the investigations which were closed.

The unit cost per case is divided by the expenditure of the office by the 679 Stage 2 completed investigations, the average cost per case is £2,160; and for Stage 1 completion the cost is £336. There is however an element of double counting involved in the last calculation: a case which went through Stage 1 at the beginning of the year and where the Stage 2 completion was before the end of the year will be counted as two cases in the calculation which produces the 336 figure.

It is not possible to answer the query about average time taken to consider a case without incurring additional costs. However, the times taken to complete Stage 2 cases were:

Cases taking in excess of 12 months 240 (35 per cent.)

Cases taking between 6 and 12 months 255 (38 per cent.)

Cases taking less than 6 months 184(27 per cent.)

The Financial Ombudsman Service tell me that for the financial year ending 31 March 2003, the Financial Ombudsman Service received a total of 62,170 cases.

The following table shows a breakdown of the outcome of all cases resolved during the period.

Outcome of cases

Year ended 31 March 2003	*Percentage*
Resolved by mediation or conciliation	40
Resolved after investigation by an adjudicator	49
of which:	
13 mixed outcome (partial win/lose for both sides)	
18 in favour of the consumer	
69 in favour of the firm	
Resolved by final decision of an ombudsman	11
of which:	
15 mixed outcome (partial win/lose for both sides)	
35 in favour of the consumer	
50 in favour of the firm	

The average time taken to resolve cases in the year ending 31 March 2003 was 135.8 days.

The unit cost per case (calculated by dividing the total expenditure—less financing costs—by the number of cases closed) for the year ending 31 March 2003 was £518.

Quarterly Financial Reporting

Mr. Prisk: To ask the Chancellor of the Exchequer what discussions he has had with representatives of *(a)* the European Union, *(b)* the Institute of Chartered Accountants and *(c)* business concerning the European Union's proposals for quarterly financial reporting; and if he will make a statement. [137608]

Ruth Kelly: Officials from HM Treasury, together with colleagues from the FSA and the UK Permanent Representation to the European Union, have been involved in intensive discussions on the Transparency Directive with representatives from the European Institutions. Efforts have focused on achieving agreement on a final text that balances the objective of increasing market transparency with the need to reduce the burden and costs for businesses, in particular concerning the European Commission's proposal to introduce quarterly reporting for companies with shares on regulated EU markets.

Officials have also been consulting on this Directive with businesses and their representatives and advisers since November 2002. These consultations have included regular roundtable meetings, which give participants an opportunity to make their concerns known, to get feedback on the process in Brussels, and to quiz officials involved in the process. Officials have also been holding smaller meetings with business representatives, including the Institute of Chartered Accountants, to provide an additional forum for consultation.

Tax and Benefit Reforms

Mr. Andrew Mitchell: To ask the Chancellor of the Exchequer pursuant to his answer of 10 July 2003, *Official Report*, column 928W, if he will provide a breakdown of the impact of his tax and benefit reforms on households with annual income of *(a)* £30,000, *(b)* £50,000, *(c)* £75,000 and *(d)* over £75,000. [127058]

Dawn Primarolo: The following table shows the average change in net household incomes as a result of all personal tax and benefit measures introduced since 1997, for households with annual gross incomes in the ranges specified in the question.

Household gross income	*Average change 2003–04 compared to 1997–98 (£)*
Up to £30,000	1,100
Up to £50,000	950
Up to £75,000	875
All households	775

Tax Credits

John Barrett: To ask the Chancellor of the Exchequer pursuant to his answer of 6 November 2003, *Official Report*, column 804W, on tax credits, (1) when he expects the Family Resources Survey 2003–04 will be available; and if he will place take-up estimates of (i) child tax credit and (ii) working tax credit, broken down by (A) parliamentary constituency and (B) local authority area, in the Library when the survey is available; [138393]

(2) whether it is possible to make estimates of take-up of *(a)* child tax credit and *(b)* working tax credit by (i) parliamentary constituency and (ii) local authority area using 2002–03 figures. [138394]

Dawn Primarolo: In line with previous years, the Family Resources Survey (FRS) for 2003–04 is expected to be available by late 2004. The FRS sample size is not sufficient to allow the estimation of take-up rates for either child tax credit or working tax credit at the level of parliamentary constituency or local authority area.

Official estimates of take-up of income related benefits or tax credits require data which identifies individuals who are entitled to the particular credit or benefit but who are observed as not taking up that entitlement. Such data for the child tax credit or the working tax credit will not be available from sources for 2002–03 as the tax credits were not introduced until April 2003.

Taxes (London)

Simon Hughes: To ask the Chancellor of the Exchequer what recent estimate he has made of taxes paid by *(a)* people and *(b)* organisations in London; and if he will make a statement. [135161]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Simon Hughes, dated 17 November 2003:

As National Statistician I have been asked to reply to your recent question on taxes paid by people and organisations in London. (135161)

The table below shows estimates of taxes on income, taxes on products, taxes on production and other taxes paid by individuals and businesses in London and in the UK in 1998. The London figures were produced by ONS for the estimation of sub-national government accounts on an experimental basis and were published in a news release on 31 October 2002. They were produced as part of a pilot study funded by the European Commission and there are no current plans to update this analysis. Separate information on taxes paid by individuals and businesses is not available.

Estimate of taxes paid by individuals and businesses in 1998[1]

£ million

	Taxes on income	*Taxes on products*	*Taxes on production*	*Other current taxes*	*Total taxes paid*
London	22,204	12,303	4,138	1,731	40,376
United Kingdom	124,060	99,108	17,287	14,993	255,448

[1] Consistent with National Accounts Blue Book 2001.

Value Added Tax

Mrs. Brooke: To ask the Chancellor of the Exchequer what discussions he has had with the European Commission on a new reduced rate category of VAT for protective and safety equipment; and what the outcome was. [138774]

John Healey: The Directive covering reduced rates of VAT is currently under discussion by European Ministers, following a proposal from the Commission earlier this year. This proposal challenges a number of the UK's zero rates including those for children's clothing and several reliefs targeted at charities and disabled people. We have made clear in the negotiations that we will not agree to the removal of any of our zero or reduced rate VAT derogations.

The Commission's approach to this review has significantly narrowed the scope to consider the introduction of new reduced rates. However, as well as defending our zero rates, the Government continue to press for our long standing commitments for reduced rates for repairs to listed places of worship and the purchase of energy-saving materials for do-it-yourself installation, and also for energy-efficient products.

DEPUTY PRIME MINISTER

Bechtel

Malcolm Bruce: To ask the Deputy Prime Minister if he will list the contracts for consultancy and other work carried out by Bechtel in each year since 1997 by his Department's predecessors in areas relating to regional government, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137736]

Yvette Cooper: There have been no contracts awarded to Bechtel since 1997 by the predecessor Departments of the Office of the Deputy Prime Minister.

Billboards

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the regulations that apply to the display of billboards *(a)* in the open countryside and *(b)* on telegraph poles on public or private land without planning permission. [138682]

Keith Hill: The display of outdoor advertisements including billboards in the open countryside and on telegraph poles on public and private land is controlled by the Town and Country Planning (Control of Advertisements) Regulations 1992. The express consent of the local planning authority is required before these advertisements may be lawfully displayed. The local planning authority must consider amenity and public safety issues. The consent of the owner of the land is also required. Local planning authorities have enforcement powers under sections 224 and 225 of the Town and Country Planning Act 1990 which they may use to remove, or require the removal of, advertisements displayed in contravention of the Regulations.

Business Planning Zones

Dr. Kumar: To ask the Deputy Prime Minister what guidance he offers to local authorities on the establishment of *(a)* business planning zones and *(b)* business improvement districts, with particular reference to (i) Sunderland and (ii) Redcar and Cleveland. [139425]

Mr. Raynsford: The information is as follows:

Business Planning Zones

Guidance for local planning authorities will be published for public consultation next year. Broad policy will be set out in draft PPS4: Planning for Economic Development, and more detailed guidance on how local planning authorities should establish such zones will be produced in due course.

Business Improvement Districts

Draft guidance on Business Improvement Districts is available on the Office of the Deputy Prime Minister's website (www.odpm.gov.uk) Consultation on this guidance has recently completed and the final version will be published when the regulations relating to BIDs legislation are laid before the House in spring 2004.

The Office of the Deputy Prime Minister is not aware of any specific issues in Sunderland or Redcar and Cleveland which would require more specific guidance on Business Planning Zones or Business Improvement Districts.

Cash Incentive Scheme Grants

Ms Oona King: To ask the Deputy Prime Minister how many Cash Incentive Scheme grants were made by each local authority in London in 2002–03; and what the total value of these grants was for each local authority. [139271]

Mr. Raynsford: The number of Cash Incentive Scheme grants made by those London borough's running schemes in 2002–03 and the total value of grants made are shown in the table.

	Total number of grants	*Total expenditure (£000)*
Barnet	36	917
Brent	31	305
Camden	20	466
Croydon	48	980
Enfield	31	760
Haringey	21	496
Havering	9	6
Hillingdon	19	382
Islington	9	255
Kingston-upon-Thames	17	343
Lewisham	27	521
Merton	9	205
Tower Hamlets	56	755
Waltham Forest	6	148
Wandsworth	32	638
Westminster	15	357

Central Government Funding (Havering)

Mr. Rosindell: To ask the Deputy Prime Minister how much money was allocated from central Government to the London Borough of Havering in *(a)* 1997, *(b)* 1999, *(c)* 2001 and *(d)* 2002. [138465]

Mr. Raynsford: Tabled are the figures for Government grants paid to the London Borough of Havering in each financial year from 1996–97. Figures are not available for calendar years.

Government grants paid to the London Borough of Havering[1]

£ million

	Revenue support grant	*Redistributed non-domestic rates*	*Ring-fenced grants inside AEF*[2]
1996–97	62.032	53.914	6.256
1997–98	64.408	50.432	5.823
1998–99	69.215	52.563	7.261
1999–2000	70.247	56.793	10.280
2000–01	68.687	63.386	16.021
2001–02	77.482	62.600	20.503
2002–03	74.583	68.394	23.828
2003–04	88.628	65.791	[3]22.686

[1] Figures are not directly comparable between years due to changes in function.
[2] Aggregate External Finance.
[3] Budgeted figure.

Council Tax

Andrew George: To ask the Deputy Prime Minister what the cost was of operating the local government council tax system in each of the last five years for which records are available, broken down by *(a)* administration, *(b)* valuation, *(c)* appeals, *(d)* council tax benefit administration and *(e)* other costs. [139157]

Mr. Raynsford: Local authorities in England reported council tax collection costs and council tax benefit administration costs in the last five years are tabled below. Administration, valuation and appeals costs are not reported separately.

£ million

	Council tax collection costs	*Council tax benefit administration costs*
1999–2000	309.6	216.7
2000–01	301.5	194.8
2001–02	301.1	218.7
2002–03[1]	319.1	204.5
2003–04[1]	[2]337.0	235.7

[1] Budgeted figures.
[2] In 2003–04, council tax collection costs may include a small amount of NDR, rate (domestic and non-domestic) and community charge collection costs.
Source:
1999–2000 to 2001–02 Revenue Summary Returns. 2002–03 to 2003–04 Budget Estimate Returns.

Credit Unions

Mr. Gardiner: To ask the Deputy Prime Minister what role credit unions play in alleviating poverty in communities; and what role they *(a)* have and *(b)* will have in the future as part of New Deal for Communities. [136289]

Yvette Cooper: Credit unions have an important role to play in tackling financial exclusion. By bridging the gap between mainstream financial services and those of limited means, credit unions make a real difference to the individuals and communities they serve.

New Deal for Communities (NDC) Partnerships have a broad remit to tackle issues of crime, worklessness, education, health and housing in the physical environment in some of our most deprived neighbourhoods. A number of NDC Partnerships have already done work to develop credit unions or are covered by credit unions that already exist in their area—such as East Manchester NDC and Knowsley NDC—and Partnerships will continue to do this in future where it is relevant to the needs of the neighbourhood. For example, in the Brent area there are currently on-going discussions between Camden Credit Union and South Kilburn NDC on the subject of Camden Credit Union extending their common bond to the NDC area.

Disabled Facilities Grant

Sandra Gidley: To ask the Deputy Prime Minister what the average time has been between applying for a disabled facilities grant and *(a)* assessment of needs, *(b)* provision of finance and *(c)* the completion of buildings work, broken down by each local authority. [138162]

Keith Hill: Local authorities are required by statute to respond to a completed application for disabled facilities grant within six months. The Government do not collect information on the average waiting times for these grants.

The Office of the Deputy Prime Minister, jointly with the Department of Health, has issued draft guidance to local authorities setting out best practice in delivering a first class housing adaptations service for disabled people. This includes target times for the complete delivery process including needs assessment, processing of the application and the completion of building works. These target times will depend on the complexity of, and priority attached to, individual cases but the guidance suggests that the maximum target time for the entire process should in any event be no more than 260 working days and only 80 working days in high priority cases. We are currently considering responses to this consultation and hope to issue final guidance to local housing and social service authorities early next year.

Elected Regional Assemblies

Mr. Hammond: To ask the Deputy Prime Minister what assessment he has made of whether the proposed referendums on elected regional assemblies give people living in the regions affected an opportunity for their regions to have similar powers to those of *(a)* the Scottish Parliament and *(b)* the Welsh Assembly. [139126]

Mr. Raynsford: Elected assemblies will be given powers over key regional issues, such as jobs, planning, housing, transport, culture and economic development. The Regional Governance White Paper, "Your Region, Your Choice: Revitalising the English Regions", sets out the Government's proposals and takes into account the functions that are best dealt with at a national, regional or local level. As the proposals relate to the English regions, the powers of the Greater London Authority are also a relevant consideration.

There are no plans to revisit the package as a matter of course, but there may be changes in the way some central Government functions are delivered. In developing policies, the Government will consider the opportunities offered by the creation of elected assemblies. For example, the Fire White Paper, "Our Fire and Rescue Service", announced that regional fire and rescue authorities will be established in those regions that choose to have elected assemblies.

Expenses and Allowances

Mr. Flook: To ask the Deputy Prime Minister if he will make a statement on the advice given by the inland revenue on tax and national insurance issues in the guidance to local councils on the expenses and allowances payable to mayors and district councils. [138830]

Mr. Raynsford: Guidance relating to local authority members' allowances was issued to all local authorities in July 2003. This contains guidance on the tax and national insurance treatment of expenses and allowances for all members of local authorities, including mayors.

Graffiti

Mrs. Curtis-Thomas: To ask the Deputy Prime Minister if he will make a statement on the extent of the problem of graffiti; and how much he estimates was *(a)* lost by businesses through dealing with the problem of graffiti and *(b)* spent by local authorities in dealing with graffiti in 2002–03. [138286]

Yvette Cooper: Local authorities budgeted to spend £456 million on street cleaning and litter in 2002–03. The detailed information requested is not held centrally, and could be provided only at disproportionate cost.

The Local Environmental Quality Survey for England, prepared by Environmental Campaigns (ENCAMS) on behalf of the Department for Environment, Food and Rural Affairs (Defra), indicates graffiti is not a major problem over the whole of the country, but those areas where it is a problem suffer particularly badly.

Homeless People

Mr. Hepburn: To ask the Deputy Prime Minister what funding has been allocated to reduce the number of homeless people in the UK since 1997. [128713]

Yvette Cooper: A variety of investment streams contribute to tackling and resolving homelessness but these have wider housing and social objectives too, and it is not possible to identify specific homelessness elements within all of them.

In March 2002, the Office of the Deputy Prime Minister published "More than a Roof", a report into tackling homelessness, which identified the problems and the steps that were needed in order to tackle homelessness in England. The Homelessness Directorate was established in the previous Department for Transport, Local Government and the Regions (DTLR) in March 2002 and brought together the Rough Sleepers Unit, the Bed and Breakfast Unit and a new team to ensure effective implementation of new homelessness legislation and to assist local authorities (and voluntary agencies working with them) in the development of their strategies to tackle homelessness.

The Homelessness Directorate invested £114.5 million in 2002–03 and has a £260 million budget over 2003–04 to 2005–06.

Local authorities also receive funding for their homelessness responsibilities through the local government finance settlement. The funding is paid as general grant and it is for local authorities to decide on their spending priorities taking into account their statutory responsibilities and the wishes of their electorate.

Between 1997–98 and 2001–02, the following net current expenditure on homelessness incurred within the General Fund Revenue Account:

	£ million
1997–98	123
1998–99	150
1999–2000	171
2000–01	203
2001–02	186

Much of this expenditure is on the provision of temporary accommodation for homeless households for which authorities claim housing benefit subsidy In relation to general capital investment for housing, the

total budget for housing capital investment in 1997–98 was £1.7 billion and £4.3 billion for 2003–04. These budgets provide new affordable housing and improvements to existing housing, both of which can help to prevent and resolve homelessness.

Future funding will complement increases in investment in affordable housing and the funding available from 1 April 2003 for services to help homeless people under the Supporting People programme. Provision for support relating to homelessness within the Supporting People budget totalled over £353 million this year—a fifth of the £1.8 billion grant for the 2003–04 programme. This expenditure would have previously come from a variety of programmes including housing benefit and Supported Housing Management Grant, but was not identified separately for homeless client groups within these programmes.

Housing

Mr. Gardiner: To ask the Deputy Prime Minister if he will amend total cost indicators in the grant system for housing associations so that it is more profitable for them to build homes with three and four bedrooms. [138589]

Keith Hill: I refer my hon. Friend to the answer given on 6 November 2003, *Official Report*, column 796W. The Housing Corporation's Total Cost Indictor (TCI) framework is designed to be cost neutral across all types of homes irrespective of size.

Mr. Gardiner: To ask the Deputy Prime Minister what assessment his Department has made of how to increase the construction by housing associations of *(a)* two, *(b)* three and *(c)* four bedroom homes in an economically viable way while meeting his Department's targets to increase the density of new housing developments. [138590]

Keith Hill: The Housing Corporation has recently announced its bidding round for social housing grant for 2004–05 and 2005–06. It has identified a number of ways of achieving better value for money through, for example, partnering arrangements. The detailed programme will reflect priorities identified in Regional Housing Strategies and the funding recommendations made by Regional Housing Boards. Bids from registered social landlords should reflect the local needs that they are aiming to meet.

The Office of the Deputy Prime Minister believes that it is possible to achieve net development densities of up to 50 dwellings per hectare with a mix of different types and sizes of housing. Registered social landlords are already providing homes at an average of about 48 dwellings per hectare.

Housing Stock

Mr. Byers: To ask the Deputy Prime Minister what action he proposes to take to ensure that regional government offices monitor the activities of local authorities to ensure that they comply with the requirements laid down by the Government in relation to the disposal of council housing stock. [138893]

Keith Hill: The Government Office for the Regions already work with all local authorities on housing matters, including where the authority is considering a housing transfer. In addition the Office's Community Housing Task Force work with authorities to help them deliver housing transfers within the framework set out by Government.

The Government Offices will continue to work with an authority post transfer on its strategic and statutory housing roles.

London Boroughs (Council Tax)

Simon Hughes: To ask the Deputy Prime Minister pursuant to his answer of 29 October 2003, *Official Report*, columns 302–04W, on London boroughs (council tax), how much and what proportion of council tax was collected in the London boroughs in each year from April 1993 to April 1996. [139216]

Mr. Raynsford: The following table shows the amount of council tax collected in each London borough and the City of London, irrespective of the financial year to which they relate, in each year from 1993–94 to 1996–97.

Amounts of council tax collected[1]

	1993–94	*1994–95*	*1995–96*	*1996–97*
Inner London				
City of London	0.960	1.255	1.331	1.417
Camden	36.770	38.940	37.056	43.630
Greenwich	29.507	27.851	29.234	36.751
Hackney	18.279	18.444	20.781	23.071
Hammersmith and Fulham	24.866	26.463	30.740	35.882
Islington	23.214	24.288	26.040	31.335
Kensington and Chelsea	27.995	33.732	34.281	37.334
Lambeth	26.532	34.831	31.512	31.924
Lewisham	26.490	30.637	30.418	32.537
Southwark	22.624	26.374	26.694	34.584
Tower Hamlets	13.870	15.588	15.380	18.419
Wandsworth	13.269	13.777	27.209	35.719
Westminster	16.255	19.703	22.708	25.260
Total Inner London	280.631	311.883	333.384	387.863
Outer London				
Barking and Dagenham	15.750	18.044	17.906	19.475
Barnet	53.655	60.553	62.897	68.042
Bexley	34.491	36.091	38.328	40.037
Brent	34.785	30.199	27.083	27.051
Bromley	51.307	52.726	55.687	60.924
Croydon	47.509	52.063	56.216	57.745
Ealing	43.256	40.727	42.784	45.009
Enfield	42.630	46.643	44.005	46.958
Haringey	30.843	32.875	33.226	35.330
Harrow	35.137	37.151	[2]—	39.659
Havering	36.414	36.550	39.055	42.674
Hillingdon	37.479	41.379	41.846	43.968
Hounslow	34.119	35.052	35.478	39.162
Kingston upon Thames	24.433	27.118	28.585	30.454
Merton	26.018	28.624	34.447	37.134
Newham	20.025	21.304	19.112	20.040
Redbridge	34.742	34.778	37.513	39.582
Richmond upon Thames	32.595	41.291	47.754	51.112
Sutton	29.333	31.906	33.569	35.534
Waltham Forest	27.583	29.897	32.313	36.215
Total Outer London	692.104	734.971	[2]—	816.105

[1] Amount of council tax due received by the end of the financial year as a percentage of the net collectable debit for the year.
[2] n/a

The following table shows the in-year council tax collection rates for each London borough and the City of London for each year from 1993–94 to 1996–97. The collection of council tax continues after the end of the

financial year to which it relates. This means that the percentage of council tax ultimately collected for any financial year is greater than that shown in the table.

In-year council tax collection rates[1]

	1993–94	*1994–95*	*1995–96*	*1996–97*
Inner London				
City of London	97.7	96.3	99.0	98.1
Camden	81.4	82.0	83.7	87.7
Greenwich	84.3	86.9	89.4	91.4
Hackney	67.5	75.5	78.8	79.4
Hammersmith and Fulham	86.1	85.7	87.4	87.6
Islington	69.3	81.2	80.8	83.0
Kensington and Chelsea	87.6	89.2	93.2	94.9
Lambeth	48.4	56.4	71.8	78.6
Lewisham	82.5	81.2	81.5	84.8
Southwark	73.1	79.9	83.7	84.7
Tower Hamlets	84.3	84.6	87.3	87.2
Wandsworth	88.0	89.3	88.6	87.9
Westminster	84.6	91.3	93.6	92.6
Average Inner London	75.6	80.0	84.4	86.7
Outer London				
Barking and Dagenham	93.1	94.6	95.4	94.9
Barnet	92.7	93.5	94.4	94.7
Bexley	95.4	95.7	96.4	96.2
Brent	84.4	85.8	87.0	87.6
Bromley	97.0	96.9	97.4	97.2
Croydon	94.3	92.8	93.4	92.1
Ealing	86.9	90.4	92.9	94.3
Enfield	86.2	88.5	90.8	91.8
Haringey	74.0	81.9	81.4	84.7
Harrow	94.4	[2]	[2]	96.4
Havering	95.0	95.8	96.5	96.7
Hillingdon	92.9	93.8	93.9	94.3
Hounslow	91.1	90.1	88.8	92.7
Kingston upon Thames	97.5	98.2	97.3	97.1
Merton	91.6	92.9	96.9	94.4
Newham	73.4	72.8	76.9	81.0
Redbridge	94.1	94.6	94.7	95.6
Richmond upon Thames	95.2	95.4	96.4	97.0
Sutton	97.5	97.9	98.3	98.0
Waltham Forest	82.2	86.2	88.9	91.5
Average Outer London	90.4	91.8	92.9	93.8
Average Greater London	85.6	88.0	90.1	91.4

[1] Amount of council tax due received by the end of the financial year as a percentage of the net collectable debit for the year.
[2] n/a

Regional Assemblies

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will include with the postal ballot for the proposed English regional assemblies explanatory memoranda setting out the expected costs and savings of the new structure. [137559]

Mr. Raynsford: The Political Parties, Elections and Referendums Act 2000 prohibits publication of any material relating to a referendum during the 28 days prior to the poll by any Minister of the Crown, Government Department or local authority. Therefore, the postal ballot for the proposed English regional assemblies will not include any such material. However, the Office of the Deputy Prime Minister has launched an information campaign to ensure that relevant information about the role and composition of Elected Regional Assemblies is made easily available in each of the three northern regions where referendums may be held. This includes an estimate of the costs of running elected assemblies and the savings to other public bodies whose staff transfer to the assembly.

Regional Co-ordination Unit

Mr. Pickles: To ask the Deputy Prime Minister when the Regional Co-ordination Unit was established. [138131]

Yvette Cooper: The Regional Co-ordination Unit was set up in the summer of 2000 following the publication of the Performance and Innovation Unit Report, "Reaching Out—The Role Of Central Government At Regional And Local Level".

Mr. Pickles: To ask the Deputy Prime Minister how many research projects the Regional Co-ordination Unit *(a)* plans to commission in 2003–04 and *(b)* commissioned in 2002–03; and what the rationale for each project was. [138134]

Yvette Cooper: The Regional Co-ordination Unit (RCU) currently has no plans to commission any research in 2003–04.

In 2002–03, the following research was commissioned:

a study of staff appraisal to see if there are any subjective differences in the way appraisals are carried out on staff of different gender, ethnicity or disability; and

a report into "Incorporating Regional Perspectives into Policy Making". This was commissioned jointly by the RCU and the Cabinet Office Strategy Unit to investigate ways in which central Departments and the Government Offices could better work together to develop policy.

Ward Boundaries (Devon)

Nick Harvey: To ask the Deputy Prime Minister when he plans to introduce orders giving effect to the Boundary Committee's recommendations for Devon County Council's ward boundaries. [138903]

Mr. Raynsford: These are now matters for the independent Electoral Commission, to which the periodic electoral reviews functions of the former Local Government Commission for England and my right hon. Friend the Deputy Prime Minister were transferred by the Local Government Commission for England (Transfer of Functions) Order 2001 (S.I 2001/3962).

Wiltshire Fire Authority

Mr. Key: To ask the Deputy Prime Minister if he will list the members of the Wiltshire Fire Authority indicating *(a)* by whom each was nominated, *(b)* by whom each was appointed and *(c)* the political affiliation of each member. [137455]

Mr. Raynsford: This information is not held centrally.

Work-related Stress

Dr. Cable: To ask the Deputy Prime Minister how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136842]

Yvette Cooper: The Office of the Deputy Prime Minister was established following machinery of government changes in May 2002.

For the period 2002–03, there have been eight cases of alleged work-related stress in the Office of the Deputy Prime Minister, amounting to 126 days absence. There have been no compensation claims for work-related stress.

The Office of the Deputy Prime Minister has a Stress at Work policy in place, which is supported by practical guidance issued to staff on dealing with the issue. In addition, the Office of the Deputy Prime Minister has access to a counselling and support facility. The Office of the Deputy Prime Minister is committed to meeting the targets for reducing the number of days lost due to work-related injuries and ill health arising from the Government's Revitalising Health and Safety initiative. The Office of the Deputy Prime Minister has been in recent discussions with the Health and Safety Executive about the development of a new proactive stress prevention programme.

EDUCATION AND SKILLS

Paternal Contact

Mr. Jenkins: To ask the Secretary of State for Education and Skills what encouragement departments and agencies give to fathers in keeping in contact with their children after separation. [136442]

Margaret Hodge: The Government's approach to the issue of child contact is based on the principle in the Children Act 1989, that in all decisions and arrangements about child contact, the child's best interests must be paramount. Figures from recent studies and surveys indicate as follows:

60 per cent. of non-resident parents agreed contact with the resident parent.

77 per cent. of non-resident parents saw their children every day, or at least once a week, or at least once a month. (Office for National Statistics survey).

47 per cent. of all non-resident fathers were having at least weekly contact, 68 per cent. at least monthly contact and only 3 per cent. had no contact at all, with their children. (Bradshaw, Stimson, Skinner and Williams—"Absent Fathers?" 1999).

69 per cent. of formerly married parents reported on-going contact. Only 5 per cent. reported that there had never been any contact and 27 per cent. said contact had been interrupted or had ended. (McLean and Eekelaar—"The Parental Obligation: a study of parenthood across households" 1997).

The Government believe that children generally benefit from the continued involvement of both parents in their lives following divorce or separation, with the interests of the child always being paramount. I am currently considering our response to the Report of the Children Act Sub-committee of the Advisory Board on Family Law "Making Contact Work" to see what further practical steps we can take to facilitate and support contact between children and their parents.

Meanwhile, the Government have already taken the following initiatives:

have published the Parenting Plan, designed to help parents make practical arrangements for their children following divorce or separation, and age-related information leaflets for children concerned;

are supporting a publicity campaign to emphasise the benefits of safe contact for children and to encourage parents to resolve disputes constructively;

have made available public funding for family mediation for the resolution of disputes over children. 250 services now have contracts to provide family mediation and in 2001/02 are expanding the provision of child contact facilities.

Special Educational Needs and Disability Act

Miss McIntosh: To ask the Secretary of State for Education and Skills what assessment he has made of *(a)* the effect of provisions of the Special Educational Needs and Disability Act 2001 and *(b)* progressing schools in fulfilling their duty to draw up accessibility plans. [137910]

Mr. Charles Clarke: Her Majesty's Chief Inspector of Schools will be reporting on these matters during 2004.

Child Protection Database

Tim Loughton: To ask the Secretary of State for Education and Skills what representations he has received about the impact of data protection laws on his plans to introduce a database for child protection. [138422]

Margaret Hodge: My right hon. Friend has not received any direct representations about the impact of data protection laws on our plans to introduce a database for child protection.

The Green Paper "Every Child Matters" sets out our proposals to protect children at risk within a framework of universal services, including the collection and sharing of information on children. The consultation period ends on 1 December.

Education Act

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills (1) with which schools and local authorities he has discussed proposals to take advantage of the flexibility provisions of the Education Act 2002; [137087]

(2) how many inquiries he has received about use of the flexibility provisions of the Education Act 2002. [137088]

Mr. Miliband *[holding answer 10 November 2003]:* I refer the hon. Member to the answers given to the hon. Member for Harrogate and Knaresborough (Mr. Willis) on 12 May 2003, *Official Report*, column 52W; the hon. Member for Ashford (Mr. Green) on 6 October 2003, *Official Report*, column 1131W; the hon. Member for Altrincham and Sale, West (Mr. Brady) on 27 October 2003, *Official Report*, column 72W and the noble Baroness Sharp of Guildford, *Official Report, House of Lords*, 6 October 2003, c. WA3.

A-Levels

Mr. Woodward: To ask the Secretary of State for Education and Skills what proportion of pupils from secondary school went on to take A-levels in *(a)* the North West region, *(b)* Merseyside, *(c)* St. Helens and *(d)* England in each year since 1997. [137997]

Mr. Miliband: The precise information requested is not available. As the National Pupil Database is developed further, this type of analysis will be possible. As a proxy, the following tables show (i) the number of 17-year-old students who took at least one A level in

(a) the North West region, *(b)* Merseyside, *(c)* St. Helens LEA and *(d)* England in schools and colleges for the years 1997–2003 and (ii) the number of 15-year-old pupils in secondary schools in *(a)* the North West region, *(b)* Merseyside, *(c)* St. Helens LEA and *(d)* England, two years before each of the years shown in (i).

(i)

		1997	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
a	North West	22,309	23,403	22,854	22,755	24,095	27,084	28,077
b	Merseyside	4,699	4,916	4,742	4,712	5,145	5,604	5,927
c	St. Helens LEA	759	823	777	803	867	882	1,022
d	England	192,418	198,225	196,743	193,913	203,121	219,455	228,454

Note:
Figures for 2003 are provisional

(ii)

		1995	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*
a	North West	78,452	80,647	79,799	79,339	80,875	80,350	83,894
b	Merseyside	16,735	16,959	16,920	17,001	17,282	16,817	17,810
c	St. Helens LEA	2,210	2,193	2,200	2,256	2,195	2,088	2,237
d	England	578,197	594,035	586,766	575,210	580,972	580,393	603,318

Although the exact information required is not currently available, a rough approximation can be obtained by dividing the number of 17-year-old A level students by the number of 15-year-old pupils two years before. It should be noted however that this is not based on data which tracks the same pupils over time.

The following figures approximately show the percentage of 15-year-old pupils who went on to take A levels at 17 in the North West region and in England.

	1995	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*
North West	28	29	29	29	30	34	33
England	33	33	34	34	35	38	38

Similar figures for the Merseyside area and St. Helen's LEA are less accurate due to where students choose to pursue their further education studies.

Advertising/Marketing

Mr. Damian Green: To ask the Secretary of State for Education and Skills how much money his Department spent on advertising and marketing in each month since 1997. [137571]

Mr. Charles Clarke: Information for expenditure per month for the period and areas specified could be provided only at disproportionate cost.

Expenditure from the Department's central advertising and publicity budget is as follows:

	£000
1997–98	10,879
1998–99	13,426
1999–2000	9,902
2000–01	14,595
2001–02	11,688
2002–03	14,089
2003–04 (to date)	2,937

In addition to expenditure from this central budget, expenditure from budgets allocated to individual programmes will also include spend on publicity and marketing related activity. It is not possible, except at disproportionate cost, to separately identify all such expenditure. However, it is possible to identify separately expenditure on advertising, and this is as follows:

	£000
1997–98	9,992
1998–99	15,673
1999–2000	11,900
2000–01	29,066
2001–02	20,489
2002–03	11,261
2003–04 (to date)	11,210

Information on expenditure by agencies and non-departmental public bodies is not held centrally.

Domestic Violence

Ms Shipley: To ask the Secretary of State for Education and Skills what plans he has to increase support for the non-abusive parent in cases of domestic violence where children are involved. [134909]

Margaret Hodge: The Government have proposed a number of measures which will improve the support and protection available to the children and non-abusive partner of a violent parent. These were set out in our consultation paper "Safety and Justice: The Government's Proposals on Domestic Violence" and include:

making sure that child contact arrangements in domestic violence cases guarantee the safety of all parties. We will be expanding the provision of supervised child contact centres and services. Where domestic violence (or other safety issues) features in contact cases it is vital that the families are referred to services that are able to meet their needs, especially on safety. Baroness Ashton of Upholland and I plan to announce successful applicants for funding from a joint Children's Fund/

Sure Start Investment Stream of £2.9 million for new supervised contact services. We expect new services to commence from the New Year;

improving the support available to children and young people affected by domestic violence, both for the benefit of the children and young people themselves and to relieve pressures on their parents;

providing help for victims of domestic violence as early as possible, and making sure that the civil and criminal law offer the maximum protection to all victims, children and adults, to prevent the violence recurring;

providing advice and information to victims on how to get access to support services and legal protection;

ensuring an effective police response when victims report domestic violence and ensuring that victims are not deterred by the way they will be treated at any stage of the judicial process;

improving the sharing of information so that child and adult victims are better protected and supported;

increasing the full range of accommodation options, including supporting people to stay in their own home. Children can particularly suffer by moving away from their friends, school, pets and other familiar surroundings;

helping victims who have ended or left a violent relationship to rebuild their lives; and

raising awareness about domestic violence among the general public and key professionals;

The Government are currently considering the responses to these proposals.Our Green Paper Every Child Matters recognises that supporting parents and carers is a significant factor in our general strategy to improve children's lives. It sets out the Government's vision of better integrated services for all children that are focused around the needs of the child, to ensure no child falls through the net and all children get the support they need to fulfil their potential:

integrating services for children and families within Children's Trusts. This will particularly benefit the families in which children are affected by domestic violence as they may have a range of physical, emotional and psychological needs and may often be in temporary accommodation or moving around;

providing access to specialist services. Being a victim of, or witnessing, domestic violence can have a long-term negative impact on children's behaviour, health and educational outcomes. The Green Paper sets out how the Government will seek to ensure specialist provision is available so that all children achieve and are in good physical and mental health;

strengthening child protection arrangements. The Green Paper sets out proposals for changes to arrangements for safeguarding children, which we hope will lead to a better response to the needs of vulnerable children including those affected by domestic violence;

improving information sharing will ensure that difficulties are picked up earlier and acted upon in a coherent way. We are consulting on the best way to use information about families and parents in such cases to build a complete picture of the risks to the child;

improving both universal and targeted support for parents. Such support will be appropriate and non-stigmatising. It will help parents in supporting their children and the universal support in particular will be a gateway to more specialist services, for example, support for families affected by domestic violence; and

improving maternity services. 30 per cent. of domestic violence cases start during pregnancy and existing violence often escalates during it. Through the National Service Framework for Children, Young People and Maternity Services the Government are piloting routine antenatal questioning for domestic violence by midwives.

Education Spending (North-west)

Mr. Evans: To ask the Secretary of State for Education and Skills how much was spent on *(a)* primary education, *(b)* secondary education, *(c)* tertiary education and *(d)* further education in the north west in each year since 1992. [134904]

Mr. Miliband: The information requested is contained in the following tables.

Primary, secondary and further education expenditure in the north west since 1992

	pre-Primary	*Primary*	*pre-Primary & Primary*	*Secondary*
1992–93	n/a	n/a	1,144,841	1,153,066
1993–94	n/a	n/a	1,158,010	1,049,978
1994–95	n/a	n/a	1,202,426	1,089,653
1995–96	n/a	n/a	1,185,076	1,000,413
1996–97	n/a	n/a	1,213,943	1,018,336
1997–98	n/a	n/a	1,221,486	1,027,733
1998–99	n/a	n/a	1,321,152	1,089,898
1999–2000	46,199	1,394,850	1,441,049	1,286,311
2000–01	67,355	1,522,508	1,589,863	1,407,303
2001–02	91,379	1,676,685	1,768,064	1,588,239

Notes:
1. North West includes the following LEAs:
Knowsley, Liverpool, St. Helens, Sefton, Wirral, Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford, Wigan, Cheshire, Halton, Warrington, Lancashire, Blackburn with Darwen, Blackpool and Cumbria.
2. Net Current Expenditure includes expenditure within schools and also that incurred centrally by the LEA's.
3. Cash term figures are rounded to the nearest £1,000.
4. Expenditure was not distinguished between pre-primary and primary sectors until the inception of the Section 52 outturn statement in 1999–2000.
5. Data is as reported by LEAs.
6. Data is drawn from the DfES Section 52 outturn statements from 1999–2000 onwards and the ODPM's RO1 statement previously.

Further education funding allocations to institutions in the north west since 1992

	Further education
1992–93	341,320,591
1993–94	360,421,769
1994–95	379,275,174
1995–96	421,366,768
1996–97	449,925,071
1997–98	458,258,684
1998–99	464,615,551
1999–2000	475,546,775
2000–01	500,439,180
2001–02	530,460,995
2002–03	552,474,473
2003–04	568,368,735

Notes:
1. Tertiary Education funding is not reported separately from Further Education funding.
2. 1992/93 funding allocation was from LEAs.
3. 1993/94 was a 16 month allocation from 1 April 1993 to July 1994 (first year of funding from the FEFC).
4. From 1 August 1994 funding was allocated from 1 August–31 July.
5. Cash terms data reported.

Fair Trade (Universities)

John Barrett: To ask the Secretary of State for Education and Skills what action his Department has taken to promote fair trade accreditation at UK universities. [138388]

Alan Johnson: The Government are committed to encouraging responsible trade and encourages all organisations to consider whether their purchasing policies can be adjusted to benefit the poor in developing countries. Through the Department for International Development, the Government have provided £0.5million to support UK development awareness and education campaigns centred around Fairtrade over the past two years. Higher education institutions are however independent, autonomous bodies, entirely responsible for their own trading arrangements, and we cannot directly influence their trading choices.

Falling Rolls

Mr. Willis: To ask the Secretary of State for Education and Skills how many *(a)* primary and *(b)* secondary schools in England have falling rolls; and if he will make a statement. [136792]

Mr. Miliband: In January 2003, out of a total of 17,861 maintained primary schools, there were 10,100 schools that showed a decrease in pupil numbers of at least one pupil compared to January 2002.

Also in January 2003, out of a total of 3,436 maintained secondary schools, there were 1,017 schools that showed a decrease in pupil numbers of at least one pupil compared to January 2002.

Funding

Matthew Green: To ask the Secretary of State for Education and Skills how many bodies receive some or all their funding from his Department; what funding was received by each body in each year since 1997; and who the chief executive is of each body. [133677]

Mr. Stephen Twigg: The information on funding of executive non departmental public bodies is published annually in the Departmental Report. Information on the chief executives is contained in the individual annual reports issued by each of the executive non departmental public bodies. Information on other bodies is not available, except at disproportionate cost.

Gifted Pupils

David Davis: To ask the Secretary of State for Education and Skills what differences there are in the amounts that rural and urban areas received for gifted pupils; and what the reasons are for the differences. [138385]

Mr. Miliband: The majority of dedicated funding for gifted and talented education is made available through Excellence in Cities, including Excellence Clusters and Aim Higher. These programmes are targeted at areas of greatest deprivation which are concentrated in urban areas although not exclusively so. Each area receives only a notional allocation for work on gifted and talented education. It is for the local partnership or cluster to decide how much to spend on this, relative to other dimensions of their programme.

Local education authorities and schools can also use funding from other sources for gifted and talented education, and choose whether or not to take up a range of national resources available to them. These decisions are influenced by a variety of local priorities and needs.

GNVQs

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 27 October 2003, *Official Report*, columns 73–6W, on GNVQs, what the total percentage was of pupils achieving 5 A*-C grades at GCSE/GNVQ level was in each year since 1996; and if he will make a statement. [136715]

Mr. Miliband: The percentage of pupils achieving 5 + A*-C grades at GCSE/GNVQ are as follows:

	Percentage
1995/96	44.5
1996/97	45.1
1997/98	46.3
1998/99	47.9
1999/2000	49.2
2000/01	50.0
2001/02	51.6
2002/03 (Provisional)	52.6

This information can be found in Statistical First Releases and Statistical Volumes on the Department's Research and Statistics website, at http://www.dfes.gov.uk/rsgateway

Graduate Tax

Paul Farrelly: To ask the Secretary of State for Education and Skills what discussions he had with colleagues from other departments on variants of a graduate tax as alternatives to fund higher education. [138549]

Alan Johnson: My right hon. Friend the Secretary of State has had a number of discussions with colleagues across Government on all aspects of the proposals set out in the recent in the White Paper "The future of higher education" (Cm 5735).

Paul Farrelly: To ask the Secretary of State for Education and Skills pursuant to his letter of 11 April, on student funding, for what reasons it was stated that a graduate tax arrangement could not run alongside the existing student loan repayment scheme. [138562]

Alan Johnson: The circular referred to is a party political document. I will write to my hon. Friend separately.

Higher Education

Mr. Woodward: To ask the Secretary of State for Education and Skills what proportion of students from *(a)* the North West Region, *(b)* Merseyside, *(c)* St. Helens and *(d)* England in higher education received (i) a grant and (ii) a student loan in each year since 1997. [138000]

Alan Johnson: The support arrangements under the mandatory awards scheme for eligible undergraduate students domiciled in England and Wales on courses which began before 1 September 1998 consisted of payment, usually in full, of their tuition fees, a grant towards their maintenance, depending on income, and a non-income assessed loan. New students in academic year 1998/99, with a few exceptions, were expected to contribute up to £1,000 a year towards the cost of their tuition depending on family income. In 1998/99,

income-assessed grants on average only formed about a quarter of the support available and all students were entitled to a non income-assessed loan which comprised the remaining three-quarters of support available and which will be repayable on an income contingent basis. New entrants to higher education from 1999/2000, together with those who started in 1998/99, received support for living costs solely through loans which are partly income-assessed. Grants for living costs are no longer available except for some limited allowances, e.g. for students with dependants; students who require assistance with travel, books and equipment; lone parent students; students leaving care; students with dependant children who are eligible for school meals grants; and disabled students.

National level data are published annually in the Department's Statistical First Releases (SFRs) (SFR 11/2003 for 2001/02). Data on grants are collected from the local education authorities (LEAs) to produce national estimates and the data collection exercise does not allow for the production of firm figures below this level, and therefore data by region and local education authority are not available. The percentage of English domiciled students receiving a grant is shown in the table.

Academic years 1997/98 to 2001/02, England[1]

	Percentage of students receiving a full or partial maintenance grant
1997/98	
Student Support Scheme[2]	Not applicable
Mandatory awards[3]	72
All students	72
1998/99	
Student Support Scheme[2, 4]	71
Mandatory awards[3]	69
All students	70
1999/2000	
Student Support Scheme[2, 5]	5
Mandatory awards[3]	69
All students	30
2000/01	
Student Support Scheme[2, 5]	7
Mandatory awards[3]	65
All students	14
2001/02	
Student Support Scheme[2, 5]	7
Mandatory Awards[3]	64
All students	9

[1] Awards made by local education authorities in England to students normally domiciled in their area.
[2] Students who entered higher education from 1998/99.
[3] Students who entered higher education up to 1997/98 and those who entered in 1998/99 to whom the existing arrangements still applied. These students are eligible for income assessed maintenance grants and non means tested loans repayable on a mortgage style, fixed term, basis.
[4] Student Support Scheme students in 1998/99 received support for maintenance through income-assessed grants (comprising about a quarter of the support available) and non income assessed student loans (comprising about three-quarters of the support available) repayable on an income contingent basis.
[5] Data on maintenance expenditure for student support scheme students from 1999/2000 relate to additional allowances/grants available to eligible students for extra help depending on their circumstances, e.g. students with disabilities, students with dependents, single parent students, those incurring certain travel costs, and those who have recently left care. Includes students who are eligible for allowances/grants but who may not receive the means tested grants following income assessment.
Source:
Form F503G survey of local education authorities on student support school meals grants; and disabled students.

The percentage of students taking out a student loan is shown in the table.

Academic years 1997/98 to 2001/02

	Percentage of students receiving a loan[1]	
	Income contingent loans (Student Support Scheme students)[2]	*Mortgage style loans (mandatory awards)*[3]
1997/98[4]		
UK	Not applicable	64
1998/99[4]		
UK	69	68
1999/2000		
England[5]	75	65
North West[5]	82	Not available
Merseyside[5, 6]	81	Not available
2000/01		
England[5]	80	67
North West[5, 6]	85	Not available
Merseyside[5, 7]	88	Not available
2001/02		
England[5]	82	72
North West[5,6]	84	Not available
Merseyside[5,7]	88	Not available

[1] New student support arrangements were introduced from academic year 1998/99. New students in 1998/99 (apart from certain specified exceptions) received support for maintenance expenditure through means-tested grants (comprising about a quarter of the support available) and non income-assessed student loans (comprising about three-quarters of the support available). From 1999/2000, students who entered higher education after 1998/99 received support for maintenance expenditure through loans, of which approximately three-quarters of the value was non income-assessed. Loans made under these arrangements are repayable on an income contingent basis.
[2] Excludes the fixed rate loans (£500) for eligible part-time students, introduced in September 2000.
[3] Data on mandatory awards are available only at England level.
[4] Data up to an including 1998/99 are not available below United Kingdom level.
[5] Data at a level below England have been taken from available data and may include a small number of loans which have been authorised for payment but not paid: England data include only those loans actually paid.
[6] The North West Government Office Region.
[7] Merseyside includes Knowsley, Liverpool, Sefton, St. Helens and Wirral local education authorities.
Source:
Student Loans Company.

Information on the region or local education authority of domicile of applicants for student loans is not available prior to academic year 1999/2000; data on the domicile of students taking out fixed rate mortgage style loans (normally those who entered higher education before 1998/99) is not available because applications are made through their education institution. The number of students estimated to be eligible for loans is compiled from data provided by the Higher Education Statistics Agency (covering HEIs)

and from separate surveys covering higher education students in further education colleges. These estimates do not allow for robust disaggregation to LEA level.

Mr. Woodward: To ask the Secretary of State for Education and Skills how many students from *(a)* the North West Region, *(b)* Merseyside, *(c)* St. Helens and *(d)* England in higher education paid up-front fees in each year since 1997. [138001]

Alan Johnson: The student support arrangements up to, and including, academic year 1997/98 included the payment of tuition fees in full from public funds on behalf of eligible students domiciled in England and Wales. New student support arrangements came into effect at the start of academic year 1998/99 when new entrants to higher education were expected to contribute towards the cost of their tuition. The amount of the contribution depends on family income.

The number of students in England in academic years 1998/99 to 2001/02 (latest year for which data are available) who have been assessed to make a partial or full contribution towards the cost of their tuition is shown in the table.

Student Support Scheme Students number (thousand) [1,2]

Academic year	*Full or partial contribution towards the cost of tuition from student/parents/spouse/partner*[3]
1998/99	125
1999/2000	244
2000/01	375
2001/02	402

[1] Contributions towards the cost of tuition are assessed by local education authorities in England for students normally domiciled in their area and studying in the UK.

[2] Data for academic year 1998/99 comprise the cohort of students who entered higher education in that year; data for 1999/2000 comprise the 1998/99 and 1999/2000 cohorts; data for 2000/01 comprise those who entered in 1998/99, 1999/2000 and 2000/01; and data for 2001/02 comprise those students still in study from 1998/99 onwards and new entrants from 2001/02.

[3] Includes students who withdrew from their course before the fee due date (and therefore no fee payment was made by the local education authority). In 1998/99, includes estimation for students who, because they did not expect to receive a contribution towards the cost of their tuition from public funds, did not make an application to their local authority.

Source:
F503G survey of local education authorities.

National level data are published annually in the Department's Statistical First Releases (SFRs) (SFR 11/2003 for 2001/02).

Data are collected from the local education authorities (LEAs) to produce national estimates and the data collection exercise does not allow for the production of firm figures below this level, and therefore data by region and local education authority are not available.

Key Stage 2

Mr. Flook: To ask the Secretary of State for Education and Skills what proportion of children in *(a)* Wiltshire, *(b)* Dorset, *(c)* Devon and *(d)* Somerset gained level 4 and above at Key Stage 2 in (i) English and (ii) mathematics in each year since 1997. [138962]

Mr. Miliband: The percentage of 11-year-olds in *(a)* Wiltshire, *(b)* Dorset, *(c)* Devon and *(d)* Somerset who gained level 4 and above at Key Stage 2 in (i) English and (ii) mathematics in each year since 1997 are as follows:

LEA	*2003*	*2002*	*2001*	*2000*	*1999*	*1998*	*1997*
English							
Wiltshire	75	74	73	75	73	67	67
Dorset	76	78	77	79	74	68	68
Devon[1]	74	74	76	75	72	66	62
Somerset	74	74	74	75	73	67	67
England	75	75	75	75	71	65	63
Mathematics							
Wiltshire	73	73	70	71	69	62	67
Dorset	73	72	70	73	71	60	67
Devon	74	73	71	72	70	60	62
Somerset	72	72	69	70	70	58	63
England	73	73	71	72	69	59	62

[1] For 1997, Devon LEA included schools in Torbay and Plymouth. Following the local Government reorganisation in 1998, Torbay and Plymouth schools are excluded from the Devon figures.

Note:
The 2003 information is based on provisional data.

Literacy

Mr. Rosindell: To ask the Secretary of State for Education and Skills what the literacy level is in *(a)* the constituency of Romford and *(b)* other population centres in Essex. [136476]

Mr. Miliband: The constituency of Romford falls within the London borough of Havering education authority. The Key Stage 2 English results for Havering are above average with 80 per cent. of pupils achieving the expected level for their age (level 4+) in 2003, an 11 percentage points increase since 1998, when the National Literacy Strategy was introduced. Nationally, 75 per cent. of pupils achieved level 4+ in English at Key Stage 2 in 2003, a rise of 10 percentage points since 1998.

The 2003 Key Stage 2 results for Havering, compared with those for the London boroughs of Redbridge and Barking and Dagenham, and with the unitary authorities of Southend-on-Sea and Thurrock, and with Essex local education authority are set out in the table. The table shows the percentage of pupils who achieved the expected level for their age (level 4+) in the Key Stage 2 English tests since 1998 in these areas:

	1998	*1999*	*2000*	*2001*	*2002*	*2003*[1]
Havering	71	78	78	79	80	80
Redbridge	70	72	77	77	78	77
Barking and Dagenham	60	65	72	72	69	70
Essex	65	71	76	75	76	77
Southend-on-Sea	63	69	72	73	75	74
Thurrock	55	60	65	68	68	66

[1] Provisional

Local Education Authorities

Mr. Chaytor: To ask the Secretary of State for Education and Skills when he expects the 2002–03 contextual value added indicators to be distributed to local education authorities; and if he will place a copy in the Library. [136817]

Mr. Miliband: The Department will share contextual value added information for secondary schools with individual LEAs before the end of this term. The analysis will be based on provisional data for 2003 results at Key Stage 3 and Key Stage 4, and therefore subject to slight revision. The information is provided on a confidential basis in order to help authorities to review and evaluate the performance of their schools, and to challenge any underperformance.

We have no plans to publish this analysis.

London Universities

Simon Hughes: To ask the Secretary of State for Education and Skills what the drop-out rate for universities in London was by *(a)* percentage and *(b)* number in each year since 1997. [138665]

Alan Johnson: The available information on non continuation rates is contained in "Performance Indicators in Higher Education", published by the Higher Education Funding Council for England (HEFCE). The figures cover full-time first degree courses only, and show, for each individual HE institution in the UK, the numbers and proportion of entrants who failed to complete their course. Copies of the HEFCE publication are available for students starting courses in 1996–97, 1997–98, 1998–99 and 1999–00 in the House Library. The next edition, covering students starting courses in 2000–01, is scheduled for publication in autumn 2003.

NVQs

Rob Marris: To ask the Secretary of State for Education and Skills how many NVQs were completed in further education colleges in *(a)* 2001–02 and *(b)* 2002–03. [136977]

Alan Johnson: The National Information System for Vocational Qualifications (NISVQ) showed that 146,000 NVQs/SVQs of a total 315,000 NVQ/SVQs were achieved[1] in further education colleges/tertiary colleges in England in 2001/02. The equivalent figure for 2002/03 is not yet available.

[1] NISVQ collects information on full NVQ/SVQs awarded. It does not collect information on those qualifications which were completed but not achieved.

Rob Marris: To ask the Secretary of State for Education and Skills what proportion of NVQs were completed in further education colleges in *(a)* 2001–02 and *(b)* 2002–03. [136978]

Alan Johnson: The National Information System for Vocational Qualifications (NISVQ) showed that 46.4 per cent. of a total 315,000 NVQ/SVQs were achieved[1] in further education colleges/tertiary colleges in England in 2001/02. The equivalent figure for 2002/03 is not yet available.

[1] NISVQ collects information on full NVQ/SVQs awarded. It does not collect information on those qualifications which were completed but not achieved.

Performance and Assessment Reports

Mr. Chaytor: To ask the Secretary of State for Education and Skills when he expects the 2002–03 Ofsted PANDA information to be distributed to schools; and if he will place a copy in the Library. [136818]

Mr. Miliband: This is a matter for Ofsted. HM Chief Inspector, David Bell, will write to my hon. friend and place a copy of his letter in the Library.

Performance-related Pay

Mr. Jack: To ask the Secretary of State for Education and Skills whether the costs for every local education authority's performance-related pay expenditure for 2004–05 will be funded in full by government grant, including the on-going costs arising from performance awards in earlier years. [136889]

Mr. Miliband: The threshold performance payments made by schools are refunded in full by the Department, including for on-costs. In 2003–04 we are also contributing a further £205 million towards other performance-related payments to teachers, principally to help meet the costs of the upper pay scale. This will be sufficient to meet all schools' continuing commitments arising from the performance-related pay grant provided in 2002–03 and will support the costs of similar progress along the Upper Pay Scale for those teachers becoming eligible for performance points in September 2003.

For 2004–05, the £205 million we have allocated this year will be uprated at least in line with the headline pay settlement. And if proper arrangements for point 3 of the upper pay scale can be settled with the stakeholders, additional resources will be allocated from September 2004.

Pupil Funding

Mr. Damian Green: To ask the Secretary of State for Education and Skills what the standard deviation from the mean per pupil funding is across *(a)* primary and *(b)* secondary schools in 2003–04. [137200]

Mr. Miliband: The information requested is contained in the following table:

Per pupil funding for primary and secondary schools for the 2003–04 session

£

	Per pupil funding	
	Mean	*Standard deviation*
Primary schools	2,660	642
Secondary schools	3,269	556

Notes:
1. LEA funding to schools as reported by LEAs.
2. The data are taken from the 2003–04 Section 52 Budget table 2.
3. Per pupil funding includes schools budget share, devolved standards fund and school standards grant.

School Funding

Mr. Brady: To ask the Secretary of State for Education and Skills what the average per pupil funding for *(a)* primary schools, *(b)* secondary schools and *(c)* special schools was in each local education authority area for (i) 2002–03 and (ii) 2003–04. [133603]

Mr. Miliband: The information requested has been placed in the Libraries.

School Meals

Dr. Kumar: To ask the Secretary of State for Education and Skills how many *(a)* primary and *(b)* secondary school students are eligible for free school meals in each English local education authority area. [137546]

Mr. Miliband: The information requested has been placed in the House of Commons Library.

School Workforce Agreement

Mr. Jack: To ask the Secretary of State for Education and Skills how much he has included in his 2004–05 Schools budget for the full implementation of the School Workforce Agreement. [136887]

Mr. Miliband: On 29 October we announced a package of measures to deliver greater stability in school budgets for 2004–05. These measures provide headroom over the average cost pressures that schools face to help schools implement the National Agreement on workforce reform.

In addition, much progress can also be made from schools managing their total resources—people and resources—in different ways. For example, in September 2004, a limit of 38 hours will be introduced on the amount of cover an individual teacher can be required to undertake. Although the majority of teachers will not be affected by this initial limit, it provides an opportunity for schools to examine the use of supply teachers for providing short-term cover, and developing the use of cover supervision by trained support staff.

Secondary Education (Somerset)

Mr. Flook: To ask the Secretary of State for Education and Skills how many pupils entered secondary education in Somerset in each of the last six years; and how many secondary school admission appeals there were in the Somerset local education authority in the same periods, broken down by *(a)* successful and *(b)* unsuccessful appeals. [137382]

Mr. Miliband: The available information is shown in the table.

Maintained secondary schools: appeals lodged by parents against non-admission of their children 1996/97 to 2001/02

	Somerset local education authority					
			Appeals heard		*Appeals decided in parent's favour*	
	Number of admissions	*Number of appeals*	*Number*	*Percentage*[1]	*Number*	*Percentage*[2]
1996/97	6,163	115	88	76.5	43	48.9
1997/98	6,333	186	157	84.4	90	57.3
1998/99	6,466	160	122	76.3	60	49.2
1999/2000	6,869	141	83	58.9	47	56.6
2000/01	6,787	321	190	59.2	127	66.8
2001/02	[3]7,700	361	236	65.4	153	64.8

[1] Number of appeals heard expressed as a percentage of number of appeals lodged.
[2] Number of appeals decided in parent's favour expressed as a percentage of number of appeals heard.
[3] Due to changes in the underlying data collection the number of admissions shown here is not directly comparable with those for earlier years. In previous years the number of admissions reflected the total number of pupils of the school's basic entry age who started school at the start of the academic year. In 2001/02 the coverage is extended to all new admissions to schools regardless of pupils' age. Rounded to nearest 100.
Source:
Annual Schools' Census and Admission Appeals Survey

Secondary School Places

Mr. Challen: To ask the Secretary of State for Education and Skills how many pupils entered secondary education in the Leeds Local Education Authority over the last five years; and how many secondary school admission appeals there were in Leeds LEA over the same period, broken down between *(a)* successful and *(b)* unsuccessful appeals. [136786]

Mr. Miliband: The available information is shown in the table.

Maintained secondary schools: appeals lodged by parents against non-admission of their children, 1997/98 to 2001/02

	Leeds Local Education Authority					
			Appeals heard		*Appeals decided in parent's favour*	
	Number of admissions	*Number of appeals lodged*	*Number*	*Percentage*[1]	*Number*	*Percentage*[2]
1997/98	8,375	1,186	664	56.0	337	50.8
1998/99	8,375	1,707	996	58.3	457	45.9
1999/2000	8,360	1,149	879	76.5	407	46.3
2000/01	8,637	1,646	1,095	66.5	386	35.3
2001/02	9,100[3]	1,585	981	61.9	394	40.2

[1] Number of appeals heard expressed as a percentage of number of appeals lodged.
[2] Number of appeals decided in parent's favour expressed as a percentage of number of appeals heard.
[3] Due to changes in the underlying data collection, the number of admissions shown here is not directly comparable with those for earlier years. In previous years, the number of admissions reflected the total number of pupils of the school's basic entry age who started school at the start of the academic year. In 2001/02, the coverage is extended to all new admissions to schools regardless of pupils' age. Rounded to nearest 100.
Source:
Annual Schools' Census and Admission Appeals Survey.

Student Finance

Mr. Clappison: To ask the Secretary of State for Education and Skills what assessment has been made of the average indebtedness of students upon graduation in each of the last 10 years. [137475]

Alan Johnson: The table shows the average student loan debt at the point at which they entered repayment status for borrowers who became liable to repay their loans in financial years 1999–2000 to 2002–03. Data for earlier years are not available.

Average student loan debt on entering year entered repayment status[1]

£

Financial year entered repayment status[2]	*Mortgage style loans*[3]	*Income contingent loans*[4]	*Part-time loans*[5]
1999–2000	3,530	[6] —	[6] —
2000–01	4,090	2,300	[6] —
2001–02	4,490	3,410	450
2002–03	5,150	5,980	520

[1] Data rounded to nearest £10. Includes interest accrued up to the point of entering repayment status. Excludes any early voluntary repayments which may have been made before borrowers enter repayment status. Debt of borrowers with more than one loan type has been split between types.
[2] Borrowers enter repayment status in the April following their graduation or otherwise leaving their course. Borrowers may have accounts in more than one cohort year of entering repayment.
[3] Loans made to students who entered higher education up to 1997–98 or who entered in 1998–99 under existing arrangements. Includes loans repayable to the private sector following the sale of two trenches of student loans.
[4] Loans, repayable on an income contingent basis, available to students who entered higher education from academic year 1998–99. These loans were subject to a repayment holiday until April 2000. Includes hardship loans.
[5] Fixed-rate loans made to eligible part-time students, introduced in September 2000.
[6] Not applicable.
Source:
Student Loans Company

The first cohort of students on a three-year degree course who entered higher education under the new student support arrangements became liable for repayment in April 2002. That, and earlier, cohorts includes a disproportionate number of students on shorter courses as well as those who have left higher education before completing their courses. Therefore the average level of debt will not be representative of the average debt experienced by those who complete their courses.

Borrowers are liable to repay their loans from the April following graduation or otherwise leaving their course. Students who started their course from the 1998–99 academic year will repay income contingent loans. Loans for those who started their course before 1998–99 are repayable on a mortgage style basis.

The Department does not have annual data for HE students' total debt on graduation (including bank loans, overdrafts, credit cards, and informal debts to family and friends). The Student income and Expenditure Survey (SIES), which collects this information is undertaken every three to four years. Findings from the last survey in 1998–99 showed that the average total anticipated debt of all full-time students graduating in 1998–99 was £3,462. The Department has conducted a SIES for the 2002–03 academic year which will be published shortly.

Student Loans

Mr. Woodward: To ask the Secretary of State for Education and Skills what the average student loan for a student from *(a)* the North West region, *(b)* Merseyside, *(c)* St. Helens and *(d)* England was in each year since 1997. [137996]

Alan Johnson: Information on the region or Local Education Authority of domicile of applicants for student loans is not available prior to academic year 1999/2000; data on the domicile of students taking out fixed rate mortgage style loans (normally those who entered higher education before 1998/99) is not available because applications are made through their education institution.

The available information on students taking out income contingent loans is shown in the table:

Average income-contingent loan[1] *taken out by domicile of student—academic years 1999/2000, 2000/01 and 2001/02*

Average income contingent student loan[1] *taken out,*[2,3] *(£)*

	Academic year		
Domicile[4]	*1999/2000*	*2000/01*	*2001/02*
North West[5,6]	3,130	3,090	3,130
Merseyside[6,7]	3,110	3,060	3,100
St. Helens[6]	3,030	3,000	3,040
England	3,180	3,160	3,190

[1] New student support arrangements were introduced from academic year 1998/99. From 1999/2000 students who entered higher education after 1998/99 received support for maintenance expenditure through loans, of which approximately three quarters of the value was non income-assessed. Loans made under these arrangements are repayable on an income contingent basis. The ratio of support for mandatory award holders, i.e. those who entered higher education up to 1997/98, was roughly 50 per cent. means-tested grant and 50 per cent. non means-tested loan repayable on a mortgage style basis.
[2] Figures have been rounded to the nearest £10.
[3] Excludes the fixed rate loan (£500) for eligible part-time students, introduced in September 2000.
[4] From academic year 1999/2000, student support students apply to their Local Education Authority for assessment of their eligibility for student support, including student loans, irrespective of their place of study. Mandatory award holders, i.e. those eligible for mortgage style loans, continue to make applications for student loans through their education institution.
[5] The North West Government Office Region.
[6] Data at a level below England have been taken from available data and may include a small number of loans which have been authorised for payment but not paid: England data are only those loans actually paid.
[7] Merseyside includes Knowsley, Liverpool, Sefton, St. Helens and Wirral Local Education Authorities.
Source:
Student Loans Company

Average mortgage style loan[1] *taken out (£)* [2]

	Academic year		
Domicile[3]	*1999/2000*	*2000/01*	*2001/02*
England	1,470	1,460	1,520

[1] New student support arrangements were introduced from academic year 1998/99. From 1999/2000 students who entered higher education after 1998/99 received support for maintenance expenditure through loans, of which approximately three quarters

of the value was non income-assessed. Loans made under these arrangements are repayable on an income contingent basis. The ratio of support for mandatory award holders, i.e. those who entered higher education up to 1997/98, was roughly 50 per cent. means-tested grant and 50 per cent. non means-tested loan repayable on a mortgage style basis.

[2] Figures have been rounded to the nearest £10

[3] From academic year 1999/2000, student support students apply to their Local Education Authority for assessment of their eligibility for student support, including student loans, irrespective of their place of study. Mandatory award holders, i.e. those eligible for mortgage style loans, continue to make applications for student loans through their education institution.

Source:

Student Loans Company

Mr. Woodward: To ask the Secretary of State for Education and Skills what the average size of *(a)* grants, *(b)* student loans and *(c)* the debt acquired to enable students to finance higher education has been in each year since 1997. [138043]

Alan Johnson: The support arrangements under the mandatory awards scheme for eligible undergraduate students domiciled in England and Wales on courses which began before 1 September 1998 consisted of payment, usually in full, of their tuition fees, a grant towards their maintenance, depending on income, and a non-income assessed loan. New students in academic year 1998/99, with a few exceptions, were expected to contribute up to £1,000 a year towards the cost of their tuition depending on family income. In 1998/99, income-assessed grants on average only formed about a quarter of the support available and all students were entitled to a non income-assessed loan which comprised the remaining three quarters of support available and which will be repayable on an income contingent basis. New entrants to higher education from 1999/2000, together with those who started in 1998/99, received support for living costs solely through loans which are partly income-assessed. Grants for living costs are no longer available except for some limited allowances, e.g. for students with dependants; students who require assistance with travel, books and equipment; lone parent students; students leaving care; students with dependant children who are eligible for school meals grants; and disabled students.

The overall maintenance grant and student loan is shown in the table.

Academic years 1997/98 to 2001/02

England and Wales

	Average maintenance per award holder (£) England and Wales [1]	*Average loan (£)* [1,2]
1997/98		
Student Support Scheme[3]	n/a	n/a
Mandatory Awards[4]	1,210	1,530[8]
All students	1,210	1,530[8]
1998/99		
Student Support Scheme[3,5]	690	2,580[8]
Mandatory Awards[4]	1,190	1,520[8]
All students	1,030	1,870[8]
1999/2000		
Student Support Scheme[3,6,7]	120	3,180
Mandatory Awards[4]	1,150	1,470
All students	510	2,590
2000/01		
Student Support Scheme[3,6,7]	140	3,160
Mandatory Awards[4]	1,130	1,460
All students	270	2,960
2001/02		
Student Support Scheme[3,6,7]	170	3,190
Mandatory Awards[4]	1,250	1,520
All students	200	3,150

[1] Rounded to the nearest £10.

[2] Averages relate to the amount of loan taken out in that academic year; excludes hardship loans and the fixed rate (£500) loans for part-time students.

[3] Students who entered higher education from 1998/99. These students are eligible for student loans repayable on an income contingent basis.

[4] Students who entered higher education up to those who entered in 1998/99 to whom the existing arrangements still1997/98 and applied. These students are eligible for non means-tested loans repayable on a mortgage style, fixed term, basis.

[5] New students in 1998/99 received support for maintenance through income-assessed grants(comprising about a quarter of the support available) and non income-assessed student loans (comprising about three quarters of the support available).

[6] From 1999/2000, students who entered higher education from 1998/99 onwards received support for maintenance through loans, of which approximately three quarters of the value was non income-assessed.

[7] Data on maintenance expenditure for student support scheme students from 1999/2000 relates to additional allowances/grants available to eligible students for extra help depending on their circumstances, e.g. students with disabilities, students with dependents, single parent students, those incurring certain travel costs, and those who have recently left care.

[8] Data are for UK.

n/a = not applicable

Source:

Form F503G survey of local education authorities on student support and Student Loans Company

The Department does not collect annual data for HE students' total debt on graduation (including bank loans, overdrafts, credit cards, and informal debts to family and friends). The Student Income and Expenditure Survey (SIES), which collects this information is undertaken every three to four years. Findings from the last survey in 1998/99 showed that the average total anticipated debt of all full-time students graduating in 1998/99 was £3,462. The Department has conducted a SIES for the 2002/03 academic year which will be published shortly.

Ann Taylor: To ask the Secretary of State for Education and Skills what targets *(a)* his Department and *(b)* the Student Loans Company have for delivering loan payments; and what assessment he has made of whether these targets have been met. [138669]

Alan Johnson: We set performance targets for the Student Loans Company each year. The latest figures on performance against targets are for 2001–02. The 2001–02 targets for delivering mortgage style and income contingent loan payments to students were that the Company should pay 100 per cent. of loan payments within 17 days of receiving an actionable application form. For mortgage style loans, 99 per cent. payments were made within that timescale; for income contingent

loans, 98.5 per cent. payments were made within the timescale. Figures showing performance against targets for 2002–03 will be available shortly.

Ann Taylor: To ask the Secretary of State for Education and Skills how many *(a)* new students and *(b)* continuing students received their loans within (i) two weeks, (ii) one to two months, (iii) two to three months and (iv) four to five months of sending their applications for academic year 2003–04. [138670]

Alan Johnson: The information is not available in the requested format. All students who applied by the published deadlines with the correct information have now been paid.

Ann Taylor: To ask the Secretary of State for Education and Skills what provisions are in place to support students awaiting loan payments. [138671]

Alan Johnson: The Hardship/Access to Learning Fund is made available to institutions with HE students to provide discretionary financial help for both full and part-time undergraduate and postgraduate students. Students can receive an emergency short-term loan from the Fund, where their first loan payment has been delayed beyond the start of term.

Sure Start

John Mann: To ask the Secretary of State for Education and Skills what plans he has to extend Sure Start's Business Success for Childcare programme to more areas of England, with particular reference to Bassetlaw. [138213]

Margaret Hodge: The Business Success for Childcare Programme delivers free business support training to childcare providers through a series of workshops supported by workbooks.

There are no workshops currently scheduled in the Bassetlaw area. However, 16 workshops have taken place or are due to take place nearby in Mansfield and Nottingham. In addition, the training materials developed for the Programme can be easily accessed via our website www.surestart.gov.uk/support4business.

Sustainable Development

Ms Walley: To ask the Secretary of State for Education and Skills what steps he is taking to ensure that the Department's bid to the forthcoming Government Spending Round contributes toward the UK's objectives on sustainable development. [138689]

Mr. Charles Clarke: The Department for Education and Skills has direct responsibility for one of Government's key sustainable development priorities, and influences seven others, set out in the UK Strategy for Sustainable Development. I launched the Sustainable Development Action Plan for Education and Skills on 23 September 2003. This plan commits this department to work with our partner organisations and other Government departments to ensure that sustainable development is an integral part of education and skills development of this country and its economy. We are working with HM Treasury in the context of the 2004 Spending Review to ensure that sustainable development remains at the heart of the development and renewal of the strategic priorities for this department. We are working closely with colleagues in Defra to ensure the impact of our policies can be measured through the new sustainable development indicators currently being developed as part of the review of the UK Sustainable Development Strategy.

Teacher Recruitment

Mr. Willis: To ask the Secretary of State for Education and Skills how much was spent on the fast track teacher recruitment scheme in each year since the scheme's inception, broken down by category of activity. [138534]

Mr. Miliband: I refer the hon. Member to the reply given on 8 September 2003, *Official Report*, column 144W.

Mr. Willis: To ask the Secretary of State for Education and Skills how much his Department spent on measures to aid teacher recruitment in each year since 1997–98, broken down by programme. [138535]

Mr. Miliband: Many of the Government's policies in education and other areas have contributed to the 25,000 more teachers employed in England since 1997 and the record numbers of trainees now beginning courses of initial teacher training.

Most dedicated programmes intended to increase the numbers of new recruits to teaching in England are administered on the Government's behalf by the Teacher Training Agency. Details of expenditure on these for years up to and including 2002–03 are contained in the Agency's audited accounts, which have been placed in the Library.

Teachers (Qualifications)

Mr. Willis: To ask the Secretary of State for Education and Skills what subject qualifications a teacher requires to teach *(a)* mathematics, *(b)* English and *(c)* science at (i) Key Stage I, (ii) Key Stage II, (iii) Key Stage III, (iv) Key Stage IV and (v) AS/A2 level. [138533]

Mr. Miliband: The deployment of teachers and other school staff is a matter for the professional judgment of headteachers.

Mr. Willis: To ask the Secretary of State for Education and Skills how many lessons in *(a)* mathematics, *(b)* science and *(c)* English were identified in the 2003 Curriculum and Staffing Survey as being taught by teachers without a subject-specific qualification in the subject being taught. [138536]

Mr. Miliband: In the November 2002 Secondary School Curriculum and Staffing Survey, 13 per cent. of mathematics; 8 per cent. of combined/general science; and 11 per cent. of English periods were taught to year groups 7 to 13 by full time teachers without a post A-level qualification in the subject being taught. The data underpinning these percentages are still undergoing thorough validation. Estimates of the total number of periods taught by full time teachers to year groups 7 to 13 by subject will be published in the statistical volume "School Workforce in England (2003 edition)".

Mr. Willis: To ask the Secretary of State for Education and Skills what steps he has taken to ensure that teachers without formal qualifications in *(a)* mathematics, *(b)* science and *(c)* English receive professional development to teach these subjects. [138537]

Mr. Miliband: Through the National Literacy and Numeracy Strategies, the Government are already offering comprehensive support and training for the teaching of English and maths in primary schools. The Key Stage 3 Strategy provides similar support for subject knowledge and professional development for teachers teaching English, maths and science in secondary schools.

Mr. Willis: To ask the Secretary of State for Education and Skills what estimate he has made of the number of additional *(a)* mathematics, *(b)* science and *(c)* English teachers that would need to be recruited if all lessons at Key Stage III and Key Stage IV were to be taught by teachers with a formal qualification in the appropriate subject. [138538]

Mr. Miliband: My right hon. Friend has made no such estimate. However, the financial incentives and new routes to Qualified Teacher Status that the Government has created are bringing specialists in these subjects into teaching in record numbers. Figures published by the Teacher Training Agency on 10 November showed that, in the last five years, the number of recruits to conventional undergraduate and postgraduate courses of initial teacher training and the employment-based Graduate Teacher Programme has risen in mathematics by 91 per cent, in English by 33 per cent, and in science by 40 per cent. In these subjects alone, there have been almost 2,700 more recruits to training so far this year than in 1998–99.

In addition to these huge gains, the widely welcomed remodelling of the school workforce that the Government and its partners are tak'ng forward will enable all subject specialists to use their knowledge to the maximum benefit of learners in the classroom.

Mr. Willis: To ask the Secretary of State for Education and Skills how many newly qualified teachers who registered on the database of teacher records in each of the last three years for which figures are available had degrees in psychology. [138539]

Mr. Miliband: The table shows the number of teachers who qualified in England in each of the calendar years shown with psychology as a subject of their first degree.

Calendar year	*Psychology as a subject of first degree*[1]
2000	720
2001	850
2002[2]	870

[1] Includes those with psychology as either a first or second subject of first degree, excluding those whose first degree is their initial teacher t. ing degree.
[2] Data for 2002 are provisional. The number of completers in this year may be undercounted.
Source:
Database of Teacher Records

Top-up Fees

Paul Farrelly: To ask the Secretary of State for Education and Skills what action he *(a)* has taken and *(b)* proposes to take to meet concerns expressed by hon. Members about the proposed implementation of variable top-up fees. [137555]

Alan Johnson: We published our response to the Education and Skills Select Committee's report on the Higher Education White Paper on 28 July. We also published on that date our response to the consultation on the Higher Education White Paper. In addition, I have had a number of meetings with hon. Members about our higher education policy, and will continue to do so.

Mr. Boswell: To ask the Secretary of State for Education and Skills what arrangements will apply if top-up fees are introduced for the allocation of resources for student bursaries in situations where two or more higher education institutions make joint arrangements to facilitate access to their courses. [137878]

Alan Johnson: Universities will be able to make joint arrangements for bursaries—we already encourage collaboration between institutions in order to widen participation through programmes such as Aimhigher.

Tuition Fees

Paul Farrelly: To ask the Secretary of State for Education and Skills what research he has collated on the impact of variable fees on social access to university medical places in *(a)* the United States, *(b)* Canada and *(c)* Australia. [137213]

Alan Johnson: We are aware of research on the impact of variable fees on social access to a range of university courses in Australia and Canada. I have placed copies of a number of pieces of research in the House Library.

With regard to access to medical places in this country under the proposed variable fees system, we do not anticipate that there will be any significant effect on applications to medical courses. Applications to medical schools in the UK have gone up since 1988, as have the total number of students studying medical courses. However, Department of Health Ministers have made it clear that they will, if necessary, take measures to ensure that any increase in the level of tuition fees will not have an adverse impact on the supply, retention, diversity or quality of students undertaking medical training.

Paul Farrelly: To ask the Secretary of State for Education and Skills what estimates his Department has made of the demand for places on medical courses if students are charged the maximum tuition fee per year. [137215]

Alan Johnson: We do not anticipate any significant impact on demand for medical courses after the introduction of variable fees. The Department of Health will, however, be monitoring demand for, and take-up of, medical courses. Department of Health Ministers have made it clear that they will, if necessary, take measures to ensure that any increase in the level of tuition fees will not have an adverse impact on the supply, retention, diversity or quality of students on health professional courses, including medicine.

Since the introduction of tuition fees in 1998, demand for places on medical courses has continued to outstrip significantly the number of places, despite an increase in

the number of places available. Between 1999 and 2001, plans for some 2,250 more medical school places in the UK were announced. As a result of the extra investment, the number of students entering medical school will increase to over 7,300 in 2005. The number of UK applicants to study medicine at UK universities is also at its highest since 1986 (the earliest year for which data are available).

As I said on 6 November in response to an earlier question from my hon. Friend, I have placed in the House Library copies of a number of pieces of international research on the impact on social access to a range of university courses.

Paul Farrelly: To ask the Secretary of State for Education and Skills how many of the responses to the Higher Education White Paper *(a)* were supportive *(b)* had reservations about and *(c)* were opposed to variable fees. [137299]

Alan Johnson: I refer my hon. Friend to the Government's response to the consultation on the Higher Education White Paper that was placed on the website of the Department for Education and Skills on 28 July 2003. An electronic copy of all the responses was also placed in the House Library.

Paul Farrelly: To ask the Secretary of State for Education and Skills if he will place in the Library copies of the evidence collated from overseas on the impact of variable tuition fees on social access to medical courses. [137570]

Alan Johnson: I have placed in the House Library copies of a number of documents containing evidence from Canada and Australia on the impact of variable fees on social access to a range of university courses.

I will also place in the House Library a copy of a piece of research from New Zealand which also contains evidence on this matter.

Mr. Willis: To ask the Secretary of State for Education and Skills what estimate his Department has made of the cost to a student of financing up-front payment of a £3,000 student tuition fee over the anticipated period of repayment. [138532]

Alan Johnson: The Government has proposed that students who choose to defer payment of their tuition fees until after they have graduated will repay their fee loans at zero real rate of interest. A graduate will, therefore, repay the same amount, in real terms, as he or she borrowed initially.

Mr. Keith Bradley: To ask the Secretary of State for Education and Skills what percentage of tuition fees he intends that each university should pay out in bursaries to students from low-income families; and what definition of a low-income family he will use for this purpose. [138716]

Alan Johnson: We are considering and discussing the contents of access agreements and the duties of the Office for Fair Access, and will make a statement in due course.

Paul Farrelly: To ask the Secretary of State for Education and Skills pursuant to his answer of 12 November 2003, *Official Report*, columns 354–5W, on tuition fees, if he will give the column reference and name of the honourable Member who put the question he answered on 6 November in respect of international research on social access and higher education. [139408]

Alan Johnson: The answer to question 137214 was intended to refer to question number 137213, tabled by the hon. Member himself for answer on 6 November. Due to an administrative error PQ 137213 had not been answered by the time the reply to 137214 was tabled. The information referred to has been placed in the Libraries.

University Applicants

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills (1) what options he has examined for assessing *(a)* the standard of university applicants and *(b)* their suitability for different types of university courses; [137676]

(2) if he will make a statement on the use of psychometric testing in the university admissions procedure. [137677]

Alan Johnson: Admissions are a matter for universities. Professor Steven Schwartz, Vice Chancellor of Brunel University is currently leading an independent review of the options which English institutions should consider in assessing the merits of applicants for their courses. His review will help universities to draw on best practice and the latest research. We expect that the review will provide a statement of high level principles that we hope all universities will adopt.

University Courses (Vacancies)

Mr. Clappison: To ask the Secretary of State for Education and Skills (1) how many places on courses offered by universities were not filled in each academic year since 1997, broken down by course; [133069]

(2) when he will reply to the question of 15 October from the hon. Member for Hertsmere, ref 133069. [136717]

Alan Johnson: Information on the number of unfilled places on courses offered by universities is not collected centrally.

University Entrants

Mr. Boswell: To ask the Secretary of State for Education and Skills (1) expressed as a percentage of the total student body in *(a)* 1992, *(b)* 1997 and *(c)* 2001, what percentage of (i) student entrants and (ii) student drop-outs came from each socio-economic class; [135781]

(2) what percentage of new student entrants to Russell Group universities came from each socio-economic class in *(a)* 1992, *(b)* 1997 and *(c)* 2001; and what the figures were of all universities in those years. [135782]

Alan Johnson: Information for years prior to 1994 is not available centrally. The available information covers UK domiciled accepted applicant numbers to full time and sandwich first degrees through the Universities and Colleges Admissions Service (UCAS) to Russell Group institutions and all UK institutions. Figures are shown in the table.

The available information on non-completion rates by institution is contained in the Higher Education Funding Council for England (HEFCE) publication "Performance indicators in higher education in the UK", a copy of which is in the House Library. The figures cover full-time first degree courses only, and show, for each individual HE institution in the UK, the proportion of entrants who failed to complete their course, but these data are not disaggregated by social class.

Percentage[1] of UK domiciled accepted applicants through UCAS to full time and sandwich first degree and HND courses

	Russell Group			*All UK institutions*		
Social class	*1994*	*1997*	*2001*	*1994*	*1997*	*2001*
I—Professional	24.7	24.9	24.2	16.2	14.8	14.4
II—Intermediate	46.7	47.9	47.7	43.6	43.7	43.7
IIIn—Skilled non-manual	10.8	10.8	11.1	12.8	13.9	14.0
IIIm—Skilled manual	11.5	10.3	11.2	17.4	16.7	17.5
IV—Partly skilled	5.2	5.2	4.8	8.0	8.8	8.4
V—Unskilled	1.1	0.9	1.0	2.0	2.1	2.0
Total	100.0	100.0	100.0	100.0	100.0	100.0

[1] Of those of known social class.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what estimate he has made of the cost of reaching the target of 50 per cent. of 18 to 30-year-olds entering university by 2010. [137204]

Alan Johnson: The funding for higher education up to 2005–06 was set out in the White Paper 'The Future of higher education' (Cmd 5735), and in the annual grant letter to the Higher Education Funding Council for England. Assessments of the costs for increasing and widening participation beyond 2005–06 will be made as part of the 2004 Spending Review.

Vocational Education

Dr. Kumar: To ask the Secretary of State for Education and Skills if he will make a statement on the importance placed on the promotion of vocational education within the schools system. [137545]

Mr. Miliband: We attach great importance to vocational education in schools and are taking many steps to promote it as a first class option for all pupils. Not only have we made available eight GCSEs in vocational subjects, and backed them up with the £120 million 'Increased Flexibility for 14–16 Year Olds' programme, but we are also developing more GCSEs in vocational subjects and work-related learning will become a statutory requirement for all in 2004.

In the longer term, we will be considering the recommendations of the 14–19 Working Group as to how we can strengthen vocational programmes for young people.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Education and Skills how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136845]

Mr. Charles Clarke: The information requested is not held by my Department in the form requested and could be obtained only at disproportionate cost.

My Department is committed to providing its employees with a safe and healthy working environment. It is also committed to meeting the targets for reducing work related injuries and illnesses arising from the Government's Revitalising Health and Safety initiative. This includes ensuring that work practices are safe and that effective occupational health policies and good health management practices are developed.

My Department has procedures in place to reduce stress related absences which include:

Training events on stress management available to all staff;

An interactive on-line package to help with recognition and prevention of stress;

An employee assistance service which includes an advice and counselling service; and

An occupational health service that provides practical advice on occupational health issues.

No compensation has been paid to employees specifically for work related stress in any of the last three years.

Youth Workers

Paddy Tipping: To ask the Secretary of State for Education and Skills how many youth workers were employed in *(a)* 2002–03 and *(b)* 2003–04, broken down by local education authority. [136967]

Mr. Miliband *[holding answer 6 November 2003]:* This information is not yet available, although the figures for 2002–03 should be available within the next two months. I will of course write to my hon. Friend setting out the figures for both 2002–03 and 2003–04 as soon as I have them and I will place a copy in the House Library.

HEALTH

Disabled People (Sexual Relationships)

Miss McIntosh: To ask the Secretary of State for Health what programmes *(a)* there are and *(b)* he intends to introduce to enable more disabled people to have fulfilled sexual relationships. [137909]

Miss Melanie Johnson: Primary care trusts (PCTs) have been given the flexibility to provide services to best meet local needs, and we would expect this to include appropriate sexual health services for disabled people where such a need exists. To support PCTs in this role, the Department has published best practice information on commissioning sexual health services, which emphasises the need to provide services which are accessible and equitable, including advice on sexual health promotion for disabled people. The Department is also supporting, through a Section 64 grant, the Family Planning Association's project to provide training, advice and support in sexual health to people working with, and caring for, adults with learning disabilities.

Genetically Modified Food

Alan Simpson: To ask the Secretary of State for Health (1) what techniques are available for identifying unintended changes in GM foods at the molecular level; and what research he has published on this subject; [136235]

(2) how unintended changes in GM foods approved in Europe are evaluated; and what research he has commissioned on this subject. [136238]

Miss Melanie Johnson: Each genetically modified (GM) food approved to date in Europe has been assessed on a case by case basis. A comparison is made between the GM food and its non-GM counterpart and the assessment focuses on any differences between the two. This includes a detailed analysis of the inserted gene and the protein produced, and any differences observed in the overall composition of the food.

There are a number of techniques, which could potentially be used for identifying unintended effects in GM foods at the molecular level. These include two-dimensional protein gel electrophoresis, protein microarrays, nuclear magnetic resonance and gas and liquid chromatography mass spectrometry.

The Food Standards Agency funds two research programmes, which underpin the safety assessment of GM foods. One of the programmes is exploring the potential use of the above techniques for detecting unintended changes at the molecular level. The programme started in September 2001 and will finish in 2004.

NHS Dentistry

Mr. Etherington: To ask the Secretary of State for Health how many individuals resident in the City of Sunderland were registered with an NHS dental practitioner in each year since 2000; and how many NHS dental practitioners were practising in the Sunderland PCT area in each year. [136518]

Miss Melanie Johnson: Table 1 shows the number of registrations in the general dental service (CDS) for dentists located in the Sunderland area between 2000 and 2003, at 31 August each year.

Thousand[1]

	Registrations[1]		
	Adults	*Children*	*Total*
2000	105.0	43.7	148.7
2001	106.9	42.6	149.4
2002	110.0	42.3	152.3
2003[2]	110.9	41.6	152.6

[1] Some of these registrations will include patients resident in other areas. Patients resident in the Sunderland area who attend dentists outside the area are excluded from the figures.

[2] Number of registrations for Sunderland Teaching Primary Care Trust, following the move from Health Authority to PCT in October 2002.

Source:
Dental Practice Board

Table 2 shows the number of CDS dentists working in the Sunderland area between 2000 and 2003, at 30 June each year.

GDS Dentists

	Principals	*Assistants*	*Vocational dental practitioners*[1]	*Total dentists*
2000[2]	74	1	7	82
2001[2]	77	1	7	85
2002[2]	85	2	7	94
2003[1,2]	84	3	9	96

[1] Number of CDS dentists for Sunderland Teaching PCT, following the move from Health Authority to PCT in October 2002.

[2] These figures cover dentists whose main work is in the area and will include some dentists whose main work is elsewhere.

Source:
Dental Practice Board

Accident and Emergency Services

Mr. Rosindell: To ask the Secretary of State for Health what the average waiting time was for patients in accident and emergency departments in each of the hospitals in *(a)* the Havering, Barking and Redbridge national health service trust and *(b)* Romford in the last year for which figures are available. [137319]

Mr. Hutton: Information on the total time patients spend in accident and emergency departments from arrival to admission, transfer or discharge is collected each quarter from national health service trusts and is routinely published on the Department's website at http://www.doh.gov.uk/hospitalactivity.

Copies of the information for England and for each national health service trust and strategic health authority for the last year have been placed in the Library.

Chris Grayling: To ask the Secretary of State for Health what the average waiting time in accident and emergency departments has been in each of the past 12 months, broken down by strategic health authority. [135417]

Ms Rosie Winterton: Information is not collected on the average waiting time in accident and emergency departments. Information on the total time patients spend in accident and emergency departments from arrival to admission, transfer or discharge is collected each quarter from national health service trusts and is routinely published on the Department of Health website at http://www.doh.gov.uk/hospitalactivity/. Copies of the information for England and for each national health service trust and strategic health authority have been placed in the Library.

Tim Loughton: To ask the Secretary of State for Health how many patients admitted to accident and emergency in Worthing hospital in *(a)* 2001, *(b)* 2002 and *(c)* 2003 waited for more than (i) 12 and (ii) four hours before being treated or transferred to a ward. [134776]

Ms Rosie Winterton: Information on accident and emergency is not collected centrally at individual hospital level, or on the time patients wait for treatment. However, the table shows the number of patients who waited more than four hours for a bed in a ward following a decision to admit at Worthing and Southlands Hospitals National Health Service Trust. Information for patients waiting more than 12 hours is not available.

Admission from accident and emergency departments, Worthing and Southlands Hospitals NHS Trust

Year/Quarter	*Number of patients admitted through A&E*	*Patients not placed in bed in a ward within four hours of a decision to admit*
2001–02		
1	2,431	122
2	2,432	584
3	2,549	204
4	2,828	198
2002–03		
1	2,809	140
2	2,854	228
3	3,196	256
4	3,052	275
2003–04		
1	2,737	137

Source:
Department of Health dataset QMAE/QMNG.

Alcohol

Mr. Stevenson: To ask the Secretary of State for Health if he will require health warnings to be displayed on alcoholic drinks; and if he will make a statement. [137771]

Miss Melanie Johnson: This issue will be examined as part of the work on the development of the Alcohol Harm Reduction Strategy for England, which is currently being undertaken by my right hon. Friend the Prime Minister's Strategy Unit. The strategy is due to implemented from 2004, in line with the commitment given in the NHS Plan.

Alcohol-related Violence

Mr. Denham: To ask the Secretary of State for Health what estimate he has made of the cost to the NHS of treating the victims of alcohol-related violence in town and city centres. [136360]

Miss Melanie Johnson: The most recent estimates of costs to the national health service arising from alcohol-related illness and disease was undertaken by my right hon. Friend the Prime Minister's Strategy Unit and published in their Interim Analytical Report on 19 September 2003. This document reported the annual cost of alcohol-related attendances at accident and emergency (A and E) units and alcohol-related ambulance journeys in England at around £0.5 billion per year. This estimate covers all alcohol-related attendances at A and E and ambulance journeys, and does not break the costs down by reason for attendance. However a proportion of these costs will be attributable to alcohol-related violence in town centres.

Alternative Medicine

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will list the NHS trusts which provide *(a)* alternative and *(b)* complementary medicine. [138105]

Miss Melanie Johnson: Details of which national health service organisations provide access to complementary or alternative medicines are not recorded centrally.

However, a survey of general practices in England, conducted in 2001 for the Department by the Medical Care Research Unit, University of Sheffield, found that almost half the practices offered patients some access to complementary or alternative medicines. The therapies most frequently provided were acupuncture and homeopathy.

Source:
Family Practice, Vol. 20, No. 5, Oxford University Press 2003.

Ambulance Control Centre (Merseyside)

Mr. Benton: To ask the Secretary of State for Health what the change in the number of emergency calls received by Merseyside Ambulance Control Centre was in each year since 1993; what the change in staffing levels at Merseyside Ambulance Control Centre was in each such year; and if he will make a statement. [137845]

Miss Melanie Johnson *[holding answer 12 November 2003]:* The information is not available in the requested format. The Merseyside Ambulance Control Centre has updated its call routing system in October this year. As a result, only data from 1993 and 2003 is available. The figures for 1993 are available because the control centre documented data in 1993 in order to carry out a ten year comparison in 2003. In 1993–94, the control centre received 368,800 emergency calls. In 2002–03, the figure was 468,700.

The staffing levels at the Merseyside Ambulance Control Centre are shown in the table.

	Percentage of staff
1998–99	57.78
1999–2000	57.78
2000–01	57.78
2001–02	66.79
2002–03	66.79
Currently	68.79

Ambulances

Mr. Rosindell: To ask the Secretary of State for Health what the average response time of ambulances to 999 calls in the London borough of Havering was in the last year for which figures are available. [137321]

Mr. Hutton: Information on response times is collected on a national health service trust basis. A copy is available in the Library and at http://www.doh.gov.uk/public/sb0313.pdf.

Mr. Woodward: To ask the Secretary of State for Health what the average time an ambulance took to reach hospital was for the last 12 months that figures are available in *(a)* England, *(b)* the north west region, *(c)* Merseyside and *(d)* St. Helens. [138004]

Ms Rosie Winterton: The information requested is not collected centrally.

Details of ambulance performance are contained in the Department of Health Statistical Bulletin, "Ambulance Services, England 2002–03". A copy of the bulletin is available in the Library and on the Department's website at www.doh.gov.uk/public/sb0313.htm.

Mr. Woodward: To ask the Secretary of State for Health how many ambulance call-outs were made in the last 12 months for which figures are available in *(a)* the St. Helens trust area, *(b)* Merseyside and *(c)* England. [138005]

Ms Rosie Winterton: Information about the number of emergency calls received by national health service ambulance trusts, including Mersey Regional Ambulance Service, is contained in the Department of Health Statistical Bulletin, "Ambulance Services, England 2002–03". A copy of the bulletin is available in the Library and on the Department's website at www.doh.gov.uk/public/sb0313.htm.

Mr. Woodward: To ask the Secretary of State for Health what proportion of ambulance call outs in the most recent 12 months for which figures are available have taken more than *(a)* 15, *(b)* 30 and *(c)* 50 minutes to respond to category A emergency calls in (i) the St. Helens and Knowsley Trust area, (ii) Merseyside and (iii) England. [138008]

Ms Rosie Winterton: The information requested is not collected centrally.

Details of ambulance performance are contained in the Department of Health Statistical Bulletin, "Ambulance Services, England 2002–03". A copy of the bulletin is available in the Library and on the Department's website at www.doh.gov.uk/public/sb0313.htm.

Chris Grayling: To ask the Secretary of State for Health what action is being taken by his Department to respond to the concerns of the Commission for Health Improvement in relation to *(a)* ambulance response times being manipulated, *(b)* wide variations in the categorisation of calls, *(c)* poor management practice in ambulance trusts and *(d)* the need for appropriate outcome measures for the ambulance service. [138059]

Ms Rosie Winterton: The Department of Health and the ambulance service recognise that response times can sometimes be recorded inconsistently. We are determined to resolve this and have already begun to hold constructive discussions with the service and other key stakeholders about how to tighten up and standardise procedures.

We will not tolerate any deliberate mis-reporting of data and have made it very clear that serious consequences will follow any individual or trusts that seek to manipulate their performance data.

Response time will always be an important measure of the service to patients and there is no immediate prospect of moving away from the eight minute standard. The standard has clinical origins—it is based on the optimum time limit for intervention in heart attack cases. But there are other signifiers of progress and other measures of success, and we intend to explore the possibilities of supplementing response times with other standards, including those directly related to clinical outcomes.

We are working closely with the Modernisation Agency and key stakeholders concerning management practices raised within this report.

Appliance Contractors

Chris Grayling: To ask the Secretary of State for Health (1) what steps he will take to protect patient access to a full range of products after the deregulation of the appliance contractor market; [137358]

(2) what arrangements he is putting in place for the production of bespoke products after the deregulation of the appliance contractor market; [137359]

(3) what estimate he has made of the savings that the national health service will make under the deregulation of the appliance contractor market; [137360]

(4) if he will make a statement about his proposals to deregulate the appliance agency market. [137362]

Ms Rosie Winterton: We are currently consulting on a range of measures to modernise the regulatory system which governs whether or not a community pharmacy or appliance contractor can dispense national health service prescriptions, known as the "control of entry" test. As well as maintaining and improving access to pharmaceutical services, including the supply of appliances, in all our communities and continuing to raise standards for patients, the aim is to make the system more business friendly, to provide more certainty and reliability for the companies who depend on it and to make the process less time-consuming.

The measures include a proposal to exempt from that test applications from contractors who intend to provide a wholly mail order or internet based service by implementing the provisions of Section 43 of the Health and Social Care Act 2001 relating to the remote provision of NHS pharmaceutical services. This exemption would be subject to the range of services such contractors are to provide being agreed within the proposed new national contractual framework.

Full details are given in Chapter 4 of the consultation document, "Proposals to reform and modernise the NHS (Pharmaceutical Services) Regulations 1992", published on 29 August 2003 and available on the Department's website at www.doh.gov.uk./pharmacy regulationconsultation. It also includes at Annex C a draft regulatory impact assessment and competition assessment setting out further details of the possible costs and benefits of the proposals.

Comments can be sent, by 21 November 2003, to Peter Dunlevy, Pharmacy and Prescriptions Branch, Department of Health, Room 155 Richmond House, 79 Whitehall, London SW1A 2NS or e-mail to peter.dunlevy(*a* doh.gsi.gov.uk

We have also set up a multi-disciplinary advisory group to advise on the details of implementation of the reform proposals. We have asked the group to report by December this year.

Asbestos-related Diseases

Chris McCafferty: To ask the Secretary of State for Health whether his Department is able to trace the sources of *(a)* mesothelioma and *(b)* other asbestos-related diseases through its records. [137383]

Mr. Browne: I have been asked to reply.

The information held by the Department and the Health and Safety Executive (HSE) on mesothelioma and other asbestos-related diseases is not sufficiently detailed to trace accurately the specific sources of such diseases.

HSE maintains mesothelioma and asbestosis registers based on information from death certificates but then give only the last known occupation. They also hold information on the medical examinations of asbestos removal workers to assess if in the longer term they are more likely to contract an asbestos-related disease than other occupational groups.

Claimants for mesothelioma under the Department's Industrial Injuries Benefit scheme provide details of employers where they claim they were exposed to asbestos. But this is a no-fault scheme that does not attribute the cause to a specific employer.

Asperger's Syndrome

Mr. Lidington: To ask the Secretary of State for Health what assessment he has made of the adequacy of health provision for people with Asperger's syndrome. [136954]

Ms Rosie Winterton *[holding answer 6 November 2003]:* No assessment has been made of the adequacy of health provision for people with Asperger's syndrome. It is the responsibility of local statutory authorities to determine the pattern of services in their area in the light of their knowledge of local needs and priorities. People with Asperger's syndrome have the same right of access to health services as everyone else. Adults with Asperger's syndrome are covered by the mental health national service framework in respect of any mental health problems that they may have. We have also issued guidance to the national health service, which states that:

> "adults with Asperger's syndrome are not precluded from using learning disability services, where appropriate, and may require an assessment of their social functioning and communications skills in order to determine their level of need".

Mr. Lidington: To ask the Secretary of State for Health whether *(a)* his Department and *(b)* the National Institute for Clinical Excellence has issued guidance to trusts and doctors on whether Asperger's syndrome should be considered a mental disorder in relation to the Mental Health Act 1995; and if he will make a statement. [138833]

Ms Rosie Winterton: Asperger's syndrome is a developmental disorder on the autistic spectrum and as such comes under the definition of mental disorder in the Mental Health Act 1983. Although the Mental Health (Patients in the Community) Act 1995 amended the 1983 Act, it did not change the definition of mental disorder. Guidance on the operation of the Mental Health Act 1983 (the Code of Practice ISBN 0–11–322111–8) was produced by my Department and the then Welsh Office and published by the Stationery Office in 1999. It does not make specific mention of Asperger's syndrome.

Audiology

Bob Russell: To ask the Secretary of State for Health what plans he has to improve the *(a)* pay structure and *(b)* employment package for qualified audiologists; and if he will make a statement. [137854]

Mr. Hutton: "Agenda for Change", the new pay system for national health service employees, including healthcare scientists working in the discipline of audiology, has been negotiated over the past four years by NHS staff and NHS employer representatives working in partnership. From 2003–04 to 2005–06 the package will give a 10 per cent. pay increase to all staff, plus an estimated 5.9 per cent. on average from the reform package in the longer run.

"Agenda for Change" is being tested in 12 'early implementer' sites with a view to implementing the new system nationally from October 2004.

Bob Russell: To ask the Secretary of State for Health (1) how many audiologists qualified in each of the last five years for which figures are available; and if he will make a statement; [137857]

(2) how many people are being trained as audiologists. [137859]

Dr. Ladyman: The information requested is not available centrally.

The Health Professions Council (HPC) holds information on the numbers of clinical scientists in audiology on its register, a prerequisite for employment in the United Kingdom. This information can be found on the HPC website at http://www.hpc-uk.org/about us/facts figures cpsm registrants.htm.

Bob Russell: To ask the Secretary of State for Health how long it takes for an audiologist to become qualified. [137858]

Mr. Hutton: The length of time it takes to become a qualified audiologist depends upon an individual's entry qualifications and experience. The major education and training route into audiology, and associated with a defined scope of practice, will be the new four year BSc (Hons) vocational degree in audiology. Within this programme, there will be an opportunity for some non-audiology graduates to undertake a fast track two year education and training route leading to a graduate diploma.

Good honours graduates in relevant science subjects can still enter into the national health service as clinical scientist audiology trainees. They spend a period of up to four years in postgraduate education and training (incorporating an MSc degree and clinical training) before becoming registered with the Health Professions Council (HPC) as a clinical scientist in the modality of audiology.

Vera Baird: To ask the Secretary of State for Health when he expects digital hearing aids to be available to patients on the NHS in the borough of Redcar and Cleveland. [136464]

Miss Melanie Johnson: The James Cook University hospital, Middlesbrough, will be fitting digital hearing aids routinely as a part of a modernised hearing aid service by March 2004.

Breast Feeding

Mrs. Brooke: To ask the Secretary of State for Health what action he is taking to encourage more hospitals in England to seek baby-friendly accreditation from UNICEF by promoting increased uptake of breast feeding. [135034]

Miss Melanie Johnson *[holding answer 29 October 2003]:* The Department works closely with the UK Baby Friendly Initiative to help further the mutual aim of promoting increased uptake of breast feeding. It is for local national health service trusts to decide whether to seek baby-friendly accreditation from UNICEF.

Mrs. Brooke: To ask the Secretary of State for Health what action he is taking to ensure that student *(a)* midwives and *(b)* health visitors receive adequate education on breast feeding as part of their pre-registration training. [135043]

Miss Melanie Johnson *[holding answer 29 October 2003]:* The regulatory Council for Nursing and Midwifery sets the standards and outline requirements for pre-registration nurse and midwifery education. Additional content may be included to reflect the employment needs of the local service providers. National health service trusts, as local service providers, will wish to ensure that their staff receive adequate education on breast feeding to enable them to deliver the targets in the Priorities and Planning Framework to increase breast feeding initiation rates. In the NHS Plan, the Government have made a commitment to provide increased support for breast feeding.

Cancer

Mrs. Calton: To ask the Secretary of State for Health if he will amend the Cancer Patient Information Strategy to ensure that information on *(a)* diagnosis and *(b)* treatment is available for all people affected by (i) breast cancer and (ii) cancer in general who want it. [137454]

Miss Melanie Johnson: The provision of a range of high quality, accurate, culturally sensitive and timely information materials about cancer and cancer services for patients and carers throughout the course of their illness is one of the key recommendations in the NHS Cancer Plan (September 2000). It is also in the draft National Institute for Clinical Excellence's supportive and palliative care guidance, due to be published in February 2004. These build on the Cancer Information Strategy, published in June 2000,

Work to address this need is being taken forward by the coalition for cancer information (CCI). The CCI, which was formed in June 2002, brings together producers and consumers of cancer information, including Breast Cancer Care, CancerBACUP and Macmillan Cancer Relief. The role of the CCI is to oversee the development of high quality information materials for those affected by cancer. It is presently taking forward work on quality assurance and accreditation and it will also address issues concerning the development of information, dissemination and delivery to patients.

Cannabis

Paul Flynn: To ask the Secretary of State for Health if he will take steps to accelerate the process to allow the prescription of medicinal cannabis. [138354]

Dr. Ladyman: A marketing authorisation has not yet been issued for cannabis for pain relief use. The Medicines and Healthcare products Regulatory Agency will consider any application for a medicinal product containing cannabinoids for the treatment of spasticity and other symptoms related to multiple sclerosis.

Like any other medicinal product, however, cannabis-based medicines can only be granted a marketing authorisation for medical purposes when supporting data have been submitted to demonstrate that the quality, safety and efficacy of the product are satisfactory for the intended use.

Care Home Beds

Mr. Andrew Turner: To ask the Secretary of State for Health what information he has received from the National Care Standards Commission on the number of care home beds in *(a)* 2002 and *(b)* 2003. [138892]

Dr. Ladyman: The National Care Standards Commission (NCSC) noted in their annual report, published in September 2003, that there were 426,600 care places in homes registered in England at 31 March 2003. This figure excludes some local authority homes which had not been registered and therefore is not comparable with data for previous years published by the Department of Health.

Due to operational and technical problems with the NCSC database they have been unable to produce information for 2002.

Care Home Inspection

Dr. Cable: To ask the Secretary of State for Health how many care home inspectors are employed; how many vacancies there are in each region for which figures are available; and if he will make a statement. [136868]

Dr. Ladyman: The information requested is shown in the table.

	Headquarters	*East Midlands*	*Eastern*	*London*	*North East*	*North West*
Number of Inspectors on Establishment (wte)	0.00	113.25	122.61	133.76	74.91	204.01
Headcount of Inspectors in Post	0	110	128	146	75	199
Number of Inspectors in Post (wte)	0.00	103.31	122.30	136.46	72.41	191.10
Vacancies	0.00	9.94	0.31	-2.70	2.50	12.91
Percentage of Inspectors in post	0.00	91.22	99.75	102.02	96.66	93.67

	South East	South West	West Midlands	Yorkshire/ Humberside	PVH	National
Number of Inspectors on Establishment (wte)	256.13	195.99	144.26	132.86	61.35	1,439.1
Headcount of Inspectors in Post	261	205	150	135	66	1,475
Number of Inspectors in Post (wte)	246.79	189.39	139.29	129.41	59.73	1,390.1
Vacancies	9.34	6.60	4.97	3.45	1.62	48.94
Percentage of inspectors in post	96.35	96.63	96.55	97.40	97.36	96.60

wte—whole-time equivalent

British Lung Foundation

Mr. Stevenson: To ask the Secretary of State for Health what recent discussions he has held with the British Lung Foundation; and if he will make a statement. [137773]

Dr. Ladyman: My right hon. Friend the Secretary of State, will be meeting representatives of the British Lung Foundation in the near future.

Care Homes

Mr. Collins: To ask the Secretary of State for Health if he will estimate the cost of converting residential rooms operated by the Leonard Cheshire Organisation at the Holehird home for the disabled in Windermere to comply with new national care standards. [137922]

Dr. Ladyman: The national minimum standards for care homes for adults 18 to 65 and those for care homes for older people were introduced in April 2002. It is not possible to estimate the cost for individual care homes of meeting the standards as this will vary from home to home depending on the individual circumstances of the home, including the type of resident cared for and the extent to which it already meets the necessary standards. It is for the National Care Standards Commission to inspect care homes to ensure they meet the assessed needs of their residents.

Mr. Collins: To ask the Secretary of State for Health if he will make a statement on the proposed closure of the Holehird Leonard Cheshire home for the disabled in Windermere. [137924]

Dr. Ladyman: The decision to close Holehird is an operational one for the Leonard Cheshire Foundation. It is not generally appropriate for central government to intervene when a home closes.

We appreciate how traumatic it can be for vulnerable people who have to be moved from residential care homes which have become their true homes. It is, therefore, important that any decision to close a home is taken as sensitively and appropriately as possible.

Local councils have a responsibility for making satisfactory alternative arrangements for anyone that they place in a home which subsequently closes. There should be adequate time for the safe and satisfactory transfer of all residents to other suitable homes. This should be done in a way that takes into account the views of residents and their relatives and creates the minimum possible discomfort to all concerned.

Cervical Cancer

Dr. Cable: To ask the Secretary of State for Health how many people participated in the limited implementation human papilloma virus pilot scheme in *(a)* Newcastle, *(b)* North Bristol and *(c)* Norfolk and Norwich; and if he will make a statement on the scheme. [136880]

Miss Melanie Johnson: A pilot study of liquid based cytology (LBC) and human papilloma viruses (HPV) testing as triage within the national health service cervical screening programme began in April 2001 at three sites. The independent evaluation report on the LBC arm of the pilot was sent to the National Institute for Clinical Excellence (NICE) in April 2003. On 22 October 2003, NICE published its appraisal of LBC and recommended that this new technology be introduced across the NHS. The independent evaluation of the HPV arm of pilot is due to report in spring 2004.

Details of the number of people who participated in the pilot are shown in the table.

	Number of people participating	
Pilot site	HPV	LBC
Norfolk and Norwich	3,220	61,684
Bristol	3,858	81,155
Newcastle	5,109	80,116

Chiropody

Mr. Baron: To ask the Secretary of State for Health how many patients recorded as first contacts for chiropody services during 2002–03 *(a)* had a foot condition that was cured and *(b)* did not go on to receive foot care. [131565]

Dr. Ladyman *[holding answer 14 October 2003]:* This information is not collected centrally.

Mr. Baron: To ask the Secretary of State for Health (1) what studies he has commissioned on access and eligibility criteria used by primary care trusts for NHS chiropody provision; and what the results were; [131566]

(2) what steps are being taken to harmonise access and eligibility criteria for chiropody services across *(a)* primary care trusts and *(b)* regions; [131567]

(3) what extent access and eligibility criteria for chiropody services operated by primary care trusts are based on *(a)* patient need and *(b)* funding requirement. [131568]

Dr. Ladyman *[holding answer 14 October 2003]:* We have not commissioned any such studies. Eligibility criteria are broadly the same everywhere and are essentially clinical though there may be detail differences from place to place. Access in individual cases may depend on a variety of factors including funding but predominantly acuteness of problem,

medical risk or clinical need. It is for primary care trusts to determine the level of resources to devote to the treatment of different conditions in their localities.

Continence Services

Sandra Gidley: To ask the Secretary of State for Health how many primary care trusts include the development of an integrated continence service in their health improvement programme. [137936]

Dr. Ladyman: We do not collect this information centrally. Health improvement programmes have now been replaced by local delivery plans (LDPs). Each national health service trust is now responsible for creating its own business plan, which shows how it will deploy its resources to deliver on both national and local priorities and fit within the plans of its primary care trust (PCT) commissioners. These local plans will not be analysed centrally.

Strategic health authorities (SHAs) will bring together those PCT plans into a comprehensive LDP for their area. In general, the SHA-level local delivery plan will be the only plan the Department will formally sign-off. The LDP that is submitted to the Department addresses the Priorities in the Planning and Performance Framework (Improvement, expansion and reform: The next three years' priorities and planning framework, 2003–06). Formal monitoring only covers those priorities and will not provide detail of individual service provision like continence services.

The national service framework for older people includes a milestone that, by April 2004, all local health and social care systems should have established an integrated continence service.

CT Scans

Mrs. Calton: To ask the Secretary of State for Health what the average time was between diagnosis of a suspected haemorrhagic stroke and the administration of a CT scan in 2002–03. [137347]

Dr. Ladyman: This information is not collected centrally. The target in this area is to achieve a computed tomography or magnetic resonance imaging scan in less than 48 hours. The summary report of the 2001–02 National Sentinel Stroke Audit reported that more patients than ever had brain imaging, with at least 83 per cent., meeting that target.

Dentistry

Mr. Viggers: To ask the Secretary of State for Health if he will make a statement on the availability to new patients of NHS dentistry in the Gosport constituency; and what the prescribed minimum level of availability is in England. [135595]

Ms Rosie Winterton *[holding answer 4 November 2003]:* The Government are committed to ensure that national health service dentistry is available to all those who need and seek it. Those wishing to see a NHS dentist can do so by contacting NHS Direct for information on dentists offering NHS dental services in their areas. It is recognised that not all dentists on general dental service lists of primary care trusts (PCTs) are accepting new NHS registrations. We have set up a NHS Support Team to work with PCTs on dental access. We have also announced new funds totalling £44 million for 2003–04 and 2004–05 to support dental access, choice and quality.

Subject to Parliament, the Health and Social Care (Community Health and Standards) Bill will give new duties for PCTs to secure primary dental services. With these new responsibilities will go the £1.2 billion financial resources currently held centrally.

On 1 August 2003, as part of the new arrangements for NHS dentistry, we set up the new special health authority in shadow form to support PCTs. A team from the special health authority and the NHS dentistry support team met with NHS officials for Hampshire and the Isle of Wight at the end of October to discuss the development of a dentistry action plan and the support team will be working closely with the NHS locally to take this forward.

In the meantime, the Fareham and Gosport primary care trust is putting in place a range of measures to improve access to dental services in the area. This includes a dental access centre in Fareham designed to provide unregistered patients with access to NHS dentistry. This is supported by an incentive scheme which offers additional access to NHS dental care based in existing dental surgeries.

Mr. Austin Mitchell: To ask the Secretary of State for Health (1) how many dentists in north east Lincolnshire provide NHS dentistry for adults; and how many will take new NHS clients onto their rolls; [137695]

(2) what proposals he has for improving access to NHS dentistry in north east Lincolnshire. [137696]

Miss Melanie Johnson: 44 general dental service (GDS) dentists were working in the North East Lincolnshire Primary Care Trust (PCT) area on 30 June 2003, all of whom provided national health service dentistry for adults.

The www.nhs.uk website shows that no dentists are taking on new NHS patients in the North East Lincolnshire PCT area.

Patients seeking to register with a dentist can access information on the dental practices taking on new NHS patients by contacting NHS Direct, their local PCT or by accessing the www.nhs.uk website. Registrations are being accepted in Stamford, Grantham and Lincoln.

The Department has approved an application for funding one full time salaried dentist plus support staff, which has been submitted by North East Lincolnshire PCT.

Following local discussion between the PCT and local dental practitioners, a proposal has been developed to establish an urgent "dental access service" based in Grimsby to serve north east Lincolnshire patients.

Disciplinary Investigations

Mr. Geoffrey Robinson: To ask the Secretary of State for Health (1) what guidelines are in place to ensure that disciplinary investigations within NHS trusts are independent; [137371]

(2) what scrutiny is undertaken to ensure that *(a)* disciplinary investigations within NHS trusts are independent and *(b)* investigatory panels make undisputed conclusions. [137372]

Mr. Hutton *[holding answer 12 November 2003]:* National health service trusts are free to employ staff under such terms as they see fit (section 16, NHS and Community Care Act 1990). Trusts are also responsible for the establishment of their own local disciplinary procedures for medical and dental staff. In the 1990s, many trusts developed new procedures often based on the procedures set out in circulars HC(90)9 and HSG(94)49.

The Department has been working closely with the British Medical Association to develop a new national framework. Trusts will be required to ensure that their local procedures adhere to the principles and procedures set out in the framework.

Mr. Geoffrey Robinson: To ask the Secretary of State for Health what steps he is taking to ensure that, in contentious disciplinary cases, evidence submitted to an investigation is not *(a)* altered and *(b)* summarised. [137373]

Mr. Hutton *[holding answer 12 November 2003]:* All disciplinary issues are a matter for the employing national health service trust, which must ensure that their procedures comply with employment law. The Department is currently working with the British Medical Association to introduce a new national framework for hospital doctors and dentists. Serious cases should be referred to the General Medical Council or the General Dental Council.

Distalgesic Tablets

Mr. Dhanda: To ask the Secretary of State for Health when the decision was taken to place Distalgesic tablets on Schedule 10 to the NHS (General Medical Services) Regulations 1992; and on what advice the decision was taken. [137097]

Ms Rosie Winterton: Distalgesic tablets were placed on Schedule 10 of the NHS (General Medical Services) Regulations 1992, in April 1985. The listing was made on the recommendation of the then advisory committee on national health service drugs, an independent committee of pharmaceuticals and medical experts.

East Kent Hospitals

Mr. Brazier: To ask the Secretary of State for Health whether the payment to overcome exceptional circumstances referred to in his July announcement on the future of East Kent Hospitals and in his Minister of State's letter to the hon. Member for Canterbury is a grant or a loan. [130350]

Ms Rosie Winterton *[holding answer 16 September 2003]:* Kent and Medway Strategic Health Authority has been told by the NHS Bank to assume the one-off payment of £17 million in respect of East Kent Hospitals is recoverable from future primary care trust allocations after the current planning round.

Elderly Medicine

Sandra Gidley: To ask the Secretary of State for Health what assessment he has made of the likely demand for specialists in elderly medicine. [138155]

Ms Rosie Winterton: The NHS Plan provides for increases in national health service staffing, including 7,500 more consultants between 1999 and 2004. So far, an additional 155[1] specialists in geriatric medicine and 84[1] in old age psychiatry have been appointed, in addition to a range of other specialties who provide services to older people. The NHS has developed local delivery plans for 2003 to 2006, which are based on local assessment of need for staff. These suggest annual increases of between 3 per cent. and 4 per cent. between now and 2006 in geriatric medicine (+20 to 30 whole-time equivalent) and between 3 per cent. and 4 per cent. between now and 2006 in old age psychiatry (+10 to 20 whole-time equivalent).

[1] Whole-time equivalent consultants.

[2] Whole-time equivalent consultants.

Sources:

[1] Medical and Non Medical census: 30 September 1999 and 30 June 2003.

[2] NHS local delivery plans.

Emergency Care Strategy Unit

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on the *(a)* priorities and *(b)* work programme of the Emergency Care Strategy Unit. [138073]

Ms Rosie Winterton: The emergency care strategy team within the Department of Health is responsible for managing and developing government policy relating to emergency care. The scope of this work includes accident and emergency ambulance services and critical care, with priorities to reflect NHS Plan targets.

Further information can be found on the emergency care pages on the Department's website at www.doh.gov.uk/emergencycare.

Emergency Services

Gregory Barker: To ask the Secretary of State for Health (1) how many times in each of the last 12 months an ambulance has taken over *(a)* 15 minutes, *(b)* 30 minutes, *(c)* 60 minutes and *(d)* 90 minutes to respond to category B emergency calls in East Sussex; and if he will make a statement; [136044]

(2) what percentage of emergency calls from GPs surgeries were answered within 15 minutes in East Sussex in each of the last 12 months; and if he will make a statement; [136045]

(3) what percentage of emergency calls were answered within 19 minutes in East Sussex in each of the last 12 months, broken down by category; and if he will make a statement. [137191]

Ms Rosie Winterton: The Department does not collect this information by general practitioner surgeries. Information is collected on National Health Service trust basis. A copy is available in the Library and at http://www.doh.gov.uk/public/sbQ313.pdf.

Eye Tests

David Davis: To ask the Secretary of State for Health how many pensioners in the Haltemprice and Howden constituency received free eye tests in the last two years for which figures are available. [135924]

Miss Melanie Johnson: The table shows the number of National Health Service sight tests paid for in East Riding and Hull Health Authority for 2001–02 and 2002–03. Figures for the number of sight tests by constituency or age are not collected centrally. The table shows the number of sight tests where "patient aged 60 and over" was given as the eligibility category and all sight tests.

Eligibility to NHS sight tests was extended to those aged 60 and over from 1 April 1999.

General Ophthalmic Services: Number of sight tests paid in East Riding and Hull HA for the years 2001–02 and 2002–03

Thousand

	Total sight test for patients aged 60 and over	*All sight tests*
2001–02	44.6	111.0
2002–03	41.3	108.0

Note:
Data on eligibility category is derived from a 2 per cent. sample.

Fatal Operations

Mr. Rosindell: To ask the Secretary of State for Health how many people died during operations in the hospitals in the London borough of Havering in 2002. [137322]

Mr. Hutton: This information is not collected centrally.

Flu Vaccine

Sandra Gidley: To ask the Secretary of State for Health what the take-up rates for flu vaccine were at *(a)* 1 November and *(b)* 1 December 2002 for each health authority. [138158]

Miss Melanie Johnson: Influenza vaccine uptake rates in those aged 65 years and above for 1 November and 1 December 2002 by strategic health authority are shown in the following table.

	Percentage uptake	
Strategic health authority	*November 2002*	*December 2002*
Birmingham and Black Country	50.8	60.6
Shropshire and Staffordshire	57.1	68.2
West Midlands South Health Authority	57.2	67.2
Leicestershire, Northamptonshire and Rutland	55.0	65.8
Trent	58.7	68.6
Bedfordshire and Hertfordshire	53.9	64.3
Essex	54	64.7
Norfolk Suffolk and Cambridgeshire	58.3	68.1
South Yorkshire	57.7	67.3
West Yorkshire	57.6	66.8
North and East Yorkshire and Northern Lincolnshire	60.1	69.8
Northumberland Tyne and Wear	58.7	67.9
County Durham and Tees Valley	55.5	66.0
Greater Manchester	53.8	63.5
Cumbria and Lancashire	53.8	67.0
Cheshire and Merseyside	57.9	67.5
North East London	53.4	61.5
North Central London	45.2	56.6
South East London	46.2	54.1
South West London	50.5	61.8
North West London	47.4	56.6
Hampshire and Isle of Wight	55.5	68.4
Thames Valley	54.9	68.3
Surrey and Sussex	55.4	66.3
Kent and Medway	55.6	65.4
Avon, Gloucestershire and Wiltshire	54.4	67.3
South West Peninsula	54.8	64.1
Dorset and Somerset	56.5	68.5

Mr. Hepburn: To ask the Secretary of State for Health how many people aged 65 years or over have been immunised against influenza in *(a)* South Tyneside, *(b)* Tyne and Wear, *(c)* the North East and *(d)* the UK in each year since 1997. [133215]

Miss Melanie Johnson: Monitoring of influenza vaccinations given to those aged 65 and over started in 2000. The number of people receiving flu vaccine since 2000 are shown in the table.

	Health Authority/Primary Care Trust	*Number of people immunised*
2000–01	Gateshead and South Tyneside[1]	42,093
	Tyne and Wear[2]	128,644
	North East[3]	157,190
	England[4]	4,965,370
2001–02	Gateshead and South Tyneside[1]	43,082
	Tyne and Wear[2]	124,226
	North East[3]	162,909
	England[4]	5,113,036
2002–03	South Tyneside	19,480
	Tyne and Wear[3]	128,521
	Northumberland Tyne and Wear Strategic Health Authority[4]	167,742
	England[5]	5,487,645

[1] Data recorded by Health Authority only until 2002, when they became primary care trusts (PCTs). Gateshead and South Tyneside were one health authority (HA) in 2000–01 and 2001–02.
[2] Tyne and Wear not recorded as a HA or PCT. We have therefore used current strategic health authority (SHA)/PCT data to record Tyne and Wear as the following Newcastle, North Tyneside, Gateshead, South Tyneside, Sunderland Teaching PCT.
[3] North East data based on current SHA/PCT breakdown (see next point).
[4] PCTs covered by Northumberland Tyne and Wear SHA are Newcastle, North Tyneside, Gateshead, South Tyneside, Sunderland Teaching PCT and Northumberland. We have therefore used the same PCTs to provide the North East figure for 2000–01 and 2001–02.
[5] Devolved territories record their own information on flu uptake.

Food Manufacturers

Chris Grayling: To ask the Secretary of State for Health what recent representations he has received from manufacturers of foods for particular nutritional uses. [136892]

Miss Melanie Johnson: Food Standards Agency officials have met recently with various stakeholders to discuss issues affecting foods for particular nutritional uses. Topics discussed include the draft European Regulation on health and nutrition claims, the proposed European Directive on 'sports foods' and gluten-free foods.

Manufacturers of foods for particular nutritional uses have concerns about the potential impact of the proposed regulation on health and nutrition claims on the labelling of these foods.

Food Supplements

Mr. Austin Mitchell: To ask the Secretary of State for Health if the Food Standards Agency will meet representatives of *(a)* the Health Food Manufacturers Association, *(b)* the Institute for Optimum Nutrition and *(c)* other stakeholder organisations to discuss ways of improving the evidence base for the assessment of nutrient safety. [136610]

Miss Melanie Johnson: The Food Standards Agency has been in regular dialogue with stakeholders. This has included meeting manufacturers' associations and other stakeholders to advise on the requirements for submission of dossiers on nutrient sources to European Food Safety Authority, and advising, where requested, on the types of research needed to fill data gaps on the safety of individual vitamins and minerals.

Foundation Hospital Trusts

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will require chief executives of putative NHS foundation hospital trusts to publish details of their consultations with the public on the proposal for foundation hospitals together with an assessment of the results. [138521]

Mr. Hutton: Before authorising a national health service foundation trust, the Independent Regulator must be satisfied that consultation has taken place and has been satisfactory. Documentation submitted to the Independent Regulator by applicants must therefore show evidence of consultation with key stakeholders. This document will be public.

Mr. Gordon Prentice: To ask the Secretary of State for Health what discussions he has had with putative NHS foundation trusts concerning the means whereby the token sum required for people to become members might be collected. [138557]

Mr. Hutton: The Health and Social Care (Community Health and Standards) Bill was amended in House of Lords Committee to remove the requirement on prospective members of national health service foundation trusts to commit to paying a sum of up to a pound.

Mr. Gordon Prentice: To ask the Secretary of State for Health whether doctors who have been struck off the medical register are eligible for election to the board of governors of a foundation trust. [138558]

Mr. Hutton: Subject to Parliament, the legislation on national health service foundation trusts will allow a NHS foundation trust's constitution to make further provision as to the circumstances in which a person may not become or continue as a member of the Board of Governors. It will be up to each NHS foundation trust to decide whether to include in their constitution a provision that doctors who have been struck off the medical register are not eligible to sit on the Board of Governors.

If a NHS foundation trust's constitution did not include any such provision, then a doctor who had been struck off the medical register would be eligible to sit on the Board of Governors if elected by any of the public, patient or staff constituencies, provided that they were otherwise eligible to stand.

Mr. Gordon Prentice: To ask the Secretary of State for Health pursuant to his answer of 4 November 2003, *Official Report*, column 585W, on foundation hospitals, if he will place in the Library copies of the material produced by putative NHS foundation hospital trusts which seek public support for such status. [137591]

Mr. Hutton: Copies of the documents requested will be placed in the Library shortly.

Guidance Updates (NICE)

Miss McIntosh: To ask the Secretary of State for Health what the cost was in each of the last three years of sending guidance updates from the National Institute for Clinical Excellence to *(a)* all hon. Member and *(b)* Members of the National Assembly for Wales. [136601]

Ms Rosie Winterton: The average cost per mailing for both right hon. and hon. Members and Welsh Assembly Members is £500.

GP Waiting Times

Mr. Rosindell: To ask the Secretary of State for Health what the average waiting time for an appointment with a general practitioner was in the London borough of Havering in 2002–03. [137325]

Mr. Hutton: Information on the time each patient waits to see a general practitioner is not collected. However, data on the availability of appointments show that in March 2003, 90 per cent. of the population of Havering Primary Care Trust were able to be offered an appointment with a general practitioner within two working days.

GPs

Mr. Flook: To ask the Secretary of State for Health how many patients were registered with GP practices in Taunton in each year since 1997. [137230]

Ms Rosie Winterton: Information on the number of patients registered with general practitioner practices in Taunton since 1997 is shown in the tables.

Patients of unrestricted principals and equivalents (UPEs) [1] *in Somerset HA: 1997–2001*

Numbers (headcount)

	Somerset HA
1997	491,210
1998	491,104
1999	493,256
2000	502,039
2001	462,530

Notes:
UPEs include GMS unrestricted principals, PMS contracted GPs and PMS salaried GPs.
Data as at 1 October 1997–99 and 30 September 2000–01
Source:
Department of Health General and Personal Medical Services Statistics

Patients of unrestricted principals and equivalents (UPEs)[1] in Taunton HA: 1999–2002

Numbers (headcount)

	Taunton and Area PCG	Taunton Deane PCT
	4XM98	5K2
1999	140,852	—
2000	144,049	—
2001	137,774	—
2002	—	105,406

Notes:

UPEs include GMS unrestricted principals, PMS contracted GPs and PMS salaried GPs.

Data as at 1 October 1999 and 30 September 2000–02

Source:

Department of Health General and Personal Medical Services Statistics.

Patients of unrestricted principals and equivalents (UPEs)[1] in Taunton: 1999–2002

Numbers (headcount)

	Taunton and Area PCG	Taunton Deane PCT
	4XM98	5K2
1999	140,852	—
2000	144,049	—
2001	137,774	—
2002	—	105,406

Notes:

UPEs include GMS unrestricted principals, PMS contracted GPs and PMS salaried GPs.

Data as at 1 October 1997–99 and 30 September 2000–01

Source:

Department of Health General and Personal Medical Services Statistics.

Mr. Flook: To ask the Secretary of State for Health how many *(a)* nurses, *(b)* non-medical, non-nursing care workers and *(c)* administrative staff were employed in general practitioner practices in Taunton in each year since 1997. [137380]

Ms Rosie Winterton: The information requested is shown in the tables.

Practice staff[1] by type 1997 to 2001 for Somerset health authority

Whole-time equivalent

	1997	1998	1999	2000	2001
Practice Staff[1]	604	616	583	601	629
Of which:					
Practice Nurse	102	105	106	113	114
Direct Patient Care	21	24	8	8	14
Admin and Clerical	481	487	468	481	487
Other	—	1	—	—	15

[1] Practice Staff includes Practice Nurses, Direct Patient Care, Admin and Clerical and Other

Note:

Data as at 1 October 1992–99 and 30 September 2000–01

Source:

Department of Health General and Personal Medical Services Statistics.

Practice staff[1] by type 1992 to 2001 for Somerset health authority

Number (headcount)

	1997	1998	1999	2000	2001
Practice Staff[1]	923	914	907	907	1,058
Of which:					
Practice Nurse[2]	183	191	194	176	206

[1] Practice Staff includes Practice Nurses, Direct Patient Care, Admin and Clerical and Other

[2] Headcount practice nurse figures are estimated for these years. Headcount figures for other types of practice staff are not available separately.

Note:

Data as at 1 October 1997–99 and 30 September 2000–01

Source:

Department of Health General and Personal Medical Services Statistics.

Practice staff[1] for Taunton by type

Whole-time equivalent

	1999	2000	2001	2002
Taunton and Area				
Practice Staff	160	173	n/a	n/a
Of which:				
Practice Nurse	30	32	n/a	n/a
Direct Patient Care	4	6	n/a	n/a
Admin and Clerical	126	134	n/a	n/a
Other	—	—	n/a	n/a
Taunton Deane PCT				
Practice Staff	n/a	n/a	175	261
Of which:				
Practice Nurse	n/a	n/a	30	47
Direct Patient Care	n/a	n/a	7	10
Admin and Clerical	n/a	n/a	129	199
Other	n/a	n/a	9	4

n/a = Not available

Note:

[1] Practice Staff includes Practice Nurses, Direct Patient Care, Admin and Clerical and Other

Practice staff[1] for Taunton by type

Number (headcount)

	1999	2000	2001	2002
Taunton and Area PCG				
Practice Staff	276	252	n/a	n/a
Of which:				
Practice Nurse	54	48	n/a	n/a
Taunton Deane PCT				
Practice Staff	n/a	n/a	284	400
Of which:				
Practice Nurse	n/a	n/a	55	56

n/a = Not available

[1] Practice Staff includes Practice Nurses, Direct Patient Care, Admin and Clerical and Other. Headcount figures for other types of practice staff are not available separately.

Notes:

1. Data as at 1 October 1999 and 30 September 2000–02.
2. Practice Nurse figure estimated in 1999.

Source:

Department of Health General and Personal Medical Services Statistics.

Group B Streptococcus

Mr. Jenkins: To ask the Secretary of State for Health what cost analysis he has carried out of introducing a

pilot screening programme for pregnant women to test for Group B Streptococcus; and what he estimates the costs involved would be. [136418]

Dr. Ladyman: The UK National Screening Committee (NSC) has commissioned an assessment of the existing evidence on screening for Group B Streptococcus in pregnancy against criteria used to assess potential screening programmes to ensure they do more good than harm. This assessment will include consideration of the costs that would be involved in introducing a screening programme. The NSC is expected to consider policy options at its meeting in December 2003.

Health Care (York)

Hugh Bayley: To ask the Secretary of State for Health what the *(a)* average waiting time for an initial appointment to see a cancer specialist and *(b)* average time between initial referral and appropriate specialist treatment for cancer at York District Hospital was in each year since 1996–97. [135960]

Miss Melanie Johnson: The information is not available in the format requested. The table shows the number of cancer patients treated within certain timeframes at York Hospitals National Health Service Trust.

Patients treated within 31 days of being urgently referred by their G(D)P with suspected cancer and subsequently diagnosed with cancer: York Hospitals NHS Trust

	Quarter	Cancer site	Total patients treated	Percentage treated within 31 days
2001–02	4	Children's cancers	0	n/a
		Testicular cancer	0	n/a
		Acute Leukaemia	0	n/a
2002–03	1	Children's cancers	0	n/a
		Testicular cancer	3	100.00
		Acute Leukaemia	0	n/a
2002–03	2	Children's cancers	0	n/a
		Testicular cancer	1	100.00
		Acute Leukaemia	0	n/a
2002–03	3	Children's cancers	0	n/a
		Testicular cancer	3	100.00
		Acute Leukaemia	0	n/a
2002–03	4	Children's cancers	0	n/a
		Testicular cancer	1	100.00
		Acute Leukaemia	0	n/a
2003–04	1	Children's cancers	0	n/a
		Testicular cancer	1	100.00
		Acute Leukaemia	1	100.00

Patients treated within 31 days of being diagnosed with breast cancer: York Hospitals NHS Trust

	Quarter	Total patients treated	Percentage treated within 31 days
2001–02	4	64	100.00
2002–03	1	70	100.00
2002–03	2	56	100.00
2002–03	3	48	100.00
2002–03	4	67	100.00
2003–04	1	62	100.00

Patients treated within 62 days of being urgently referred by their G(D)P with suspected cancer and subsequently diagnosed with breast cancer: York Hospitals NHS Trust

	Quarter	Total patients treated	Percentage treated within 62 days
2003–04	1	25	100.00

Note:
Data were not collected prior to the dates in the tables.
Source:
Department of Health form QMCW.

Health Service Ombudsman

Mr. Clifton-Brown: To ask the Secretary of State for Health how many Health Service Ombudsman cases were considered in the last year for which figures are available; how many cases were *(a)* upheld and *(b)* rejected; what the average time taken to consider a case was; and what the average cost per case was. [137334]

Ms Rosie Winterton: The Health Service Ombudsman publishes information about the handling of cases in her annual report, copies of which are available in the Library and on the Ombudsman's website at www.ombudsman.org.uk.

Health Services (Somerset)

Mr. Flook: To ask the Secretary of State for Health how many *(a)* children and adolescents, *(b)* adults and *(c)* pensioners were treated by the Somerset Partnership Mental Health Trust in each year since 1997. [135422]

Ms Rosie Winterton: Information on the total number of patients admitted for treatment by Somerset National Health Service Trust since 1997 is available by age, and is shown in the table. Admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. These figures do not represent the number of in-patients as a person may have more than one admission within the year.

Total patients by age within Somerset Partnership NHS Trust

	Age group			
	0–14 years	15–59 years	60–74 years	75+ years
1997–98	7	1,210	473	715
1998–99	*	1,262	372	707
1999–2000	6	1,298	378	711
2000–01	10	1,338	357	789
2001–02	*	1,274	312	609

Notes:
1. Due to reasons of confidentiality, figures between one and five have been suppressed and replaced with an asterisk.
2. Figures for 2001–02 have not been adjusted for shortfalls in data.
Source:
Hospital Episode Statistics (HES), Department of Health.

Mr. Flook: To ask the Secretary of State for Health pursuant to his answer of 5 November 2003, *Official Report*, column 689W, on Health Services (Somerset), what the reasons are for the increases in *(a)* places in private residential homes in 1998 and *(b)* places in independent nursing homes in 1998. [138828]

Dr. Ladyman: The years 1997–99 showed a steady increase in the numbers of places in private residential homes and places in independent nursing homes, in Somerset, as shown in the table. The reasons behind this trend have not been determined.

Number of places in Somerset, 1997–99

	Private residential homes	*Independent nursing homes*
1997	2,265	2,575
1998	2,995	2,830
1999	3,000	2,870

Source:
K036, RA and RH(N) FORM A

Hearing Aids

Richard Ottaway: To ask the Secretary of State for Health what the average current waiting time is in the South West London Strategic Health Authority for a hearing aid assessment to fit digital hearing aids. [136823]

Mr. Hutton: These figures are not held centrally.

Health Services (Taunton)

Mr. Flook: To ask the Secretary of State for Health how many *(a)* consultants and *(b)* junior hospital doctors there were in each clinical speciality at (i) Taunton and Somerset NHS Hospital Trust and (ii) Taunton Deane Primary Care Trust in each year since 1997. [137243]

Ms Rosie Winterton: The numbers of consultants and junior hospital doctors in each clinical speciality at Taunton and Somerset National Health Service Hospital Trust and Taunton Deane Primary Care Trust are shown in the table.

Hospital Public Health Medicine and Community Health Services: Medical and Dental Consultants (including Directors of Public Health) and Doctors in Training within specified organisations

Number (headcount)

	Taunton Deane PCT			*Taunton and Somerset NHS Trust*							
	2002	*March 2003*	*June 2003*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*March 2003*	*June 2003*
Consultant (including Directors of Public Health)	2	2	1	86	90	92	99	104	109	115	115
Accident and emergency	0	0	0	2	2	2	2	2	2	3	3
Anaesthetics (inc. Intensive care medicine)	0	0	0	11	12	14	14	15	17	18	18
Cardiology	0	0	0	0	0	0	3	3	4	4	4
Chemical pathology	0	0	0	0	0	0	0	0	1	0	0
Clinical radiology	0	0	0	7	8	8	9	9	9	10	10
Dermatology	0	0	0	3	3	3	3	3	3	3	3
Endocrinology and diabetes mellitus	0	0	0	0	0	0	2	3	2	2	2
Gastroenterology	0	0	0	0	0	0	3	3	3	3	2
General surgery	0	0	0	6	6	7	7	8	9	9	9
Genito-urinary medicine	0	0	0	1	1	1	1	1	1	1	1
Geriatric medicine	0	0	0	4	4	4	4	5	4	5	5
Haematology	0	0	0	3	3	3	3	3	3	3	3
Histopathology	0	0	0	4	3	4	4	4	4	6	7
Medical microbiology and virology	0	0	0	0	2	1	2	2	2	2	2
Neurology	0	0	0	2	2	2	3	3	2	3	3
Obstetrics and gynaecology	0	0	0	5	5	5	6	6	6	7	6
Occupational health	0	0	0	1	1	1	1	1	1	1	1
Ophthalmology	0	0	0	6	6	6	5	5	5	5	6
Oral and maxillo facial surgery	0	0	0	2	2	2	2	2	2	2	2
Orthodontics	0	0	0	1	1	1	1	2	2	2	2
Otolaryngology	0	0	0	3	3	2	3	3	4	4	4
Paediatrics	0	0	0	6	6	5	6	6	6	6	6
Public health medicine	2	2	1	0	0	0	0	0	0	0	0
Rehabilitation medicine	0	0	0	0	0	0	0	0	1	0	0
Respiratory medicine	0	0	0	0	0	0	2	2	2	2	2
Rheumatology	0	0	0	0	0	0	2	1	2	2	2
Trauma and orthopaedic surgery	0	0	0	6	6	6	7	8	8	8	8
Urology	0	0	0	3	3	3	4	4	4	4	4
Other	0	0	0	10	11	12	0	0	0	0	0
Doctors in training	0	n/a	n/a	108	114	115	124	133	139	n/a	n/a
Accident and emergency	0	n/a	n/a	5	5	6	7	9	10	n/a	n/a
Anaesthetics (inc. Intensive care medicine)	0	n/a	n/a	11	11	10	12	13	15	n/a	n/a
Cardiology	0	n/a	n/a	0	0	0	0	1	0	n/a	n/a
Gastroenterology	0	n/a	n/a	0	0	0	0	2	0	n/a	n/a
General surgery	0	n/a	n/a	12	13	13	15	17	18	n/a	n/a
Geriatric medicine	0	n/a	n/a	1	2	3	3	1	0	n/a	n/a
Haematology	0	n/a	n/a	3	4	4	4	2	2	n/a	n/a
Neurology	0	n/a	n/a	1	1	0	0	0	0	n/a	n/a
Obstetrics and gynaecology	0	n/a	n/a	9	10	8	10	10	11	n/a	n/a
Occupational health	0	n/a	n/a	0	0	0	1	1	1	n/a	n/a
Ophthalmology	0	n/a	n/a	7	7	7	6	7	7	n/a	n/a
Oral and maxillo facial surgery	0	n/a	n/a	3	3	3	3	3	3	n/a	n/a
Orthodontics	0	n/a	n/a	1	1	1	1	1	1	n/a	n/a
Otolaryngology	0	n/a	n/a	4	5	5	5	5	5	n/a	n/a
Paediatrics	0	n/a	n/a	14	13	12	15	16	18	n/a	n/a
Rehabilitation medicine	0	n/a	n/a	0	0	0	0	1	1	n/a	n/a
Respiratory medicine	0	n/a	n/a	0	0	0	0	1	5	n/a	n/a
Rheumatology	0	n/a	n/a	0	0	0	0	1	–	n/a	n/a
Trauma and orthopaedic surgery	0	n/a	n/a	10	11	10	11	11	12	n/a	n/a
Urology	0	n/a	n/a	5	4	5	5	4	5	n/a	n/a
Other	0	n/a	n/a	22	24	28	26	27	25	n/a	n/a

Notes:
n/a = not available. March and June 2003 data are taken from mini censuses that collected Consultants only. Data as at 30 September 1992 to 2002 and 31 March 2003 and 30 June 2003.
Source:
Department of Health medical and dental workforce census.

Heath Care (Bath/North East Somerset)

Dan Norris: To ask the Secretary of State for Health how many *(a)* GPs and *(b)* nurses were employed in Bath and North East Somerset in (i) 1997 and (ii) 2003. [136325]

Ms Rosie Winterton: Information on the number of general practitioners and nurses employed in Bath and North East Somerset in 1997 is not available. The latest available information for 2002 and 2003 is shown in the tables.

All general medical practitioners[1] for Bath and North East Somerset Primary Care Trust

	Number (headcount)
2001	142
March 2002	143
2002	136
March 2003	154
June 2003	144

[1] All practitioners include GMS unrestricted principals, PMS contracted GPs, PMS salaried GPs, restricted principals, assistants, GP registrars, salaried doctors (Para. 52 SFA), PMS other, GP retainers and flexible career scheme GPs.

Note:
Data as at 30 September 2001–02, 31 March 2002–03 and 30 June 2003.

Source:
Department of Health General and Personal Medical Services Statistics.

Total qualified nursing staff for Bath and North East Somerset Primary Care Trust

	Number (headcount)	
	2001	*2002*
	529	517
Qualified nursing, midwifery and health visiting staff	422	424
GP practice nurses	107	93

Note:
Data as at September each year.

Sources:
Department of Health General and Personal Medical Services Statistics.
Department of Health Non-Medical Workforce Census.

Hepatitis C

Lynne Jones: To ask the Secretary of State for Health if he will make a statement on progress in working out the details in relation to his announcement on 29 August that he would establish a financial assistance scheme for people infected with hepatitis C as a result of being given blood products by the NHS. [137747]

Miss Melanie Johnson: We are making every effort to progress the hepatitis C financial assistance scheme as quickly as possible and expect to announce details of the scheme's eligibility criteria and payment structure shortly.

Herceptin

Virginia Bottomley: To ask the Secretary of State for Health what steps he is taking to ensure that there is equal access in different areas to Herceptin. [136283]

Miss Melanie Johnson: My right hon. Friend, the Secretary of State for Health, has asked the National Cancer Director, Professor Mike Richards, to look at the National Health Service in every region and ensure the cancer drugs and treatments, including herceptin, which have been approved by the National Institute for Clinical Excellence, are available nationally.

Professor Richards will be working with cancer networks and the pharmaceutical industry over the next few months to assess the position and identify and address any underlying variations in prescription rates.

Waiting Lists

Mr. Rosindell: To ask the Secretary of State for Health (1) how many people are waiting for hip replacements in each of the London boroughs; [137324]

(2) how many patients are waiting for orthopaedic surgery in the London borough of Havering; [137327]

(3) how many patients are waiting for cancer surgery in each of the London boroughs. [137329]

Mr. Hutton: The information on specific procedures is not identified in the headline waiting times collected by the Department, which are specialty based.

Information for individual trusts and specialties is available on the Department's website at www.doh.gov.uk/waitingtimes.

Hypertension

Chris Grayling: To ask the Secretary of State for Health how much extra funding will be provided to practices to support standards in managing high blood pressure; and what the criteria will be for claiming it. [130111]

Miss Melanie Johnson: The new contract for general medical services (QMS), accepted by general practitioners on 20 June 2003, will significantly benefit patients by improving the quality of care, including the management of high blood pressure, and widening the range of services available at GP surgeries.

Two thirds of the additional investment linked to the GMS contract has been earmarked to reward practices for better services. This funding will be allocated through a new Quality and Outcomes Framework, which sets out a range of indicators relating to the detection, recording and management of patients with high blood pressure. Practices will gain a certain number of points according to their performance against these indicators. A typical practice with average list size achieving all the hypertension points might expect to earn £12,975.

Under the new arrangements for the national health service as outlined in "Shifting the Balance of Power", primary care trusts now allocate funding from their own devolved budgets to deliver national targets and milestones and to meet local priorities. The NHS Planning and Performance Framework target for coronary heart disease (CHD) registers requires that the majority of patients at high risk of CHD, particularly those with hypertension, diabetes and a body mass index

greater than 30 are covered by systematic treatment regimes, including appropriate advice on diet, physical activity and smoking.

Infant Formula Milk

Mrs. Brooke: To ask the Secretary of State for Health (1) what representations he has received on advertisements for infant formula milk *(a)* on television and *(b)* in parents' magazines; [135035]

(2) what representations he has received on stopping the promotion of breast milk substitutes for feeding to infants. [135042]

Miss Melanie Johnson *[holding answer 29 October 2003]:* I have received some letters and emails within the last year about these subjects in general. The Infant Formula and Follow-on Formula Regulations 1995 control the advertisement and promotion of infant formula milk and breast milk substitutes.

Insulin

Mr. Amess: To ask the Secretary of State for Health (1) what estimate he has made of the number of patients who are suited to treatment with animal insulin rather than synthetic insulin; [137592]

(2) how many people with diabetes require *(a)* animal insulin and *(b)* synthetic insulin; [137597]

(3) what representations his Department has received from patients about the suitability of synthetic insulin. [137600]

Ms Rosie Winterton: Data on the number of people using these insulins are not collected. However, the table shows the number of prescription items that were dispensed in the community in England, and their cost, in the 12 months ended June 2003.

Decisions on the most suitable type of insulin should be made by people with diabetes in consultation with their healthcare providers. The Department has received no representations about the suitability of synthetic insulin.

Number of prescription items and net ingredient cost of Insulins that were dispensed in the community in England for the 12 months ending June 2003

	Number of prescription items (thousand)	*Net ingredient cost (£000)*
Highly purified animal insulin	128.1	4,217.2
Human sequence (GM Insulin)	3,522.0	150,528.8
All Insulins	3,650.0	154,746.0

Notes:

1. The data is from the Prescription Cost Analysis (PCA) system which covers all prescription items that are dispensed in the community in England. This does not include drugs dispensed in hospitals or private prescriptions.
2. Insulins are those defined in the British National Formulary (BNF) paragraph 6.1.1, "Insulins". Insulin drugs have been grouped into highly purified animal and human sequence (GM) insulin in line with the British National Formulary (BNF).
3. Doctors write prescriptions on a prescription form. Each single item written on the form is counted as a prescription item. The net ingredient cost refers to the cost (which the dispenser is reimbursed) of the drug before discounts and does not include any dispensing costs or fees.

Mr. Amess: To ask the Secretary of State for Health (1) what evidence he has received on adverse reactions to synthetic insulin among diabetics which were not experienced when animal insulin was used; and if he will make a statement; [137593]

(2) what plans he has to issue guidance to the medical profession about adverse reactions to synthetic insulin; [137595]

(3) what studies he has *(a)* commissioned and *(b)* received on the suitability of synthetic insulin for treatment of diabetes; [137598]

(4) what steps his Department takes to avail itself of research from a wide range of sources into the safety and suitability of synthetic insulin. [137599]

Ms Rosie Winterton: The Committee on Safety of Medicines (CSM) and its Sub-Committee on Pharmacovigilance (SCOP) have kept the safety of synthetic (human) insulins under close review and have considered the available data on a number of occasions. Most recently in 2002, the SCOP considered the findings of an independent review of controlled clinical trial data by the Cochrane Collaboration. The conclusions of the Cochrane review were that there is no difference in the incidence of adverse events between patients on synthetic insulin compared with patients on animal insulins. The SCOP confirmed its previous advice that there is no clear evidence of safety problem specific to human insulin. However, the issue will be reviewed again should further information become available.

The Medicines and Healthcare products Regulatory Agency (MHRA) receives reports of suspected adverse drug reactions (ADRs) via the Yellow Card scheme. The most commonly reported suspected ADRs with both synthetic (human) and animal insulins are disorders of metabolism and nutrition such as hypoglycaemia and hypoglycaemia unawareness, followed by skin and subcutaneous tissue disorder such as injection site reaction. However the reporting of a reaction does not necessarily mean that the drug caused the problem.

A higher number of suspected ADR reports have been received in association with synthetic insulin through the Yellow Card Scheme, however this may reflect the fact that 80 per cent. of patients with Type 1 Insulin Dependent Diabetes Mellitus are estimated to be receiving synthetic insulin in the United Kingdom.

Full guidance on prescribing and use of synthetic insulins, including possible side effects, is provided in the product information for prescribes and patients. This includes warnings about the risk of hypoglycaemia unawareness particularly upon transfer from animal insulins to synthetic insulins. Key prescribing information is also included in the British National Formulary, which is sent by the Department to doctors and pharmacists.

Both human and animal derived insulins are currently available and the MHRA is not aware of any specific plans for the discontinuation of production of animal derived insulins. However, decisions as to the most suitable type of insulin for particular patients are clinical matters and must be made by individual doctors.

Mr. Amess: To ask the Secretary of State for Health if he will meet representatives of the Insulin Dependent Diabetes Trust to discuss the continued *(a)* choice between and *(b)* availability of (i) synthetic and (ii) animal insulin. [137594]

Ms Rosie Winterton: I am not aware of any problems with either the choice between or availability of the various types of insulin. I should, however, be interested to have details of the Insulin Dependent Diabetes Trust's concerns and would be happy for them to write to me in the first instance.

Mr. Amess: To ask the Secretary of State for Health what steps he will take to ensure competition in *(a)* the manufacture of insulin and *(b)* the manufacture of different types of insulin for treatment of diabetes; and if he will make a statement. [137596]

Ms Rosie Winterton: The Department, working closely with other bodies such as the NHS Purchasing and Supply Agency and pharmaceutical companies, has arrangements in place to ensure security of supply of medicines.

In addition the Pharmaceutical Price Regulation Scheme aims to:

secure the provision of safe and effective medicines for the NHS at reasonable prices;

promote a strong and profitable pharmaceutical industry capable of such sustained research and development expenditure as should lead to the future availability of new and improved medicines;

encourage the efficient and competitive development and supply of medicines to pharmaceutical markets in this and other countries.

Finally, the patent system provides considerable incentives for companies to compete in the development of new and innovative medicines.

Learning Disabilities

Mr. Paul Burstow: To ask the Secretary of State for Health how much funding has been allocated to the provision of services for people with learning disabilities since the publication of the White Paper "Valuing People"; how this funding has been spent; and what funding remains unallocated. [138187]

Dr. Ladyman: Over £3 billion a year is spent on health and social care provision for people with learning disabilities. The White Paper, "Valuing People: A New Strategy for Learning Disability for the 21st Century" (Cm 5086), published in March 2001, which set out our proposals for improving services for people with learning disabilities, their families and carers, announced two new funds to support its proposals: the implementation support fund (ISF) from April 2001 and the learning disability development fund (LDDF) from April 2002. Funding has been allocated to support priorities set out in "Valuing People".

Money from the £2.3 million ISF was fully allocated in both 2001–02 and 2002–03. We expect it to be fully allocated in 2003–04. Funding has been used to support a range of work, including:

The development and support of advocacy services

The setting up and support of the national forum of people with learning disabilities and its network of regional forums

The preparation, publication, and dissemination of good practice guidance on a range of subjects

The setting up and support of the Learning Disability Telephone Information and Helpline (funded jointly with MENCAP)

Extension of the learning disability awards framework.

The LDDF was introduced in April 2002. £2 million of the £22.6 million revenue element available in 2002–03 was used to support the "Valuing People" support team and its related activities. The remainder was distributed to health authorities on a pro-rata basis to be used as agreed through their partnership board, with their partner local authorities to support the following priorities for service change:

Modernising day centres

Completing the reprovision of the remaining long-stay hospitals to enable people to move to more appropriate accommodation

Developing supported living approaches for people with learning disabilities living with older carers

Promoting the further development of advocacy

Supporting the wider introduction of person centred planning

Enhancing leadership in learning disability services.

In 2003–04, £2 million was again allocated for the "Valuing People" support team, with £21 million being distributed to primary care trusts to be used on the above priorities for service change.

The capital element of the LDDF comprises £20 million a year to be used on the following priorities:

Enabling local providers to develop specialist services for people with severe challenging behaviour

Developing integrated health and social services facilities for children and people with severe disabilities and complex needs

Developing supported living approaches for people with learning disabilities living with older carers

Implementing the results of person centred planning for people currently living in national health service campuses.

In 2002–03, bids were invited from learning disability partnership boards and £16 million of the available £20 million was allocated. In 2003–04, the £20 million capital was allocated direct to strategic health authorities as part of their strategic capital allocations.

London NHS Trusts

Chris Grayling: To ask the Secretary of State for Health what the total aggregate cumulative deficit of London NHS trusts was at the end of the most recent financial year for which records are available. [133743]

Mr. Hutton: The combined balance sheets of all London national health service trusts at the end of 2002–03 show a net cumulative deficit on the income and expenditure reserve account of £47.7 million. This figure does not necessarily represent liabilities which will need to be settled nor is it an indication of poor financial performance. Changes in accounting policy and the periodic re-valuation of assets over recent years have distorted the apparent financial position of NHS trusts.

The latest annual accounts for 2002–03 show London NHS trusts made an overall surplus of £4.3 million. All have balanced financial plans for 2003–04.

Market Research

Matthew Taylor: To ask the Secretary of State for Health if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137008]

Ms Rosie Winterton: A list of research projects carried out by the Department since 1 May 1997 was placed in the Library in July 1999. The list may not include all research projects, as some information was not centrally available. The list has been updated year on year, with the most recent list, for 2002–03, being placed in the Library in July 2003.

We are committed to consulting and involving the public to help inform both policy formulation and the delivery of better quality and more responsive public services.

Market or opinion research is commissioned only when it is justified by the needs of the policy programme and is the most economical, efficient and effective way to achieve the purpose.

Medicine Reviews

Sandra Gidley: To ask the Secretary of State for Health if he will list, by primary care trust, the *(a)* numbers and *(b)* percentages of patients over 75 who have had their medicines reviewed at least annually in the last three years. [137929]

Dr. Ladyman: This information is not collected centrally.

Mental Health

Mr. Cousins: To ask the Secretary of State for Health when he proposes to publish the summary of responses to the consultation on the Draft Mental Health Bill. [139096]

Ms Rosie Winterton: The Government's response to the consultation will be published prior to introduction of the Bill. It will be available in hard copy and on the Department of Health website.

At that time, copies of responses will be placed in the Library, except in cases where respondents have asked for confidentiality.

Mersey Regional Ambulance Service

Helen Jones: To ask the Secretary of State for Health for what reason no Warrington-based ambulances were available in Warrington during the weekend of 1 and 2 November 2003; and if he will take steps to ensure that Mersey Regional Ambulance Service do not allow this situation to occur again. [136788]

Miss Melanie Johnson: The shortfall in the number of Warrington-based ambulances in Warrington during 1 and 2 November 2003 was due to the diversion of blue light admissions from Warrington Hospital accident and emergency department. Ambulances were diverted to other hospitals in the area, which included Manchester and Stoke. This had a direct impact on the length of time taken for ambulances to return to the Warrington area.

Helen Jones: To ask the Secretary of State for Health what steps the Mersey Regional Ambulance Service has taken to develop an effective internal and external communications strategy as recommended by the Commission for Health Improvement; and if he will place a copy of the strategy in the Library. [138444]

Miss Melanie Johnson *[holding answer 13 November 2003]:* In July 2002, the Mersey Regional Ambulance Service appointed a communications manager with considerable senior level experience. A review of both internal and external communications has taken place along with a review of the trusts ability to provide effective communications. The trust is currently drawing up its communications strategy. A copy will be placed in the Library when it is completed.

Helen Jones: To ask the Secretary of State for Health what steps the Mersey Regional Ambulance Service has taken to arrange with NHS acute trusts locations for ambulance liaison assistants which maintain patient confidentiality. [138445]

Miss Melanie Johnson *[holding answer 13 November 2003]:* Cheshire and Merseyside Strategic Health Authority reports that several initiatives have been taken forward to address this issue. In particular:

> A major redesign of Aintree Hospital included refurbishment work within the ambulance liaison assistants (ALA) area. This is now more accessible for patients and more suited to their needs. This has also involved a redesign of the office furniture and now all telephone conversations are conducted behind a higher level counter;
>
> During the last 12 months a refurbishment project has been carried out by the Countess of Chester Hospital and this included work in the ALA lounge. Specifically, this involved relocating the patient transport service lounge to make it more accessible and more open plan to create a better environment. Telephone conversations are now held in a much more secure environment behind high level counters;
>
> Work is also currently ongoing with the Royal Liverpool Hospital. As part of its major entrance redesign, this has included the creation of a purpose built patient discharge and ambulance liaison lounge. This is a confidential environment.

Furthermore, recognising the need to work more closely with its hospital partners, the Mersey Regional Ambulance Service National Health Service Trust has recently completed a management restructure, which empowers managers to work on a more integrated basis within the health economy to ensure such projects are taken forward.

Helen Jones: To ask the Secretary of State for Health what procedures have been put in place by Mersey Regional Ambulance Service to ensure that all crews receive information and training on new vehicles prior to their introduction. [138446]

Miss Melanie Johnson *[holding answer 13 November 2003]:* A number of procedures ensure that all staff receive training and information on new vehicles prior to their introduction. These are consistent with the Mersey Regional Ambulance Service national health service trust's health and safety policy and supported by the head of training and development.

The trust also operates a vehicle working group, which is made up of managers, staff and trade union representatives. This group agrees the format of all new vehicles and equipment as well as the formal training plan to ensure staff receive appropriate training prior to the vehicles being put into service.

Helen Jones: To ask the Secretary of State for Health if he will place a copy of Mersey Regional Ambulance Service's child protection policy in the Library. [138447]

Miss Melanie Johnson *[holding answer 13 November 2003]:* Following the Commission for Health Improvement (CHI) action plan, the Mersey Regional Ambulance Service national health service trust agreed to review its current child protection arrangements.

A draft policy is awaiting approval by the trust board. The trust is on target to achieve the timescales of the CHI recommendations. A copy will be placed in the Library in due course.

Helen Jones: To ask the Secretary of State for Health what progress has been made by Mersey Regional Ambulance Service in developing a plan for the training of staff in clinical audit skills; and if he will place a copy of the plan in the Library. [138448]

Miss Melanie Johnson *[holding answer 13 November 2003]:* Cheshire and Merseyside Strategic health authority reports that the Mersey Regional Ambulance Service is developing a trust-wide training programme for frontline staff in clinical audit skills and will incorporate this into the training and education strategy by December 2003.

A copy of the programme will be placed in the Library when it is completed.

Midwives

Mr. Baron: To ask the Secretary of State for Health (1) what the average vacancy rate is for midwives in the NHS, broken down by region; what proportion of midwife vacancies have remained vacant for more than three months in *(a)* England and *(b)* each region in the last year for which figures are available; which 10 regions of England have the highest vacancy rates; and what these rates are; [139021]

(2) what assessment he has made of the effect of the vacancy rate for midwives on decisions by midwives to leave the profession. [139240]

Mr. Hutton: Information on the number of vacancies for midwives lasting three months or more is collected in the national health service vacancy survey, information on the number of vacancies lasting less than three months is not collected centrally. The available information is shown in the table by Government regional office area and strategic health authority.

No assessment has been made on the effect of vacancy rates for midwives on decisions by midwives to leave the profession. The vacancy rate for midwives is comparable with that for the overall nursing work force. Since 1997, the number of midwives employed in the NHS has increased by 860 and the Government will continue to increase the NHS midwifery work force through a range of recruitment and retention initiatives.

Department of Health Vacancies Survey, March 2003—Vacancies in strategic health authority areas and by Government regional office area for qualified midwives—three month vacancy rates, numbers and staff in post

	Qualified midwives			
	March 2003		*September 2002*	
	Three month vacancy rate (percentage)	*Three month vacancy (number)*	*Staff in post (whole-time equivalent)*	*Staff in post (headcount)*
England	3.1	572	18,119	23,249
East of England	4.1	60	1,630	2,159
Q01 Norfolk, Suffolk and Cambridgeshire strategic HA	0.0	—	672	910
Q02 Bedfordshire and Hertfordshire strategic HA	9.1	45	472	605
Q03 Essex strategic HA	3.9	16	486	644
London	7.7	214	2,812	3,601
Q04 North West London strategic HA	4.5	30	633	842
Q05 North Central London strategic HA	10.1	53	498	628
Q06 North East London strategic HA	5.5	31	615	724
Q07 South East London strategic HA	12.2	83	580	769
Q08 South West London strategic HA	4.9	17	487	638
North East	0.8	8	993	1,241
Q09 Northumberland, Tyne and Wear strategic HA	0.3	1	537	675
Q10 County Durham and Tees Valley strategic HA	1.4	6	457	566
Yorkshire and the Humber	2.2	43	1,909	2,321
Q11 North and East Yorkshire and Northern Lincolnshire strategic HA	1.3	7	526	651
Q12 West Yorkshire strategic HA	2.9	26	850	1,021
Q23 South Yorkshire strategic HA	1.8	10	533	649
North West	1.1	33	3,069	3,833
Q13 Cumbria and Lancashire strategic HA	0.3	2	768	985
Q14 Greater Manchester strategic HA	1.4	19	1,310	1,572
Q15 Cheshire and Merseyside strategic HA	1.2	12	991	1,276

Department of Health Vacancies Survey, March 2003—Vacancies in strategic health authority areas and by Government regional office area for qualified midwives—three month vacancy rates, numbers and staff in post

	Qualified midwives			
	March 2003		*September 2002*	
	Three month vacancy rate (percentage)	*Three month vacancy (number)*	*Staff in post (whole-time equivalent)*	*Staff in post (headcount)*
South East	4.7	122	2,522	3,414
Q16 Thames Valley strategic HA	2.0	14	722	1,004
Q17 Hampshire and Isle of Wight strategic HA	3.5	20	536	730
Q18 Kent and Medway strategic HA	5.7	30	509	660
Q19 Surrey and Sussex strategic HA	7.2	59	755	1,020
South West	1.6	28	1,785	2,358
Q20 Avon, Gloucestershire and Wiltshire strategic HA	2.3	19	827	1,091
Q21 South West Peninsula strategic HA	1.3	8	612	797
Q22 Dorset and Somerset strategic HA	0.3	1	345	470
East Midlands	1.3	17	1,307	1,697
Q24 Trent strategic HA	0.1	1	819	1,053
Q25 Leicestershire, Northamptonshire and Rutland strategic HA	3.1	16	488	644
West Midlands	2.2	47	2,091	2,625
Q26 Shropshire and Staffordshire strategic HA	1.5	8	508	652
Q27 Birmingham and the Black Country strategic HA	3.7	39	1,010	1,234
Q28 Coventry, Warwickshire, Herefordshire and Worcestershire strategic HA	0.0	—	573	739

Three month vacancy notes:
1. Three month vacancy information is as at 31 March 2003
2. Three month vacancies are vacancies which Trusts are actively trying to fill, which had lasted for three months or more (whole time equivalents)
3. Three month Vacancy Rates are three month vacancies expressed as a percentage of three month vacancies plus staff in post
4. Three month Vacancy Rates for non-medical staff are calculated using staff in post from the Vacancy Survey, March 2003
5. Percentages are rounded to one decimal place
6. '—' zero

Staff in post notes:
1. Staff in post data is from the Non-Medical Workforce Census, September 2002
2. '—' zero

General notes:
1. Vacancy and staff in post numbers are rounded to the nearest whole number
2. Calculating the vacancy rates using the above data may not equal the actual vacancy rates
3. Due to rounding, totals may not equal the sum of component parts
4. Strategic HA figures are based on Trusts, and do not necessarily reflect the geographical provision of healthcare

Sources:
Department of Health Vacancies Survey, March 2003
Department of Health Non-Medical Workforce Census, September 2002

Mixed Wards

Sandra Gidley: To ask the Secretary of State for Health (1) how many wards in NHS hospitals have regularly had patients of both sexes staying at the same time in the last 12 months; [138156]

(2) on how many occasions over the last 12 months hospitals have admitted a patient into a ward reserved for patients of the opposite sex, broken down by NHS hospital trust. [138159]

Mr. Hutton: The Department does not collect information at the level of the individual ward. National health service trusts are required only to report on total patient throughput per annum.

MRI Scans

Gregory Barker: To ask the Secretary of State for Health what assessment he has made of the existing capacity for MRI scanning for NHS patients in the *(a)* public and *(b)* private sectors; and if he will make a statement. [137083]

Miss Melanie Johnson: Past under-funding of the national health service led to the inadequate provision of essential diagnostic equipment, unevenly distributed across the country. The Government are committed to putting right this under-investment and is providing unprecedented levels of central funding to expand capacity and replace ageing equipment.

There are currently 207 magnetic resonance imaging (MRI) scanners installed in the NHS in England, compared with 110 machines in 1997, representing an 88 per cent. increase in total numbers. By December 2004, this will increase further to approximately 276 MRI scanners, a 150 per cent. increase on 1997.

There are approximately 60 MRI scanners in private hospitals in England. The private sector is only able to provide a small amount of additional capacity for the NHS. The utilisation of any radiology equipment is dependent on the availability of skilled staff. Both the NHS and private sector use staff from the same work force pool.

Gregory Barker: To ask the Secretary of State for Health what the average waiting time for MRI scans in England was in each of the last 10 years, broken down by region. [137084]

Miss Melanie Johnson: Data on waiting times for diagnostic tests are not collected centrally.

National Service Framework for Children

Tim Loughton: To ask the Secretary of State for Health what measures aimed at children with learning disabilities will be included in the national service framework for children. [138494]

Dr. Ladyman: A key part of the national service framework for children, young people and maternity services will focus on the needs of disabled children, including those with learning disabilities. This will involve looking at how services can respond to their needs more flexibly and improving the transition to adulthood.

NHS Direct

Mr. Berry: To ask the Secretary of State for Health what the maximum period is which he requires should elapse before NICE guidance is reflected in *(a)* the advice given by NHS Direct and *(b)* the content of NHS Direct Online. [133369]

Ms Rosie Winterton: When content of National Institute for Clinical Excellence (NICE) guidance requires amendment to National Health Service Clinical Assessment System (CAS) clinical content, the change would normally be made in the next clinical release. Main releases are currently made twice yearly. When the need for change is identified as more urgent than the timetable for the next main release, guidance regarding the change is issued first to all staff by a message system which is part of NHS CAS and this is followed by an interim version release of the clinical content between the main releases. Depending on the timing of release of NICE guidance in relation to the next planned main clinical release, it could otherwise be up to six months before the clinical content was revised. Advice on the urgency of implementing changes is given by the NHS Direct national medical adviser in consultation with the NHS Direct CAS clinical panel. NHS Direct is working with the system supplier to be able to amend clinical content more frequently.

If someone required information only on a treatment, the situation is as follows. The NICE website is on the recommended list for all NHS Direct call centres. Also, a monthly current awareness bulletin is produced and posted on 'indirect' (NHS Direct's Intranet site) as well as being e-mailed to site information staff (they are encouraged to publicise at sites). This would feature any new NICE guidelines.

If NICE guidance requires a change to the content of NHS Direct Online, it would usually be updated in their content within 48 hours, although this process can be shortened to within the hour for urgent cases.

Dr. Cable: To ask the Secretary of State for Health what percentage of calls to NHS Direct were answered within 30 seconds in the most recent 12 month period, broken down by month, for which figures are available; and if he will make a statement. [136874]

Ms Rosie Winterton: The percentage of calls to NHS Direct that were answered within 30 seconds for the most recent 12 month period, broken down by month are shown in the table. The overall percentage for the most recent 12 month period is 63 per cent.

Analysis date	*Percentage*[1]
2002	
November	60
December	61
2003	
January	70
February	61
March	57
April	55
May	62
June	63
July	64
August	65
September	69
October	67

[1] Percentage of calls answered in 30 seconds

Dr. Cable: To ask the Secretary of State for Health how many members of staff are employed by NHS Direct; and if he will make a statement. [136876]

Ms Rosie Winterton: Currently, all NHS Direct members of staff are employed by their host organisation trust. NHS Direct employs approximately 3,000 (whole time equivalent) members of staff nationally. Of these, around 1,063 are nurses and 543 call handlers. The remaining staff consists of health information advisors, managers, trainers, nurse supervisors and administration staff. Each of the 22 sites for clinical governance purposes employs a medical director (doctor).

Chris Grayling: To ask the Secretary of State for Health what recent assessment he has made of the quality of clinical advice provided by NHS Direct to patients. [138074]

Ms Rosie Winterton: NHS Direct has a well established record for offering good clinical advice. This was confirmed in the sector report published by the Commission for Health Improvement on 10 November, following its review of 19 out of the 23 NHS Direct sites in England.

NHS Staff

Tim Loughton: To ask the Secretary of State for Health how many NHS employees belong to a trade union; and which ones. [134811]

Mr. Hutton: The Department does not hold centrally the number of national health service employees who belong to a trade union.

The Office for National Statistics produces an estimate for the United Kingdom of the proportion of public sector employees with trade union membership, by industry classification, using data from the Labour Force Survey. The figure for health for autumn 2002 is 62 per cent.

Mr. Rosindell: To ask the Secretary of State for Health how many staff are employed by the NHS in *(a)* the London borough of Havering and *(b)* each NHS trust in London. [137330]

Mr. Hutton: Information is not collected by London borough. The information shown in the table includes national health service organisations within the London borough of Havering.

Hospital, Public Health Medicine, Community Health Services (HCHS) and General and Personal Medical Services: All NHS staff by organisation

Numbers (headcount)

As at 30 September 2002		*All NHS staff*[1]	*Medical and dental*[1]	*Non-medical staff*[2]	*GPs*[3]
Barking, Havering and Redbridge Hospitals NHS Trust	RF4	6,113	538	5,575	n/a
Havering PCT	5A4	1,061	7	930	124
Royal Free NHS Trust	RAL	4,928	538	4,390	n/a
Royal National Orthopaedic NHS Trust	RAN	941	87	854	n/a
North Middlesex Hospital NHS Trust	RAP	2,302	233	2,069	n/a
Hillingdon Hospital NHS Trust	RAS	2,884	250	2,634	n/a
North East London Mental Health NHS Trust	RAT	1,635	89	1,546	n/a
Kingston Hospital NHS Trust	RAX	2,818	324	2,494	n/a
Ealing Hospital NHS Trust	RC3	1,585	182	1,403	n/a
West Middlesex University NHS Trust	RFW	1,999	198	1,801	n/a
Greenwich Healthcare NHS Trust	RG2	2,273	206	2,067	n/a
Bromley Hospitals NHS Trust	RG3	2,265	244	2,021	n/a
Whipps Cross University Hospital NHS Trust	RGC	2,509	247	2,262	n/a
Queen Mary's, Sidcup NHS Trust	RGZ	2,488	218	2,270	n/a
Guys and St. Thomas's NHS Trust	RJ1	7,785	936	6,849	n/a
Lewisham Hospital NHS Trust	RJ2	2,655	246	2,409	n/a
St. Mary's Hospital NHS Trust	RJ5	4,752	564	4,188	n/a
Mayday Health Care NHS Trust	RJ6	2,851	275	2,576	n/a
St. George's Group NHS Trust	RJ7	5,430	648	4,782	n/a
King's Healthcare NHS Trust	RJZ	5,456	920	4,536	n/a
Whittington Hospital NHS Trust	RKE	2,115	241	1,874	n/a
West London Mental Health NHS Trust	RKL	3,776	194	3,582	n/a
Newham Healthcare NHS Trust	RNH	1,684	176	1,508	n/a
Royal Hospital of St. Bartholomew, The Royal London Hospital and London Chest Hospital NHS Trust	RNJ	6,873	918	5,955	n/a
Tavistock and Portman NHS Trust	RNK	352	42	310	n/a
Great Ormond Street Hospital For Sick Children NHS Trust	RP4	2,761	361	2,400	n/a
Moorfields Eye Hospital NHS Trust	RP6	1,008	187	821	n/a
Oxleas NHS Trust	RPG	2,173	97	2,076	n/a
Royal Marsden Hospital NHS Trust	RPY	1,789	192	1,597	n/a
Chelsea and Westminster Healthcare NHS Trust	ROM	2,652	385	2,267	n/a
Hammersmith Hospitals NHS Trust	RON	5,673	781	4,892	n/a
Homerton Hospital NHS Trust	RQX	1,859	215	1,644	n/a
Pathfinder NHS Trust	RQY	2,738	245	2,493	n/a
Barnet, Enfield and Haringey Mental Health NHS Trust	RRP	2,429	163	2,266	n/a
London Ambulance Service NHS Trust	RRU	3,630	0	3,630	n/a
University College London Hospitals NHS Trust	RRV	5,419	789	4,630	n/a
Royal Brompton and Harefield NHS Trust	RT3	2,550	281	2,269	n/a
Brent, Kensington, Chelsea and Westminster Mental Health NHS Trust	RV3	2,697	199	2,498	n/a
South London and Maudsley NHS Trust	RV5	4,708	462	4,246	n/a
North West London Hospitals NHS Trust	RV8	4,398	551	3,847	n/a
Barnet and Chase Farm Hospitals NHS Trust	RVL	4,036	429	3,607	n/a
Epsom and St. Helier NHS Trust	RVR	4,386	462	3,924	n/a
East London and the City Mental Health NHS Trust	RWK	2,053	151	1,902	n/a
Camden and Islington Mental Health and Social Care Trust	TAF	1,198	103	1,095	n/a

[1] Data excludes medical Hospital Practitioners and medical Clinical Assistants, most of whom are also GPs working part time in hospitals.
[2] Figures for London based on the Strategic Health Authority Areas Q04 North West London SHA Q05 North Central London SHA, Q06 North East London SHA, Q07 South East London SHA Q08 South West London SHA, and RRU the London Ambulance Service NHS Trust.
[3] All Practitioners include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA), PMS Other and GP Retainers.
n/a—not available
Sources:
Department of Health Medical and Dental Workforce Census
Department of Health Non-medical Workforce Census
Department of Health General & Personal Medical Services Statistics

Non-medical Staff

Mr. Rosindell: To ask the Secretary of State for Health how many non-medical staff are employed in *(a)* each of London's national health service trusts and *(b)* in the London borough of Havering. [137326]

Mr. Hutton: Information on the number of non-medical staff employed in the London borough of Havering is not collected centrally. Information on the number of non-medical staff employed by Havering Primary Care Trust, and in each of London's national health service trusts, is shown in the table.

NHS hospital and community health services: All non-medical staff in the London area by organisation as at 30 September 2002

		Headcount
5A4	Havering PCT	930
RAL	Royal Free Hampstead NHS Trust	4,390
RAN	Royal National Orthopaedic Hospital NHS Trust	854
RAP	North Middlesex University Hospital NHS Trust	2,069
RAS	Hillingdon Hospital NHS Trust	2,634
RAT	North East London Mental Health NHS Trust	1,546
RAX	Kingston Hospital NHS Trust	2,494
RC3	Ealing Hospital NHS Trust	1,403
RF4	Barking, Havering and Redbridge Hospitals NHS Trust	5,575
RFW	West Middlesex University NHS Trust	1,801
RG2	Queen Elizabeth Hospital NHS Trust	2,067
RG3	Bromley Hospitals NHS Trust	2,021
RGC	Whipps Cross University Hospital NHS Trust	2,262
RGZ	Queen Mary's Sidcup NHS Trust	2,270
RJ1	Guy's and St Thomas1 NHS Trust	6,849
RJ2	Lewisham Hospital NHS Trust	2,409
RJ5	St. Mary's NHS Trust	4,188
RJ6	Mayday Healthcare NHS Trust	2,576
RJ7	St. George's Healthcare NHS Trust	4,782
RJZ	King's College Hospital NHS Trust	4,536
RKE	Whittington Hospital NHS Trust	1,874
RKL	West London Mental Health NHS Trust	3,582
RNH	Newham Healthcare NHS Trust	1,508
RNJ	Barts and The London NHS Trust	5,955
RNK	Tavistock and Portman NHS Trust	310
RP4	Great Ormond Street Hospital For Children NHS Trust	2,400
RP6	Moorfields Eye Hospital NHS Trust	821
RPG	Oxleas NHS Trust	2,076
RPY	Royal Marsden Hospital NHS Trust	1,597
RQM	Chelsea and Westminster Healthcare NHS Trust	2,267
RQN	Hammersmith Hospitals NHS Trust	4,892
RQX	Homerton University Hospital NHS Trust	1,644
RQY	South West London and St. George's Mental Health NHS Trust	2,493
RRP	Barnet, Enfield and Haringey Mental Health NHS Trust	2,266
RRU	London Ambulance Service NHS Trust	3,630
RRV	University College London Hospitals NHS Trust	4,630
RT3	Royal Brompton and Harefield NHS Trust	2,269
RV3	Central and North West London Mental Health NHS Trust	2,498
RV5	South London and Maudsley NHS Trust	4,246
RV8	North West London Hospitals NHS Trust	3,847
RVL	Barnet and Chase Farm Hospitals NHS Trust	3,607
RVR	Epsom and St Helier NHS Trust	3,924
RWK	East London and The City Mental Health NHS Trust	1,902
TAF	Camden and Islington Mental Health and Social Care Trust	1,095

Note:
Figures for London based on the Strategic Health Authority Areas Q04 North West London SHA, Q05 North Central London SHA, Q06 North East London SHA, Q07 South East London SHA, Q08 South West London SHA, and RRU the London Ambulance Service NHS Trust.

Source:
Department of Health Non-medical Workforce Census

Nurses

Mr. Flook: To ask the Secretary of State for Health how many nurses *(a)* were in training and *(b)* completed training at Taunton and Somerset NHS Hospital Trust in each year since 1997. [137231]

Ms Rosie Winterton: Information on the number of nurses in training or completing training at Taunton and Somerset Hospitals National Health Service Trust is not available centrally. The number of training commissions in the Somerset, Devon and Cornwall area in 2002–03 was 547, an increase of 41 per cent. since 1998–99.

The Nursing and Midwifery Council (NMC) publishes an annual statistical report, which includes information about the number of nurses registering each year, a requirement for employment in the NHS. This data can be found on the NMC website at www.nmc-uk.org.uk.

Tim Loughton: To ask the Secretary of State for Health how many nurses have left the register in each of the last five years. [138039]

Mr. Hutton *[holding answer 11 November 2003]:* The Nursing and Midwifery Council (NMC) publishes an annual statistical report, which includes information about the number of nurses and midwives leaving the register. These data can be found on the NMC's website at: www.nmc-uk.org.uk

Older People

Sandra Gidley: To ask the Secretary of State for Health which hospitals have introduced self-administration schemes for medicines for older people. [137931]

Dr. Ladyman: This information is not collected centrally.

Sandra Gidley: To ask the Secretary of State for Health what analysis he has made of the *(a)* levels and *(b)* patterns of services for older people in order to facilitate comparisons across health authorities. [137937]

Dr. Ladyman: In July 2002, the Department published its national health service performance ratings and indicators for 2001–02. This compared performance of NHS trusts, also grouped by strategic health authority and, for the first time, primary care organisations.

The indicator set included several performance indicators relating to services for older people including services following a fall or a stroke.

The indicators and ratings can be found at www.doh.gov.uk/performanceratings/2002.

The Department also collects, on a regular basis, performance information relating to targets, including those relating to older people's services, in "Improvement, Expansion and Reform," the 2003–06 priorities and planning document.

Overseas Treatment Scheme

Mr. Brazier: To ask the Secretary of State for Health on what basis patients are selected for the NHS overseas treatment scheme; and who is involved in the making of that decision. [136746]

Mr. Hutton: Local national health service trusts determine the process for selecting patients for treatment abroad. However, two key determinants are always addressed:

The patient is clinically fit to travel

The patient is clinically fit to be operated on

In general, in selecting patients for a NHS overseas treatment scheme, acute trusts will review their waiting lists and identify suitable patients who are then contacted to offer patients the choice of travelling for treatment either overseas or in the private sector. Where patients express an interest in treatment abroad, either

the local trust or the overseas commissioner (in accordance with local agreement) seeks approval from the patient's general practitioner that they are fit to travel. Before travelling overseas, all patients attend an overseas assessment clinic, run by the overseas clinicians. This allows the overseas clinicians to carry out a pre-operative assessment to determine whether the patient is suitable for surgery and to travel to the overseas hospital.

Performance Targets

Mr. Flight: To ask the Secretary of State for Health what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137946]

Mr. Hutton: Performance targets for the Department were agreed as part of Spending Review 2002. The monitoring and measurement of Public Service Agreement (PSA) targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the Department and, as such, it is not possible to separate the specific costs out. The monitoring of progress towards, and performance against, the Department's PSA targets is undertaken by a wide variety of staff at all levels of the organisation.

Mr. Flight: To ask the Secretary of State for Health if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if he will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137962]

Ms Rosie Winterton: I refer the hon. Member to the answer given to the hon. Member for Bexhill and Battle (Gregory Barker) on 23 June 2003, *Official Report*, column 581W.

The Department of Health Report 2003 provides information on its agencies and non-departmental public bodies. Performance against targets is monitored by the Department, including through meetings between Secretary of State and Ministers and the Chief Executive of the body.

Personal Alarms

Mr. Hoyle: To ask the Secretary of State for Health what plans he has to supply personal alarms to NHS staff. [137466]

Mr. Hutton: The decision to supply personal alarms to national health service staff is the responsibility of each individual NHS employing body.

The Counter Fraud and Security Management Service (CFSMS) was launched in April 2003, with a remit encompassing policy and operational responsibility for the management of security in the NHS. The CFSMS will shortly be publishing a strategy on the management of security in the NHS. From June 2004, a NHS security management manual will be made available to trained and accredited security management specialists in each NHS health body, which will contain advice on the issue of personal alarms to NHS staff and professionals.

Personal Care

Mr. Patrick Hall: To ask the Secretary of State for Health what evaluation he has made of the impact of free personal care in Scotland. [138929]

Dr. Ladyman: It is a matter for the Scottish Executive to evaluate the implementation of free personal care in Scotland.

Pharmaceutical Regulations

Brian Cotter: To ask the Secretary of State for Health what plans he has to carry out a regulatory impact assessment on the proposals to reform and modernise the NHS (Pharmaceutical Services) Regulations 1992. [137302]

Ms Rosie Winterton: I refer the hon. Member to the draft regulatory impact assessment and competition assessment at Annex C of our consultation document, "Proposals to reform and modernise the NHS (Pharmaceutical Services) Regulations 1992" published on 29 August 2003. This is available on the Department's website at www.doh.gov.uk/pharmacy regulationconsultation.

Comments on the consultation document and draft assessments can be sent, by 21 November 2003, to Peter Dunlevy, Pharmacy and Prescriptions Branch, Department of Health, Room 155, Richmond House, 79 Whitehall, London SW1A 2NS or e-mailed to peter.dunlevy@doh.gsi.gov.uk. We will publish a final full regulatory impact assessment and competition assessment in due course having analysed all comments received. These assessments will be placed in the Library.

Plastic Bottles

Mr. Hoyle: To ask the Secretary of State for Health (1) what assessment he has made of the safety of plastic bottles for consumption of fluids for *(a)* babies and *(b)* the general public; [136077]

(2) what research he has collated on risks to health of using plastic bottles for feeding babies; and what assessment he has made of the practice in other EU countries. [137218]

Miss Melanie Johnson: The composition of plastic bottles used for drinks consumed by babies and the general public is strictly controlled to ensure the safety of foodstuffs contained in them. These controls are harmonised throughout the European Union and they set limits on the migration of substances into foodstuffs to prevent harmful quantities being present.

The materials used to make plastic bottles for feeding babies are subject to strict controls that have been harmonised throughout the European Union. These controls are based on a detailed assessment of safety data by European scientific experts.

Podiatry

Sandra Gidley: To ask the Secretary of State for Health what the average time has been that patients have had to wait for podiatry appointments in each primary care trust, in each year since 2001. [138160]

Mr. Hutton: This information is not collected centrally.

Premature Babies

John Mann: To ask the Secretary of State for Health (1) if he will ensure that premature babies at Guys and St. Thomas' Hospital receiving preventative treatment for respiratory syncytial virus are not discharged without assurance that they will be able to return to the hospital as required to complete their course of treatment; [136926]

(2) if he will ensure that premature babies at Guys and St. Thomas' Hospital at high risk of contracting respiratory syncytial virus and chronic lung disease do not have their treatment curtailed due to cost cutting requirements; [136927]

(3) how many paediatric wards were closed to new admissions owing to respiratory syncytial virus infection in the last year for which records are available. [136928]

Mr. Hutton: It is the current view of the Joint Committee on Vaccination and Immunisation that children less than two years of age with severe chronic lung disease and who are on home oxygen during the respiratory syncytial virus (RSV) season should receive prophylactic treatment during the respiratory syncytial virus season. I am assured by Guy's and St. Thomas' Hospital National Health Service Trust that it will continue to provide full courses of the prophylactic treatment for these children.

Information on the number of wards closed to new admissions owing to RSV is not collected centrally.

Proton Therapy

Mr. Ben Chapman: To ask the Secretary of State for Health if he will make a statement on proton therapy in the context of the NHS cancer plan. [137066]

Miss Melanie Johnson: The NHS Cancer Plan set out our commitment to maintain a modern stock of equipment in the national health service which offers the latest imaging and treatment techniques. We are aware of the benefits proton therapy can offer to the small number of patients with ocular cancer and will keep under review its potential for the treatment of other cancers.

Mr. Ben Chapman: To ask the Secretary of State for Health what plans he has for further investment in proton therapy equipment at the Clatterbridge Centre for Oncology. [137363]

Miss Melanie Johnson: There are currently no plans for further investment in proton therapy equipment at Clatterbridge Centre for Oncology.

Public Interest Disclosure Act

Mr. Pickthall: To ask the Secretary of State for Health what his Department's obligations under the Public Interest Disclosure Act 1998 are. [138560]

Ms Rosie Winterton: The Department recognises that it has an obligation under the Public Interest Disclosure Act 1998 to ensure that all employees are able to raise matters of concern about malpractice or illegal acts (whether it has been committed or is likely to be committed), such as,

unlawful conduct;

a failure to comply with any legal obligation;

a miscarriage of justice;

financial malpractice;

danger to the health and safety of any individual at work;

damage to the environment; and

concealing of information in relation to any of the above.

The Department's employees have been provided with guidance on how to raise their concerns. While employees are encouraged to raise their concerns with their line manager, they can raise their concerns wherever or at whatever level they feel appropriate within the Department. Employees can also raise their concerns to an appropriate authority outside of the Department.

The Department's guidance clearly states that employees who raise concerns will be protected from discrimination, bullying, harassment or victimisation.

Respiratory Physiotherapy

Tim Loughton: To ask the Secretary of State for Health which primary care trusts offer *(a)* pulmonary rehabilitation and *(b)* domiciliary respiratory physiotherapy; and how many patients are undergoing such treatment in each. [138040]

Dr. Ladyman *[holding answer 11 November 2003]:* This information is not held centrally. However, a survey carried out earlier this year by the British Lung Foundation and British Thoracic Society found that 160 out of 266 hospitals across the country provide some form of pulmonary rehabilitation to lung patients.

The National Institute of Clinical Excellence is currently developing a guideline on the management of chronic obstructive pulmonary disease in primary and secondary care. It is expected that the guideline will be published in February 2004.

Respite Care

Mr. Woodward: To ask the Secretary of State for Health what additional resources the Government made available for respite care since 1997 in *(a)* the UK, *(b)* the north west region and *(c)* St. Helens. [137979]

Dr. Ladyman: The Carers Grant was introduced in 1999 to support local councils in arranging short breaks services for carers. It has provided an extra £325 million over five years to increase the number of breaks for carers.

The Carers Grant allocations since 1999 are shown in the table.

	England (£ million)	*North west region (£)*	*St. Helens (£)*
1999–2000	20	2,719,403	71,679
2000–01	50	6,855,503	177,417
2001–02	70	9,469,014	245,713
2002–03	85	11,451,858	297,557
2003–04	100	14,087,110	393,460

Mr. Woodward: To ask the Secretary of State for Health what the Government's policy for the provision of respite care for carers is. [137980]

Dr. Ladyman: Carers are entitled to an assessment to determine their needs as carers and eligibility for support including short-term breaks. The Carers Grant, worth £100 million this year, provides money for local councils to provide short breaks and other services for carers to enable them to take a break. The introduction of the short-term break voucher scheme earlier this year provides more choice and flexibility for service users and their carers.

Smear Tests

Dr. Cable: To ask the Secretary of State for Health what proportion of smear tests in England and Wales resulted in women being recalled as a result of inadequate smears in the last five years; and if he will make a statement. [136875]

Miss Melanie Johnson: The number of inadequate smears that resulted in women being recalled are shown in the table.

Screening year	*Number of inadequate smears*
1998–99	364,116
1999–2000	379,501
2000–01	359,441
2001–02	367,329
2002–03	357,707

On 22 October, the National Institute of Clinical Excellence recommended that liquid based cytology (LBC) should be introduced across the cervical screening programme in England. LBC is a new method of preparing cervical samples for examination and reduces the likelihood of an inadequate test from one in 10 to one in 100. The Government welcomed the recommendations, which mean that approximately 300,000 women a year will not need to be recalled.

Dr. Cable: To ask the Secretary of State for Health what percentage of UK women participated in the Pap Screening Programme, broken down by those *(a)* under 30, *(b)* 30 to 49, *(c)* 50 to 59 and *(d)* 60 to 64 in the last 12 months for which figures are available; and if he will make a statement. [136878]

Miss Melanie Johnson: The percentage coverage of the national health service cervical screening programme, broken into age groups and taken from the cervical screening programme statistical bulletin, is shown in the table.

Age range	*Percentage coverage*
20 to 29	63
30 to 49	82.8
50 to 59	82.3
60 to 64	77.3

Coverage is the proportion of women resident who have had a test with a result at least once in the previous five years.

Smog

Simon Hughes: To ask the Secretary of State for Health what estimate he has made of the *(a)* mortality and *(b)* morbidity caused by smog in London in the last five years. [136539]

Miss Melanie Johnson: No estimates of the impact of air pollution on mortality or morbidity in London have been made.

Smoking

Mr. Jim Cunningham: To ask the Secretary of State for Health what proportion of 16 to 18-year-olds are addicted to cigarettes in the UK. [136812]

Miss Melanie Johnson *[holding answer 10 November 2003]:* The available data are shown in the table.

Cigarette smoking status among adults aged 16 to 18 by gender, Great Britain, 2001

Percentages

Status	*Men*	*Women*	*Total*
Current smokers			
Less than 10 per day	9	10	10
10 to 19 per day	10	16	13
20 or more per day	2	4	3
Total current smokers	21	30	26
Ex-regular smokers	4	6	5
Never or only occasionally smoked cigarettes	74	64	69
Base	*532*	*630*	*1,162*

Source:
ONS General Household Survey, published as "Living in Britain 2001, results from the General Household Survey".

Social Care Bodies

Tim Loughton: To ask the Secretary of State for Health how many administrative staff have been employed by social care bodies *(a)* directly and *(b)* indirectly in each of the last six years. [138486]

Dr. Ladyman: Figures for the last six years for administrative staff employed by local authorities in central and/or strategic positions in social services are shown in the table.

	Number of administrative staff
1997	16,400
1998	17,300
1999	18,500
2000	19,400
2001	18,800
2002	18,000

These are whole-time equivalents and the figures are as at 30 September in each year. They represent a wide range of staff, including senior directing staff, planning staff, training managers and officers, registration and inspection officers and senior support staff.

The source of these figures is form SSDS001. This is the annual return of staffing figures provided by local authorities to the Department. The Department does not hold figures on staff employed indirectly by authorities, or employed by the independent sector.

Stroke Units

Mr. Baron: To ask the Secretary of State for Health (1) pursuant to his answer of 27 October 2003, *Official Report*, column 99W, on stroke, how the stroke units that do not have rehabilitation stroke beds seek to rehabilitate their patients; [138930]

(2) pursuant to his answers of 27 October 2003, *Official Report*, column 99W and 23 October 2003, *Official Report*, column 736W, on strokes, whether he intends that specialist stroke units should have separate acute care and rehabilitation units; and whether a combined unit is sufficient to meet the stroke service target. [139011]

Dr. Ladyman: The stroke service model in the national service framework for older people states that an integrated stroke service will involve specialist stroke services providing acute care and rehabilitation. Decisions on how that rehabilitation will be provided are best taken at a local level. Different models of care may emerge, but we anticipate that most trusts will establish a rehabilitation stroke unit.

The target of all general hospitals that care for people with stroke to have a specialised stroke service by April 2004, as described in the stroke service model, is well on its way to being met. 94 per cent. of the hospitals that provide stroke care now have a specialised stroke service.

Sandra Gidley: To ask the Secretary of State for Health which general hospitals which care for people who have had strokes have not developed plans to introduce a specialised stroke service from 2004. [137932]

Dr. Ladyman: 171 out of 181 hospitals which provide stroke services are planning to meet the target on time. Officials are in discussions with those who may not meet the target and hope to meet them in the near future to identify what central support we can provide to help them achieve the target.

Supported Accommodation

Mr. Keith Bradley: To ask the Secretary of State for Health what powers a local authority has to place an adult whose family live in that local authority in supported accommodation in another local authority area; and which local authority has the financial responsibility for that adult. [138965]

Dr. Ladyman: When a council makes arrangements for an adult to enter residential accommodation under section 21 of the National Assistance Act 1948, the council should make the placement in the most appropriate accommodation to meet the individual's assessed need subject to the National Assistance Act 1948 (Choice of Accommodation) Directions 1992. In doing so the placing council may place the individual in residential accommodation its own area or in the area of another council in England. Generally, no matter where the individual is placed, the placing council retains care management and financial responsibility for the individual for as long as he remains in residential accommodation under section 21.

Waiting List Deaths

Mr. Rosindell: To ask the Secretary of State for Health how many people died while on a waiting list for an operation in each national health service hospital in *(a)* London and *(b)* the London borough of Havering in (i) 1995, (ii) 1997, (iii) 1999, (iv) 2001 and (v) 2002. [137323]

Mr. Hutton: This information is not held centrally.

Mr. Rosindell: To ask the Secretary of State for Health how many patients were waiting for surgery in the London borough of Havering on 31 December *(a)* 2002, *(b)* 2001, *(c)* 2000, *(d)* 1999, *(e)* 1998 and *(f)* 1997. [137328]

Mr. Hutton: This information is not held centrally.

Information for individual trusts and specialties is available on the Department's website at http://www.doh.gov.uk/waitingtimes

Mr. Rosindell: To ask the Secretary of State for health how many people are waiting for an operation in each of the London boroughs. [137332]

Mr. Hutton: This information is not collected centrally.

Information for individual trusts and specialties is available on the Department's website at www.doh.gov.uk/waitingtimes.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Health how many cases of work related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work related stress, and at what cost, what procedures have been put in place to reduce work related stress, and at what cost; and if he will make a statement. [136858]

Ms Rosie Winterton: The Department holds no data on reported cases of work related stress, so we cannot identify costs. Central records on compensation payments do not record work-related stress separately.

The Department has a number of procedures in place to help managers and staff to be aware of and to reduce work-related stress.

The Department is committed to its legal obligation to provide a safe working environment for employees and its commitment to meeting targets for reducing the number of working days lost generally due to work related injuries and illness arising from the Government's Revitalising Health and Safety initiative.

Working Time Directive

Mr. Hancock: To ask the Secretary of State for Health what assessment he has made of the impact of the Working Time Directive on the NHS; and if he will make a statement. [136134]

Mr. Hutton: The Working Time Directive (WTD) came into force for all staff in the national health service, with the exception of junior doctors in training, in 1998 and has already been effectively implemented. From August 2004, doctors in training will be subject to a limit of 58 hours a week under the WTD. A substantial programme of work is currently under way to support implementation within the NHS in the context of providing safe and effective services. Trusts have been asked to provide action plans for compliance with the Directive in respect of doctors in training by 31 December, to be agreed with their strategic health authorities.

Miss McIntosh: To ask the Secretary of State for Health what assessment he has made of the impact of the implementation of the European Working Time Directive on *(a)* hospital waiting times and *(b)* junior doctor training. [137069]

Mr. Hutton: Strategic health authorities (SHAs) are assessing the readiness of trusts to comply with the Working Time Directive (WTD) for doctors in training and continuing to deliver service priorities, including waiting times. Trusts have been asked to provide action plans for compliance with the WTD in respect of doctors in training by 31 December, to be agreed with their SHAs. A substantial programme of work is underway to support implementation and WTD pilots are beginning to demonstrate that the right mix of solutions can be found locally to deliver improved services for patients, fairer working hours and extended opportunities across the work force.

The pilots are also implementing medical training posts, which are designed to offer doctors suitable programmes of training and achieve WTD compliance. Also, the modernising medical careers programme has been informed by the requirements of the WTD. These initiatives, together with discussions taking place with the Medical Royal Colleges, are designed to ensure that doctors continue to receive the high quality training that they and their patients deserve.

Miss McIntosh: To ask the Secretary of State for Health what discussions he has had on the implementation of the European Working Time Directive in the health sector in other EU countries. [137070]

Mr. Hutton: Ministers and officials at the Department held discussions with counterparts in other member states throughout the previous negotiation and subsequent implementation of the European Working Time Directive (WTD).

Further to the recent announcement of a Commission Review of the WTD, which they were required to undertake, we continue to actively engage with fellow member states to ensure that the interests of health workers and the national health service are protected. We expect the Commission to publish their proposals in late November and we continue to work to try and influence the content of this communication.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Abattoirs

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on the Government's policy towards small abattoirs; [137247]

(2) how many slaughterhouse premises have closed in the last 12 months; and what effect this has had on increasing journey times of livestock to slaughter within the United Kingdom. [137269]

Mr. Bradshaw: Slaughtering of livestock for human consumption is a commercial activity provided in response to the market, and livestock producers are free to choose which abattoirs to use. According to information provided by The Food Standards Agency, 25 red meat abattoirs had their licences terminated in the United Kingdom over the last 12 months.

The Government support the robust enforcement of rules protecting animal welfare during transport. However, they do not attempt to manage the sector in a dirigiste way, including the numbers and locations of abattoirs.

As part of the wider Strategy for Sustainable Farming and Food, we are working with industry to help secure a network of abattoirs and meat cutting plants including small enterprises. As part of our work, we are finalising data on the structure of the sector and this should help in the further development of strategic policies. We are already encouraging the use of investment grants within the England Rural Development Programme to help improve industry structure, processing and marketing. In addition, we are committing significant resources to the Red Meat Industry Forum and are actively participating in its work to improve the competitiveness of the red meat supply chain.

Agricultural Subsidies

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* UK and *(b)* other EU countries she estimates would be affected if (i) 300,000 euro, (ii) 250,000 euro and (iii) 200,000 euro limits were placed upon public support for agricultural holdings. [135771]

Mr. Bradshaw: England would be affected by each of these limits. Questions regarding the payment of direct grants and subsidies in Scotland, Wales and Northern Ireland should be directed to the devolved authorities in Scotland and Wales and the Northern Ireland Administration.

According to commission figures, in the 2000 EU financial year 11 of the 14 member states excluding Greece would have been affected by each of these limits. Statistics are not available for Greece.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many farm holdings in *(a)* the UK and *(b)* each member state she estimates would be affected if the EU were to place a 300,000 euro limit on the payment it makes; and how many euros would be held back from agricultural support under such a system. [135772]

Mr. Bradshaw: I refer the hon. Member to the answer given on 23 October 2002, *Official Report*, column 314W. We have not made an assessment of what funds would be generated in this hypothetical policy scenario.

According to figures from the European Commission, in the 2000 EU financial year, 11 of the 14 member states excluding Greece would have been affected by each of these limits. Statistics are not available for Greece.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to her Department and its predecessor in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if she will make a statement. [137883]

Alun Michael: I refer the hon. Member to the answer given on 5 November 2003, *Official Report*, column 628W. From information held centrally, Defra and its agencies have let no contracts with Bechtel.

Scottish Beef Exports

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how much Scottish produced beef has been exported by *(a)* weight and *(b)* value in the last five years for which figures are available; and how much of these exports comprised (i) beef of Scottish origin and (ii) beef of foreign origin. [135827]

Mr. Bradshaw: This is a matter for the Scottish Executive.

For information, the following table shows UK exports of beef in the last five years.

	Exports of beef	
	Tonnes	*£000*
1998	4,884	12,157
1999	5,647	19,720
2000	5,387	20,983
2001	5,409	18,763
2002	5,318	18,057

Sources:
HM Customs and Excise
Data prepared by Statistics (Commodities & Food) Consultancy Trade & IT, ESD, DEFRA

Bovine Tuberculosis

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what arrangements she will put in place to assist dairy farmers affected by herd breakdowns as a result of bovine tuberculosis. [138028]

Mr. Bradshaw: There are already a number of measures in place to help farmers, including dairy farmers, with herds affected by bovine TB. Compensation is paid at the market rate for all animals slaughtered under TB control measures and in late 2002 we introduced licensed movements of non-reactor cattle on to and off farms under restriction, subject to veterinary risk assessment. In seeking ways to assist farmers dealing with TB, a balance must be struck between reducing the burden on industry and effective disease control.

We have a wide ranging research programme in place which is seeking, amongst other things, to develop a vaccine for TB, to improve diagnosis of the disease and establish how bovine TB is spread. All farmers are likely to benefit from the outcomes of the research. The bovine TB programme is under review and we will be consulting on proposals for a new long-term strategy, and on short term policy options, around the end of the year.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the number of cattle which are awaiting tests to identify bovine tuberculosis. [138029]

Mr. Bradshaw: At the end of September 2003 there were just over 3,300 cattle herds awaiting bovine tuberculosis tests. Details of the number of overdue herd tests are published each month on the Defra website at defra.gov.uk/animalh/tb/stats/index.htm

The number of individual animals awaiting tests is not available.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of *(a)* the funding for and *(b)* the number of veterinary surgeons which would be required to ensure there was no waiting list for cattle tests to identify bovine tuberculosis. [138030]

Mr. Bradshaw: In 2002/03 we spent £14 million on TB testing to bring the backlog of 27,000 overdue tests built up during the outbreak of foot and mouth disease (FMD) under control. We expect to spend in the region of £10.3 million on the testing programme in this financial year.

At the end of September 2003 the number of outstanding herd tests had been reduced to just over 3,300. This is about the same level as that prior to the outbreak of foot and mouth disease. The rolling nature of the testing programme means that herd tests are falling due all the time and we are therefore unlikely to reduce the overdue list to zero.

We propose to consult on additional testing (pre and post-movement testing and changes to testing frequencies) as part of a short term measures package and are preparing estimates of the veterinary resource input for such proposals.

We recently consulted on proposals to permit suitably trained and competent non-veterinarians to carry out TB tests. Responses are still being analysed. However, there is no intention in the proposal to require local veterinary practices to use lay testers.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what system she has in place to monitor bovine TB factor compensation payments; and whether her Department collates and publishes the results of monitoring. [136411]

Mr. Bradshaw: Bovine TB compensation payments are based on the market value of the animals. The valuations are agreed between the Department and the farmer, or between professional valuers working on behalf of the Department and on behalf of farmers.

A consultation on proposals to rationalise existing compensation arrangements for all notifiable animal diseases is underway. The main aim of that exercise will be to increase transparency and operational simplicity by creating a single approach for all notifiable diseases. In the interim, the Department is considering what can be done to monitor valuers and the level of valuations in recognition of deficiencies in the current system which were highlighted in recent audit reports.

The Department publishes aggregated data on the numbers of stock slaughtered and compensation paid in Great Britain in the annual report of the Chief Veterinary Officer.

Foxes

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the *(a)* State Veterinary Service and *(b)* Royal Society for the Prevention of Cruelty to Animals about the re-homing of captured foxes. [138378]

Mr. Bradshaw *[holding answer 13 November 2003]:* The release of foxes and other wild animals from animal rehabilitation centres is an issue that is being considered as part of our consideration of the proposed Animal Welfare Bill. We hope to be able to propose that animal rehabilitation centres should be licensed and required to operate to a code of practice, including provisions for a code for the release of wild animals. Discussions on the rehabilitation of wild animals have included representatives of the Royal Society for the Prevention of Cruelty to Animals and the State Veterinary Service.

Correspondence

Sir Michael Spicer: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to the letter of 24 September from the hon. Member for West Worcestershire to the Parliamentary Under-Secretary of State with responsibility for nature conservation and fisheries. [138829]

Mr. Bradshaw: I responded to the hon. Member on 6 November 2003.

Crematoria

Mrs. Dean: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what estimate she has made of the effect upon the cost of a cremation arising from *(a)* the cost of installing gas cleaning filtration systems to remove mercury emissions and *(b)* the need to travel a greater distance to the nearest crematorium if closures take place; [137918]

(2) what representations she has received about the review being undertaken by the Environment Agency's Local Authority Unit into the Best Available Techniques Not Entailing Excessing Costs for crematoria; [137919]

(3) what estimate has been made of the cost of fitting gas cleaning filtration systems into crematoria; [138017]

(4) what estimate has been made of the number of crematoria which would be likely to close if there was a requirement to fit cleaning and filtration systems; [138018]

(5) what plans she has to conduct *(a)* quantified and *(b)* qualified research into mercury emissions from crematoria prior to reaching a decision on whether gas cleaning filtration systems should be fitted; [138019]

(6) what account she will take on any decision to enforce the fitting of filtration systems into United Kingdom crematoria of trends on levels of mercury emissions; [138020]

(7) what assessment she has made of the content of the Local Authority Unit report into Best Available Techniques Not Entailing Excessive Costs (BATNEEC) for crematoria; and what representations she has received which disagree with the report's recommendations. [138563]

Mr. Bradshaw: Estimates of the impacts of controlling mercury from crematoria were contained in a consultation paper the Department issued on 7 May 2003. A summary of the responses to the consultation has been placed on the Defra website at www.defra.gov.uk/corporate/consult/crematoria

The main interim conclusions reached from this consultation exercise are as follows:

- reducing emissions of mercury from crematoria should aim to be achieved without forcing any crematoria closures due to physical constraints such as insufficiency of space or heritage considerations
- a requirement to remove teeth prior to cremation is not acceptable
- the next step should be to explore developing a fair mechanism for reducing emissions from only a proportion of existing crematoria
- any improvements required for existing crematoria should be spread over a number of years
- detailed proposals on the basis of the above will be subject to full consultation in due course
- new crematoria should be required to install mercury abatement.

Dairy Sector

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to support dairy farmers in *(a)* Lancashire and *(b)* the UK. [136036]

Mr. Bradshaw: Dairy farmers in Lancashire, in common with the rest of the UK, benefit from expenditure on the dairy CAP worth nearly 2 billion euros across the EU15. This expenditure will increase with the introduction of direct payments to dairy farmers from 2004.

We believe that in the long term the future of the dairy sector is best secured through pursuing the objectives of our Strategy for Sustainable Farming and Food. We have made a grant of nearly £0.5 million to the Food Chain and we have supported the establishment of English Food and Farming Partnerships, a new industry led body that has been set up specifically to support and encourage collaborative activity across all agricultural sectors. Furthermore my noble friend Lord Whitty has been chairing meetings of a Dairy Supply Chain Forum made up of senior figures from across the diary sector. This Forum and its sub-groups have been examining ways in which collaborative action can promote supply chain efficiency, and how levels of innovation and new

products development might be increased, and considering the likely impact of the CAP reform package on the dairy sector. It also intends to consider the kinds of changes that the sector might need to make to adjust to the new environment created by the reforms.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs how many dairy firms went out of business in the last year; and what assessment she has made of the causes. [137285]

Mr. Bradshaw: Data from the Office for National Statistics shows that in 2002, 50 enterprises classified as manufacturers of dairy products were de-registered for VAT. This compares to 525 enterprises under this classification registered for VAT at the end of 2002. Although these figures may be indicative of the number of firms which went out of business, the Government have made no assessment of the reasons for these de-registrations, and it should be noted that de-registration can occur for reasons other than an enterprise ceasing to trade, such as its turnover falling below the VAT threshold.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what arrangements she has put in place to evaluate the effect of the farm gate price of raw milk on average net *(a)* income and *(b)* profit of dairy farms in the United Kingdom; [137893]

(2) what estimate she has made of the threshold of the farm gate price of raw milk that would enable dairy farming to be economically viable. [137894]

Mr. Bradshaw: The Department monitors incomes on dairy farms through the annual Farm Business Survey and also, from time to time, via special studies into the economics of milk production. Incomes for the years ended February 2002 and February 2003 on a range of farm types, including dairy farms, will be published by the Department at the end of this month. Forecast incomes for the year ending February 2004 will be published in January 2004. In regard to economic viability, there are a number of factors that influence economic performance, including milk yield, milk price and efficiency of input use and these all vary from farm to farm. The wide range in economic performance across dairy farms is reflected in the wide range in the break even ex-farm milk price.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the likely effect of the current proposals for Common Agricultural Policy reform on the farm gate price of milk. [137895]

Mr. Bradshaw: When fully implemented, the reforms agreed in June in Luxembourg will reduce the support price for butter by 10 per cent. more than the 15 per cent. reduction originally agreed for both butter and skimmed milk powder under Agenda 2000 (i.e. a 25 per cent. cut in the support price for butter). If farm gate prices were to fall to the same extent, the price per litre might be reduced by a further 0.95p beyond the impact of Agenda 2000. However, we share the European Commission's assessment that farm gate prices are unlikely to settle at this level: indeed, the overall package of compensation agreed reflects this. (Producers will be compensated through an increase in the level of direct payments of a further 0.74ppl over and above the compensation originally agreed in Agenda 2000.) The figures quoted above are based on an exchange rate of 70p/euro.

Our economic assessment indicates that decoupling of direct payments from production will have a beneficial effect on farm incomes; we would expect the main dairy-specific price impact to be in relation to the value of milk quota.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the competitive position of the dairy processing industry in each EU member state. [137246]

Mr. Bradshaw: KPMG, in its report on "Prices and Profitability in the British Dairy Chain", which was commissioned by the Milk Development Council and published earlier this year, found that in 1997 (the most recent year for which UK data was available), apparent labour productivity in the UK dairy processing sector was somewhat below the EU average and significantly lower than in the Netherlands, Ireland, Austria and France. However, there has been significant investment in larger, more efficient, dairy plant in the UK since 1997 and this gap may well have closed.

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with *(a)* supermarkets and *(b)* dairy farmers regarding the price of milk. [136035]

Mr. Bradshaw: While the Government share producers' concerns over the low farmgate price of milk, price negotiations between producers and processors, or processors and supermarkets, are a private commercial matter in which the Government cannot and should not get involved, as long as competition rules are respected.

The Secretary of State has had no formal meetings with representatives of the dairy industry or retailers to discuss milk prices. However, Ministers frequently meet with representatives from all parts of the dairy supply chain and are therefore aware of the issues. Matters affecting the whole dairy supply chain are regularly discussed at the forum chaired by my noble friend Lord Whitty.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the growth of the United Kingdom milk and milk products industry over the next *(a)* five, *(b)* 10 and *(c)* 15 years. [137292]

Mr. Bradshaw: A study commission by Defra, the Scottish Executive, the National Assembly for Wales and the Department for Agriculture and Rural Development, Northern Ireland by the Centre for Agriculture, Food and Resource Economics at the University of Manchester, which was published in April 2002, concluded that on balance the elimination of dairy market support and milk quotas, together with compensating decoupled direct payments would not result in a significant change in UK milk production. It also concluded that such a reform of the dairy CAP would result in dynamic benefits to the processing sector as it moved from the production of commodity products to value-added products. Nevertheless, this study could not predict and could therefore not consider the actual

outcome of the agreement reached on CAP reform in June. Under the umbrella of the Dairy Supply Chain Forum, which is chaired by my noble Friend Lord Whitty, Defra is co-funding with the Milk Development Council and the Dairy Industry Association, supported by the National Farmers Union, a study on the impacts of the agreement on Dairy CAP reform and some of the options available to the UK. Preliminary results for this work should be available in December, with a final report published in January. Once this is complete, we intend to work with the industry through the Forum to consider the long-term implications and the adjustments the sector will need to make to the new environment.

Egg Industry

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what procedures she has put in place to assess the effect of tariff reductions on egg imports on the UK's egg industry. [138034]

Mr. Bradshaw: There is still a considerable way to go in the WTO negotiations on tariff reductions before consideration can be given to the level of reduction applying to individual products. But we are well aware of the egg industry's concerns and we will do all we can to ensure the most favourable outcome possible for UK producers.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what direct subsidies are available to egg producers in *(a)* the United Kingdom, *(b)* France and *(c)* Germany. [138035]

Mr. Bradshaw: Given that the CAP regime for eggs is a very light one, it does not provide direct subsidies for EU egg producers. Some limited financial assistance is available to the UK egg industry under the England Rural Development Programme and Regional Selective Assistance. We do not hold information on the extent to which other member states make similar assistance available to their egg producers.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what conditions producers are required to meet to be licensed to receive export refunds for egg and poultry products; how many licences have been issued to UK farmers; and what level of export refunds are available to licence holders. [138036]

Mr. Bradshaw: In order to receive export refunds for egg and poultry products the applicant must be registered with the Rural Payments Agency (RPA). Export licences are required where quantities to be exported exceed certain amounts. Applicants for export licences must be natural or legal persons who, at the time applications are made, are able to prove to the satisfaction of the RPA that they have engaged in trade in the egg, or poultry, sector for at least 12 months.

Within the period of 1 November 2002 and 1 November 2003, 162 egg licences and 395 poultry licences were issued to UK farmers.

The level of export refund is determined by product (CN) code. Different egg/poultry products will have different product codes and rates of export refund, however for the period 1 November 2002 to 1 November 2003 the highest and lowest rates prevailing were:

Egg products—lowest 1.70 euros/100gs; highest 75 euros/100kgs

Poultry Products—lowest 0.80 euros/100kgs; highest 40 euros/100kgs

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what the timetable is for determining whether United Kingdom egg producers may continue to use enriched cages for housing laying hens. [138077]

Mr. Bradshaw: The future of enriched cages will be reviewed on an EU basis when the Welfare of Laying Hens Directive 99/74/EC is next considered by the Agriculture Council in 2005.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the conclusion of the European Union's Agricultural Research Department report that under EU Council directive 99/74/EC on the Welfare of Laying Hens, EU countries will not be able to compete in their home egg market after 2012; and if she will make a statement. [138078]

Mr. Bradshaw: The Government will consider this report along with other economic assessments in preparation for the review of the Welfare of Laying Hens Directive 99/74/EC in 2005.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she has taken to assist UK egg producers to compete in *(a)* European and *(b)* world wide markets. [138079]

Mr. Bradshaw: Subsidies to compete in the EU market would be incompatible with the principles of the Single Market. The EU egg regime provides for some limited export refunds in respect of egg exports to third countries.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs if she will press the European Union to bring forward measures to enable EU countries to maintain their market share in the European egg market. [138080]

Mr. Bradshaw: The UK will continue to play an important role in formulating EU policy in this area.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what volume in tonnes of shelled eggs was *(a)* produced by United Kingdom farms, *(b)* produced by United Kingdom farms and sold at United Kingdom retail outlets and *(c)* produced by United Kingdom farms and exported in the last 10 years for which figures are available; and to which countries shelled eggs were exported. [138083]

Mr. Bradshaw: *(a)* The following table shows the production of shelled eggs in the United Kingdom for the last 10 years:

UK egg production

Thousand tonnes

		Of which: For human consumption		
	Total production of eggs[1]	*Total*	*Eggs sold in shell*	*Eggs processed*
1993	202	180	158	22
1994	202	179	155	24
1995	199	176	151	26
1996	200	177	150	26
1997	206	181	153	29
1998	206	181	151	30
1999	194	169	138	32
2000	195	170	139	31
2001	209	184	153	31
2002	222	196	164	32

[1] Includes eggs for human consumption, eggs for hatching, hatching eggs for export and waste

(b) There are no figures available on the volume of United Kingdom production of shelled eggs that is sold at retail outlets in the United Kingdom. However, the following table provides the volume of total UK production for human consumption less exports which will provide an indication of the volume of UK production sold onto the UK market (including retail, catering, food processing and hatching eggs) UK Production of shelled eggs less exports (thousand tonnes).

UK production of shelled eggs less exports

Thousand tonnes

1993	191
1994	195
1995	190
1996	192
1997	191
1998	178
1999	181
2000	184
2001	201
2002	212

Note:
Includes table eggs, hatching eggs and other eggs for human consumption

(c) The following table provides details of shell egg exports over the last 10 years. This will be mainly of UK origin but may include some re-exports of imported eggs.

Tonnes

Country	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
Irish Republic	2,853	1,868	2,142	4,875	6,529	3,790	3,808	4,896	4,177	4,241
Netherlands	4,052	2,280	2,666	693	5,074	5,407	582	258	184	120
Italy	352	419	713	549	262	3,091	2,054	3,126	260	63
France	216	400	436	398	350	3,235	4,334	900	372	198
Germany	438	373	176	494	1,372	2,334	695	788	684	349
Denmark	57	200	89	79	321	4,191	110	39	23	18
Belgium-Lux	1,690	464	1,518	174	562	191	8	29	41	
Spain	204	442	478	276	363	798	484	488	550	591
Saudi Arabia	19	0	0	0			132	271	747	1,612
Bulgaria						2,470		1		
Hungary	3	21	9	28	8	422	6	48	167	905
Czech Republic		2	4	19		1,222		11	29	57
U.S.A.	131	177	69	24	8	35	95	136	84	23
Croatia	4	8	4	13	126	285	176	103	19	27
Austria	4	4			31	0			7	572
Turkey		0	5	12			11	4	169	279
Greece		2		3		1			0	331
Others	188	169	278	275	101	202	240	75	94	246
Total figure	10,212	6,828	8,589	7,913	15,105	27,673	12,737	11,174	7,605	9,632

Note:
Please note that figures of 0 are less than 0.5 tonnes.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what volume in tonnes of whole egg powder was *(a)* produced in the United Kingdom, *(b)* produced in the United Kingdom and sold in United Kingdom retail outlets and *(c)* produced in the United Kingdom and exported in the last 10 years for which figures are available; and to which countries whole egg powder was exported. [138084]

Mr. Bradshaw: No figures are available on the production of whole egg powder in the United Kingdom, nor on the volume of egg powder sold through United Kingdom retail outlets.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the reasons for the egg production costs in the United Kingdom; and what assessment she has made of the reasons for the primary egg production costs in *(a)* Poland, *(b)* the Ukraine and *(c)* the USA. [138085]

Mr. Bradshaw: We have made no assessment of the costs of egg production in those countries, but some of this information has been produced by the egg industry. Costs will depend on a number of different factors such as the costs of land and labour, inputs, transport etc.

Fishing Fleet

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what targets she has set for the decommissioning of the UK fishing fleet; and if she will take steps to ensure that the oldest boats and lines constitute the same proportion of boats decommissioned as they do of the entire fleet; [138089]

(2) whether the UK's decommissioning plans are supported by binary decommissioning of fishing vessels within EU member states; [138090]

(3) what estimate she has made of the likely number of vessels in the UK fishing fleet in each of the next 10 years; [138091]

(4) what assessment she has made of the effects on fishing communities of the decommissioning of the UK fishing fleet; [138092]

(5) what estimate she has made of the cost of a benefits package in relation to decommissioning of the UK fishing fleet; [138093]

(6) what estimate she has made of the cost of the process of decommissioning the UK fishing fleet; [138094]

(7) what plans there are for decommissioning fishing fleets in other EU member states; [138096]

(8) what branches of the Civil Service are covered by paragraph 14(7) of Statutory Instrument 2669. [138097]

Mr. Bradshaw: The objective of the 2003 decommissioning schemes in England, Scotland and Northern Ireland is to remove 15–20 per cent. of the 2001 effort on cod in the North Sea and west of Scotland fisheries (Northern Ireland have also targeted vessels catching cod in the Irish Sea). We are therefore focusing the schemes on those vessels which spend most time fishing for cod. The age of the vessels is not relevant in that context.

Other member states will decide for themselves whether a decommissioning scheme is appropriate to their particular circumstances. However the effort control measures that are in place under the Community's 2003 Days at Sea scheme apply to the fleets of all European Union countries fishing in the North Sea and west of Scotland—not simply the UK.

While the Government are keen to reduce overcapacity within the European fleet, we have set no targets for the future size of the UK fleet.

We are working with the Regional Development Agencies to ensure that the full range of Government support and regional funding is made available as appropriate to individuals and businesses in fishing communities in order to enable them to deal with the consequences of decommissioning.

More than £60 million has been made available within the UK for decommissioning and associated financial support in 2003.

It is for applicants to the schemes to decide the basis for their decommissioning bids, but these may include any anticipated costs of decommissioning e.g scrapyard fees.

The provisions of the decommissioning scheme in England (as defined in Statutory Instrument 2669) are enforced by the staff of the Department's Sea Fisheries Inspectorate.

Food Standards

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government is taking to ensure that consumer interests are represented on food advisory groups. [137257]

Miss Melanie Johnson: I have been asked to reply.

The expert committees and working parties that advise the Food Standards Agency (FSA), including those committees which also advise the Department for Environment, Food and Rural Affairs and/or the Department of Health, all have at least one consumer representative member. The FSA regularly holds meetings with consumer groups to discuss and explain food policy issues and consumer groups are always included in FSA consultations.

Animal By-products

Judy Mallaber: To ask the Secretary of State for Environment, Food and Rural Affairs whether her Department has a database of registered animal by-products approved premises available to enforcement agencies, with particular reference to the Meat Hygiene Service. [137589]

Mr. Bradshaw: As required by Regulation (EC) 1774/2002 (which lays down health rules concerning animal by-products not intended for human consumption), Defra maintains information on various premises that require approval to be able to operate e.g. pet food plants. This information is available to the Meat Hygiene Service for enforcement purposes and can be obtained from local Defra animal health offices (who issue the approvals).

Import Bans

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on powers to ban importation of foods whose production standards are illegal in this country. [137282]

Mr. Bradshaw: All consignments of animal products (including meat and fish) imported into the UK from other EU member states must have been produced in accordance with the rules laid down in Community legislation. Imports from third countries must have been produced to standards at least equivalent to those in the legislation. Among other things, the legislation sets out the licensing, structural and veterinary supervision requirements to be applied in production plants and each consignment must be accompanied by appropriate health certification.

If there is an outbreak of disease or if any other phenomenon occurs which is likely to present a risk to human or animal health, Community legislation allows us to take appropriate safeguard action, which may include a ban on imports of products from all, or parts, of the country concerned.

Any consignment of animal products imported from third countries are subject to veterinary inspection on entering the EU to ensure that conditions of import have been complied with and to ensure that they have remained in a satisfactory condition during transport. Food not of animal origin imported from countries outside the EU is also subject to routine food safety controls at the point of entry to the UK under imported food legislation. Any products that do not meet appropriate requirements may be rejected and either re-exported or destroyed.

Food from other EU member states is in free circulation within the EU and is not subject to routine checks at UK ports. Such food can be subject to import checks where there is information to support such action. All imported food, including food from other EU member states, may be inspected at the point of destination in the UK and is subject to the same controls and checks at retail level.

Food Labelling

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the labelling by country of origin of meat sold in the United Kingdom. [137281]

Miss Melanie Johnson: I have been asked to reply.

European Union rules require country of origin labelling for fresh or frozen veal and beef cuts and veal and beef mince sold prepacked or non-prepacked. For other meats, and for processed veal and beef, country of origin need not be given unless failure to do so might mislead a purchaser as to its true origin. Where origin information is given voluntarily it must not be false or misleading.

The Food Standards Agency has issued guidance notes for industry and enforcement authorities, which emphasise the need to ensure that origin labels are clearly worded to avoid misleading consumers, for example by applying 'British' labelling to products like ham or bacon prepared from imported meat.

The Government are pressing at EU level for compulsory origin labelling on all meats and some meat products, and for tighter controls on misleading origin declarations. It welcomes the European Commission's identification of rules on origin labelling as one of the key issues to be considered in its current review of EU labelling rules.

Waste Management

Dr. Kumar: To ask the Secretary of State for Environment, Food and Rural Affairs what is being done to assess the impact of the different waste management practices required as a consequence of the *(a)* Landfill Directive and *(b)* the Waste Management Strategy. [137530]

Mr. Morley: A number of studies looking at the health impacts of different waste management options are being carried out by the Environment Agency. Following recommendations in the Strategy Unit report Waste not, Want not, and the 2002 Pre-Budget Report, the Government commissioned a review of existing literature and evidence of the health and environmental effects of different waste management: options. The first phase of the report has looked at facilities which handle municipal solid waste and waste of a similar nature. This is now being peer reviewed by the Royal Society and is due to be published around the time of the Pre-Budget Report.

The Government will consider whether there are further research requirements in the light of the conclusions of the Review.

Mobile Telephone Costs

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs how much she spent on official mobile phone calls in 2002. [132119]

Margaret Beckett: Records of itemised phone bills are not kept beyond six months. Usage is fully in accordance with the guidelines set out in the Ministerial Code.

Market Towns

Dr. Jack Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what assessments she has made of the effect of the Government's policy on market towns in *(a)* Cumbria and *(b)* Copeland since the proposals were published; and if she will make a statement. [138470]

Alun Michael: In Summer 2002, 76 out of the 120 towns that were then involved in the Market Towns Initiative (MTI) responded to a questionnaire survey. The findings provided a snapshot of what had been achieved in the first year of the MTI, particularly in four key areas: establishing partnerships; community involvement; getting the best out of the health check, vision and action plan; and project successes. This research note can be found at: http://www.countryside.gov.uk/Publications/articles/crn_60.asp. No specific analysis of any town, district or county was undertaken. However, this year the Countryside Agency is working in partnership with Defra to carry out a more intensive analysis of the problems and achievements arising in the 200+ towns of the Market Towns Initiative. This report is due to be published in May 2004.

Organic Farming/Biotechnology Research

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs how much the Government spent in 2001–02 on research into *(a)* organic farming and *(b)* biotechnology. [137248]

Mr. Bradshaw: The table shows Defra spending in the financial year 2001–02 on research into organic farming and biotechnology.

	£ million
Organic farming	2.127
Biotechnology	29.7

Biotechnology is defined as the application of biological organisms, systems and processes to manufacturing and service industries. This definition covers genetic modification (GM) but goes much wider to include fused cell techniques, protein engineering, fermentation and cell culture, production of vaccines and monoclonal antibodies (and many other areas) all of which have applications in conventional agriculture.

Poultry Meat

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what procedures she has put in place to assess the impact of Brazilian turkey imports into the United Kingdom on the UK's turkey producing industry. [138037]

Mr. Bradshaw: Additional duties can be imposed on poultry meat imports from outside the Community if prices are unrealistically low and are threatening market stability. However, under WTO rules these additional duties can be applied only to a limited number of chicken and turkey products. Action in this area is taken at EU level.

Earlier this year, the European Commission began investigating industry concerns over the misdescription of basted turkeys as a means of evading proper duties. As part of this, we submitted information on turkey imports into the U.K. Those investigations are continuing.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what the volume in tonnes of *(a)* poultry meat produced in the UK, *(b)* poultry meat produced in the UK and sold at UK retail outlets and *(c)* poultry meat produced in the UK and exported overseas was in the last year for which figures are available. [138032]

Mr. Bradshaw: The information requested is as follows:

(a) 1,534 thousand tonnes of poultry meat was produced in the UK in 2002 (the last year for which figures are available).

(b) There are no figures available on the volume of UK poultry meat that is sold at UK retail outlets. However, the volume of UK production less exports which was 1,320 thousand tonnes in 2002 provides an indication of the volume of UK production sold onto the UK market (including retail, catering and the food processing sector).

(c) 214 thousand tonnes of poultry meat (carcase weight equivalent) was exported from the UK in 2002 (the last year for which figures are available). This will mainly be of UK origin but may include some re-exports of imported poultry meat.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what mechanisms are in place to ensure that poultry meat imports from *(a)* the European Union and *(b)* third country suppliers meet the same *(a)* quality and *(b)* health and safety requirements that poultry meat producers in the UK are required to meet; [138081]

(2) what procedures are in place to assess whether egg products imported to the United Kingdom meet the same quality standards as domestic egg products. [138086]

Mr. Bradshaw: All consignments of poultry meat and egg products imported into the UK from other EU member states must have been produced in accordance with the requirements laid down in Community legislation. Imports from third countries must have been produced to standards at least equivalent to those in the legislation.

All consignments of poultry meat and egg products imported into the UK from third countries must enter at designated UK Border Inspection Posts (BIPs) where they are subject to veterinary inspections. All consignments are subject to documentary and identity checks and at least 50 per cent. of consignments undergo physical checks. These ensure import conditions are met and that the products remain in a satisfactory condition during transport.

In line with Community rules, random spot checks at destination may be carried out on consignments of poultry meat and egg products imported into the UK from other EU member states.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what support the Government provides to *(a)* poultry meat and *(b)* egg producers. [138082]

Mr. Bradshaw: The Government do not provide any specific support for either of these sectors. The Government readily acknowledges that both industries have excellent track records of innovation and market orientation. From their perspective, the principal need is for Government to avoid imposing unnecessary burdens or obstacles, while ensuring that environmental and animal health and welfare standards, among others, meet public requirements.

Radioactivity in Food and the Environment

Llew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what liaison took place between the United Kingdom regulatory bodies and the Radiation Protection Institute for Ireland in the production of the report on radioactivity in food and the environment, RIFE 8; [136721]

(2) when she received the most recent annual report on radioactivity in food and the environment from the regulatory agencies; how members of the public may obtain this report; and if she will make a statement on the key findings of the RIFE 8 report. [136722]

Miss Melanie Johnson: I have been asked to reply.

The Radioactivity in Food and the Environment report (RIFE 8) contains full details of the monitoring of radioactivity in food and the environment undertaken by the Food Standards Agency, the Scottish Environment Protection Agency, the Environment Agency and the Environment and Heritage Service for Northern Ireland in 2002.

The report shows that in 2002 radiation doses to the UK public as a result of man-made radioactive discharges to the environment were well below national and international limits.

The report was published on 29 October and is available in the Library.

The report was also sent to the Radiation Protection Institute for Ireland (RPII) and its findings will be discussed at the next biannual meeting of the UK Ireland Contact Group on Radioactivity Matters attended by the RPII and the UK regulatory bodies.

Members of the public may obtain a hardback copy of the report (or an electronic version on CD) by writing to the Food Standards Agency at Aviation House, 125 Kingsway, London WC2B 6NH. The report is free. Copies of the report may also be downloaded from the website of the Food Standards Agency at www.food.gov.uk

Religious Slaughter

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list for each species the total number of animals religiously slaughtered in the United Kingdom for the last year for which figures are available. [137278]

Mr. Bradshaw: Information on the number of animals and birds slaughtered by religious methods in the United Kingdom is not collected routinely.

Information on religious slaughter in Great Britain is gathered as part of the Animal Welfare Review (carried out every two years by the Meat Hygiene Service on behalf of Defra), but the Review collects data only on a weekly basis. The latest published Animal Welfare Review contains information on Muslim (Halal) and Jewish (Kosher) slaughter gathered in 2001. The data given in the table were for the period 3 to 9 September 2001 for red meat animals, and for the period 14 to 20 May 2001 for poultry.

Species	*Halal, stunned prior to slaughter*	*Halal, not stunned prior to slaughter*	*Kosher, stunned prior to slaughter*	*Kosher, not stunned prior to slaughter*
Cattle (including calves)	1,116	0	0	833
Young lambs	54,469	4,028	0	2,277
Other sheep	23,589	7,880	0	0
Goats	120	21	0	0
Broilers	913,997	131,656	0	34,728
Hens	128,408	21,780	0	1,970
Turkeys	0	0	0	637
Ducks	0	36	0	476

Religious slaughter is rarely carried out in Northern Ireland. There have been only a few instances involving a small number of sheep, and all the animals were stunned prior to slaughter.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what tonnage of animals religiously slaughtered in Britain in the last year for which figures are available was exported overseas; and to which countries. [137279]

Mr. Bradshaw: This information is not available since there is no requirement for an exporter to supply details of the method of slaughter in order to obtain an export health certificate.

Meat Imports

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with the Scottish Executive on the impact of the proposed reform of the Common Agricultural Policy on meat imports from South America. [133229]

Mr. Bradshaw: My right hon. Friend the Secretary of State and other Defra Ministers, have had frequent discussions with the Scottish Executive on all aspects of CAP reform, but the reform is unlikely to have any direct impact on the level of South American meat imports.

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with representatives of UK meat producers on the impact of the proposed reform of the Common Agricultural Policy on meat imports from South America. [133230]

Mr. Bradshaw: Ministers and officials have met regularly with representatives of UK meat producers such as the National Farmers Union and the National Beef Association, to discuss all aspects of CAP reform.

Rural Payments Agency

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what target time has been set for the Rural Payments Agency to reimburse food manufacturers for the additional costs of using EU origin sugar; and if she will make a statement. [139134]

Alun Michael: For year 2003–04 the Rural Payments Agency has a target to pay 80 per cent. of all valid non-IACS claims within 28 days of the claims becoming processable and all claims within EU deadlines or in their absence 60 days.

For the period 1 April 2003 to 12 November 2003 the target has been met. It is anticipated that this level of performance will be maintained throughout the 2003–04 year.

Women in Agriculture

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what funding is available from the European Union for schemes to help women into agriculture. [137276]

Mr. Bradshaw: The England Rural Development Programme (ERDP), which is funded by Government and the European Union, provides support for rural areas, by encouraging sustainable rural businesses and thriving communities. It helps farmers and foresters respond better to consumer requirements and become more competitive, diverse, flexible and environmentally responsible. It also provides help to rural businesses and communities which need to adapt and develop. The Programme covers 10 separate schemes which provide new opportunities for farmers and others to protect and improve the countryside, to develop sustainable rural enterprises and to help rural communities to thrive. It is estimated that the Programme will provide £1.6 billion in support between 2000 and 2006. Defra believes the best way to encourage enterprise in rural areas is to provide the right economic framework and, where necessary, to target support measures e.g. rural enterprise and training, towards appropriate people. Awards of ERDP funds are made in line with principles of equal opportunities.

TRANSPORT

Bus Services

Mr. Paul Marsden: To ask the Secretary of State for Transport how many passengers used bus services in *(a)* Shrewsbury and Atcham and *(b)* Shropshire in each year since 1997. [138349]

Mr. McNulty: The number of bus passengers is not available for Shrewsbury and Atcham. Information included by Shropshire County Council in its latest Annual Progress Report for its Local Transport Plan showed that there were an estimated 6.3 million local bus passenger journeys in Shropshire in 2001–02, followed by 6.6 million in 2002–03. There is no reliable estimate of bus passenger journeys in Shropshire for earlier years.

Childhood Obesity

Alan Simpson: To ask the Secretary of State for Transport (1) what research his Department has commissioned into the impact of pedestrian strategies on childhood obesity; [138739]

(2) what discussions he has had with other Departments about implementing a strategy to tackle childhood obesity. [138740]

Mr. McNulty: My Department has not commissioned specific research on this topic. We are, however, closely involved with the work of the cross-departmental Activity Coordination Team, which is developing a strategy to raise levels of physical activity among both children and adults.

In addition, on 17 September 2003 we launched, in conjunction with the Department for Education and Skills, an action plan that includes measures to promote healthy and safe travel to school on foot and by bike.

Coastguard (Essex)

Mr. Francois: To ask the Secretary of State for Transport how many part-time coastguards were employed by the Essex Coastguard Service on 1 September 2003. [139510]

Mr. McNulty: On 1 September 2003, the Maritime and Coastguard Agency employed 56 part-time auxiliary coastguards in Essex.

Cycling

Simon Hughes: To ask the Secretary of State for Transport how many people have died while cycling in London in each of the past 10 years. [138667]

Mr. McNulty: The following table shows the number of pedal cyclists killed in road accidents in Greater London in each of the last 10 years.

Pedal cyclists killed in road accidents in Greater London

	Number
2002	20
2001	21
2000	14
1999	10
1998	12
1997	12
1996	20
1995	15
1994	15
1993	18
Total	157

Mr. Pike: To ask the Secretary of State for Transport what steps he is taking to promote safety guidance aimed at young cyclists; and if he will make a statement. [139438]

Mr. McNulty: We have produced a large body of material on cycle safety aimed at younger children promoting the use of cycle helmets as well as other cycle safety messages such as conspicuousness and training. We have also developed a Cycle Sense campaign aimed at teenagers that was launched on 21 May this year. The campaign encourages teenagers to wear cycle helmets and consists of posters and a new Cycle Sense website.

Dangerous Goods Safety Advisers

Mr. Paul Marsden: To ask the Secretary of State for Transport what the cost of the Dangerous Goods Safety Adviser Scheme has been in each year since the scheme was established; and how many advisers have been trained in each year. [138370]

Mr. McNulty: The regulations implementing EU Directive 96/35/EC were made in February 1999 and dangerous goods safety advisers (DGSA) had to be appointed by a qualifying undertaking from 1 January 2000. The Directive does not include a requirement for approved training. Competence is proved by the successful completion of a written examination, which leads to the award of a DGSA certificate. The first certificate was awarded in October 1998.

The number of certificates issued in each year are as follows:

	Number
1998–99	75
1999–2000	2,237
2000–01	1,061
2001–02	389
2002–03	321

The costs of undertaking the approved examinations and the issue of the vocational certificate issuing arrangements are currently £230. This is to undertake a typical examination consisting of the core module, the transport module and the class module. An additional fee of £85 is payable to undertake an additional module or class examination. As there is no formal training required, there are no records of any associated training costs. The level of training necessary will depend on the competence of the candidate.

The Health and Safety Executive consulted with stakeholders prior to the making of the regulations. In its consultative document, the HSE estimated the quantified costs to society over a 10-year period at between £580 million and £990 million. These costs are incurred by consignors and operators of transport

involved with the carriage of dangerous goods by road and rail. These estimated costs have not been updated or verified.

Driving Standards Agency

Tim Loughton: To ask the Secretary of State for Transport what the budget of the Driving Standards Agency is in 2003- 04. [138417]

Mr. McNulty: The DSA is a trading fund and is not given a budget by the Department. The Agency's business plan for 2003–04 plans for an expenditure of some £110 million.

Tim Loughton: To ask the Secretary of State for Transport how many daily *(a)* telephone calls and *(b)* website hits were received on average by the Driving Standards Agency from people trying to book a driving test, in the last 12 months for which figures are available. [138419]

Mr. McNulty: During the period November 2002 to October 2003, the Driving Standards Agency (DSA) received 6,627,063 calls to the national test booking line. This is approximately 26,000 calls per working day.

Figures are not available for the number of hits on the Agency's website but, during the same period, some 327,000 theory test bookings were made online. The facility to book practical tests online was introduced last month, and some 7,000 customers have already booked their practical test using this method.

Tim Loughton: To ask the Secretary of State for Transport what the average waiting time for booking a driving test, broken down by area, was in the last 12 months for which figures are available. [138418]

Mr. McNulty: For the period November 2002 to October 2003, the waiting times for a driving test in each of the Driving Standards Agency's five areas were:

Weeks

Category of test	*London*	*Midlands and Eastern*	*Wales and Western*	*Northern*	*Scotland*
Car	9.9	9.6	7.6	9.8	6.9
Motorcycle	3.1	3.8	2.5	3.8	2.1
Lorry/bus	3.6	4.6	2.8	4.8	3.6

Tim Loughton: To ask the Secretary of State for Transport how many people have *(a)* taken and *(b)* passed a driving test in each of the last six years. [138420]

Mr. McNulty: In the last six years the number of people taking and passing practical driving tests, and pass rates, were:

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Tests taken	1,202,147	1,334,829	1,274,381	1,241,364	1,346,656	1,510,018
Tests passed	579,689	634,308	583,960	570,415	605,205	675,617
Pass rate (percentage)	48.22	47.52	45.82	45.95	44.94	44.74

Tim Loughton: To ask the Secretary of State for Transport how many driving test examiners have been employed in each of the last six years, expressed as *(a)* head count and *(b)* full-time equivalents. [138421]

Mr. McNulty: For the last five years for which data are readily available, the average number of driving examiners employed by the Driving Standards Agency each month was:

	1999	*2000*	*2001*	*2002*	*2003 (to October)*
Headcount	1,261.05	1,271.08	1,313.06	1,391.25	1,493.05
Full-time equivalent	1,257.23	1,268.07	1,311.34	1,388.84	1,488.14

Note:

Figures before 1999 are not held.

Driver and Vehicle Licensing Agency

Mr. Gardiner: To ask the Secretary of State for Transport if he will press the DVLA to include a contact telephone number on their envelopes. [138612]

Mr. Jamieson: I am currently content that the arrangements in place at DVLA are satisfactory and I would be concerned that the inclusion of the DVLA phone number on the envelope could potentially compromise the secure delivery of valuable documents.

EU Committees

Angus Robertson: To ask the Secretary of State for Transport if he will list the dates of meetings of *(a)* the EU Committee for the implementation of the Community framework for co-operation in the field of accidental or deliberate marine pollution, *(b)* the EU Committee on application of the legislation on access to the groundhandling market at Community airports and *(c)* the EU Technical Adaptation Committee on the introduction of measures to encourage improvements in the safety and health of workers at work during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if he will make a statement. [132684]

Mr. McNulty: The information is as follows:

(a) During the period in question, this Committee met on 14 March 2003. It typically meets twice a year. Its agenda focuses on a five-year rolling programme of work in the field of pollution prevention and control.

(b) There were no meetings of this Committee during the period in question.

(c) UK involvement in this Committee is not the responsibility of the Department for Transport.

UK officials consult widely and the views of the Devolved Administrations, including the Scottish Executive, are fully reflected at Committee meetings.

Exemption 2 of the Code of Practice on Access to Government Information covering internal discussion and advice applies.

Angus Robertson: To ask the Secretary of State for Transport if he will list the dates of meetings of *(a)* the EU Committee on application of the legislation on the minimum level of training for seafarers and the recognition of certificates issued by training institutes or administration of third countries and *(b)* the EU Committee for the adaptation to technical progress of recording equipment in road transport (tachographs) during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if he will make a statement. [132720]

Mr. McNulty: The information is as follows:

(a) Minimum level of training of seafarers and the recognition of certificates issued by training institutes or administration of third countries

Date	*Agenda*	*Attendees*
22 October 2002	High-level meeting with representatives of the member states and EEA countries. 1—To exchange views on the proposal for review of the Directive 2001/25	MCA officials
6 February 2003	Shipping Working Party 1—To discuss the text of the proposed amendments to the Directive 2001/25	MCA, officials, UK permanent representative and Department for Transport (DfT) officials
12 February 2003	Shipping Working Party 1—To discuss the text of the proposed amendments to the Directive 2001/25	MCA officials, UK permanent representative and DfT officials
4 March 2003	Shipping Working Party 1—To discuss the text of the proposed amendments to the Directive 2001/25	MCA officials, UK permanent representative and DfT officials

(b) The EU Committee for the adaptation to technical progress of recording equipment in road transport (tachographs) during the Danish and Greek presidencies.

The Committee has met only once in the last 12 months, on 26 June 2003, under the Greek presidency. The Committee considered and approved editorial amendments to the technical specification to Commission Regulation (EC) 1360/2002, adapting to technical progress to Council Regulation (EEC) 3821/85 on recording equipment in road transport (digital tachographs). These amendments were subsequently published as a corrigendum to that regulation. There are currently no plans for further meetings.

For both these Committees, Exemption 2 of the Code of Practice on Access to Government Information covering internal discussion and advice applies.

UK officials consult widely and the views of the Devolved Administrations, including the Scottish Executive are fully reflected at Committee meetings.

Angus Robertson: To ask the Secretary of State for Transport whether the EU Committee on the reciprocal recognition of national boatmasters' certificates for the carriage of goods and passengers by inland waterway met during the Danish and Greek presidencies; and if he will make a statement. [132721]

Mr. McNulty: This Committee did not meet during the period in question.

Angus Robertson: To ask the Secretary of State for Transport if he will list the dates of meetings of *(a)* the EU Committee for the adaptation to technical progress of roadworthiness tests of vehicles, *(b)* the EU Standing Committee for Implementation of the Directive on Marketing of Biological Products and *(c)* the EU Scientific Committee for occupational exposure limits to chemical agents during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if he will make a statement. [132722]

Mr. McNulty: The information is as follows:

(a) There was one meeting only of this Committee during the relevant period. It was on 3 to 4 December 2002. It discussed Directives on Vehicle Emissions and Registration of vehicles. It also discussed developments on a regulatory standard on roadworthiness testing and the results of an emissions research study during the period.

(b) and *(c)* UK involvement in these Committees is not the responsibility of the Department for Transport.

UK officials consult widely and the views of the Devolved Administrations, including the Scottish Executive, are fully reflected at Committee meetings. Exemption 2 of the Code of Practice on Access to Government Information covering internal discussion and advice applies.

Angus Robertson: To ask the Secretary of State for Transport if he will list the dates of meetings of the European Energy and Transport Forum during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if he will make a statement. [132729]

Mr. McNulty: During the period in question, the European Energy and Transport Forum met in plenary session on 8 October 2002 (inaugural meeting), 21 January 2003 and 27 June 2003. Trans-European transport networks, interoperability of road toll collection systems and infrastructure charging were its principal topics of discussion at these meetings.

UK officials consult widely and the views of the Devolved Administrations, including the Scottish Executive, are fully reflected at Committee meetings. Exemption 2 of the Code of Practice on Access to Government Information covering internal discussion and advice applies.

Angus Robertson: To ask the Secretary of State for Transport if he will list the dates and locations of meetings of *(a)* the EU Committee for granting Community aid in the field of trans-European networks on transport, *(b)* the EU Committee on the Development of trans-Europe Transport Networks and *(c)* the EU Committee on the adaptation to scientific and technical progress of legislation concerning the transport of dangerous goods during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present on each occasion; and if he will make a statement. [132730]

Mr. McNulty: The information requested is as follows.

(a) The EU Committee for granting Community aid in the field of trans-European networks on transport met once during the period on 30 June 2003 in Brussels. The agenda comprised issues regarding the financing of the network and the projects of common interest on it.

(b) The EU Committee on the Development of trans-European Transport Networks (TEN-T) met three times during the period, on 26 November 2002, 4 March 2003 and 3 June 2003 in Brussels. The agenda comprised items regarding progress towards completion of the TEN-T and its further development.

(c) The EU Committee on the adaptation to scientific and technical progress of legislation concerning the transport of dangerous goods met on 9 December 2002 and 4 June 2003 during the period in question. It typically meets twice a year. The Committee discussed derogations and modifications of the annexes to three Directives on the transport of dangerous goods. They also discussed security measures for the transport of dangerous goods and the date of implementation of the transportable pressure equipment Directive and the work of the Committee of Experts on the Transport of Dangerous Goods.

UK officials consult widely and the views of the Devolved Administrations, including the Scottish Executive, are fully reflected at Committee meetings. Exemption 2 of the Code of Practice on Access to Government Information covering internal discussion and advice applies.

Heathrow Airport

Mr. Ben Chapman: To ask the Secretary of State for Transport what assessment he has made of the effect on regional economies of a third runway at Heathrow Airport. [138621]

Mr. McNulty: The assessment of additional capacity options is based on direct benefits to passengers from allowing more people to fly and giving passengers a greater choice of timings and routes. No assessment has been made of the wider economic benefits including those to regional economies of additional airport capacity, though some of these will be captured in the direct benefits, particularly to business passengers.

M6 Toll Road

Mr. Evans: To ask the Secretary of State for Transport when the M6 toll road will become operational. [137357]

Mr. McNulty: The M6 Toll road is being developed by Midland Expressway Ltd. The Department is expecting them to make an announcement on the road opening date shortly.

MOT Computerisation

John Thurso: To ask the Secretary of State for Transport what the cost was at today's prices of the contract with Siemens Business Services to run the MOT computerisation programme; when this contract was awarded; how much has been spent to date; and how much will have been spent by the time the system is operational. [138144]

Mr. McNulty: The cost of the contract with Siemens Business Services (SBS) to run the computerised MOT service is £1.07 per test at today's prices. SBS have been paid nothing so far and will not receive any transaction payments until the first MOT stations are computerised.

The MOT Computerisation Contract was awarded in 2000. Expenditure to end of 2002–03 on managing and delivering VOSA's contracted products is £8.4 million and the forecast spend from April 2003 until roll-out in May 2004 is £9.6 million.

John Thurso: To ask the Secretary of State for Transport if he will make a statement on the progress of the MOT computerisation programme; and what assessment *(a)* has been conducted and *(b)* is planned of the (i) success and (ii) value for money of its implementation. [138145]

Mr. McNulty: Siemens Business Services (SBS) activity since the MOT Computerisation Contract was awarded has included design, development and testing of hardware and software needed to supply the service, and they are close to concluding their testing of the system functionality. VOSA is due to begin its trials of the new service in December 2003.

Treasury Task Force commissioned a full review of the project in January 2000 before the contract was awarded. The review concluded that the project had a high probability of success. A further review of progress by an Office of Government Commerce independent expert was conducted in July 2002. This review concluded that an amended contract, then being negotiated, should ensure the first MOT stations would be computerised by mid-February 2004.

A third independent review of progress now under way will report by 20 November 2003.

A readiness-for-service review, to be conducted at the end of VOSA trials, will confirm the viability of the business case and that the services and users are ready for go-live. This review will also cover value-for-money set out in the business case and approved by HM Treasury.

John Thurso: To ask the Secretary of State for Transport what the timetable was for the introduction of the MOT computerisation programme when the contract with Siemens Business Services to run the system was awarded; and what it is now. [138146]

Mr. McNulty: The original contracted date for the first MOT stations to be computerised was May 2002. The earliest likely date for implementation is now mid-May 2004.

Railway Maintenance

Mr. Paul Marsden: To ask the Secretary of State for Transport how much was spent on clearing railway lines of litter in each of the last five years. [138361]

Mr. McNulty: This is an operational matter for Network Rail. Responsibility for clearing railway lines of litter usually forms part of Network Rail infrastructure maintenance contracts and as such there is no specific budget, rather spending on litter clearance is subsumed into the general maintenance budgets.

Mr. Paul Marsden: To ask the Secretary of State for Transport how many trees have been *(a)* planted and *(b)* felled on rail embankments in each year since 1997. [138362]

Mr. McNulty: This is an operational matter for Network Rail who are responsible for the maintenance of over 20,000 miles of track in the UK much of which requires the management of vegetation. Detailed figures of the number of trees planted or felled are not available.

Rail Services

Mr. Paul Marsden: To ask the Secretary of State for Transport what the performance against target was for *(a)* reliability, *(b)* punctuality and *(c)* safety of rail services between Shrewsbury and (i) Wolverhampton, (ii) Hereford, (iii) Chester and (iv) Aberystwyth in the last year for which figures are available. [138348]

Mr. McNulty: The Strategic Rail Authority publishes performance information in its six monthly "On Track" publication, copies of which are placed in the Library of the House. Information is provided for the services of each operator in aggregate, not by specific routes. There is no single performance measurement or target for 'safety'.

Mrs. Ellman: To ask the Secretary of State for Transport when the line from Weaver Junction to Liverpool Lime Street will be modernised to enable trains to run at 125 mph. [138922]

Mr. McNulty: The Strategic Rail Authority's "West Coast Main Line Strategy", published in June 2003, envisages that the modernisation of the line from London to Crewe will be completed in autumn 2004 and the Crewe-Weaver Junction-Liverpool section in summer 2005, including sections with a maximum line speed of 125mph. With the introduction of 125-mph trains, journey times between London and Liverpool will be substantially reduced from autumn 2004.

Roadworks

Mr. Paul Marsden: To ask the Secretary of State for Transport what estimate he has made of how many roadwork cones are *(a)* accidentally destroyed and *(b)* stolen in each of the last three years for which figures are available. [138359]

Mr. McNulty: Figures for the number of cones accidentally destroyed or stolen are not recorded.

Mr. Paul Marsden: To ask the Secretary of State for Transport how many pedestrians were injured in accidental falls into holes dug as a result of roadworks in each of the last five years. [138360]

Mr. McNulty: The Highways Agency has no record of any pedestrian being injured in accidental falls into holes dug as a result of roadworks on its roads, in any of the last five years.

My Department does not hold figures centrally for local authority roads.

Road Schemes

Mr. Paul Marsden: To ask the Secretary of State for Transport what assessment he has undertaken into the environmental effects of proposals by Norfolk County Council to build a road through the Ringland Valley. [138209]

Mr. Jamieson: None. Options for a Northern Distributor Road form part of a review of the Norwich Area Transport Strategy currently being undertaken by Norfolk County Council. It has not taken a decision in principle on the need for the road and so there have been no proposals put forward for assessment by the Secretary of State.

Vehicles (Tinted Windows)

Mr. Chope: To ask the Secretary of State for Transport what response he has made to the concerns represented by the Glass and Glazing Federation about the impact on the owners of vehicles with lightly tinted windows of proposed amendments to Regulation 32 of the Road Vehicles (Construction and Use) Regulations. [138735]

Mr. Jamieson: Officials have already met with representatives from the Glass and Glazing Federation and have fully answered their concerns.

Mr. Chope: To ask the Secretary of State for Transport if he will issue guidance on how the proposed amendments to Regulation 32 of the Road Vehicles (Construction and Use) Regulations should be enforced in respect of existing vehicles already fitted with *(a)* lightly and *(b)* heavily tinted windows. [138737]

Mr. Jamieson: Guidelines have already been issued to the Department's own enforcement staff in the Vehicle Operator Services Agency. These guidelines have been copied for information to the police.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Hepburn: To ask the Secretary of State for Foreign and Commonwealth Affairs what further measures are planned to help combat opium production in Afghanistan. [138429]

Mr. Rammell: The UK is the lead nation on Counter Narcotics (CN) in Afghanistan and has a PSA target to contribute to a reduction in poppy cultivation in Afghanistan by 70 per cent. in five years with elimination in 10 years. The United Nations Office on Drugs and Crime (UNODC) and the UK are working closely with the Afghan Transitional Administration to help them implement their National Drug Control Strategy.

The UK has developed a plan of activities to support the Afghan authorities in implementing their Strategy, including law enforcement, institution building, drugs demand reduction and alternative livelihoods for poppy farmers.

As the lead nation, the UK has committed £70 million over three years and posted additional personnel to Afghanistan to lead this work. It is also planned to hold a counter-narcotics conference in February 2004 in Kabul, involving Afghan and international representation, to encourage further international support for the delivery of the Afghan strategy. I will co-host this with President Karzai.

Ascension Island

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) when he next plans to make an official visit to Ascension Island; and for what purpose; [139102]

(2) if he will meet the hon. Members for *(a)* Totnes, *(b)* Vale of Glamorgan and *(c)* Cheltenham to discuss St. Helena before his departure to Ascension Island. [139103]

Mr. Rammell: My right hon. Friend the Foreign Secretary has no plans to visit Ascension Island in the near future.

However, I will pay a short visit to Ascension Island during a brief stop-over on the way to the Falkland Islands on 26 November 2003. During this visit I have no plans to meet the Legislative Council of St Helena, but will meet the Island Council of Ascension.

The Foreign Secretary has no plans to meet with the hon. Member for Totnes, my hon. Friend the Member for Vale of Glamorgan (Mr. Smith), and with the hon. Member for Cheltenham (Mr. Jones) to discuss St. Helena. However, I shall meet with them before my visit to discuss St. Helena and Ascension Island.

Embassy Closures

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British embassies *(a)* have closed and *(b)* are expected to close in financial year 2003–04. [137100]

Mr. Rammell: I refer the hon. Member to the answer I gave to the hon. Member for Banbury (Tony Baldry) on 6 October 2003, *Official Report*, column 1112W.

Mr. Simmonds: To ask the Secretary of State for Foreign and Commonwealth Affairs how many foreign embassies in the United Kingdom *(a)* have closed and *(b)* are expected to close in financial year 2003–04. [137101]

Mr. Straw: To date, no foreign diplomatic missions have closed in the United Kingdom in financial year 2003–04.

The Seychelles Government have informed us of their intention to close their High Commission in London on 31 December 2003.

Colombia

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what monitoring takes place to ensure that military aid to Colombia does not indirectly support paramilitary action against civilians. [137720]

Mr. Rammell: I refer my hon. Friend to the answer my right hon. Friend the Minister of State, Ministry of Defence gave on 10 November 2003, *Official Report*, columns 46–47W.

Community Liaison Unit

Dr. Kumar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the work of the Community Liaison Unit. [137534]

Mr. Mullin: The Community Liaison Unit (CLU) is based in the Human Rights Section of Consular Directorate in the Foreign and Commonwealth Office. It provides assistance to British Nationals in danger of a forced marriage overseas.

The CLU covers three main areas of work:

Casework:

Since the establishment of the CLU in October 2000, staff have dealt with over 600 cases of young British Nationals fearing or escaping from a forced marriage overseas. Forced marriage is a serious human rights abuse and is not sanctioned by any religion or culture. It is quite different from an arranged marriage, in which the parties give their full and free consent. The CLU has dealt with victims, male and female, aged between 11 and 39, and from a wide range of backgrounds including Sikh, Hindu, Catholic and Muslim to date.

Public sector guidance:

The CLU also works with other Government Departments to develop guidance for public sector services that may come into contact with forced marriage cases. To date the CLU has developed a video for schools, guidelines for police and are currently awaiting clearance on guidelines for social services. They have also provided support to link UK and foreign police services tackling some of these issues.

Outreach:

The CLU also work in the UK with NGOs, refuges, community groups, public sector, and faith groups to raise awareness of the issue and the help available to

victims. Overseas, the CLU and posts (Embassies and High Commissions) work with partners in the judiciary, police and NGO community.

The Community Liaison Unit also worked in partnership with the British Muslim community from 2000–03 to organise the British Hajj Delegation to Mecca. Responsibility for the Hajj Delegation has now moved to the Middle East Assistance section of Consular Directorate. This section deals with consular assistance to distressed British Nationals in the Middle East, including Saudi Arabia, which means they are better placed to offer assistance to British Hajjis.

Correspondence

David Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons the letter dated 14 October from the hon. Member for Walsall, North, Home Office ref: PO15398/3 concerning an immigration appeal was sent to the Foreign and Commonwealth Office; when the letter was transferred; and for what reasons an immigration appeals matter was sent to the Foreign Office. [139035]

Mr. Mullin: My hon. Friend's letter dated 14 October was transferred to UKvisas, the department responsible for entry clearance matters overseas, as the appeal related to a refusal of entry clearance. At the time of receipt of my hon. Friend's letter, the appeal did not show on Home Office records. The letter was therefore transferred to UKvisas by the Home Office on 4 November so that further enquiries could be conducted with our High Commission in New Delhi.

I will write to my hon. Friend in the next few days on this case.

Democratic Republic of Congo

Mrs. Spelman: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to encourage British firms to trade with the Democratic Republic of Congo. [136345]

Mr. Mike O'Brien: UK Trade and Investment does not pursue an active programme to encourage British firms to trade with the Democratic Republic of Congo but it does provide information and advice to UK companies wishing to trade there, with particular emphasis on the mining sector.

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in the Democratic Republic of Congo. [137601]

Mr. Mullin: Encouraging progress is being made in the Democratic Republic of Congo (DRC). The Transitional National Government (TNG) in Kinshasa is functioning. Welcome moves have been made recently to improve the DRC's relations with Rwanda and Uganda. The TNG now provides the Congolese people with a real opportunity to end the cycle of violence and human rights abuses and start on the path to democracy and development.

Pockets of fighting remain, particularly in the east of the country. We are concerned by recent clashes between "Mai-Mai" and forces of the former Forces Armées Rwandaises/Interahamwe in eastern DRC. We welcome and support efforts by the UN Mission in the DRC (MONUC)—acting under their new Chapter VII mandate as authorised by UN Security Council Resolution 1493 (2003)—to tackle this problem.

In the north-eastern district of Ituri, MONUC's Ituri Brigade have responded robustly and effectively to outbreaks of violence and are now establishing themselves outside the regional capital of Bunia.

EU Constitution

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what amendments the Government will seek to make to article *(a)* I-14, *(b)* III-62 (2) and *(c)* III-63 of the draft EU Constitution; and if he will make a statement; [137155]

(2) whether the Government is seeking an explicit rejection of *(a)* further tax harmonisation and *(b)* a federal fiscal policy in the European Union in the draft EU Constitution; and if he will make a statement. [137156]

Mr. MacShane: The Government set out their approach to the Intergovernmental Conference in the White Paper, "A Constitutional Treaty for the EU: The British Approach to the European Union Intergovernmental Conference."

As the Government make clear in the White Paper, they will oppose proposals which might lead to unnecessary rigidities or undermine the central role of member states in determining their economic policies. They will work to ensure outcomes that will bolster stability, promote flexibility and enhance the ability of European countries to raise productivity and employment levels.

The Government also believe that the right of member states to determine their own tax policies is a fundamental one. Tax matters are a key component of national sovereignty and vital to the social and economic well-being of the country. That is why, in the IGC, the Government will insist that tax matters continue to be decided by unanimity.

Mr. Blizzard: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy regarding the energy chapter of the proposed European Union constitution as it affects the UK offshore oil and gas industry. [137759]

Mr. MacShane: I refer my hon. Friend to the answer I gave to my right hon. Friend the Member for Newcastle upon Tyne, East and Wallsend (Mr. Brown) on 11 November 2003, *Official Report*, column 204W.

Council of Ministers

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 1 September 2003, *Official Report*, columns 796–97W, on the European Council of Ministers, what items were on the agenda for the Gymnich Informal Meeting of Ministers for Foreign Affairs on *(a)* 1 September 2002, *(b)* 9 to 10 February 2002 and *(c)* 2 to 4 May 2003; when the agenda for each

was received by his Department; whether the agenda was forwarded to the Scottish Executive; and if he will make a statement. [137294]

Mr. MacShane: The Gymnich Informal Meeting of Ministers for Foreign Affairs can take in all the key policy issues of the day, as well as broader strategic issues. The last four meetings have addressed inter alia such issues as: enlargement, wider Europe, counter proliferation, Middle East Peace Process, Western Balkans, ESDP and Iraq.

The Gymnich offers Foreign Ministers an opportunity to discuss broad policy themes in an informal setting. The nature of the Gymnich means that there is no formal agenda. The Gymnich does not form conclusions or take decisions. Items to be discussed are set out in a letter from the Foreign Minister of the country holding the Presidency to his colleagues. However, the issues actually discussed at the Gymnich often vary from the preliminary suggestions in this letter.

We usually receive the Presidency's letter about two weeks before the Gymnich. The letter is not a document, which is automatically forwarded to the Scottish Executive. However here, as elsewhere, the Foreign and Commonwealth Office is alert to the need to consult the Scottish Executive on issues which touch on devolved areas in Scotland (including non-devolved matters which will have a distinctive impact of importance in Scotland) in line with the Concordat between HMG and the Scottish Executive.

India

John Mann: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UK's relationship with India. [138202]

Mr. Mike O'Brien: Bilateral relations have steadily strengthened over recent years. Our relationship with the Indian government is now closer than it has been for a long time across a broad range of policy areas. UK development assistance will increase to £250 million in 2004–05. We are encouraging closer education links between the UK and India, including through a substantial British Council programme. And there has been a marked increase in bilateral trade to 5 billion in 2001. The large British community of Indian origin plays a very important part in maintaining and developing the UK's relationship with India.

Indonesia

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom citizens were affected by the flash floods in the Gunung Leuser national park on Sumatra Island, Indonesia on 3 November; how many United Kingdom citizens have been identified as *(a)* missing, *(b)* injured and *(c)* killed; what assistance the Government has offered the Government of Indonesia in their search and rescue operations; and if he will make a statement. [137293]

Mr. Mullin: There are no reports of any British Nationals missing, injured or killed following the floods in the Gunung Leuser national park in Northern Sumatra. Our Consul-General went to Medan from 4 to 6 November and together with the Honorary Consul, visited the site, and checked with police, hospitals and mortuaries. We remain in close contact with the local authorities. Our Rapid Deployment Team was put on standby to help but was not, in the end, required.

The Indonesian Government has announced an assistance package of 1 billion Indonesian Rupiahs (£70,420) for reconstruction and relocation of displaced people. They have not sought any international assistance.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the impact the imposition of martial law in Aceh on 15 May has had on *(a)* civil rights and *(b)* media freedom in the area; when this was raised with (i) the head of the Aceh Martial Law Administration, (ii) President Megawati Sukarnoputri and (iii) representatives of the Government of Indonesia; what assurances were (A) requested and (B) received; and if he will make a statement. [137709]

Mr. Mike O'Brien: We remain concerned about the situation in Aceh. Most recently, I met the Indonesian ambassador on Monday 10 November and raised our concerns about the extension of martial law, and the Indonesian Government's recent decision not to allow the Tokyo Group (EU, Japan, US and the World Bank) to visit Aceh. Our ambassador to Indonesia wrote to the Indonesian Government in August 2003 requesting that NGOs be granted permission to return to Aceh. When I visited Indonesia on 3–4 June 2003, I stressed to President Megawati that Indonesian military action in Aceh should be proportionate and in accordance with international standards on human rights. We have not approached the head of the Aceh Martial Law Administration as our concerns about the situation in Aceh are raised through Indonesian Central Government. Some media have recently been granted permission to gain access to Aceh to report on the situation there. NGOs have not yet been granted permission to return to Aceh.

We, with our EU partners, urged the Indonesian Government to protect non-combatants in the on-going operations in Aceh, and to pursue a peaceful negotiated solution to the conflict. We remain convinced that a long-term solution to the Aceh problem can be achieved only through political negotiation and consultation between the Indonesian Government and the Acehenese people.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* President Megawati Sukarnoputri, *(b)* representatives of the Government of Indonesia, *(c)* UK-based non-governmental organisations and *(d)* local non-governmental organisations concerning the extension of the state of martial law in Aceh; and if he will make a statement. [137710]

Mr. Mike O'Brien: On 6 November the Tokyo Group (EU, Japan, United States and the World Bank), which co-chaired the preparatory Conference on peace and reconstruction in Aceh, issued a statement to the Indonesian Government expressing their concern at the extension of martial law in Aceh. I met the Indonesian ambassador on Monday 10 November and also reiterated our, and the international community's, concerns about the extension of martial law. The UK continues to work through NGOs and the UN to provide assistance to the people of Aceh.

We with our EU partners, continue to urge the Indonesian Government to return to the negotiating table as soon as possible, as only political negotiation will offer a long term solution to this ongoing conflict. We stand ready to assist both sides in this process wherever appropriate.

International Terrorism

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government are making to prevent links being formed between the Irish Republican Army and other international terrorist and guerrilla organisations. [136766]

Mr. MacShane: UK authorities co-operate with their international partners both bilaterally and through international fora to combat all forms of terrorism.

Iran

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will undertake further joint initiatives with the foreign ministers of France and Germany with regard to relations with Iran. [137639]

Mr. Rammell: We will continue to work with like-minded governments in any combination required to impress on Iran the need to co-operate fully with the International Atomic Energy Agency and to rebuild international confidence in Iran's intentions. Following the visit to Tehran last month by my right hon. Friend the Foreign Secretary and his French and German counterparts, the onus now lies on Iran to deliver on its commitments. We are also calling on Iran to address international concerns on human rights, international terrorism and support for the Middle East Peace Process.

Iraq

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the occupying powers are taking to ensure access to safe, legal pregnancy termination services in Iraq; what policy, and direct funding to achieve it, the UK is adopting on this matter; and if he will make a statement. [135435]

Mr. Rammell: Pregnancy termination services are a matter for the Iraqi Ministry of Health. Reproductive health services are available in Iraqi hospitals.

Israel

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the building by Israel of the security wall; and what discussions he has had with the Israeli Government on the issue. [137118]

Mr. Rammell: We recognise Israel's legitimate security concerns, and deplore the terrorist suicide bombings of Israeli civilians. We have urged the Palestinian Authority to do more to stop such bombings. But we believe that Israel's building of a wall, or fence, on occupied land is unlawful. We have repeatedly urged the Government of Israel to reconsider the route of the fence. My right hon. Friends the Prime Minister and Foreign Secretary have raised this issue on a number of occasions with the Israeli Prime Minister and Foreign Minister. My noble Friend the Baroness Symons of Vernham Dean also raised the matter with the Israeli Foreign Minster, Silvan Shalom, during her visit to Israel on 30 September. She also raised with Zvi Shtauber, Israeli Ambassador on 22 October and Yosef Paritzky, the Israeli Minister for National Infrastructure on 29 October.

We have made representations through our Embassy in Tel Aviv expressing concern at the route and likely impact of the fence. Foreign and Commonwealth Office officials have also made representations through the Israeli Embassy in London, most recently on 5 November.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Israeli Government about the building of the wall. [137524]

Mr. Rammell: My right hon. Friends the Prime Minister and the Foreign Secretary made clear our concerns about the route of the wall, or fence, to the Israeli Prime Minister and Foreign Minister on a number of occasions. My noble Friend the Baroness Symons of Vernham Dean also raised the matter with the Israeli Foreign Minster, Silvan Shalom, during her visit to Israel on 30 September. She also raised with Zvi Shtauber, Israeli Ambassador on 22 October and Yosef Paritzky, the Israeli Minister for National Infrastructure on 29 October.

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Nagorno-Karabakh

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the terms of reference of the UK-funded project to improve the prospects for a settlement of the Nagorno-Karabakh conflict. [137481]

Mr. Rammell: The UK will be funding a £2 million three year project aiming to improve the prospects for a permanent settlement of the Nagorno Karabakh conflict. The purpose of the project will be to improve understanding of the conflict among all stakeholders, to

improve the conflict sensitivity of national and international actors in the region and to implement a number of activities which will contribute to the development of constituencies for peace in the region. This should improve the prospects for a permanent settlement of the Nagorno Karabakh conflict. We shall continue to encourage the governments of both Azerbaijan and Armenia to look to the future and build a better relationship between their two countries.

Our policy on the Nagorno Karabakh dispute is that we will support any mechanism for its resolution which both parties can accept and which has a realistic chance of delivering a lasting political settlement. We continue to support the work of the OSCE Minsk Group.

Northern Cyprus

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the conduct of the election in Northern Cyprus with particular reference to *(a)* legal action against the media, with reference to the cases of (i) Murat Kanatli, (ii) Basaran Duzgun, (iii) Hasan Hasturer, (iv) Suleyman Erguclu, *(v)* Hasan Kahvecioglu and (vi) Mehmet Davuleu, *(b)* the recent incidents involving the Peace and Democracy Movement, *(c)* the television interview by Mr. Denktash in which he claimed that Turkish Cypriots would be raped by Greek Cypriots, *(d)* the protest at Doganci (Elye) on 25 March and *(e)* the extent to which citizenship is being extended to settlers from mainland Turkey. [138777]

Mr. MacShane: The elections in north Cyprus on 14 December are of pivotal importance to the future of the island. This is an important opportunity for Turkish Cypriots to decide their own future. It is essential that these elections should be conducted in a transparent and democratic manner, free from interference. We are calling on all those who have influence, including Turkey, to help ensure the elections in the north are free and fair. We welcome indications from the Turkish Government of the importance they attach to this.

With regard to legal action against the media, we are deeply concerned about any attempts to limit press freedom. On the particular cases raised, we condemn the physical attack on the journalist Murat Kanatli, reportedly by the 'Grey Wolves' group in north Cyprus. The five further journalists mentioned were charged with a range of offences, including insulting the Turkish Security Forces and undermining the "state". These charges relate to articles reporting events at Doganci (Elye) on 25 March 2003, when opposition parties and pro-solution forces tried to hold a symbolic referendum in support of the Annan Plan. The police raided the protest, an army contingent removed the "ballot box" and the organisers were arrested. The timing of these prosecutions (seven months after the event) adds weight to the assertion that the indictments are politically motivated. Furthermore, we are concerned by reports that a number of these cases will be tried in a military court.

On the recent incidents involving the Peace and Democracy movement, we are concerned about reports of attacks on their party headquarters.

We do not wish to offer detailed comments on the remarks attributed to Mr Denktash. If he did say such things, it was clearly intended to be inflammatory.

We continue to have concerns about the number of "settlers" who have recently been granted citizenship in north Cyprus. The fact that this took place in such numbers immediately before an election is undermining confidence in the electoral process. The opposition in northern Cyprus has applied to the "Higher Electoral Council" (YSK) for an injunction barring those who have become citizens since the municipal elections in June 2002 from voting in the elections on 14 December. We await a ruling on that particular issue. The Turkish Cypriot courts have already barred two hundred people from voting in the elections who had been granted citizenship by the "Council of Ministers".

We will continue to monitor the situation in Cyprus very closely in the build up to elections on 14 December.

Nuclear Non-proliferation Treaty

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the effectiveness of the Nuclear Non-Proliferation Treaty; and if he will make a statement. [136700]

Mr. MacShane: The Nuclear Non-Proliferation Treaty (NPT) remains the cornerstone of the nuclear non-proliferation regime and receives the wholehearted support of the UK and the vast majority of the international community—indeed it has the greatest membership of any arms control treaty.

The NPT currently faces a number of challenges. It is not yet universal, and the UK continues to urge Israel, India and Pakistan to accede to the Treaty as non-nuclear weapon states. We are also concerned about North Korea's admission of a uranium enrichment programme and its announced intention to withdraw from the Treaty. This issue can only be resolved by DPRK's strict compliance with the NPT and full implementation of International Atomic Energy Agency (IAEA) safeguards.

The NPT has survived many challenges in its 33-year history and it remains a strong Treaty. The UK looks forward to participating fully in the 2004 NPT Preparatory Committee and the Review Conference in 2005.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to affirm negative security assurances given at the 1995 Non-Proliferation Treaty Review Conference; and if he will make a statement. [136701]

Mr. MacShane: The UK remains fully committed to the negative security assurance we gave in 1995. This negative security assurance was noted by the UN Security Council in its Resolution 984.

Pakistan

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Pakistan authorities in respect of recent security operations involving their premises; and if he will make a statement. [138583]

Mr. Mike O'Brien *[holding answer 13 November 2003]*: The Pakistani authorities have raised with us both in London and in Islamabad the contents of an article in the *Sunday Times* on 2 November. We have explained that it is the long-standing practice of successive governments not to confirm or deny allegations concerning the activities of the intelligence and security agencies.

People Trafficking

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's estimate is of the number of children that were trafficked in *(a)* the world, *(b)* Europe and *(c)* the UK in each of the last 10 years; and what plans he has to reduce this number. [137978]

Mr. Rammell: We are committed to doing all we can to combat human trafficking. I refer my hon. Friend to the Written Statement made on 5 March 2003, *Official Report*, column 1085W, by my hon. Friend the Minister of State at the Home Office (Beverley Hughes) which sets out the actions we are taking.

The nature of trafficking means that it is a hidden crime and there are no reliable figures about children being trafficked into or out of the UK. There have been a few high profile instances of children being trafficked into and through the UK, but there is insufficient information to say if this is a growing problem. However, the very nature of the crime demands that is treated very seriously, which is why the Government have introduced criminal sanctions covering child traffickers and has tasked the Reflex group with co-ordinating intelligence on the problem.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137957]

Mr. Rammell: Performance targets for the Foreign and Commonwealth Office were agreed as part of Spending Review 2002. The monitoring and measurement of PSA targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the Department, and as such it is not possible to separate the specific costs out. The monitoring of progress towards, and performance against, the Department's PSA targets is undertaken by a wide variety of staff at all levels of the organisation.

Religious Freedom (Egypt)

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will raise the issue of the Christians arrested in Egypt for their faith with the Egyptian Government and urge them to stop their action against Muslim converts to Christianity. [135500]

Mr. Rammell: We are looking into the reports to which the hon. Member refers. The Egyptian Constitution provides for equal public rights and duties without discrimination on the basis of religion or creed. Although we have received a number of letters on this subject from concerned people in the United Kingdom, we have seen no evidence of systematic official targeting of converts to Christianity. Where there is evidence of violation of human rights, we of course make our views known to the Egyptian authorities.

Sudan

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the peace process between the Government of Sudan and the Darfur rebel group. [136764]

Mr. Mullin: There has been a joint communiqué by the Government of Sudan (GoS) and the Sudan Liberation Movement (SLM) agreeing to return to Abeche in one month to discuss the political and wealth sharing annexes. The parties have also reached agreement on humanitarian access, which will be under the supervision of the Humanitarian Aid Commission, with the Tri-Partite Committee (GoS, Government of Chad and the SLM) being informed of developments.

We are not directly involved in the Abeche talks and it is difficult at this stage to make an assessment of progress. There have been allegations that the GoS have resumed military activities near SLM areas, and some indication that the SLM are disappointed that some of their proposals have been rejected.

However, we remain hopeful that both parties will adhere to the terms of the communiqué and resume the talks on time.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what the main points were of the ceasefire agreement of 15 October 2002 between the Government of Sudan and the Sudan Liberation Movement/Army; what assessment his Department has made of the Sudanese bombings in Darfur on 2 November and their impact on the on-going negotiations in that region; and if he will make a statement. [136905]

Mr. Mullin: The main points of the Memorandum of Understanding on Cessation of Hostilities signed on 15 October 2002 in Kenya between the Government of Sudan and the Sudan People's Liberation Movement (SPLM) are as follows:

> the parties agree to create and maintain a conducive atmosphere throughout the negotiations; to cease hostilities in all areas and ensure military stand down for all forces; to freeze media wars and allow unimpeded humanitarian access to all areas.

The negotiations between the Government of Sudan and the Sudan Liberation Movement (SLM) in Chad, with the Chadian Government as mediators, are

separate. We are aware of reports that the Government of Sudan have resumed military activities close to Sudan Liberation Movement (SLM) areas. The Government of Sudan has stated that it had bombed areas controlled by other militias who rejected the cease-fire. We are seeking corroboration of the reports including by visits by members of our embassy to the area.

The parties have now signed a joint communiqué resolving to meet in one month to discuss the political and wealth sharing annexes of the draft agreement. There has also been agreement on humanitarian access. We view these as positive steps.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the progress made in negotiations between the Government of Sudan and the Sudan Liberation Movement/Army since the signing of the ceasefire agreement of 15 October 2002; what help his Department has *(a)* offered and *(b)* delivered to facilitate the process; and if he will make a statement. [136906]

Mr. Mullin: The Memorandum of Understanding on Cessation of Hostilities between the Government of Sudan and the Sudan People's Liberation Movement/ Army has continued to hold. The parties have made substantial progress in the past year. A Framework Agreement on Security Arrangements during the Interim Period, signed on 25 September 2003, is a further indication of the commitment of both parties to peace. The talks have adjourned for Ramadan and will resume on 30 November. We remain hopeful that a comprehensive peace agreement will be signed in the new year.

The UK observer team has consisted of an official based in Nairobi who can attend every session of the talks and handle local co-ordination between sessions, and the UK Special Representative for Sudan and the Head of the joint FCO/DFID Sudan Unit from London. In addition to financial contributions to the Intergovernmental Authority on Development (IGAD), the Government have provided experts on legal and security issues. We also contribute funding and personnel to the missions monitoring the agreements already reached.

Tariq Aziz

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* medical help and *(b)* legal help and advice has been given to Mr. Tariq Aziz. [137730]

Mr. Rammell *[holding answer 10 November 2003]*: Tariq Aziz is in US custody. As the detaining power, these questions are a matter for the US authorities, who have said that they do not comment on the cases of individual detainees.

UKvisas

David Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to ensure that calls to UKvisas on 020 7008 8446 are answered by officials. [139034]

Mr. Mullin: I am sorry that officials did not answer UKvisas telephone number 0207 008 8446. Officials in UKvisas are expected to respond to all telephone calls and to use the voicemail facility. Unfortunately, on this occasion, this voicemail facility had not been updated to show that the official was out of the office, and did not give an alternative point of contact. Guidance has been re-issued to ensure that officials are aware of these procedures.

A full list of contact numbers for the Visa Correspondence Section has been circulated to MPs' offices and is also available on the parliamentary internet. UKvisas recently introduced a dedicated telephone hotline for Members of Parliament to deal with urgent cases and inquiries. This is manned throughout office hours. UKvisas has now resent a copy of this list to my hon. Friend's office.

United Nations Compensation Commission

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list payments from the United Nations Compensation Commission to *(a)* the UK Government and *(b)* other UK beneficiaries broken down by (i) amount and (ii) date; what disbursements have been made by the UK Government; to whom; for what amount; on what dates; and if he will make a statement. [137433]

Mr. Mullin: From 1996 to date, the United Nations Compensation Commission (UNCC) has paid a total of US$286,028,428.89 to the UK Government for distribution to individuals, companies and Government Departments. US$100,595,509.28 has been paid to individuals, US$180,329,020.61 to companies, and US$5,103,899.00 to Government Departments. All payments are routed through the UK Government. Details of the 420 payments to companies and six payments to Government Departments can be found on the UNCC website at www.uncc.ch. Details of payments to individuals cannot be disclosed for reasons of confidentiality.

Uzbekistan

Mr. Hammond: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in Uzbekistan. [137432]

Mr. Rammell: I refer the hon. Member to the answer I gave to the hon. Member for Truro and St. Austell (Matthew Taylor) on 20 June 2003, *Official Report*, column 437W, and the answer I gave to the hon. Member for Portsmouth, South (Mr. Hancock) on 21 October 2003, *Official Report*, column 536W.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs whether Uzbekistan has agreed to BBC World Service re-broadcasting from within Uzbekistan. [138166]

Mr. Rammell: Uzbekistan has not agreed to BBC World Service re-broadcasting effectively from within Uzbekistan despite representations made to the Uzbek authorities by our embassy in Tashkent. We shall continue to lobby the Uzbek authorities on this issue.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what funding other than that provided for the translating and printing of his Department's publications in Uzbek will be provided for assistance to Uzbekistan in judicial reform. [138167]

Mr. Rammell: In 2002, the Global Conflict Prevention Pool (GCPP) funded a £71,000 pilot electronic court reporting project in Uzbekistan. As part of the project, new electronic court reporting equipment was installed in four criminal courts in the Ferghana Region. Sadly, while receiving some positive reports from defence lawyers, this assistance has had its limitations; the equipment was abused or not used in practice and court reports were not made available when cases were appealed. Further plans to install the equipment in over 150 courts nation wide have been suspended until we receive firm evidence that the equipment provided thus far is being used effectively.

We shall continue to look for viable opportunities to assist Uzbekistan in reforming its judiciary and improving its human rights record in conjunction with EU, OSCE and other partners. We believe that lessening the dependence on often doubtful confessions and improving the focus on material and forensic evidence is the key to reducing levels of brutality and improving fairness in the judicial process. Through engagement with the authorities on development of an action plan to combat torture, we are also pressing for the political will for such reforms. Regionally we are organising a training workshop in Almaty in December to train judges and prosecutors in the judicial control of the practice of torture. Members of the Uzbek judiciary and procuracy will be invited to attend.

Western Sahara

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with representatives of the oil industry which are active in the Western Sahara. [130573]

Mr. Rammell: None.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs how many cases of work related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work related stress, and at what cost, what procedures have been put in place to reduce work related stress, and at what cost; and if he will make a statement. [136851]

Mr. Mike O'Brien: The Foreign and Commonwealth Office does not currently keep statistics on work-related stress as a sickness absence type. No compensation has been paid to employees because of work-related stress in the last three years. All FCO staff (and dependants overseas) can discuss work-related (and personal) concerns in confidence with a trained welfare officer.

Since March 2002 the FCO has also provided a counselling and advice service to staff in the UK, and for staff and dependants overseas, via an Employee Assistance Programme. Stress, whether or not related to work, is one of the areas covered. The cost is approximately £50,000 pa.

Zimbabwe

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what contacts his Department has had with the *Daily News* in Zimbabwe. [137635]

Mr. Mullin: Our High Commission in Harare maintains regular contact with media organisations in Zimbabwe, including the *Daily News*, as part of its routine duties. High Commission representatives also attended the court hearings that followed the *Daily News* closure on 12 September 2003. My right hon. Friend the Foreign Secretary has since issued two press statements on 15 and 20 September condemning the Government of Zimbabwe for its harassment of the free and independent media in Zimbabwe. Copies of the press release are available on the FCO website: www.fco.gov.uk/policy/news/press-releases.

Representatives from the *Daily News* were in London recently to raise awareness of the plight of the newspaper. I met them on 6 November.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met President Mbeki to discuss the situation in Zimbabwe. [137638]

Mr. Mullin: My right hon. Friend the Foreign Secretary last met President Mbeki in the margins of the United Nations General Assembly on 24 September. They discussed Zimbabwe.

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to urge the Commonwealth to expel Zimbabwe. [138407]

Mr. Mullin: Commonwealth decisions are made by consensus. The issue will be discussed at the Commonwealth Heads of Government Meeting next month.

The Commonwealth Secretary General has listed five benchmarks where there would have to be progress before Zimbabwe could be re-admitted to the Councils of the Commonwealth:

(i) Achieving national reconciliation and dialogue;

(ii) Repealing legislation that prejudices freedom of speech, of the press and of peaceful assembly;

(iii) Stopping harassment of the political opposition and civil society;

(iv) Addressing the recommendations of the two Commonwealth election observer group reports;

(v) Engaging the Commonwealth Secretariat and UN Development Programme on a proper land reform programme.

We see no case for readmitting Zimbabwe to the Councils of the Commonwealth while it remains in breach of these benchmarks and of the Harare Principles.

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to press the United Nations *(a)* to impose sanctions on Zimbabwe and *(b)* to debate the issue of Zimbabwe. [138408]

Mr. Mullin: We maintain regular contact with the UN Secretary General, the UN Development Programme and the World Food Programme about Zimbabwe. We supported EU resolutions at the UN Human Rights Commission in 2002 and 2003. Regrettably these resolutions fell to 'No Action' motions.

As my right hon. Friend the Foreign Secretary made clear to the House on 10 June 2003, *Official Report*, column 524, we would only go to the United Nations Security Council for a resolution when we believed that we would win one. Tabling a resolution on UN sanctions would be certain to fail and would only hand Mugabe a gratuitous victory.

We will continue to encourage the UN to focus on the crisis in Zimbabwe.

HOME DEPARTMENT

Asylum Seekers

Diana Organ: To ask the Secretary of State for the Home Department how many people from the People's Republic of China sought asylum in the UK in *(a)* 2001, *(b)* 2002 and *(c)* 2003 to date. [134202]

Beverley Hughes: The table shows the number of asylum applications, excluding dependants, lodged in the UK by nationals of the People's Republic of China in 2001, 2002 and from January to June 2003. The next publication on asylum applications and other asylum statistics covering the third quarter of 2003 (July-September) will be available on 27 November 2003 on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Applications[1] lodged in the UK by nationals of the People's Republic of China, excluding dependants

	Asylum applications lodged in UK
2001	2,390
2002[2]	3,675
2003—January to June[2]	1,620

[1] All data are rounded to the nearest five.
[2] Provisional data.

Mr. Best: To ask the Secretary of State for the Home Department if he will list the states regarded by his Department for the purposes of fast-tracking asylum applications as democratic. [132233]

Beverley Hughes: Applications are considered suitable for fast tracking if, upon initial screening, they are believed to be straightforward and capable of being decided within about seven to 10 days, and the applicant is from a country on the Fast Track Processes Suitability List (previously referred to as the "Oakington List"). A country will be added to the list only if we consider that it produces some types of claim which are capable of being decided quickly. There are no other specific requirements.

The countries (or part countries) presently appearing on the list are:

Afghanistan, Albania, Bangladesh, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, China, Congo, Cyprus, Czech Republic, Djibouti, Ecuador, Estonia, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea-Bissau, Hungary, Iraq, Ivory Coast, India, Jamaica, Kenya, Latvia, Lithuania, Macedonia, Malaysia, Malawi, Mali, Malta, Mauritania, Mauritius, Moldova, Mongolia, Mozambique, Namibia, Niger, Pakistan, Poland, Romania, St. Lucia, Serbia and Montenegro, Senegal, Slovakia, Slovenia, Somaliland, South Africa, Sri Lanka, Swaziland, Tanzania, Togo, Trinidad and Tobago, Turkey, Uganda, Ukraine, Zambia, Zimbabwe.

Not all applications from the countries listed above are considered suitable for fast tracking. We are keeping under review the basis on which we consider an application suitable for special fast-tracking arrangements.

Mr. Keith Bradley: To ask the Secretary of State for the Home Department what resources have been allocated to citizen advice bureaux specifically for their work with asylum seekers in each of the last five years. [132690]

Beverley Hughes *[holding answer 20 October 2003]:* The National Asylum Support Service grant funds six voluntary sector organisations to provide reception assistance and one stop services to asylum seekers. The citizens advice bureaux are not one of the organisations funded to assist asylum seekers.

Lynne Jones: To ask the Secretary of State for the Home Department *(a)* on what basis and *(b)* when decision making on Iraqi asylum applications resumed. [133595]

Beverley Hughes: On 16 June I announced the resumption with immediate effect of decision making on Iraqi asylum applications. I refer my hon. Friend to the reply I gave my hon. Friend the Member for Leeds, North-West (Mr. Best) on 15 July 2003, *Official Report*, column 266W.

Miss McIntosh: To ask the Secretary of State for the Home Department if he will make a statement on his Department's policy regarding travel arrangements for asylum seekers to visit relatives in the UK. [133955]

Beverley Hughes: The provision of support to eligible asylum seekers applying for asylum in the UK is intended to meet essential living needs. Regulation 9(4) of the Asylum Support Regulations 2000 provides that costs of travel are not to be regarded as an essential living need. National Asylum Support Service (NASS) does not provide funding for asylum seekers to travel by taxi to visit family or friends.

NASS does not make arrangements for supported asylum seekers to visit relatives living elsewhere in the UK. Neither does it make arrangements for those seeking asylum outside the country to travel to the UK to see relatives.

David Davis: To ask the Secretary of State for the Home Department how many asylum seekers there were in *(a)* Hull and *(b)* the East Riding of Yorkshire in each month in the last two quarters for which figures are available; how long each application took to process; and how many applications were successful. [134052]

Beverley Hughes *[holding answer 23 October 2003]:* The information is not available in the form requested.

The availability of information on the location of asylum seekers in the UK is currently linked to the support the asylum seeker receives. Asylum seekers in the UK either receive support from the National

Asylum Support Service (NASS), local authorities or the Department for Work and Pensions (DWP), or are supporting themselves.

Information on outstanding asylum cases, initial decision outcomes and asylum case processing times relating to persons in particular areas of the UK is unavailable, as are statistics regarding the location of asylum seekers not in receipt of support.

NASS does not disperse asylum seekers to any areas in the East Riding of Yorkshire. The following table shows the number of asylum seekers (including dependants) accommodated by NASS and receiving subsistence only support in Hull as at the end of the last two quarters for which figures are available.

As at end of quarter	*Number of asylum seekers (including dependants supported in NASS accommodation in Hull*[1]	*Number of asylum seekers (including dependants) receiving subsistence only support in Hull*
March 2003	940	50
June 2003	75	60

From grant claims sent to the Home Office by local authorities, as at the end of March 2003, there were the following additional number[2] of asylum seekers being supported by the local authorities in Hull and East Riding of Yorkshire:

[1] Figures are rounded to the nearest 5 and may not sum due to rounding.

[2] Asylum seekers are not necessarily resident in the local authority that supports them due to the voluntary dispersal programme which operated prior to NASS.

Local authority	*Number of singles supported as at end March 2003*	*Number of families supported as at end of March 2003*
East Riding	5	0
Hull	20	5

Statistics on the number of asylum seekers supported by NASS in each region are available on the Home Office's Immigration and Asylum Statistics website: http://www.homeoffice.gov.uk/rds/immigration1 .html

Lynne Jones: To ask the Secretary of State for the Home Department how many asylum seekers, broken down by country of origin, applied in the *(a)* fourth quarter of 2002, *(b)* first quarter of 2003 and *(c)* second quarter of 2003. [134090]

Beverley Hughes: The table shows the number of asylum applicants, by nationality, for the last three published quarters. This data is not available by country of origin.

Information on asylum applications and other asylum statistics is published quarterly. The next publication covering the third quarter of 2003 (July—September 2003) will be available on the 27 November 2003 on the Home Office Research Development and Statistics Directorate web site at http://www.homeoffice.gov.uk/rds/immigration1.html.

Applications[1] *for asylum, received in the UK,excluding dependants, by nationality*

	Quarter 4 2002	*Quarter 1 2003*	*Quarter 2 2003*
Europe			
Albania	250	230	140
Czech Republic	120	20	20
SAM[2]	365	345	175
Poland	235	35	20
Romania	360	245	95
Russia	85	70	65
Turkey	805	645	585
Ukraine	100	95	65
Other Former USSR	675	360	210
Other Former Yugo	80	60	20
Others	50	20	20
Total:	3,125	2,125	1,415
Americas			
Colombia	110	90	60
Ecuador	90	65	40
Others	585	470	275
Total:	785	625	370
Middle East			
Iran	820	655	625
Iraq	4,275	2,135	635
Others	350	265	230
Total:	5,445	3,055	1,490
Africa			
Algeria	245	210	100
Angola	340	300	165
Democratic Republic of Congo	690	460	300
Ethiopia	225	145	120
Gambia	45	15	30
Ghana	80	70	80
Ivory Coast	195	205	90
Kenya	115	85	60
Nigeria	320	350	250
Rwanda	145	120	70
Sierra Leone	220	165	85
Somalia	1,805	1,515	900
Sudan	270	95	135
Tanzania	10	10	5
Uganda	225	225	165
Zimbabwe	2740	1,075	815
Others	1,350	1,200	825
Total:	9,020	6,255	4,200
Asia			
Afghanistan	1,315	950	485
Bangladesh	235	205	190
China	890	915	705
India	425	490	645
Pakistan	555	490	375
Sri Lanka	420	300	245
Other	490	560	440
Total:	4,335	3,910	3,090
Other and unknown nationalities	50	30	15
Grand Total	22,760	16,000	10,585

[1] Provisional data rounded to the nearest five.

[2] Serbia and Montenegro (SAM) replaced Federal Republic of Yugoslavia (FRY) from 5 February 2003. SAM comprises of the Republic of Serbia, the Republic of Montenegro, and the province of Kosovo (administered by the UN on an interim basis, since 1999).

Mr. Colman: To ask the Secretary of State for the Home Department what consideration is given by the National Asylum Support Service to the health of an asylum seeker when a decision to disperse that asylum seeker is made. [134261]

Beverley Hughes *[holding answer 23 October 2003]:* NASS will consider all the information known to it when deciding whether dispersal is appropriate. Where it is known this will include consideration of an asylum seeker's, or a dependant's, current medical condition.

Mr. Flook: To ask the Secretary of State for the Home Department how many asylum seekers the National Asylum Support Service has placed in *(a)* Somerset, *(b)* Devon, *(c)* Plymouth, *(d)* Bristol, *(e)* Bath, *(f)* Swindon, *(g)* Wiltshire and *(h)* Dorset in each month since January. [134551]

Beverley Hughes: The information is not available in the form requested.

Figures in respect of asylum seekers in receipt of accommodation support from the National Asylum Support Service (NASS) are published at the end of each quarter.

Figures for the areas requested as at the end of each quarter since January 2003 are shown in the table.

Statistics on the number of asylum seekers supported by NASS in each region are available on the Home Office's Immigration and Asylum Statistics website: http://www.homeoffice.gov.uk/rds/immigration1.html

Area	*Asylum seekers in receipt of MASS accommodation support (at end March 2003)*	*Asylum seekers in receipt of MASS accommodation support (at end June 2003)*
Bristol	460	445
Bath	0	0
Somerset (other)	0	0
Plymouth	360	415
Exeter	65	55
Devon (other)	0	0
Swindon	15	55
Wiltshire (other)	0	0
Dorset	0	0

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department if he will make a statement on his intended use of zones of protection to *(a)* house asylum seekers and *(b)* process their claims. [134593]

Beverley Hughes [*holding answer 27 October 2003*]: The UK ideas were designed to stimulate a debate on improving the international asylum system. Our thinking continues to evolve. But we remain focused on the provision of better protection in asylum seekers' own regions to reduce the motivation to cross continents to make a claim; and to reduce the burden on the asylum system from those misusing it to gain entry to the UK for economic or other reasons. This is not about shifting the burden to poorer regions.

The majority of the world's refugees are already unable to access asylum systems in the European Union. It is therefore essential to strengthen protection in their region of origin, close to their homes, in order to ensure accessible and effective protection for people fleeing persecution and conflict. We have been working closely with UNHCR, the ED and others on this.

Annabelle Ewing: To ask the Secretary of State for the Home Department what plans he has to establish regional protection zones for asylum seekers outside the UK; and what recent discussions he has had with EU Governments on this matter. [134659]

Beverley Hughes: The UK's proposals were designed to stimulate a debate on improving the international asylum system. Our thinking continues to evolve and we are engaged in dialogue with the UNHCR, the European Commission and others to consider how we might put these ideas into practice. We are thinking less in terms of specific protection areas or 'zones' and more in terms of strengthening capacity in regions of origin. The aim would be to reduce the motivation to cross continents to make a claim; and to reduce the burden on the asylum system from those misusing it to gain entry to the UK for economic or other reasons.

Mr. David Marshall: To ask the Secretary of State for the Home Department how many people who have applied for asylum in the UK were resident in each constituency in the UK in the last period for which figures are available. [134729]

Beverley Hughes: I regret that the requested information could be obtained only at disproportionate cost.

Information is held on the location of all asylum seekers supported by NASS and figures are published at local authority level in the regular quarterly asylum statistics on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html, and from the Library of the House. More detailed data on those supported by NASS, at parliamentary constituency level, is available on request.

Mr. Betts: To ask the Secretary of State for the Home Department how many asylum seekers are waiting to have their cases finally determined *(a)* 12 to 18 months, *(b)* 18 to 24 months, *(c)* two to three years and *(d)* three or more years after it was lodged. [135084]

Beverley Hughes: Information on final decisions is not readily available and complete information could only be obtained by examination of individual case files to obtain information on the outcomes of initial decisions, of subsequent appeals to the Immigration Appellate Authority and the Tribunal, and of cases which have been reconsidered. This would incur disproportionate cost. 31,800 cases were awaiting an ipitial decision at the end of June 2003 (the latest date for which published figures are available); of these 8,900 cases were work in progress ie the application had been outstanding for six months or less.

As at 30 June 2003, there were an estimated 20,000 appeals lodged with the Immigration and Nationality Directorate which had not been sent to the Immigration Appellate Authority (IAA); a proportion of appeals lodged do not result in appeal bundles being sent to the IAA. The total asylum work in progress in the IAA as at 30 June 2003, was 29,500 (19,900 at the Adjudicator Tier, 5,000 applications for permission to appeal to the Tribunal, and 4,700 Tribunal Appeals).

Provisional data show that 74 per cent. of applications (excluding withdrawals and third country cases[1]) received in 2002–03 were decided and served within two months. This exceeded the Government's target of 65 per cent. for 2002–03, and was a significant increase on the corresponding figure of 61 per cent. for 2001–02.

Information on the number of asylum applications awaiting initial decision and the timeliness of initial decisions is published quarterly on the Home Office website at http://www.homeoffice.gov.uk/rds/immigration1.html.

[1] Cases which may be the responsibility of other EU member states under the Dublin Convention.

Ms Drown: To ask the Secretary of State for the Home Department what plans the Government has to establish an independent country documentation centre in relation to asylum applications. [135337]

Beverley Hughes: There are no plans to establish an independent documentation centre. We recently established the independent Advisory Panel on Country Information under the Nationality Immigration and Asylum Act 2002 to make recommendations on the country information material produced by the Home Office and help to ensure that it is as accurate, objective and up to date as possible. The Panel is chaired by Prof. Stephen Castles of Oxford University and held its first meeting on 2 September 2003.

Mr. Gerrard: To ask the Secretary of State for the Home Department what steps he is taking to increase the financial support to local authorities responsible for the care of asylum seeker children as a result of the judgment of the Administrative Court in the case of Behre and Others *v* Hillingdon London Borough Council. [135453]

Beverley Hughes: Officials across Government are working together to resolve issues arising from the recent Court judgment. An announcement about the rate of grant will be made as soon as practicable after these decisions have been concluded.

The grant paid by the Home office to local social services departments is intended to cover the direct and immediate costs arising from the placement of children.

Dr. Tonge: To ask the Secretary of State for the Home Department what plans he has to ensure that children of asylum seekers receive education. [136785]

Beverley Hughes: It is Government policy that children of compulsory school age here as part of an asylum seeking family should receive education. This applies to all children, not just those whose parents are in receipt of support. Currently, with the exception of the small number of families who are detained, children are entitled to attend mainstream schools. For those who are detained a modular programme of education is provided at the relevant removal centre if detention is expected to last for more than a very short period. In the vast majority of cases, the detention of families with children will last for no more than a very short period, usually less than 14 days and often for only a few hours or days prior to removal.

In respect of children placed in accommodation centres, the operators of the centres will be required to provide education to children which mirrors that provided in mainstream schools.

Mr. Caton: To ask the Secretary of State for the Home Department how many mistaken asylum removals there were in the latest period for which figures are available. [137103]

Beverley Hughes: The information requested is not available and could be obtained only by examination of individual case files at disproportionate cost.

Mr. Caton: To ask the Secretary of State for the Home Department what plans he has to assign National Asylum Seekers Service hard case support to failed asylum seekers in Wales. [137104]

Beverley Hughes: There is nothing to prevent the majority of asylum seekers who have received a final negative decision on their claim from leaving the country immediately. Failed asylum seekers unable to leave due to circumstances entirely beyond their control may seek the short-term provision of accommodation under section 4 of the Immigration and Asylum Act 1999, as amended. NASS has entered into an arrangement with the west London YMCA to provide accommodation in these circumstances. Accommodation will be in one of a number of YMCAs across England.

Mr. Caton: To ask the Secretary of State for the Home Department what steps he is taking to reinstate embarkation controls at United Kingdom borders. [137105]

Beverley Hughes: My hon. Friend will be aware from my written answer of 10 July that we are keeping the option for embarkation controls under review while exploring the extent to which new technology which were removed by the previous conservative administration could offer us more efficient ways of checking those leaving the country. Short term embarkation exercises continue and during October a number of such exercises took place at airports throughout the United Kingdom.

Mr. Caton: To ask the Secretary of State for the Home Department how many asylum applicants have become homeless after their claims for asylum have failed since 1 May. [137106]

Beverley Hughes: This information is not available. The legislation requires that, with the exception of families including children under the age of 18, support must be terminated 21 days after the receipt of the final negative decision on the asylum claim. NASS does not have information on the whereabouts of asylum seekers evicted from NASS properties.

Lynne Jones: To ask the Secretary of State for the Home Department pursuant to his answer of 10 June 2003, *Official Report*, column 808W, on asylum seekers, if he will make a statement on *(a)* the proportion of failed asylum seekers who notified a new address after their final refusal and *(b)* the proportion of those visited by the UK Immigration Service who were found living at the recorded address in the last 12 months. [137713]

Beverley Hughes: The Immigration and Nationality Directorate (IND) maintains databases containing address details for asylum seekers which are also recorded in the individuals' Home Office file. All applicants and their representatives are told of their obligation to notify the Home Office of any subsequent change of address. This may be done, either in person at one of 11 designated Reporting Centres or by post to the Change of Address Team (CoAT), based in Croydon.

The Casework Information Database (CID) is the main information technology (IT) system used by IND and allows information to be updated upon receipt throughout the asylum process. There is no link within CID between a change of address and the stage in the asylum process at which it occurred, e.g. before or after final refusal, and therefore the information requested is not available and could be obtained only by examination of individual case files at disproportionate cost.

UK Immigration Service visits to asylum seekers' home addresses are not routinely recorded on the national CID database. Again, the information requested is not available and could be obtained only by examination of individual case files at disproportionate cost.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what the reasons are for his policy not to allow asylum seekers to work while they await a decision on their case. [138269]

Beverley Hughes: We are determined to maintain a robust asylum process which helps those fleeing persecution and not those who wish to come to the United Kingdom to work.

We believe that allowing new asylum applicants to work could act as a pull factor for those with unfounded asylum claims. Those migrants who wish to come here for the purpose of employment have a range of schemes open to them and we continue to develop more routes to allow people to come here and work legally in ways which boost our economy.

Until 23 July 2002 there was a concession which allowed asylum seekers to seek permission to take employment if no decision had been made on their application within six months of it being lodged.

By the time we abolished the concession in July last year it had become largely irrelevant and only applicable to a minority of applicants. This was due to the increased speed with which we delivered initial decisions on applications.

Those who were given permission as part of the concession will retain their permission to work until they receive a final decision on their application for asylum. We have also maintained a discretion to grant permission to work in exceptional cases.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on European Union asylum policies; what progress has been made with the creation of a common European asylum system; and what measures need to be put into place before this can be established. [138270]

Beverley Hughes: The Tampere European Council on 15–16 October 1999 set out that the Common European Asylum System should, in its first phase, include the following: a clear and workable determination of the State responsible for the examination of an asylum application; common standards for a fair and efficient asylum procedure; common minimum conditions of reception of asylum seekers; and the approximation of rules on the recognition and content of refugee status. The Tampere European Council also called for an agreement on the issue of temporary protection for displaced persons and the completion of work on the system for the identification of asylum seekers (Eurodac).

Of the measures described above, the Council of Ministers have adopted the following: the Council Regulation of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (known as "Dublin II"); the Council Regulation of 11 December 2000 concerning the establishment of "Eurodac" for the comparison of fingerprints for the effective application of the Dublin Convention; the Council Directive of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof; and the Council Directive of 27 January 2003 laying down minimum standards for the reception of asylum seekers.

Negotiations are ongoing on the proposal for a Council Directive on minimum standards for the qualification and the status of third-country nationals and stateless persons as refugees or as persons who otherwise need international protection and the proposal for a Council Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how much asylum seekers cost public funds in the last 12 months, per head of tax paying population. [138283]

Beverley Hughes: I refer my hon. Friend to the answer I gave on 30 October 2003, *Official Report*, column 320W.

Mr. Salmond: To ask the Secretary of State for the Home Department when the Government will change its policy of deporting persons from the UK who come from countries which will accede to EU membership in May 2004; and what the reasons are for refusing leave to remain to people from accession countries. [138466]

Beverley Hughes: Nationals of the new member states will have full free movement rights from accession.

We currently intend to maintain full immigration control towards nationals of the new member states until accession. This means that we will continue to remove nationals from the new member states in the same circumstances as we do at present. The Government considers that, as a matter of policy, this approach is necessary in order to maintain an effective immigration control. In addition, the United Kingdom is under no legal obligation to grant free movement rights to nationals from the new member states before 1 May 2004.

Mr. Oaten: To ask the Secretary of State for the Home Department what steps he is taking to monitor the whereabouts of asylum seekers affected by Section 55 of the Nationality, Immigration and Asylum Act 2002; and if he will make a statement. [138479]

Beverley Hughes: As part of the initial screening process asylum seekers, including those affected by Section 55 of the Nationality, Immigration and Asylum Act 2002 (NIA Act 2002), are required to provide proof of residence at a particular address. Residence at that address is then made a condition of their temporary admission into the United Kingdom, to which other conditions may be added, principally a requirement that the asylum seeker reports regularly to the Immigration Service (IS). The Immigration and Nationality Directorate (IND) maintains databases containing the information supplied, which is also recorded in the individual Home Office (HO) file.

All applicants, and their representatives, are informed of their obligation to notify the Home Office of any subsequent change of address. This may be done either, in writing to the Change of Address Team (CoAT) in Croydon or, in person to the nearest IS Reporting Centre or Local Enforcement Office (LEO).

The IS has 11 designated Reporting Centres managing reporting regimes and in addition a person may be required to report to mobile IS staff at a police station near their address. The reporting network will be further expanded by the planned introduction of both Accommodation and Induction Centres.

Mr. Oaten: To ask the Secretary of State for the Home Department what recent representations he has received from faith groups concerning Section 55 of the Nationality, Immigration and Asylum Act 2002. [139231]

Beverley Hughes: There is no record of any representations from faith groups about Section 55 of the Nationality, Immigration and Asylum Act 2002.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department when it became his Department's policy not to enforce removals of people refused asylum to *(a)* Iraq, *(b)* Zimbabwe and *(c)* Somalia; and what the reasons are for this policy in each case. [124239]

Beverley Hughes: I refer my hon. Friend to the answer I gave on 11 July 2003, *Official Report*, column 1065.

Mr. Malins: To ask the Secretary of State for the Home Department what proportion of asylum applications within the last 12 months for which figures are available were given initial decisions *(a)* within two weeks, *(b)* within two months, *(c)* within six months and *(d)* after a period of more than six months. [135429]

Beverley Hughes: In the 12 months from April 2002 to March 2003 (the latest period for which published figures are available), 74 per cent. of substantive applications (excluding withdrawals and third country cases[1]) were decided and served within two months and 9 per cent. were decided and served within two weeks. This compares to an average of 20 months when the right hon. Member for Folkstone and Hythe was Home Secretary. The two months figure of 74 per cent. exceeded the Government's target of 65 per cent. for 2002–03 and performance is on track to meet the target for 2003–04 of 75 per cent. The corresponding data requested for initial decisions decided and served within six months will be published in the next quarterly asylum statistics, data for initial decisions decided and served after a period of six months are not available.

Information on the timeliness of initial decisions is published quarterly on the Home Office website at http://www.homeoffice.gov.uk/rds/immigration1.html.

[1] Cases which may be the responsibility of other EU member states under the Dublin Convention.

Mr. Sarwar: To ask the Secretary of State for the Home Department when he expects to have determined and finalised asylum cases which qualify under the asylum amnesty he announced recently. [137829]

Beverley Hughes: It is expected to take about six months to assess the bulk of those who may be eligible.

Bob Spink: To ask the Secretary of State for the Home Department (1) which service providers are supplying housing for asylum seekers in Essex; and in which towns those homes are provided; [135458]

(2) how many service providers are providing accommodation for asylum seekers; [135460]

(3) if he will make a statement on the current service provider contracts for housing asylum seekers; and when they will expire. [135462]

Beverley Hughes: The Immigration and Nationality Directorate has 22 contracts with providers for the supply of accommodation to eligible asylum seekers. Eight of these contracts are with the private sector, 12 with the public sector, one with a registered social landlord and one with a charity. The majority of these contracts are due to expire in 2005. There are no contracts providing accommodation in Essex.

In addition some asylum seekers are supported by local authorities under the interim regulations. No information is held centrally on contracts between individual authorities and their suppliers of accommodation.

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department how many asylum seeker families in North East Lincolnshire are eligible to remain in the UK under the recently announced amnesty. [135631]

Beverley Hughes: Families who may qualify will be asked to complete a questionnaire. On the basis of the responses and other information on our files decisions will be made about whether they qualify or not.

The number of families in North East Lincolnshire who will be eligible for a grant of indefinite leave will therefore only be known once the responses are in and the cases have been processed.

Coroners Courts (Welsh Language)

Mr. Simon Thomas: To ask the Secretary of State for the Home Department how many coroners courts in Wales have the resources for simultaneous language translation. [132347]

Paul Goggins: The information requested is not available centrally. However, I understand that the Court Service is normally able to provide suitable facilities for use by other courts and tribunals in Wales on request.

Mr. Simon Thomas: To ask the Secretary of State for the Home Department (1) what action he is taking to ensure that, in inquests, the principles laid down in the Welsh Language Act 1993 are upheld; [132348]

(2) what discussions he has had with the Welsh Language Board and the Welsh Assembly on the adequacy of only providing sequential translation as an option for those wanting a Welsh language inquest. [132355]

Paul Goggins: Coroners in Wales are expected to comply with the requirements of the 1993 Act and take responsibility for making any necessary arrangements for translation services.

The Home Office assists by providing Welsh language versions of our public information leaflets for distribution. Neither the Welsh Language Board nor the Welsh Assembly has raised any concerns with us about these arrangements.

Mr. Simon Thomas: To ask the Secretary of State for the Home Department (1) how many Welsh language inquests have used *(a)* sequential and *(b)* simultaneous translation in each year since 1997. [132349]

(2) how many applications for a Welsh language inquest have been *(a)* made and *(b)* refused in each county in Wales since 1997. [132356]

Paul Goggins: The information requested is not held centrally.

Headstones

Ms Walley: To ask the Secretary of State for the Home Department pursuant to his answer of 27 January, *Official Report*, column 622W, on headstones, when he expects to issue guidance following the report of the Burial and Cemeteries Advisory Group. [131991]

Paul Goggins: The issues surrounding memorial safety are currently being considered by a working group made up of representatives from the burial industry and other organisations. Although it has taken slightly longer than we had anticipated, work is progressing well, and we hope to issue appropriate guidance on memorial safety to local burial authorities early next year.

Speeding Fines

Mr. Paul Marsden: To ask the Secretary of State for the Home Department how many fixed penalty notices were issued in relation to speeding offences captured by *(a)* mobile speed cameras and *(b)* fixed speed cameras in each year since 1997. [138358]

Caroline Flint: Available data on the number of fixed penalty notices issued for speeding offences detected by camera in England and Wales from 1997 to 2001 (latest available) are given in the table. 2002 data will be available in the New Year. Data by type of camera device used are not collected centrally.

Fixed penalties[1] for speeding offences detected by camera[2] England and Wales, 1997 to 2001

Year	Number
1997	288,600
1998	338,800
1999	423,000
2000	599,200
2001	877,500

[1] Paid, i.e. no further action

[2] Automatic cameras until 1998, all camera types from 1999

Work Permits

Mr. Donaldson: To ask the Secretary of State for the Home Department how many work permits have been issued to foreign nationals to work in the UK in each of the past five years. [133520]

Beverley Hughes: The total number of work permit approvals for each of the past five years in the United Kingdom is as follows:

1998—53,962

1999—60,743

2000—88,651

2001—120,823

2002—136,151 (including NI figures from 1 September);

and in Northern Ireland:

1998—347 (1 May to 31 December)

1999—549

2000—863

2001—1,173

2002—1,410 (1 January to 31 August).

Asylum Reform Consultation

Lynne Jones: To ask the Secretary of State for the Home Department if he will extend the three week consultation period on new legislative proposals on asylum reform to the minimum stipulated by Criterion 5 of Cabinet Office Guidelines on written consultations. [137245]

Beverley Hughes: As my right hon. Friend the Home Secretary first announced on 22 May this year, the Government are intending to introduce further legislative measures to address the specific problems of abusive appeals and undocumented applicants in the asylum system which continue to undermine the credibility of the system. As stated in the letter we sent to stakeholders, we consider that these are urgent measures and are therefore seeking to introduce them as soon as parliamentary time allows. While we are seeking the views of key stakeholders on the new provisions we believe that further reform is needed quickly if we are to capitalise on the success of our measures to date. Further dialogue is taking place with stakeholders on specific measures and a copy of the letter to stakeholders has been placed on the website of the Immigration and Nationality Directorate so that it is available to the public.

Administrative Court

Mr. Gerrard: To ask the Secretary of State for the Home Department what the estimated costs are of cases dealt with by the Administrative Court relating to section 55 of the Nationality, Immigration and Asylum Act 2002; and how many cases these costs cover. [135451]

Mr. Lammy: One thousand and ninety six cases have been dealt with at an estimated cost to the Court Service of £120,320; the costs of solicitors and counsel representing the claimants and defendants are not included in this figure.

Police Code of Conduct (Anonymity of Suspects)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department on how many occasions a police officer has breached the Police Code of Conduct through unauthorised disclosure of information on a suspect since 1973. [138280]

Ms Blears: Information concerning the number of occasions a police officer has breached the Police Code of Conduct through unauthorised disclosure of information on a suspect since 1973 is not held centrally and could be obtained only at disproportionate cost.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department when the amendments by the Association of Chief Police Officers to their media and disciplinary guidelines on the subject of anonymity for suspects will be completed. [138281]

Ms Blears: The amendments by the Association of Chief Police Officers (ACPO) to their media and disciplinary guidelines have been completed. They give greater prominence to the issue of anonymity and underline that suspects should not be named before charge. They go on to highlight the possible dangers of doing so in that not only is there the risk of causing irreparable damage to a suspect's reputation, but also because unwarranted disclosure could leave a force open to civil proceedings. ACPO promulgated these guidelines to all forces in mid-October 2003.

Antisocial Behaviour

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how he plans to keep *(a)* the police, *(b)* environmental health and housing officers and *(c)* the community informed of new powers resulting from legislation concerning anti-social behaviour; and how he will monitor the implementation of the new legislation; [137823]

(2) how he proposes to improve the efficiency of the administration of the implementation of anti-social behaviour legislation and orders; [137825]

(3) what measures are in place to hold local authorities to account for their role in the implementation of anti-social behaviour policies. [138368]

Ms Blears: All Crime and Disorder Reduction Partnerships will be required to set out their strategy for tackling anti-social behaviour as part of their three-year Crime and Disorder Reduction Strategy. This includes setting out the tools that they intend to use, available through new or existing legislation. It is the role of Government Offices to monitor the success of the Partnership against this strategy.

In addition "Together: Tackling Anti-Social Behaviour" the Government's Action Plan sets out our strategy to ensure that all available powers are understood, that they are used effectively and that all agencies support their local communities. We will be setting up the together Actionline and website to provide accurate and high quality information on a full range of interventions and access to innovative solutions. The together Academy will bring together practitioners to provide advice and training on specific issues, and to share knowledge about new solutions to tackle anti-social behaviour.

Mr. Woodward: To ask the Secretary of State for the Home Department if he will make additional funds available to local councils for the establishment of anti-social behaviour teams with *(a)* legal support and *(b)* people trained in taking witness statements. [138174]

Ms Blears: The Home Department has set aside £75 million for the next three years to tackle anti-social behaviour. The Home Office, through this money, will fund local authorities for work to tackle anti-social behaviour; however, it will be for individual local authorities to decide how they invest funding.

In addition through the together campaign the Anti-Social Behaviour Unit will improve performance across England and Wales by providing funding to support every Crime and Disorder Reduction Partnership (CDRP); establishing a together Academy, providing training to practitioners; and establishing a together Action Line, offering advice and information on all anti-social behaviour related matters.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Minister for Crime Reduction, Policing and Community Safety will meet the hon. Member for Crosby to discuss anti-social behaviour. [138278]

Ms Blears: I would be happy to meet with my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas). If she would contact my office a meeting can be arranged.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how he intends to tackle the problem of binge drinking and associated anti-social behaviour. [138365]

Ms Blears: The answer I gave my hon. Friend on 16 September 2003, *Official Report*, column 659W, set out a number of legislative measures that are already in place to help tackle anti-social behaviour associated with drinking alcohol.

The Interim Analytical Report published by the Prime Minister's Strategy Unit in September highlighted the scale of alcohol misuse in England. The final report setting out the Alcohol Harm Reduction Strategy for England will be published in time for implementation to begin in 2004 and will contain measures to tackle the range of harms associated with alcohol misuse, including binge drinking and alcohol related crime and disorder.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on how powers of the police have been strengthened since 1997 to deal with antisocial behaviour. [138366]

Ms Blears: The Anti-social Behaviour Bill provides a number of new powers for the police:

1. Powers to close premises that are being used for drug dealing or use and causing disorder or serious nuisance.

2. The ability to issue penalty notices for truancy, for use when conducting truancy sweeps with the education welfare service

3. A power to designate areas with a history of anti-social behaviour where they can disperse groups causing intimidation and take children home who are out on the streets late at night.

4. New controls to tackle the misuse of air weapons and replica guns.

5. Improved powers for dealing with public assemblies and trespassers. This will help the police to deal with problems caused by intimidating protestors and illegal raves. There is a new power to move on trespassing encampments where there is a relevant site available.

6. New powers for local authorities to intervene in neighbourly disputes regarding high hedges.

7. Extension of the power to issue penalty notices for disorder to 16 and 17 year olds.

8. The Criminal Justice Bill will extend police stop and search powers to circumstances where they have reasonable suspicion that articles made, adapted or intended for use in offences of criminal damage are being carried.

Mr. Wray: To ask the Secretary of State for the Home Department who will make up the nuisance neighbours panels; when they will be set up; how they will be able to be contacted; what powers they will have; and what measures will be put in place to ensure complainants are protected. [136271]

Ms Blears: Nuisance neighbour panels will be going live in early 2004. Work is currently being undertaken on the composition of the panels, and finalising their core functions. Once up and running the panels will be contactable through the Anti-Social Behaviour Unit in my Department. All complainants will be anonymised.

Bechtel

Malcolm Bruce: To ask the Secretary of State for the Home Department if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department and its predecessor in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137887]

Fiona Mactaggart: I refer the hon. Member to the answer I gave on the 27 October, *Official Report*, column 109W. This answer included information provided by the agencies responsible to the Home Office.

Biometrics

Mr. Oaten: To ask the Secretary of State for the Home Department what research projects his Department has funded on the use of biometrics as a secure form of identification. [139225]

Beverley Hughes: We have funded a study by the National Physical Laboratory (NPL) on the use of iris, fingerprint and face biometrics in an identity card scheme, the results of which are on the Home Office website.

We have funded research into fingerprints through the Police Information Technology Organisation (PITO) and its predecessors, from the 1970s, chiefly through periodic 'benchmark' tests of fingerprint matching systems to ensure accuracy and security.

We have also used biometrics in several operational programmes such as the Immigration and Nationality Directorate's ARC scheme.

Bomfords/Pontrilas Sawmills

Lynne Jones: To ask the Secretary of State for the Home Department following the raids last month on two employers in the Midlands, how many of the people detained were people who had claimed asylum, had been refused but could not be returned to their country of origin because it was not safe; how many, after investigation, were found to have the right to remain but had not obtained national insurance numbers; how many were found to have the right to work and a national insurance number; of the other employees working at Bomfords and Pontrilas sawmills who were interviewed, how many were found to have the right to remain but had not obtained national insurance numbers; and how many who had the right to work were being paid below the minimum wage. [137712]

Beverley Hughes: A total of 44 individuals were detained during the course of the operations at Bomfords and Pontrilas sawmills. None fitted the above criteria. The individuals were detained because they were removable from the United Kingdom.

The operations were aimed at the detection and removal of immigration offenders. Once an individual's immigration status was established, no further inquiries were conducted on site. It is not possible therefore to give details relating to the possession of national insurance numbers.

Once an employee established to an immigration officer that he or she had the right to remain in the United Kingdom, no further inquiries were required.

Inquiries were not made into exact pay levels at Pontrilas, but it is believed that there were no staff being paid less than the minimum wage. At Bomfords the majority of labour had been provided by agencies and were employed on a piece work basis.

Child Abuse (Investigations)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) if he will make a statement on the outcome of discussions with the Association of Chief Police Officers regarding mandatory audio and visual recording of police interviews with *(a)* complainants and *(b)* other significant witnesses in investigations of past cases of abuse in children's homes; [138473]

(2) if he will make a statement on discussions with the Association of Chief Police Officers regarding the safeguards in investigations of past cases of abuse in children's homes. [138472]

Ms Blears: I am corresponding with the Association of Chief Police Officers (ACPO) regarding the investigation of past cases of child abuse in children's homes.

I wrote to the hon. member on 4 November offering a meeting to discuss these matters.

Citizenship Applications

Keith Vaz: To ask the Secretary of State for the Home Department how long it has taken to deal with citizenship applications in the last 12 months for which figures are available; how many citizenship certificates were issued in each year since 1993; and what the total income from citizenship applications has been since 1993. [133463]

Beverley Hughes: There are no data published on actual decision times to determine applications for British citizenship. Information on expected waiting times for citizenship applications are available on the IND website; www.ind.homeoffice.gov.uk and is periodically updated. As at September 2003 the expected average processing times were:

Naturalisation	7.7 months
Adult registrations	1.7 months
Minor registrations	7.9 months
Other registrations	1.3 months

Delays arise in part because applications are not always accompanied by complete documentation. Thus, the time taken for a particular individual application may be significantly less than the average if all relevant documentation has been sent with the application form. Statistics on the applications for British citizenship granted since 1993 are shown in the table below:

Year	*Applications granted*
1993	45,795
1994	44,035
1995	40,515
1996	43,070
1997	37,010
1998	53,935
1999	54,900
2000	82,210
2001	90,295
2002	120,145

Information on total income from citizenship applications before 1996 is unavailable. Information for 2000–01 is also unavailable. Total income from citizenship applications from 1996–2000 and after 2001 are shown in the table.

£000s

Year	*Nationality applications*	*ROA applications*
1996–97	800,000	Not shown separately
1997–98	869,000	Not shown separately
1998–99	6,491,068	56,656
1999–2000	7,146,783	63,248
2000–01		
2001–02	10,691,823	115,281
2002–03	18,155,419	62,731
1.4.03–30.9.03	6,478,410	48,917

Community Support Officers

Mr. Simmonds: To ask the Secretary of State for the Home Department how many Community Support Officers there are in Lincolnshire constabulary. [138227]

Ms Blears: There are currently 43 Community Support Officers on patrol within Lincolnshire police force and one vacancy.

The Home Office funds or part funds 42 of these posts. The other two, deployed within caravan sites in East Division's (Skegness), are wholly locally funded.

Mr. Simmonds: To ask the Secretary of State for the Home Department how many Community Support Officers *(a)* there are in 2002–03 and *(b)* there will be in 2003–04 in each police authority in England and Wales. [138228]

Ms Blears: The table shows the number of Community Support Officers (CSOs) recruited by each force by 1 April 2003 and the Home Office estimate for the number of CSOs in each force on 1 April 2004.

The figures given include both Home Office funded CSOs and those CSOs funded by local arrangements who have already been recruited. I anticipate that the total numbers for April 2004 will be larger for some forces as they are working to recruit additional locally funded CSOs.

Force	*CSOs recruited 1 April 2003*	*Estimate CSOs recruited 1 April 2004*
Avon and Somerset	12	46
Bedfordshire	0	12
Cambridgeshire	6	47
Cheshire	6	21
Cleveland	40	60
Devon and Cornwall	20	55
Dorset	7	7
Durham	10	35
Dyfed-Powys	0	5
Essex	10	55
Gloucestershire	0	60
Greater Manchester	160	185
Gwent	30	50
Hertfordshire	14	38
Kent	18	63
Lancashire	74	111
Leicestershire	28	45
Lincolnshire	32	44
Merseyside	40	100
Metropolitan Police	604	1,034
Norfolk	12	30
Northamptonshire	12	12
North Wales	0	8
North Yorkshire	0	37
Northumbria	0	45
Nottinghamshire	10	45
South Wales	0	50
South Yorkshire	14	42
Staffordshire	0	10
Suffolk	0	15
Surrey	52	63
Sussex	22	72
Thames Valley	0	8
Warwickshire	11	24
West Mercia	10	40
West Midlands	0	56
West Yorkshire	70	175
Wiltshire	15	25
Total	1,339	2,825

Mr. Stevenson: To ask the Secretary of State for the Home Department how many community support officers are deployed in each local authority area in Staffordshire. [137772]

Ms Blears: In May 2003 my right hon. Friend the Home Secretary allocated funding for 10 Community Support Officers (CSOs) to Staffordshire police force. The table shows the deployment of these CSOs in the local authorities of Staffordshire.

Local authority	*Number of CSOs*
Cannock Chase	0
East Staffordshire	2
Lichfield	2
Newcastle under Lyme	2
South Staffordshire	2
Stafford	0
Staffordshire Moorlands	1
Stoke on Trent	0
Tamworth	1

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department when he will reply to the letter to him dated 9 September from the right hon. Member for Manchester, Gorton, with regard to Mr. Farooq Ahmed. [133837]

Mr. Blunkett: I wrote to my right hon. Friend on 13 November 2003.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he will reply to the letter to him dated 8 September from the right hon. Member for Manchester, Gorton with regard to Mr.Yacob Yunis. [133846]

Mr. Blunkett: I wrote to my right hon. Friend on 13 November 2003.

Mr. Kaufman: To ask the Secretary of State for the Home Department for what reason he has not replied to the letter to him of 8 September from the right hon. Member for Manchester, Gorton with regard to Mr.Yacob Yonis. [135309]

Beverley Hughes: The reply is incorporated in 133846.SV 28.10.03.

Mr. Kaufman: To ask the Secretary of State for the Home Department why he has not yet replied to the letter to him dated 18 August from the right hon. Member for Manchester, Gorton with regard to Mr. Syed Ahstesham Qaisa. [136984]

Mr. Blunkett: I responded to my right hon. Friend on 30 October 2003.

Ian Lucas: To ask the Secretary of State for the Home Department if he will direct the Immigration and Nationality Department to reply to the letters from the hon. Member for Wrexham dated 2 June and 24 July in respect of Mr. Hamad Hamadimin Ahmed. [129612]

Beverley Hughes: The Immigration and Nationality Directorate wrote to my hon. Friend on 29 September 2003.

Ian Lucas: To ask the Secretary of State for the Home Department if he will direct the Immigration and Nationality Department to reply to the letters from the hon. Member for Wrexham dated 9 December 2002, 4 February 2003 and 24 July 2003 in respect of Mrs. Clementina (Ikekwoaba) Samuels. [129614]

Beverley Hughes: The Immigration and Nationality Directorate replied to my hon. Friend's letters of 9 December 2002 and 4 February 2003 on 26 March 2003. My hon. Friend's letter of 24 July 2003 was replied to on 29 September 2003.

Crime Statistics (Lincolnshire)

Mr. Simmonds: To ask the Secretary of State for the Home Department how many offences were recorded by Lincolnshire police force in each year since 1995, broken down by category. [138226]

Ms Blears: The requested information is given in the table.

There was a change of counting rules for recorded crime on 1 April 1998, which had the effect of increasing the number of crimes counted. Numbers of offences for years before and after this date are therefore not directly comparable.

The National Crime Recording Standard (NCRS) was introduced across England and Wales in April 2002. Lincolnshire Police Force introduced the Standard in March 2002. Broadly, the NCRS had the effect of increasing the number of crimes recorded by the police. Therefore, following the introduction of the Standard, numbers of recorded crimes are not comparable with previous years.

Number of offences recorded by Lincolnshire police from 1995 to 2002–03

	1995[1]	*1996*	*1997*	*1998–99*[2,3]	*1999–2000*	*2000–01*	*2001–02*[4]	*2002–03*[4]
Total crime	48,015	47,069	43,381	46,670	46,170	44,884	49,797	61,949
Violence against the person	2,514	2,701	3,051	4,239	3,866	3,743	4,812	9,238
Sexual offences	367	293	329	393	325	281	414	583
Robbery	128	138	107	149	178	191	251	307
All burglary	12,243	12,819	10,551	10,257	10,719	9,583	9,592	10,831
Theft and handling	22,774	21,085	20,085	19,328	19,551	18,938	19,728	22,745
Fraud and forgery	1,163	1,148	1,382	2,723	1,641	1,662	1,968	2,580
Criminal damage	8,138	8,289	7,145	7,728	8,391	9,078	11,282	13,694
Drug offfences[3]	—	—	—	1,229	975	906	1,116	1,060
Other offences	688	596	731	624	524	502	634	911
Theft from a vehicle	5,661	6,568	5,511	4,838	4,873	4,830	4,897	5,756
Theft of a vehicle	3,538	3,388	2,804	2,100	1,998	1,797	1,885	2,101

[1] Crimes were recorded on a calendar year basis until 1997, and on a financial year basis thereafter.
fp[2] The number of crimes recorded in that financial year using the expanded offence coverage and revised counting rules which came into effect on 1 April 1998.
[3] Up until April 1998, the existing drug offences were recorded within 'Other offences'.
[4] Lincolnshire police implemented the NCRS in March 2002. Numbers of recorded crimes after this date are not comparable with previous years.

Discrimination (Catholic Subjects)

Mr. Gummer: To ask the Secretary of State for the Home Department (1) what restrictions upon Her Majesty's Catholic subjects are contained in legislation for which his Department is responsible; and whether he intends to introduce legislation to repeal them as part of the new legislation against religious discrimination. [137816]

(2) whether he intends to introduce legislation to remove discrimination against Catholic subjects of the Crown; and if he will make a statement; [137817]

(3) if he will make a statement on his policy towards the enforcement of laws that discriminate against Her Majesty's Catholic subjects. [137818]

Fiona Mactaggart: I will write to the right hon. Member about the matters he has raised.

Donald Russell McLachlin

Mr. Chope: To ask the Secretary of State for the Home Department when the application by Donald Russell McLachlin (Ref: M525305) for indefinite leave to remain in the UK will be determined; and what the reasons for the delay are. [133567]

Beverley Hughes *[holding answer 21 October 2003]:* Mr. McLachlin's application was lodged in April. It could not be decided on initial consideration. Cases that cannot be initially decided are dealt with in order of receipt. The majority of these are expected to be decided within six months although particularly complex cases can take longer.

Applications received on or after 1 August attract a fee and we intend that decisions will be reached on these within 13 weeks. Mr. McLachlin's application was determined on 1 October and he has been informed of this decision.

I wrote to the hon. Member on 15 October to set out the position and suggest how Mr. McLachlin might proceed with an application.

Dungavel Immigration Removal Centre

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what the annual running cost of Dungavel Immigration Removal Centre was in the most recent year for which figures are available. [131553]

Beverley Hughes: The most recent year in which there are figures available for the annual running cost of Dungavel Immigration Removal Centre is 2002–03. The annual running cost for this year was £4,778,287.

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what plans he has to visit Dungavel. [131554]

Beverley Hughes: As Minister for Immigration I visited Dungavel Immigration Removal Centre in September last year. I currently have no plans to make a return visit.

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what procedures are in place to maintain teaching standards at Dungavel in circumstances where there has been a large admission of children. [131555]

Beverley Hughes: There is limited family accommodation at Dungavel Removal Centre and the number of families at the centre fluctuates from day-to-day. For example, during September there were, on any one day, as few as two school age children at Dungavel and never more than 15. The nature of immigration detention is such that there is never a large admission of children as might be the case in local schools and special arrangements do not therefore need to be made for such an eventuality.

Simon Hughes: To ask the Secretary of State for the Home Department what the cost per week is of detaining *(a)* a single adult asylum seeker in Dungavel, *(b)* a child of an asylum seeker in Dungavel, *(c)* a single asylum seeker in Tinsley House and *(d)* a child of an asylum seeker in Tinsley House. [131654]

Beverley Hughes: The average cost per place per week for detaining a person is £655 for Dungavel and £762 for Tinsley House for 2003/04.

These figures are an average cost per head. It would incur disproportionate cost to break the figures down for adults and children.

Mr. Peter Duncan: To ask the Secretary of State for the Home Department if he will make a statement on arrangements for the welfare of children being kept at Dungavel Immigration Removal Centre. [131557]

Beverley Hughes: Families with children who are detained at Dungavel Removal Centre are accommodated in a separate family unit within the centre. Each family room has en-suite facilities. There is a separate family canteen that provides three meals a day as well as a milk kitchen with facilities for younger children. There is a crèche for babies and younger children. There is education provision for all school-aged children. The curriculum includes maths, English, art and history. Science is also included and outside contacts have been set up with various agencies to facilitate the science programme. Children also have access to a library, televisions and videos and a variety of games. There is a multi-faith room at Dungavel which children are able to access with their parents.

Children have access to the open air throughout the day. There is an outdoor play facility for the younger children and separate gym time is made available for children each day.

There are health care facilities for both children and adults, with 24 hours, seven days a week on site nursing care and a GP available for surgery throughout the week.

Mrs. Geraldine Merchant

Mr. Dhanda: To ask the Secretary of State for the Home Department if he will take action to ensure that the passport of Mrs. Geraldine Merchant, Ref: M1012795, is returned to her as soon as possible. [135319]

Beverley Hughes *[holding answer 30 October 2003]:* My hon. Friend is aware that the circumstances of this case required a full investigation. However, Mrs. Merchant's application should be decided within the next two months. Her passport can be returned to her before then if she wishes but will not be endorsed with leave to remain.

Ethnic Minorities

Mr. Oaten: To ask the Secretary of State for the Home Department how many staff were employed by the Prison Service in England and Wales as *(a)* governor grade, *(b)* prison officers and *(c)* other staff on the latest date for which figures are available; and how many in each category were (i) black and (ii) Asian. [138396]

Paul Goggins: Information on the recorded ethnicity of Prison Service staff at 31 October 2003 is contained in the table.

Ethnic group	*Senior operational managers*[1]	*Officers*[2]	*Other staff*	*Total*
White	1,170	20,790	18,562	40,522
Asian	6	199	456	661
Black	10	432	768	1,210
Other Minority Ethnic	21	315	330	666
No Data	85	2,189	1,914	4,188
Total	1,292	23,925	22,030	47,247

[1] Refers to Governor grades

[2] Includes prison officers, senior officers and principal officers

Mr. Oaten: To ask the Secretary of State for the Home Department how many people were stopped and searched by each police force in England and Wales in each of the last 10 years; and how many of the people stopped were *(a)* black and *(b)* Asian. [138401]

Ms Blears: Information on the number of stops and searches under section 1 of the Police and Criminal Evidence Act 1984 and other legislation for the years 1991 to 1996, broken down by police force area, are given in Table 1 which has been placed in the Library. These figures include stops and searches of persons and vehicles. During this period there was no information collected giving the required breakdown on the ethnic group of persons stopped and searched.

Information on stops and searches of individuals from 1996–97 to 2001–02 is presented in Table 2 which has been placed in the Library, and includes a breakdown by the specific ethnic group groups requested.

Mr. Oaten: To ask the Secretary of State for the Home Department how many police officers in England and Wales were in post on the latest date for which figures are available, broken down by rank; and how many in each rank were *(a)* black and *(b)* Asian. [138482]

Ms Blears: The total number of officers in post at 31 March 2003 is contained in Table 4 of Home Office Statistical Bulletin 11/03. Information on the number of minority ethnic officers by rank is contained in Table 9. A copy of the publication including Tables 4 and 9 is available in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many new police officers were appointed during 2002; and how many of those newly appointed were *(a)* black and *(b)* Asian. [138483]

Ms Blears: The number of full time equivalent officers joining the police service in the 12 months to 31 March 2003 was 13,126. Of these, 679 (5.2 per cent.) were minority ethnic officers. There is no breakdown available for Black and Asian officers.

EU Enlargement (Migration)

Mr. Djanogly: To ask the Secretary of State for the Home Department, what estimate he has made of the number of people from countries acceding to the EU who will take up jobs in the UK in each of the three years following accession. [135080]

Beverley Hughes: Research conducted by University College London for the Home Office, published in June this year ("The impact of EU enlargement on migration flows", Home Office On-Line Report 25/03), estimates that the numbers of people who will migrate to the UK from the new member states in the years following enlargement will not be significant. The research corroborates a number of other independent studies which have been summarised in reports by the European Commission in 2000 and the former Department for Education and Employment in 1999. The estimates for those expected to migrate comprise both those coming for purposes of work and those coming for other reasons such as education.

We will monitor the situation and the UK has the right to reintroduce restrictions in the event of an unexpected impact on the standard of living or level of employment in a particular region or occupation.

Fireworks

Mr. Woodward: To ask the Secretary of State for the Home Department (1) what the estimated cost was of the misuse of fireworks not sold in retail outlets and not used in organised displays in each of the last four years; [138002]

(2) what estimate she has made of the criminal damage caused by Chinese bomb fireworks in each of the last three years. [137976]

Ms Blears: This information is not held centrally. However, Merseyside Police estimate they have spent £500,000 dealing with fireworks incidents so far this year. The recent use of fireworks as improvised explosive devices in the North-West is of particular concern.

Fireworks misuse is a nuisance and can be a danger to the public. That is why, on 5 November 2003, we announced our intention to introduce a package of measures banning possession of fireworks by under 18s, banning possession of display fireworks by members of the public and increasing penalties for throwing fireworks in the street. Further measures tackling fireworks nuisance will be taken forward in the New Year.

Forensic Science

Mr. McNamara: To ask the Secretary of State for the Home Department (1) how many pathologists on the Home Office Register of Forensic Pathology have been removed from the list since its creation; [84279]

(2) how many years each member of the Police Advisory Board for Forensic Pathology has served; and how many members have retired; [84278]

(3) by what means a coroner may alert the appropriate authorities of perceived professional shortcomings of a forensic pathologist; [84281]

(4) by what means he monitors the performance of forensic pathologists; [84280]

(5) for what reason the Police Advisory Board for Forensic Pathology's Disciplinary Tribunal recused itself before the completion of its hearing on the one occasion in the last 10 years on which it has met; what the consequences were of its recusal; and what subsequent professional activity has been undertaken by the pathologist who was the object of the complaint; [84275]

(6) if he will place the terms of reference of the Police Advisory Board for Forensic Pathology, the list of current members and a copy of the Board's Complaints and Disciplinary Procedures in the Library; [84274]

(7) to whom the Police Advisory Board for Forensic Pathology reports; and if he will place the most recent report of the Board in the Library; [84277]

(8) how many times the Police Advisory Board for Forensic Pathology has met since its creation; and if he will place minutes of its meetings in the Library. [84276]

Ms Blears: The issues raised have been dealt with in a letter from my hon. Friend the Member for Coventry, North-East (Mr. Ainsworth) on 11 June.

Dr. Kumar: To ask the Secretary of State for the Home Department how many representations he has received *(a)* in favour of and *(b)* opposed to the privatisation of the Forensic Science Service. [137531]

Ms Blears: In his statement of 17 July 2003, my right hon. Friend the Home Secretary explained the reasons for the proposal that the Forensic Science Service should become a public-private partnership. To date, there have been *(a)* no representations in favour of the proposal, and *(b)* 120 representations expressing concern about the future status of the organisation.

Fraudulent Passport Applications

Mr. Win Griffiths: To ask the Secretary of State for the Home Department who is responsible for investigating fraudulent passport applications. [139057]

Beverley Hughes: It is one of the UK Passport Service's (UKPS) primary responsibilities to ensure that UK passports are issued only to those people who are entitled to them. UKPS are responsible for identifying fraudulent applications for passports and for mounting investigations into such applications. Once initiated, these investigations are progressed in partnership with police, Immigration Service, and other law enforcement agencies.

Haslar Removal Centre

Mr. Viggers: To ask the Secretary of State for the Home Department what briefings have been given to prison staff at Haslar Removal Centre relating to *(a)* the extension of the centre, *(b)* its transfer to the Immigration Service and *(c)* its possible privatisation. [135596]

Beverley Hughes *[holding answer 4 November 2003]*: A project team has been set up to look at proposals to transfer operational responsibility for the centre from the Prison Service to IND. Staff and Trade Unions have been informed of this by means of a letter. The project team will continue to keep them informed throughout the process. The centre manager and his senior management team at Haslar were involved in a feasibility study to look at options to extend Haslar. The options did not prove to be cost effective and therefore there are no plans at present to develop the removal centre at Haslar.

Mr. Viggers: To ask the Secretary of State for the Home Department what plans other than those proposed by his Department have been put forward for the extension of the Haslar Removal Centre; and what the planned new accommodation total is in the proposals put forward by *(a)* his Department and *(b)* other bodies. [135597]

Beverley Hughes *[holding answer 4 November 2003]*: Indicative plans were prepared which looked at a number of options to extend Haslar. However, these were simply architectural sketch plans and no detailed plans have been prepared. No plans have been submitted for planning approval and at this time there is no intention of doing so. There are currently no plans to expand the Removal Centre at Haslar.

Mr. Viggers: To ask the Secretary of State for the Home Department what plans for the extension of Haslar Removal Centre have been produced by Capita. [133065]

Beverley Hughes *[holding answer 20 October 2003]*: Indicative plans were prepared by Capita for some expansion and improvement to Haslar Removal Centre, but we have no plans at present to take this forward.

Entitlement Cards/Identity Fraud

Lynne Jones: To ask the Secretary of State for the Home Department when he will publish a summary of the responses to the consultation paper on Entitlement Cards and Identity Fraud. [138663]

Beverley Hughes: On 11 November 2003, my right hon. Friend the Home Secretary made a Statement to the House announcing the publication of "Identity Cards—A Summary of Findings from the Consultation

Exercise on Entitlement Cards and Identity Fraud". This followed a lengthy public consultation under Cabinet Office guidelines.

The publication summarises the responses and the results of surveys and polling which demonstrated substantial commitment to some form of identity card, a term the public preferred to the term "entitlement card".

The Government has decided to begin the process of building a base for a national compulsory identity cards scheme. The scheme is a key part of a comprehensive strategy to contain threats from illegal migration and working, organised crime and terrorism, identity theft and fraud and fraudulent access to public services, for example by illegal immigrants who have no entitlement to them.

Imams (Entry Clearance)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many Imams have been given clearance to enter and remain in the United Kingdom in each of the last five years; and if he will make a statement. [136104]

Beverley Hughes: Information on the number of Imams given clearance to enter and remain in the United Kingdom in each of the last five years is not available except by examination of individual case-files at disproportionate cost.

Immigration

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what criteria are used by immigration officers, who release a person from immigration detention, to determine whether an address is suitable as one where the person will be required to live under the terms of the temporary admission; and what checks immigration officers are expected to carry out before releasing a person from detention to ensure an address meets these criteria. [124238]

Beverley Hughes: I refer my hon. Friend to the answer I gave on 11 July 2003, *Official Report*, column 1068.

Mr. Best: To ask the Secretary of State for the Home Department what actions he is taking to ensure that UK immigration rules are fully compliant with the Human Rights Act 1998. [132234]

Beverley Hughes: Paragraph 2 of the Immigration Rules states that all immigration staff will carry out their duties in compliance with the provisions of the Human Rights Act 1998. In preparing changes to the Immigration Rules, my right hon. Friend the Home Secretary takes detailed advice as part of his consideration of questions of compatibility with the European Convention on Human Rights from the Immigration and Nationality Directorate officials and Home Office lawyers. Judgments in individual immigration appeal cases raising human rights issues are also carefully examined for any wider potential implications for the Rules.

Mr. Malins: To ask the Secretary of State for the Home Department if he will set out his *(a)* proposals and *(b)* targets for improving the speed and quality of service for those who seek to enter the United Kingdom lawfully under the immigration rules. [134049]

Beverley Hughes *[holding answer 23 October 2003]:* The UK Immigration Service is committed to processing bona fide passengers with minimal delay, and has signed up to international standards for passenger processing times. These are embedded in the UK Immigration Service's annual business objectives, and are kept under review.

The International Air Transport Association (IATA) standards for processing passengers are:

45 minutes for non-EEA passengers.

with minimal delay for EEA passengers.

The UK Immigration Service's performance is also measured independently against the British Airports Authority (BAA) quality of service management figures, which includes queuing times. The Immigration Service continues to score well against this measure.

The Immigration Service is currently drawing up service level agreements with a number of port operators to monitor passenger processing times.

Mr. Lyons: To ask the Secretary of State for the Home Department what assessment he has made of the benefits to the UK economy of authorised immigration. [134136]

Beverley Hughes *[holding answer 27 October 2003]:* In 2001 the Home Office published a wide ranging review of the effects of migration on the UK Economy, and in 2002 its Research Directorate published four separate research reports on migrants' fiscal effects and their labour market outcomes and impacts. The studies considered various aspects of immigrants' characteristics and contribution to the UK economy.

The overall impact is positive—migrants have no significant adverse impact on non-migrants' employment and, if anything, had a positive impact on wages, suggesting they bring complementary skills. The evidence demonstrates that migrants contribute to economic growth, productivity, innovation and public finances. The fiscal study estimated that immigrants made a net £2.5 billion contribution to the economy in 1999–2000. Immigrants also help fill jobs that companies have been unable to fill from the domestic labour force.

Mr. Simon: To ask the Secretary of State for the Home Department if he will amend paragraph 302 of the Immigration Rules to permit an accompanying child to be granted a two year visa. [134555]

Beverley Hughes: The Immigration Rules will be changed shortly so that children qualifying under paragraph 302 of the rules may be granted limited leave to enter for up to two years.

Mr. Dhanda: To ask the Secretary of State for the Home Department under what circumstances the Department may retain for up to three years the passport of an individual applying for *(a)* SET (M) and *(b)* SET (F). [135318]

Beverley Hughes *[holding answer 30 October 2003]:* In both cases a passport is normally held while the application is being considered. It is unusual for documents to be held for three years as non-asylum applications are normally considered within a 12-month

period. However, only in exceptional circumstances where, for example, a further investigation is required by the Immigration Service might this time be exceeded.

Documents can be returned on request at any time before a decision has been made although they may not be endorsed.

Immigration Checks (Northern Ireland)

Rev. Martin Smyth: To ask the Secretary of State for the Home Department what immigration checks are in place at airports and ferry terminals in Northern Ireland; and under what legislation they are operating. [133296]

Beverley Hughes *[holding answer 21 October 2003]:* Permanent immigration controls operate on passengers arriving in Northern Ireland from outside the Common Travel Area (i.e. the United Kingdom (UK), Channel Islands, Isle of Man and the Republic of Ireland) under powers contained in the Immigration Act 1971 which allows immigration officers to examine passengers for the purpose of determining whether they qualify for entry, and to refuse entry to those who do not.

Permanent facilities exist for examination of such passengers at Belfast International airport and temporary facilities operate at other airports within Northern Ireland as required. No permanent control facilities exist at any ferry port as there are no regular international ferry services.

In addition to the above arrangements, UK Immigration Service has a responsibility for detecting immigration offenders within the UK, including Northern Ireland.

Separate powers exist within the 1971 Act which enable Immigration Officers to arrest those reasonably suspected of being in the UK unlawfully and for the detention, pending removal from the UK, of those found to be here unlawfully.

UK Immigration Service staff periodically conduct exercises at the main air and ferry ports in Northern Ireland to identify immigration offenders travelling between Northern Ireland and Great Britain. Offenders so identified are arrested or detained under the powers referred to above.

Rev. Martin Smyth: To ask the Secretary of State for the Home Department what restrictions there are upon immigration checks at airports and ferry terminals within Nothern Ireland in relation to the Common Travel Area; and on what basis immigration officers distinguish between those travelling within the CTA and those outside it. [133297]

Beverley Hughes *[holding answer 21 October 2003]:* The Immigration Act 1971 places statutory obligations upon airlines and ferry companies to ensure that passengers arriving from outside the Common Travel Area (CTA) are presented to an immigration officer, who has the power to examine them for the purpose of determining whether they qualify for entry, and to refuse those who do not. At Belfast International airport a separate pier exists for international passengers. At other airports, and when necessary at ferry ports, ad hoc arrangements are made to ensure that international passengers are similarly segregated from those on journeys within the CTA.

No immigration controls operate on passengers travelling on journeys within the CTA. However, if identified by a police officer or by other sources of intelligence, Immigration Officers may arrest or detain immigration offenders travelling on flights within the CTA or indeed anywhere in the UK, with a view to their removal from the UK. In doing this they use separate powers of arrest and detention contained within the 1971 Act.

Immigration Statistics

Mr. Viggers: To ask the Secretary of State for the Home Department what recent estimate he has made of the number of people in the UK who are not recorded in official statistics as authorised immigrants. [135594]

Beverley Hughes *[holding answer 4 November 2003]:* There is currently no official estimate of the number of people in the UK who are not recorded in official statistics as authorised immigrants.

Independent Police Complaints Commission

Dr. Kumar: To ask the Secretary of State for the Home Department if he will make a statement about the *(a)* cost and *(b)* remit of the Independent Police Complaints Commission. [137533]

Ms Blears: This current financial year is the Independent Police Complaint Commission's (IPCC) set up year. It has been allocated £15 million for revenue expenditure and £11.5 million for capital expenditure. The funding for future years has not yet been established.

The IPCC's remit will be as set out in section 10 of the Police Reform Act 2002. From 1 April 2004, it will be tasked with maintaining effective and efficient arrangements for recording, handling and investigating complaints about conduct and internal conduct matters relating to persons serving with the police (regular officers, police staff, special constables and contracted escort and detention officers). It will also have the function of securing that public confidence is established and maintained in those arrangements and that they manifest an appropriate degree of independence.

Managed Migration

Malcolm Bruce: To ask the Secretary of State for the Home Department if he will make a statement on how his Department's managed migration policies are attracting immigrants to Scotland. [132982]

Beverley Hughes: The Government are responsible for migration to the United Kingdom. Our managed migration policies provide legal routes of entry that will attract migrants to all parts of the UK where this will contribute to our economy and society. The Scottish Executive is complementing these policies by developing the Fresh Talent Initiative to attract migrants to Scotland.

Mrs. Kaladura Nimali Mason

John Cryer: To ask the Secretary of State for the Home Department when he will make a decision on

the application of Mrs. Kaladura Nimali Mason (reference M2013611/3) for naturalisation as a British citizen. [135912]

Beverley Hughes *[holding answer 4 November 2003]:* Mrs. Mason's application has been approved. She was sent an oath of allegiance form on 31 October 2003. Once she has sworn the oath and returned the form to the Immigration and Nationality Directorate, they will be able to issue a certificate of British citizenship.

National Asylum Support Service

Mr. Oaten: To ask the Secretary of State for the Home Department on what date the report of the independent review of the National Asylum Support Service was submitted to ministers. [133964]

Beverley Hughes: The independent team established to review the operation of the National Asylum Support Service (NASS) submitted its report on 30 May 2003.

Mr. Digby Griffith was appointed as Secretary to the independent NASS Review Team during the first week in March 2003 and took up post on 10 March. Following a national open competition he was offered the post of Head of Accommodation in NASS on 24 April. He took up post on 30 June.

Mr. Waterson: To ask the Secretary of State for the Home Department if he will make a statement on the implications of the decision of the Court of Appeal in Regina versus National Asylum Support Service. [136706]

Beverley Hughes: We welcome the findings of the Court in this case. The judgment provides valuable clarification of the extent of the Immigration and Nationality Directorate (IND)'s responsibilities for accommodating asylum seekers who have children who are sick or have disabilities. As the judgment made clear IND has always accepted that it had a duty to provide adequate accommodation for the applicant and her family, taking account of the situation of the children. Work is on-going to obtain more suitable accommodation in the area for the family.

Nationality Applications

Miss McIntosh: To ask the Secretary of State for the Home Department what the average time taken was to process an application for British nationality in the last five years was; and if he *(a)* has taken and *(b)* intends to take action to reduce that waiting time. [137072]

Beverley Hughes: There are no data published on actual decision times to determine applications for British citizenship. Information on expected waiting times for citizenship applications are available on the IND website; www.ind.homeoffice.gov.uk and is periodically updated. As at the end of October 2003 the expected average processing times were:

Applications	*Months*
Naturalisation	6.2
Adult	2.0
Minor	6.9
Other	1.4

However, this time may be significantly reduced if all relevant documents are sent with the application form.

The casework consideration process has been extensively reviewed by the Nationality Group to minimise delays. This has resulted in a reduction to waiting times during this financial year; over 25 per cent. of cases are now decided within one month of receipt. In addition to this, a review of Nationality Group processes was commissioned to focus on ways of reducing the backlog of work and cutting waiting times further. The review report was accepted by the Minister in October .An action plan is now being formulated to take forward its recommendations.

Nationality, Immigration and Asylum Act

Mr. Malins: To ask the Secretary of State for the Home Department in relation to sections *(a)* 96, *(b)* 97 and *(c)* 98 of the Nationality, Immigration and Asylum Act 2002, how many cases have been certified by the Secretary of State in accordance with that section; how many cases so certified have been challenged (i) by judicial review and (ii) otherwise; how many challenges were successful; and what the grounds were in each case of challenge. [135430]

Beverley Hughes: I regret that the information requested is unavailable and could be obtained only at disproportionate cost.

Statistics on the numbers of certified refusals at asylum initial decisions and the outcomes of any subsequent appeals or judicial reviews are not separately available in relation to sections 96, 97 and 98 of the Nationality, Immigration and Asylum Act 2002.

Statistics on the outcomes of initial asylum decisions and appeals are published quarterly. The next publication will be available from the 27 November 2003 on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Malins: To ask the Secretary of State for the Home Department how many cases certified as clearly unfounded under Section 94(3) of the Nationality and Immigration Asylum Act 2002 have been *(a)* challenged successfully and *(b)* challenged unsuccessfully by judicial review; and, in each case where the challenge was successful, what the grounds of the challenge were. [135431]

Beverley Hughes: Section 94(3) of the Nationality, Immigration and Asylum Act 2003 relate to nationalities subject to non-suspensive appeal (NSA). NSA provisions have been applied since 7 November 2002. The number of applications received from such nationalities has fallen significantly.

I regret that the information requested is not available and could only be obtained at disproportionate cost.

Information on asylum initial decisions is published quarterly. The next publication will be available on 27 November 2003 on the Home Office Research Development and Statistics Directorate web site at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Malins: To ask the Secretary of State for the Home Department (1) in how many cases considered under section 94(3) of the Nationality, Immigration and Asylum Act 2002 he decided that the claim was not clearly unfounded, broken down by country of origin of claimants; [135433]

(2) how many *(a)* asylum and *(b)* human rights claims were certified by the Secretary of State as clearly unfounded under Section 94(3) of the Nationality Immigration and Asylum Act 2002, broken down by country of origin of claimant. [135434]

Beverley Hughes: I regret that the information requested is not available and could be obtained only at disproportionate cost.

Information on asylum initial decisions is published quarterly. The next publication will be available on 27 November 2003 on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Overseas Students (Visa Charges)

Mr. Brady: To ask the Secretary of State for the Home Department what estimate he has made of the number of overseas pupils attending boarding schools in the United Kingdom who will be required to pay visa charges under new regulations. [133935]

Beverley Hughes: No figures are available for the number of boarding school children who will be required to pay for applications for leave to remain in the United Kingdom following the introduction of charging for leave to remain which was introduced on 1 August 2003.

The cost of an application for leave to remain in the United Kingdom is £155 if sent by post or £250 if lodged in person.

Mr. Brady: To ask the Secretary of State for the Home Department what estimate he has made of the number of overseas pupils attending boarding schools in the United Kingdom who will miss a period of school due to delays in granting visas. [133936]

Beverley Hughes: Student entry clearance applications do not allow us to differentiate those attending boarding schools from others. Globally, over 90 per cent. of all straightforward applications were processed within 24 hours in the financial year 2002–03. By their nature applications from boarding school students are straightforward in most cases.

UK visas has not received any complaints that students have missed school due to delays in processing entry clearance applications.

Mr. Cousins: To ask the Secretary of State for the Home Department whether the additional charges for overseas student visas contain an element for cost recovery for the past costs of administering such visas in accordance with Treasury guidance. [136540]

Beverley Hughes: The fees are set under Treasury rules to recover the full administrative cost entailed in considering applications and no more. This is calculated taking the overall costs of processing applications for one year divided by the number of decisions we expect to make.

Treasury guidelines state that the only actual costs may be recovered.

The costs of dealing with applications which do not attract a fee cannot be recovered from fee paid for applications.

Treasury rules require the Immigration and Nationality Directorate to carry out an annual fee review.

Mr. Brady: To ask the Secretary of State for the Home Department pursuant to the statement by the Under-Secretary of State of 22 October 2003, *Official Report*, column 311WH, on visa charges, what discretion his Department has in interpreting Treasury rules on the setting of charges for visas for overseas students. [134907]

Beverley Hughes: There are no plans to increase student visa fees at this time. However, visa fees are kept under review and may be increased in order to ensure that the entry clearance operation recovers its full costs.

The fees for leave to remain applications are set under Treasury rules to recover the full administrative cost entailed in considering applications and no more. This is calculated by taking the overall costs of processing applications divided by the number of decisions we expect to make. This is the same method used to calculate the costs of entry clearance/visa fees. There is a scale of fees for entry clearance depending on the type of visa being applied for. We were unable to introduce differential charging for leave to remain applications, as our current accounting structure does not allow for this. Consultation would not have changed this. However, this is not to close off the potential for differential charging in the future and we will again consider this when charges are reviewed.

Fees and charges for statutory services are set in accordance with Treasury guidelines.

Mr. Lansley: To ask the Secretary of State for the Home Department when the Minister of State will reply to the letter of 17 September from the General Secretary of the Independent Schools Council concerning visa charges for school pupils. [133070]

Beverley Hughes: A reply to Alistair Cooke's letter of 17 September was sent on 20 October.

Mr. Lansley: To ask the Secretary of State for the Home Department when, and by what means, he advertised the introduction of visa charges for overseas pupils attending United Kingdom schools. [133071]

Beverley Hughes *[holding answer 20 October 2003]*: Theconcept of charging has been in the public domain for some time since it was debated during the passage of the Immigration and Asylum Act 1999. My right hon. Friend the Home Secretary further stated his intention to charge in the White Paper: "Secure Borders, Safe Haven: Integration with Diversity in Modern Britain" published on 7 February 2000.

The day the regulations were laid (10 July) there was a public announcement by way of a Press Release; information was available on the Immigration and Nationality Directorate (IND) Website and a leaflet 'Information about New Charges' was available to customers by post and in the Public Enquiry Offices. The leaflet was also sent to IND stakeholders.

Passports

Mr. Goodman: To ask the Secretary of State for the Home Department what research he has carried out into the effects on those on low incomes of introducing fees for *(a)* applications for variation of leave and *(b)* endorsing passports. [136962]

Beverley Hughes: We have not carried out any research into the effects to those on low incomes by the introduction of charging for leave to remain applications but the Immigration Rules require a person applying for leave to remain to be able to maintain and accommodate themselves and any dependants without recourse to public funds

Police Authorities

Mr. Key: To ask the Secretary of State for the Home Department if he will list the members of the Wiltshire Police Authority indicating *(a)* who nominated them, *(b)* who appointed them and *(c)* their political affiliation. [137348]

Ms Blears: There are 17 members of Wiltshire police authority made up of nine councillors, three magistrates and five independent members, as shown in the table:

Wiltshire Police Authority

Members	*Political affiliation*
Councillors	
Mrs. C. Arkell	Conservative
Mr. B. Ford	Conservative
Mrs. M. Groom	Conservative
Mrs. C. Soden	Conservative
Mr. W. Spiers	Conservative
Mr. D. Benfield	Labour
Mrs. M. Taylor	Labour
Mrs. M. Boulton	Liberal Democratic
Mr. P Sample	Liberal Democratic
Magistrates	
Mr. G. Baskerville	—
Mr. F. Palmer	—
Mrs. M. Sitaram	—
Independent Members	
Mr. W. Fishlock	—
Mr. C. Hoare	—
Mr. I. Johnston	—
Miss A. Scofield	—
Mr. H. Woolnough	—

Councillors and magistrate members are nominated locally. The final decision on independent members is also taken locally but from a short list provided by my right hon. Friend the Home Secretary. Members are appointed under the terms of Schedule 2 of the Police Act 1996

The political affiliations of magistrate and independent members are not relevant to the appointment to the police authority and are not known.

Mr. Hoyle: To ask the Secretary of State for the Home Department what guidance he issues on the range of organisations to be represented on police authorities, with particular reference to the number of representatives from *(a)* district and *(b)* county councils. [137508]

Ms Blears: The standard membership of a police authority outside London under section 4(1) of the Police Act 1996 is 17 members, of whom nine will be councillors appointed from relevant councils, three will be magistrates appointed by the local Magistrates Courts Committee and five will be appointed from local people (independent members) who mainly live or work in the police area. The Home Office and Association of Police Authorities published joint guidance on the selection and appointment of independent members of police authorities in England and Wales on 20 September 2002. This guidance reflects the intention in the Act that the independent membership should, as far as practical, represent the interests of a wide range of people in the community and be appropriately skilled. It does not specify organisations.

Where there is a single relevant council in a police area, it selects from its membership the nine councillor members of the police authority according to political balance. If there is more than one relevant council, then a Joint Committee of those councils makes the appointments on the balance of parties prevailing among the members of the relevant councils taken as a whole. The apportionment between relevant councils is a matter for the Joint Committee. This is set out in Schedule 2 of the Police Act 1996 as amended.

Rural Policing

Mr. Simmonds: To ask the Secretary of State for the Home Department how much funding has been made to each police authority in England and Wales since 1995 under the Rural Sparsity Grant. [138232]

Ms Blears: The Rural Policing Fund was introduced in 2000–01. Allocations to the end of this financial year are set out in the table.

Rural Policing Fund—allocations 2000–01 to 2003–04

£

Police authority	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Avon & Somerset	494,892	992,875	993,718	978,223
Bedfordshire	81,390	163,540	163,555	164,272
Cambridgeshire	561,585	1,125,169	1,126,395	1,098,821
Cheshire	115,058	228,487	227,493	228,073
Cumbria	690,613	1,370,910	1,360,324	1,355,658
Derbyshire	208,347	416,190	415,196	407,488
Devon & Cornwall	1,554,673	3,114,489	3,128,806	3,122,895
Dorset	221,858	442,209	443,158	441,478
Durham	124,270	246,803	245,259	239,908
Dyfed Powys	1,297,570	2,588,337	2,583,979	2,621,899
Essex	251,315	503,710	504,105	501,773
Gloucestershire	387,093	776,548	775,749	778,455
Gwent	102,895	204,476	203,489	202,360
Hampshire	110,175	220,430	219,680	219,421
Humberside	357,640	710,250	705,395	698,109
Kent	298,863	599,342	599,700	595,161
Lancashire	32,228	64,054	63,835	63,419
Leicestershire	216,758	433,988	433,164	428,056
Lincolnshire	985,951	1,978,690	1,984,449	2,032,554
Norfolk	1,036,848	2,078,830	2,085,509	2,076,414
Northamptonshire	350,892	704,141	705,137	712,539
North Wales	770,617	1,533,723	1,530,130	1,542,644
North Yorkshire	1,005,224	2,013,806	2,018,359	2,018,029
Staffordshire	138,358	275,072	273,147	270,884
Suffolk	711,353	1,422,627	1,424,923	1,407,313

Rural Policing Fund—allocations 2000–01 to 2003–04

£

Police authority	2000–01	2001–02	2002–03	2003–04
Surrey	5,463	11,048	11,006	10,825
Sussex	273,834	550,563	549,849	541,847
Thames Valley	629,559	1,262,860	1,261,933	1,245,238
Warwickshire	282,108	562,546	561,338	558,987
West Mercia	1,157,670	2,311,653	2,309,690	2,341,925
Wiltshire	544,900	1,092,634	1,091,530	1,095,332
Totals	15,000,000	30,000,000	30,000,000	30,000,000

Police Strength

Mr. Simmonds: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* police civilian staff each police authority in England and Wales had in each year since 1995. [138234]

Ms Blears: The following tables show the number of police officers from 1995 to 2003 and police staff from 1996 to 2003 (1995 data not available) for each police force area in England and Wales.

Police officer strength[1]

	Mar 1995	Mar 1996	Mar 1997	Mar 1998	Mar 1999	Mar 2000	Mar 2001	Mar 2002	Mar 2003[2]
Avon and Somerset	3,000	2,981	2,989	2,976	2,999	2,934	2,994	3,096	3,149
Bedfordshire	1,126	1,128	1,094	1,079	1,041	1,028	1,036	1,069	1,106
Cambridgeshire	1,261	1,238	1,302	1,291	1,274	1,237	1,296	1,362	1,384
Cheshire	1,932	1,998	2,046	2,042	2,071	2,011	2,002	2,059	2,119
Cleveland	1,438	1,420	1,459	1,483	1,416	1,404	1,407	1,461	1,582
Cumbria	1,167	1,115	1,144	1,164	1,126	1,084	1,048	1,100	1,140
Derbyshire	1,797	1,763	1,791	1,772	1,759	1,777	1,823	1,848	2,003
Devon and Cornwall	2,877	2,899	2,865	2,962	2,887	2,841	2,934	3,053	3,202
Dorset	1,288	1,263	1,284	1,310	1,279	1,306	1,354	1,381	1,416
Durham	1,353	1,401	1,461	1,515	1,568	1,558	1,595	1,614	1,651
Essex	2,921	2,884	2,961	2,928	2,891	2,806	2,897	2,946	2,989
Gloucestershire	1,163	1,133	1,133	1,104	1,104	1,114	1,173	1,183	1,227
Greater Manchester	7,037	6,938	6,922	6,949	6,810	6,795	6,909	7,217	7,343
Hampshire	3,256	3,347	3,452	3,490	3,473	3,419	3,438	3,480	3,668
Hertfordshire	1,703	1,712	1,759	1,740	1,724	1,767	1,922	1,825	1,957
Humberside	2,029	2,041	2,045	2,021	1,974	1,932	1,917	2,058	2,105
Kent	3,117	3,120	3,260	3,251	3,201	3,204	3,319	3,355	3,487
Lancashire	3,212	3,171	3,247	3,257	3,245	3,179	3,255	3,304	3,339
Leicestershire	1,839	1,908	1,949	1,983	1,993	1,993	2,032	2,100	2,114
Lincolnshire	1,199	1,145	1,196	1,191	1,140	1,115	1,202	1,198	1,221
City of London	885	869	859	825	778	732	703	764	808
Merseyside	4,659	4,411	4,230	4,216	4,211	4,085	4,081	4,125	4,099
Metropolitan police	27,480	27,343	26,677	26,094	26,073	25,485	24,878	26,223	27,984
Norfolk	1,395	1,401	1,432	1,430	1,381	1,381	1,420	1,468	1,499
Northamptonshire	1,156	1,153	1,177	1,169	1,137	1,117	1,157	1,214	1,210
Northumbria	3,606	3,668	3,677	3,769	3,840	3,788	3,857	3,929	3,943
North Yorkshire	1,300	1,324	1,338	1,367	1,337	1,283	1,305	1,417	1,444
Nottinghamshire	2,319	2,318	2,323	2,323	2,225	2,204	2,275	2,330	2,411
South Yorkshire	3,040	3,073	3,159	3,182	3,168	3,163	3,197	3,199	3,183
Staffordshire	2,231	2,209	2,211	2,292	2,238	2,170	2,129	2,133	2,202
Suffolk	1,191	1,138	1,180	1,186	1,190	1,145	1,133	1,203	1,253
Surrey	1,676	1,644	1,620	1,608	1,662	1,785	2,066	1,992	1,906
Sussex	2,931	3,074	3,085	2,996	2,847	2,822	2,855	2,893	2,989
Thames Valley	3,854	3,674	3,695	3,776	3,748	3,740	3,703	3,762	3,833
Warwickshire	1,013	979	926	924	908	900	926	969	997
West Mercia	2,046	2,017	2,040	2,010	2,025	1,887	1,951	2,018	2,256
West Midlands	7,019	7,145	7,113	7,156	7,321	7,194	7,423	7,681	7,751
West Yorkshire	5,050	5,142	5,209	5,155	4,982	4,822	4,815	4,889	5,029
Wiltshire	1,261	1,218	1,154	1,156	1,151	1,118	1,120	1,157	1,158
Dyfed-Powys	976	991	1,005	1,002	1,026	1,040	1,055	1,132	1,149
Gwent	997	1,044	1,243	1,233	1,247	1,264	1,274	1,333	1,341
North Wales	1,366	1,378	1,369	1,396	1,391	1,403	1,444	1,506	1,539
South Wales	3,014	3,027	2,976	2,986	2,981	2,926	3,154	3,222	3,239
Total	125,180	124,844	125,051	124,756	123,841	121,956	123,476	127,267	131,426

[1] Full-time equivalents.
[2] Comparable strength.

Civilian staff strength[1]

	Mar 1996	Mar 1997	Mar 1998	Mar 1999	Mar 2000	Mar 2001	Mar 2002	Mar 2003
Avon and Somerset	1,213	1,438	1,393	1,424	1,436	1,452	1,611	1,785
Bedfordshire	472	484	523	483	490	491	524	595
Cambridgeshire	530	607	574	586	503	614	733	786
Cheshire	690	735	781	785	823	833	884	1,008
Cleveland	553	609	586	552	595	586	626	694
Cumbria	408	451	451	442	469	588	631	676
Derbyshire	656	723	787	818	826	875	953	1,061
Devon and Cornwall	1,121	1,159	1,186	1,215	1,343	1,453	1,639	1,834

Civilian staff strength[1]

	Mar 1996	Mar 1997	Mar 1998	Mar 1999	Mar 2000	Mar 2001	Mar 2002	Mar 2003
Dorset	621	615	651	702	686	682	74.1	793
Durham	531	583	557	559	590	566	660	602
Essex	1,130	1,199	1,252	1,273	1,348	1,447	1,571	1,682
Gloucestershire	415	435	423	504	484	506	545	590
Greater Manchester	2,749	2,612	2,661	2,623	2,822	2,858	3,135	3,173
Hampshire	1,323	1,316	1,331	1,381	1,443	1,424	1,597	1,720
Hertfordshire	754	818	831	835	890	935	1,121	1,299
Humberside	683	718	789	840	840	808	816	880
Kent	1,141	1,384	1,470	1,582	1,647	1,796	1,958	2,095
Lancashire	1,349	1,126	1,143	1,198	1,422	1,369	1,442	1,489
Leicestershire	667	755	774	802	805	806	816	934
Lincolnshire	442	521	541	517	516	561	600	641
City of London	324	347	334	314	285	233	247	268
Merseyside	1,560	1,343	1,502	1,356	1,458	1,418	1,532	1,752
Metropolitan police	14,372	13,493	12,432	11,257	10,605	10,040	10,459	11,358
Norfolk	529	603	646	648	655	694	819	924
Northamptonshire	511	554	577	587	599	694	742	812
Northumbria	1,319	1,365	1,362	1,443	1,417	1,344	1,403	1,457
North Yorkshire	520	519	543	541	492	591	743	723
Nottinghamshire	979	1,003	987	1,039	1,024	1,039	1,087	1,180
South Yorkshire	1,418	1,291	1,243	1,273	1,391	1,312	1,352	1,510
Staffordshire	754	763	866	1,004	858	935	1,030	1,146
Suffolk	485	522	583	594	600	621	692	713
Surrey	754	727	743	733	762	897	1,043	1,245
Sussex	1,131	1,149	1,185	1,393	1,328	1,454	1,507	1,578
Thames Valley	1,738	1,825	1,827	1,799	1,786	1,891	2,061	2,412
Warwickshire	376	376	398	406	394	412	459	503
West Mercia	964	942	975	975	1,043	1,095	1,116	1,233
West Midlands	2,780	2,739	2,817	2,652	2,695	2,819	3,007	3,012
West Yorkshire	2,037	2,234	2,304	2,216	2,199	2,228	2,364	2,538
Wiltshire	453	475	519	555	563	622	649	703
Dyfed-Powys	310	322	341	341	359	401	459	502
Gwent	378	452	477	487	498	537	570	607
North Wales	512	476	479	508	519	498	645	703
South Wales	1,287	1,206	1,132	1,223	1,081	1,270	1,435	1,366
England and Wales	52,933	53,011	52,975	52,465	52,588	53,693	58,022	62,581

[1] Full-time equivalents.

Police Reorganisation

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what plans he has to reorganise the Police Service in England. [137851]

Ms Blears: A major consultation exercise on the future direction of police reform was launched on 4 November 2003 with the publication of "Policing: Building Safer Communities Together". Among other things, this paper opens the debate on whether the current 43 force structure in England and Wales is the right one for today's and tomorrow's policing needs.

We are clear that any structural change will need to deliver improvements in police performance and delivery of service.

Deportations

Denzil Davies: To ask the Secretary of State for the Home Department how many individuals who had been refused political asylum were deported in each of the last three years for which figures are available. [137060]

Beverley Hughes: Deportations are a just one type of removal; others include: persons subject to administrative removal, removal due to illegal entry action or those refused entry at port and subsequently removed.

The table shows the number of asylum seekers who were removed from the United Kingdom between 2000 and 2002. These are steadily being increased.

Removals and voluntary departures[1] *of asylum applicants, 2000 to 2002*[2]

	2000	2001	[3]2002
Principal Applicants	8,980	9,285	10,740
Dependants[4]	N/a	1,495	3,170

[1] Figures have been rounded to the nearest five.

[2] Includes persons departing "voluntarily" after enforcement action has been initiated against them and persons leaving under the Assisted Voluntary Return Programmes run by the International Organisation for Migration, and removals on safe third country grounds.

[3] Provisional data subject to change.

[4] Data on dependants removed have been collected only since April 2001 onwards.

N/A—Not available

Information on asylum removals is published quarterly. The next publication will cover the third quarter (July to September) of 2003 and will be available from 27 November 2002 on the Home Office Research Development and Statistics Directorate website at: http://www.homeoffice.gov.uk/rds/immigration1.html.

Denzil Davies: To ask the Secretary of State for the Home Department how many individuals lost their appeals to the adjudicator against the refusal of political asylum in the last three years for which figures are available. [137061]

Beverley Hughes: The latest available data is given in the following tables. The tables show the outcomes of appeals determined by adjudicators of the Immigration Appellate Authority (IAA), further appeals to the tribunal (including those brought by the Secretary of State), and applications for judicial review in the last three years. Only a proportion of those that are refused asylum lodge appeals, and the majority of appeals are dismissed.

Cases are determined according to their individual merits. The figures relate to numbers of cases; appeals determined by the IAA may relate to initial decisions made in previous years, and appeals determined by the IAT may relate to cases determined at the IAA made in previous years.

Asylum appeals determined by adjudicators of the Immigration Appellate Authority, excluding dependants[1,2]

Number of principal appellants

		Allowed[4]		*Dismissed*[4]		*Withdrawn*[4]	
	Total determined[3]	*Total*	*As percentage of total determined*	*Total*	*As percentage of total determined*	*Total*	*As percentage of total determined*
2000	19,395	3,340	17	15,580	80	475	2
2001	43,415	8,155	19	34,440	79	825	2
2002	64,405	13,875	22	48,845	76	1,685	3
2003							
Q1	20,595	3,480	17	16,445	80	670	3
Q2	19,345	4,060	21	14,875	77	415	2

[1] Figures, other than percentages, rounded to the nearest 5. Numbers might not add up due to rounding.
[2] Data for 2002 and 2003 are provisional.
[3] Based on information supplied by the Department for Constitutional Affairs. Determinations do not necessarily relate to appeals received in the same period.
[4] Based on data supplied from the Presenting Officers Unit within the Home Office.
Note:
Estimate. Figures rounded to the nearest hundred, and subject to later revision.

Further appeals to the Tribunal, decisions, and the outcome of tribunal hearings, excluding dependants, 2000 to 2002[1]

Number of principal appellants

	Applications for leave to appeal to the tribunal[2]		*Appeals to the tribunal*[2]	
	Applications	*Decisions*	*Received*	*Determined*
2000	6,020	5,490	1,615	2,635
2001	15,540	13,540	3,860	3,190
2002(P)	25,600	22,825	6,920	5,565

Number of principal appellants

	Outcome of tribunal hearings[3]			
	Allowed	*Dismissed*	*Withdrawn*	*Remitted to adjudicators for further consideration*
2000	815	1,385	220	215
2001	475	1,140	150	1,430
2002[4]	620	2,015	225	2,700

Number of principal appellants

	Outcome of Tribunal Hearings[3]					
	Appellant			*Secretary of State*		
	Allowed	*Dismissed*	*Withdrawn*	*Allowed*	*Dismissed*	*Withdrawn*
2000	650	1,225	185	170	165	35
2001	315	1,020	25	160	120	25
2002[4]	410	1,880	210	215	130	15

[1] Figures rounded to the nearest 5. Numbers might not add up due to rounding.

[2] Figures based on data supplied by the Department for Constitutional Affairs. Decisions and determinations do not necessarily correspond to applications and appeals received in any given year.

[3] Figures supplied by the Presenting Officers Unit. Figures for October—December 1999 are based on data for November-December.

[4] Provisional figures.

Note:

Revised figures.

Applications for judicial review, and outcomes, excluding dependants, 1994 to 2002

	Applications for leave to move for judicial review[1]				
	Applications	*Decisions*[2]	*of which granted leave to move*	*Percentage of applicants granted leave to move*[3]	*Total*
2000[p]	1,920	2,095	555	(26)	365
2001[p]	2,210	2,300	290	(13)	260
2002[r]	3,075	2,980	260	(9)	25

	The outcome of judicial review hearings[1]				
	Allowed[4]		*Dismissed*[5]		*Withdrawn*
	As percentage of total determined	*Total*	*As percentage of total determined*	*Total*	*As percentage of total determined*
2000[p]	(48)	300	(40)	95	(12)
2001[p]	(68)	60	(16)	60	(16)
2002[r]	(30)	60	(67)	5	(3)

[1] Figures based on Administrative Court data. Figures (other than percentages) rounded to the nearest 5 with . = 1 or 2.
[2] Decisions do not relate to applications in any given period.
[3] The number of which granted leave to move as a percentage of decisions.
[4] The decision of the respondent (in this case, the Home Office or the Department for Constitutional Affairs) was quashed. These figures include consent orders where the JR was conceded by the respondent.
[5] The decision of the respondent was upheld.
[6] Figures exclude judicial reviews brought in cases relating to asylum support (NASS).
[7] Provisional figures.

Figures on asylum appeals are published quarterly and are available on the Home Office Research Development and Statistics Directorate web site at http://www.homeoffice.gov.uk/rds/immigration1.html

Prisoner Transfers

Bob Russell: To ask the Secretary of State for the Home Department (1) how many vehicles he has had available on average on each day in the last three months for the transfer of prisoners *(a)* between prisons and *(b)* between court and prison; and how many vehicles are operated by the private sector; [137482]

(2) how many prisoners on average were transferred each day between prisons and between court and prison in the last three months. [137483]

Paul Goggins: There were around 1,600 prisoner movements between courts and prisons and around 300 prisoners transferred between prisons by private sector contractors on average, each day, in the last three months. No central record is kept of prisoners transferred by the Prison Service.

On average, 760 vehicles were available each day in the last three months for the transfer of prisoners, 706 of which were operated by private sector contractors. 54 vehicles are owned by and are available to the Prison Service.

Prison Reception Areas

Mr. Caton: To ask the Secretary of State for the Home Department if he will list those of Her Majesty's Prisons that have no covered reception area for visitors. [138152]

Paul Goggins: The procedures for managing visitors awaiting entry to a prison varies at each establishment and is not recorded centrally.

The provision of a covered area immediately outside the gates is often dependent on the structural design of the prison building. However, around 109 establishments provide a visitors' centre which offers visitors both shelter and, in most cases, support services that are available before and immediately after the visit is due to take place.

Many of those who do not have a centre provide basic facilities such as a waiting area. Recent enquiries suggest that around 10 prisons appear to have no current plans for a visitors' centre and we are exploring with them their intentions in terms of assisting visitors.

Prison Suicides

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what measures are being introduced to reduce the suicide rate in prisons apart from the installation of safe cells. [138369]

Paul Goggins: The Prison Service is in the final year of a three-year programme to develop policies and practices to reduce prisoner suicide in prisons. Over the next few months the outcome of this programme will be reviewed taking into account pilot project evaluations and emerging research findings. The next steps and approaches will be resolved in consultation with partner agencies such as the Youth Justice Board and outside organisations such as Samaritans.

As part of this close partnership with other agencies and organisations, there has been a targeting of efforts where the risks are highest. A particular focus, and an investment of over £21 million over the three year programme, has been on physical improvements at six pilot sites. These improvements have been in reception, first night and induction areas, installing more first night centres, and by having more crisis suites and gated cells that enable staff to watch at-risk prisoners closely.

Dedicated drug detoxification units and mental health in-reach support have also been established, along with a series of inter-related projects to develop improved suicide prevention and self-harm management policies, concentrating on pre-reception, reception and induction arrangements; inter-agency information exchange; prisoner care and peer support, and learning from investigations into deaths in custody.

Prison Service Suicide Prevention Co-ordinators have been trained and are now operating in the majority of prisons. Additionally, the Samaritans are recruiting and training more prisoner peer supporters (known as Listeners) in high-risk establishments. Listeners are prisoner volunteers who are selected, trained and supported by Samaritans to offer confidential support to their fellow prisoners who may be at risk of suicide, otherwise in crisis, or simply in need of someone to talk to. 1,241 new Listeners were recruited between 1 October 2001 and 31 March 2003 with further recruitment and training continuing. The scheme's objectives are to assist in preventing suicide, reducing self-harm and to help alleviate the feelings of those in distress.

Race Equality

Vera Baird: To ask the Secretary of State for the Home Department what assessment he has made of the impact of the Race Relations (Amendment) Act 2000 in promoting race equality; and what criteria he applied in carrying out the assessment. [137059]

Fiona Mactaggart: The Government work closely with the Commission for Racial Equality, (CRE) which has statutory responsibility for enforcing the duty to promote race equality under the Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000).

The CRE commissioned Schneider-Ross, a firm of diversity consultants to evaluate the response of public authorities to the statutory duty to promote race equality. The research had two main elements, quantitative and qualitative, covering two core stages. The first of these was a questionnaire based survey of 3,338 public authorities and educational institutions, using two questionnaires designed to address the different elements of the general and specific duties that apply to the two broad categories. The second was an analysis of a random sample of 143 race equality schemes and policies from the main sectors covered by the duty, assessed against the recommendations of CRE Code of Practice and CRE guidance materials.

The Schneider-Ross report found that overall local government was the highest achieving sector. Around a third of local authorities were on track; a third had good foundations to respond well to the duty to promote, and, a third needed to carry out more work in order to comply. The criminal justice service was strong, especially in the police and probation services. The weakest sector was schools.

The Home Office has initiated a Race Relations (Amendment) Act Strategic Sectoral Audit.

The audit is a sector by sector analysis of whether the key ingredients for success are present or not in each sector. The work on mapping the landscape of current sector activity builds on the findings of the Schneider-Ross survey. We are working closely with the CRE to take this forward quickly so that necessary support and attention can be made available to those public bodies who need it.

Hendon Police College (Racism)

Mr. Dismore: To ask the Secretary of State for the Home Department what steps are being taken to deal with the issue of racism at the Peel Centre Police College, Hendon; and if he will make a statement. [136824]

Ms Blears: The Commissioner of Police of the Metropolis tells me that the Department of Professional Standards and senior managers at Hendon Training College have already taken action on recently reported cases. One student at Hendon has resigned as a result of making racist comments; two fellow students have been suspended as a result of failing to report the above incident; one student has resigned as a result of making a sexist comment.

The Commissioner has recently established a working group to bring together work already undertaken by the Metropolitan Police Service in relation to race and diversity. Part of this work includes a review of Hendon Training School.

Rape

Vera Baird: To ask the Secretary of State for the Home Department how many convictions for rape involving the use of drugs there were in *(a)* 2001, *(b)* 2002 and *(c)* the first half of 2003. [129669]

Paul Goggins: The statistics collected centrally do not enable convictions for rape involving the use of drugs to be identified.

Staff Training (Non-departmental Public Bodies)

Mrs Curtis-Thomas: To ask the Secretary of State for the Home Department whether it is compulsory for his Department's staff to undertake training on the Home Office/non-departmental public body relationship as soon as they begin dealing with NDPBs. [138244]

Fiona Mactaggart: For each Non Departmental Public Body (NDPB), there is a corresponding Sponsor Team who are the first point of contact in the Home Office, and are responsible for managing the relationship. These Sponsor Teams are collectively supported by an Advisory Team, offering specialist knowledge, and a network of contacts across the Home Office and in other Government Departments.

Individual Home Office members of staff agree personal development and training plans annually with their managers. This would be undertaken immediately they join a Sponsor Team or the Central Advisory Team. In either of these teams training is not mandatory but is tailored to the individuals according to theirs and the Department's need.

Mrs Curtis-Thomas: To ask the Secretary of State for the Home Department under what circumstances training is given to his Department's staff who deal with non-departmental public bodies. [138245]

Fiona Mactaggart: For each Non Departmental Public Body (NDPB), there is a corresponding Sponsor Team who are the first point of contact in the Home Office, and are responsible for managing the relationship. These Sponsor Teams are collectively supported by an Advisory Team, offering specialist knowledge, and a network of contacts across the Home Office and in Other Government Departments.

Individual Home Office members of staff agree personal development and training plans annually with their managers. This would be undertaken immediately they join a Sponsor Team or the Central Advisory Team.

Street Crime Initiative

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what aspects of the Street Crime Initiative he intends to implement in all areas. [138367]

Ms Blears: Police forces not involved in the Street Crime Initiative will benefit from best practice circulated by the Association of Chief Police Officers

and the Home Office's Police Standards Unit, including a CD Rom, Tactical Options from the Street Crime Initiative, which has been distributed to all police forces. Lessons are also being learnt from the Street Crime Initiative relating to the handling of street crime cases through the Criminal Justice System by the police, Crown Prosecution Service and the courts. These lessons, about getting the case right from the start, providing better support for victims and witnesses, and managing cases robustly in court, are being applied more widely as part of the work on bringing more offences to justice and improving public confidence in the criminal justice system.

Terrorism Act 2000

Mr. Oaten: To ask the Secretary of State for the Home Department how many applications for authorisations under section 44 of the Terrorism Act 2000 received in the last three years have been *(a)* successful and *(b)* unsuccessful. [138506]

Mr. Blunkett: Home Office records show that since the Terrorism Act came into force on 19 February 2001, 678 stop and search authorisations under section 44 of the Terrorism Act 2001 have been confirmed. Of these there have been two instances where the powers have not been confirmed by the Secretary of State.

Each authorisation is given full consideration. They are confirmed only if the Secretary of State is satisfied that their use is necessary to prevent acts of terrorism as set against the background of the current threat level.

Work-related Stress

Dr. Cable: To ask the Secretary of State for the Home Department how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress; and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136841]

Fiona Mactaggart: Information on sickness absence and compensation payments due to 'work-related' stress are not collected centrally and could be obtained only at disproportionate cost.

The Department does, however, monitor factors relating to workplace stress including workload and working conditions through its staff surveys. The Department has taken action to address some of the main identified factors, including filling vacancies, recognition of good performance and improving technology. The Home Office is committed to supporting staff in achieving a balance between their work and home responsibilities and has a range of flexible working patterns to help staff achieve this.

A welfare service is available and offers personal support for staff suffering from any form of stress. In addition, stress awareness courses are available and information on how to recognise stress and suggested coping strategies, is accessible via the Home Office Intranet. The aim of these resources is to help staff recognise the early signs of stress and take appropriate action.

The Department is aware of its legal obligation to provide a safe working environment for employees and is committed to meeting targets for reducing the number of working days lost generally due to work related injuries and illness arising from the government's Revitalising Health and Safety initiative.

Written Answers to Questions

Tuesday 18 November 2003

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Cement Kilns

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what controls exist over the *(a)* level and *(b)* toxicity of emissions from cement kilns used for co-incineration; what chemical analysis of the (i) product and (ii) dust generated is carried out; and how these controls compare in respect of maximum emission levels with standard incinerators. [138575]

Mr. Morley: Cement kilns are regulated by the Environment Agency under the Pollution Prevention and Control (England and Wales) Regulations 2000 (the PPC Regulations). The PPC Regulations control industrial pollution through a system of permits, and require that operators use the best available techniques ("BAT") to control pollution from their activities. In determining applications for PPC permits, the Environment Agency considers the level and toxicity of emissions and sets permit conditions to ensure a high level of protection to the environment (inclusive of human health) as a whole.

The analysis of the final cement product is outside the remit of the Environment Agency. Dust generated from the process is collected in abatement equipment and then discarded from the process. Such material is classified as a waste and its generation and subsequent management are regulated under PPC at the installation, and the Waste Management Licensing Regulations 1994 once the dust is discarded from the installation. Under certain circumstances the alkalinity levels in this type of waste may be sufficient for it to be given the technical designation of "hazardous" waste. The analysis required would depend on whether the material is consigned for recovery, landfill or any other treatment for disposal.

The maximum emission levels specified for installations manufacturing cement or incinerating waste are based on what the Environment Agency considers to be BAT for each individual installation, but also take into consideration local factors and other relevant statutory requirements. As the technologies for cement manufacture and waste incineration are different, the maximum emission limits for the principal emissions (oxides of nitrogen, sulphur dioxide, particulates etc.) are not directly comparable.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what controls exist over the nature of fuels used in cement kilns where co-incineration takes place. [138576]

Mr. Morley: Cement kilns that co-incinerate waste are regulated by the Environment Agency under the Pollution Prevention and Control (England and Wales) Regulations 2000 ("the PPC Regulations"). The operator is required to comply with the 1989 Municipal Waste Incineration Directives (89/429/EEC and 89/369/EEC), the 1994 Hazardous Waste Incineration Directive (94/67/EC) and from 28 December 2005 the Waste incineration Directive (2000/76/EC).

The Environment Agency is the regulator for such cement kilns. Permits issued under the PPC Regulations contain permit conditions which control the type and nature of the fuel to be used, and establish the operating conditions under which that fuel could be used.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the types of *(a)* fuels and *(b)* raw materials used since 1 January in the production of cement at Rugby Cement Works, Rugby. [138579]

Mr. Morley: Since 1 January 2003 to date the cement works in Rugby has used as fuel: coal, fuel oil (for site vehicles) and gas oil (as start up fuel); and as raw materials: chalk, clay, grinding aids and air entrainers, gypsum, iron oxide source, limestone filler, lubricating oils and other maintenance fluids and pulverised fuel ash.

Flooding (Medmenham and Marlow)

Mr. Goodman: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her answer of 17 September 2003, *Official Report*, columns 776–77W, on flooding, what progress has been made with regard to pre-feasibility studies to identify options for the alleviation of flooding in Medmenham and Marlow. [138467]

Mr. Morley *[holding answer 13 November 2003]*: I understand that the Environment Agency's study of options for reducing flood risk in Medmenham and related areas will be concluded by the end of November. The agency is planning to present the findings to local flood action groups and councils in December and January. I also understand that a report on the agency's study of options for Firview Close, Marlow is expected by the end of November. In both cases the conclusion of studies is a month later than expected previously because the agency's consultants have been looking at further possible options.

I understand that the agency's consultants have completed a pre-feasibility investigation into options for the Pound Lane area, Marlow, and that the indications are that a scheme to construct a bund at the rear of Pound Lane to reduce the impact of overland flooding may be justifiable. Further investigations into groundwater problems would be required at feasibility stage.

GM Crops

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what recent meetings she has had with her EU counterparts at which plans to change the procedure for approval of GM *(a)* foods and *(b)* seeds within the EU were discussed; [138218]

(2) what recent meetings she has had with her EU counterparts to discuss regulation of GM crops; and if she will make a statement. [138219]

Mr. Morley: Ministers from the Department have regular discussions with their EU counterparts on issues relating to genetically modified crops, seeds and foods. The issue has, in particular, featured on the agenda for several recent meetings of Councils of Agriculture and Environment Ministers.

For instance, at the Environment Council in July 2003 EU Ministers agreed to two new EC Regulations. One Regulation elaborates and extends existing rules on traceability and labelling of any GM product. The other Regulation sets up a more centralised and specific regime for the authorisation and labelling of GM food and animal feed, focused on the new European Food Safety Authority (EFSA). It introduces, for the first time, specific rules on GM animal feed and requires the safety aspects of any GMO intended for use in both foods and feed to be considered together.

At a meeting of the Agriculture Council in September 2003 there was a discussion on the European Commission's guidelines on the co-existence of GM and non-GM crops. Final EU decisions on pending applications for consent to grow GM crops are not expected until next year.

EU discussions on the setting of thresholds for adventitious presence of approved GMOs in non-GM seeds are currently being conducted at official level.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the effects she estimates the adoption of genetically modified crops in the UK would have on *(a)* the cost of farming and *(b)* profits for farmers. [138807]

Mr. Morley: As part of the GM dialogue process the Government have sponsored the Strategy Unit to carry out a study of the costs and benefits of GM crops, They published their report on 11 July. Comments were invited on the report and a summary of these will be published later this year.

The main conclusions of the report were that existing GM crops could offer some cost and convenience advantages to UK farmers. However, any economic benefit to the UK is likely to be limited in the short term as only a narrow range of existing crops are currently suited to UK conditions and weak consumer demand is likely to limit take-up. Looking to the longer term, future developments in GM crops have the potential to offer more wide ranging benefits to farmers and consumers.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent evidence there is on the impact of the effect of herbicide use on GM maize, with particular reference to levels of herbicide use; and what assessment has been made of that evidence. [139019]

Mr. Morley: The recently published results of the farm-scale evaluations represent the largest study ever made of the impact of herbicide use on GM maize. A copy of the results have been placed in the Library.

The results of the farm-scale evaluations, and the results of other published work, are currently being considered by the Government's statutory advisers on GM crop releases—The Advisory Committee on Releases to the Environment (ACRE). Their advice is expected in December or January.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has held with the Royal Society in respect of herbicide regimes used within the farm-scale evaluations. [139020]

Mr. Morley: Ministers from the Department have held no discussions with the Royal Society regarding herbicide regimes in the farm-scale evaluations.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs whether decisions will be made by her Department in respect of applications to grow GM crops in the UK before the final results of the farm scale trials are published. [139154]

Mr. Morley *[holding answer 17 November 2003]*: The final results for three of the four GM crops tested in the farm scale evaluations (beet, forage maize and spring-sown oilseed rape) were published in October 2003. The results for the other GM crop (autumn-sown oilseed rape) will be published next year. Our statutory expert advisers on GMO releases—the Advisory Committee on Release into the Environment (ACRE)—are considering the results for the first three crops and we expect their advice in December or January.

Decisions on whether or not any particular GM crop should be authorised for commercial use in the EU are subject to collective agreement by all EU member states. It is not possible to say precisely when these EU decisions will be taken, but we do not expect any decisions on current applications to cultivate GM crops until well into next year.

There are currently 21 applications for proposed commercial GM products being processed across the EU, 12 of which include cultivation of GM crops (no such application has been made in the UK). Of the 12 applications for cultivation, 10 have not yet completed their initial assessment by the member states in which the applications were made; the other two have received favourable initial assessments, and have been forwarded for scrutiny and comment to the European Commission and all other member states. Neither is a GM crop involved in the farm scale evaluations and in both cases the UK has objected to the applications on the grounds that the applicants have not yet supplied sufficient information for us to make an adequate risk assessment of the likely effects of the GM crops in question on the environment.

The GM forage maize in the farm scale evaluation trials (Bayer T25) already has a consent under EU GM safety legislation for commercial cultivation throughout Europe. This was granted in 1998. Based on the FSE results, the UK will reach a view on whether this consent should be maintained, altered or revoked. Other member states will also need to consider this.

Landfill

Dr. Kumar: To ask the Secretary of State for Environment, Food and Rural Affairs what steps are being taken to ensure that UK companies are informed of measures required to comply with the European Landfill Directive. [137541]

Mr. Morley: Since the Landfill Directive was agreed by the Council of Ministers in April 1999, the Government have carried out four separate consultation exercises to ensure that all the issues were fully aired. Also, a number of stakeholders groups that include representatives of UK industry, such as the Hazardous Waste Forum and the Landfill Directive Implementation Group, have discussed different aspects of the Directive. For example, the Hazardous Waste Forum is developing an action plan that includes a commitment to a communication strategy to raise awareness of industry to forthcoming legislative changes on hazardous waste.

Currently, two further consultation exercises are being carried out; one dealing with the Directive targets to reduce the amount of biodegradable municipal waste going to landfill and the other covering the implementation of the waste acceptance criteria requirements that were added to the Directive by Council Decision 2003/33 of 13 December 2002.

Marine Consents and Environment Unit

Dr. Cable: To ask the Secretary of State for Environment, Food and Rural Affairs (1) which criteria have been established by the Marine Consents and Environment Unit for time periods for the issue of licences; and what percentage of closures have been achieved within the time period in each of the last five years; [138554]

(2) how many licences have been issued by the Marine Consents and Environment Unit in each of the last five years; how many were refused; and what the average time taken was for *(a)* consultation and *(b)* approval of the licences. [138556]

Mr. Morley: The Marine Consents and Environment Unit (MCEU) is a joint-departmental unit that was set up in April 2001 by my Department and the Department for Transport. Its role is to administer the marine works consents for which each Department has responsibility under the Food and Environment Protection Act 1985 (FEPA), the Coast Protection Act 1949, the Telecommunications Act 1984 and certain other local legislation. The unit also processes licence applications under FEPA in waters for which the National Assembly for Wales is the licensing authority.

The unit's published guidance notes and website (http://www.mceu.gov.uk) make clear that a period of at least 10 weeks is normally required to process a straightforward application but that larger schemes (such as offshore windfarms and large port developments) and those in sensitive marine areas may take substantially longer. Much of this time is taken up by the consultation process with a range of outside bodies, which are normally given six weeks to respond.

The numbers of FEPA licences issued by the MCEU in each 12 month period since the unit was established is as follows.

Year (1 April-31 March)	*Number of FEPA licences issued (including renewals and variations)*
2001–02 (with effect from 1 April)	523
2002–03	522
2003–04 (to 13 November)	360 (a further 101 applications being processed)

Since the MCEU was established 10 FEPA licences have been refused. However, in a number of cases, licences have only been issued where changes or restrictions to the original application have been agreed so as to mitigate adverse environmental impact or interference to other users of the sea.

The average time taken by MCEU to determine a FEPA licence (excluding licence variations) has been 12.5 weeks; 56 per cent. of applications have been processed within 10 weeks rising to 75 per cent. within 14 weeks. Where assessment of an application has taken longer, a licence will often have been processed so as to meet the requested start date for the consent.

Full equivalent data in respect of Coast Protection and Telecommunications Act consents are not readily available. However, 162 such consents have been issued by MCEU since July 2002 with an estimated further 150 consents granted by the unit up to end June 2002.

The unit has recently introduced the facility to make applications on-line and further improvements to streamline the processing of applications—such as electronic consultation—is under consideration.

Parrett Catchment Project

Mr. Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what fee is paid to the Chairman of the Parrett Catchment project. [138950]

Mr. Morley: I refer the hon. Member to the answers I gave on 13 February 2003, *Official Report*, column 884W and 3 July 2003, *Official Report*, column 117W, in which I explained that the Parrett Catchment Project is an independent stakeholder forum. The Parrett Catchment Project is not required to make any declaration to this Department regarding the appointment or remuneration of its officers. The Parrett Catchment Project is not funded by Defra, and we have no knowledge of any fees paid to the current chairman.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the performance targets that *(a)* her Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if she will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137959]

Alun Michael: The information requested is as follows:

(a) Key performance targets for Defra are agreed as part of the Spending Review and the latest set were published in Spending Review 2002: Public Service Agreements 2003–2006 (Cm 5571). 2.3 Defra's SR2002 Public Service Agreement targets were decided upon following a process of consultation and negotiation

involving Ministers, Defra's management board, and all business areas. Final decisions on the selection and number of targets were agreed with HM Treasury. The process observed the need to maintain a degree of continuity between previous Public Service Agreements and departmental priorities.

The Department monitors progress towards achieving all its outstanding Public Service Agreement targets along with HM Treasury and the Prime Minister's Delivery Unit and progress is reported regularly. We provide a full outturn against all of the Department's Public Service Agreement targets in our departmental Report. The most recent was published in May 2003 (Cm 5919). We also provide an outturn of progress in our Autumn Performance Report. The next Report is due to be published in November 2003.

(b) A full list of the Department's NDPBs and Executive Agencies can be found in our departmental Report (Cm 5919).

Where targets have been set for these, details can be found in each Executive Agency's or NDPB's business plan and/or annual report. Details of how to access the websites of the organisations concerned can be found in Annex C of the departmental Report. The Department monitors achievement against appropriate targets, through, amongst other things, meetings between the Secretary of State, the relevant Minister, Permanent Secretary and/or the Chief Executive.

Primates

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs how many primates were imported for research into each member state of the European Union in 2002. [138878]

Mr. Morley: Our records show that 2,068 primates were imported into the UK from outside the EU for medical/research purposes in 2002.

The Department does not keep records of imports into other EU member states.

Printer Cartridges

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has undertaken of the environmental impact of refilling and reusing printer cartridges. [139146]

Mr. Morley: The Government have not undertaken an assessment on the environmental impact of refilling and reusing printer cartridges. However, industry figures suggest that the UK imports 10 million toner and 30 million inkjet cartridges each year, which produce about 20,000 tonnes of waste at the end of their life, industry estimates that, at present, some 30–40 per cent., equivalent to 6–8,000 tonnes of printer cartridges are diverted from landfill for reuse and recycling.

Waste Incineration

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what reports she has received on the release of dioxins caused by the incineration of waste. [138821]

Mr. Morley: The Environment Agency collates information on releases of dioxins from waste incinerators and places it in its "Pollution Inventory" which is available through the environment pages of its web site, www.environment-agency.gov.uk.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of the original energy output is typically produced by the incineration of waste. [138822]

Mr. Morley: According to a draft version of "Energy From Waste—A Good Practice Guide" to be published by the Chartered Institute of Wastes Management later this month, a typical energy from waste plant generates electricity from waste with an efficiency of around 22–25 per cent. However if district heating/combined heat and power systems are incorporated into the design of plant energy generation, efficiencies of up to 85 per cent. are possible.

Home Composting

Mr. Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs what research she has commissioned on the impact on human health of home composting. [139457]

Mr. Morley: No research has been commissioned by the Department on the impact on human health of home composting. However, Defra is developing a new three-year waste research strategy, in direct response to the Strategy Unit Report 'Waste not, Want not', in which new initiatives examining environmental and health-related impacts of wastes will be considered in consultation with the Environment Agency.

Recent research on behalf of the Environment Agency has suggested that emissions from different forms of home composting systems are, as might be expected, low and difficult to monitor.

Waste (Definition)

Mr. Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the definition of waste, pursuant to recent judgments by the European Court of Justice. [139459]

Mr. Morley: The definition of waste in force in the United Kingdom is the definition in Article 1(a) of the Waste Framework Directive (as amended). It provides that waste means,

"... any substance or object which the holder discards or intends or is required to discard."

Whether or not a substance is discarded as waste is a matter which must be determined on the facts of the case and the interpretation of the law is a matter for the Courts. The European Court of Justice (ECJ) has issued several judgments on the interpretation of the definition of waste and the meaning of "discard". ECJ judgments are binding on member states and their "competent authorities".

The Government proposes, in consultation with the Environment Agency, to review in the light of the ECJ's judgments the guidance on the interpretation of the definition of waste originally provided in DOE Circular 11/94. But it is not feasible for any revised guidance which the Government issues to determine

whether any particular substance is in any particular circumstances discarded as waste. It will be feasible only for any revised guidance to advise on the factors which the ECJ has determined should be taken into account in reaching a decision.

TREASURY

Wood Panel Industry

Gregory Barker: To ask the Chancellor of the Exchequer how many people he estimates are employed in the wood panel industry. [137095]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Gregory Barker dated 18 November 2003:

The National Statistician has been asked to reply to your Parliamentary Question about people employed in the wood panel industry. I am replying in his absence. (137095)

According to the latest available figures from the Annual Business Inquiry, in December 2001 there were 6700 employees in industries whose primary economic activity is "The manufacture of veneer sheets; manufacture of plywood, laminboard, particle board, fibre board and other panels and boards".

Consumer Debt

Mr. Drew: To ask the Chancellor of the Exchequer if he will publish the evidence produced by research he has commissioned on the impact of a rise in interest rates on consumer debt. [139428]

Ruth Kelly: HM Treasury published evidence on the link between interest rates and consumer behaviour in June 2003 as part of the EMU Five Tests Assessment, in the supporting studies on 'EMU and the Monetary Transmission Mechanism' and 'Housing, Consumption and EMU'.

Correspondence

Mr. Lidington: To ask the Chancellor of the Exchequer when he will reply to the letter of 1 August from the hon. Member for Aylesbury, on behalf of Mr. M.G. Moore of Great Missenden, about professional indemnity assurance for independent financial advisers. [139302]

Ruth Kelly: I have done so.

Deep Vein Thrombosis

Mrs. Iris Robinson: To ask the Chancellor of the Exchequer how many people died from deep vein thrombosis in the last 12 months; and in how many of these cases long haul air travel was found to be a contributory factor. [138980]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mrs. Iris Robinson, dated 18 November 2003:

As National Statistician, I have been asked to reply to your recent question asking how many people died from deep vein thrombosis in the last 12 months; and in how many of these cases long haul air travel was found to be a contributory factor.

Virtually all deaths from deep vein thrombosis occur as a result of a pulmonary embolism, and most pulmonary embolisms arise from deep vein thrombosis in the leg. However, the precise description of this sequence of events leading to death (as provided on the death certificate) affects whether the death is coded as pulmonary embolism or thrombosis. Therefore, a figure combining the two causes is presented in the table below to give a complete and consistent picture over time.

It is not possible to state if long haul air travel was a contributory factor in deaths from deep vein thrombosis or pulmonary embolism as this information is not routinely entered on the death certificate. The latest available data are for the calendar year 2002. The total number of deaths certified as due to deep vein thrombosis and pulmonary embolism in England and Wales in 2002 are therefore given in the table. I am supplying data for the last five years for comparison purposes.

Number of deaths from pulmonary embolism and deep vein thrombosis,[1] persons, England and Wales, 1998–2002[2]

Calendar year	*Number of deaths*
1998	6,992
1999	6,877
2000	7,233
2001	7,207
2002	7,009

[1] The cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) codes 415.1, 451.1, 451.2, 451.9 and 453.9 for the years 1997 to 2000, and, for the year 2001, the International Classification of Diseases, Tenth Revisions (ICD-10) codes 126, 180.1, 180.2, 180.3, 180.9 and 182.9.

[2] Figures are for deaths occurring in each calendar year.

Defence Dental Agency

Mr. Gerald Howarth: To ask the Chancellor of the Exchequer for what reasons the Defence Dental Agency's Account Direction for financial year 1997–98 was withdrawn. [139685]

Ruth Kelly: An accounts direction for the Defence Dental Agency (DDA) for 1997–98 was issued in March 1996 on the understanding that satisfactory accounting systems would be in place for that financial year. It was withdrawn in January 1999 when it became apparent that, because of difficulties with the stock recording systems on which DDA and a number of agencies within MOD relied, DDA would be unable to prepare accounts for 1997–98 which would have received an unqualified audit opinion from the Comptroller and Auditor General. At that time, the policy was not to issue accounts directions if there was a probability that the auditors would be unable to give an unqualified opinion—this policy is no longer applied.

Import Tariffs (Israel)

Richard Burden: To ask the Chancellor of the Exchequer if he will list United Kingdom companies which have *(a)* made representations to and *(b)* signalled their intention to take action against the (i) British Government and (ii) European Union for imposing tariffs on goods entering the United Kingdom, marked as made in Israel, which originated in the Occupied Territories. [138937]

John Healey: Two UK companies have requested a formal review under the Customs and Excise Appeals procedure of the duty demanded. The identity of the companies cannot be disclosed for reasons of commercial confidentiality: Exemption 13 of the Code of Practice on Access to Government Information applies in this instance.

Customs and Excise are not aware of any UK companies making representations to the European Union.

Industrial and Provident Societies

Mr. Terry Davis: To ask the Chancellor of the Exchequer what steps he is taking to bring about the level playing field in regulations affecting companies and industrial and provident societies, to which he referred in his letter of 31 July to the right hon. Member for Birmingham, Hodge Hill. [139392]

Ruth Kelly: As was stated in my letter of 31 July on this issue, the Government is keen to see, where appropriate, a level playing field between industrial and provident societies and companies and we are currently examining our options for taking forward this agenda.

Insurance Brokers

Mr. Beggs: To ask the Chancellor of the Exchequer what measures are in place to stop the practice of grossing up by insurance brokers in Northern Ireland; and what plans he has to change the appropriate legislation to protect consumers from the grossing up of insurance premium commissions. [138900]

Ruth Kelly: Grossing up is a serious abuse of the market. The Government is giving the Financial Services Authority (FSA) responsibility for regulating general insurance as from 14 January 2004. The FSA is currently consulting on its rules in CP187. The FSA considers there is more opportunity for such market abuse in the commercial rather than the retail market, and therefore does not propose to introduce commission disclosure for retail customers. But, for commercial customers, it will be requiring intermediaries to disclose commission earned by them and any affiliated intermediaries if requested to do so by a commercial customer.

International Finance Facility

Ms Drown: To ask the Chancellor of the Exchequer when he estimates agreement will be reached on the International Finance Facility; and when he estimates it will have funds in it. [138906]

John Healey: Only by pooling the additional resources pledged as part of the Monterrey Consensus, and leveraging these through an International Finance Facility designed to deliver the additional US $50 billion a year needed to meet the Millennium Development Goals, can the international community meet the challenge of halving poverty by 2015. That is why the Government continues to make the case for the Facility with all our international partners. Once agreement by donor countries has been reached the facility could start to deliver the additional aid very quickly.

The Facility received wide support from other countries at the Annual Meetings of the World Bank and IMF in September. The Bank and Fund have been mandated to do further work on financing for development options, including the International Finance Facility, reporting back at the Spring and Annual Meetings in 2004.

The Meetings also agreed that developing and emerging market countries should be consulted. This process will culminate in a Ministerial conference on Financing for Development in Spring 2004, chaired by the French Government.

The UK government also continues to build the support in civil society necessary to make the initiative a reality. In February the Treasury will be hosting a conference bringing together church leaders, senior political figures, NGOs and the President of the World Bank to discuss aid and trade.

Large Scale Voluntary Transfer

Mr. Drew: To ask the Chancellor of the Exchequer what the cost to public funds was of large scale voluntary transfer for each of the last 10 years. [139429]

Keith Hill: Where a large scale voluntary transfer has a positive value there is no additional cost to public funds. Where there is a negative value a dowry may be required. Between 1996 and 2000 the Office provided dowry funding for negative value estate based transfers through the Estates Renewal Challenge Fund. The annual provision was 1996–97. £7.8 million; 1997–98, £132.9 million; 1998–99, £146.3 million, and 1999–2000, £201.2 million. It is possible that other Government programmes have provided financial contributions to large scale voluntary transfers however a central record is not maintained. However, the information is not held centrally and could only be provided at disproportionate cost.

Leases

Mr. Prisk: To ask the Chancellor of the Exchequer how many *(a)* lock-up garages, *(b)* car parking spaces, *(c)* advertising hoardings and *(d)* charity shops were leased in the last year for which figures are available. [135605]

Ruth Kelly: I regret that this information is not available.

Ministerial Visits

Mr. Hoyle: To ask the Chancellor of the Exchequer if he will list the UK visits made by ministers in his Department in each of the last five years, broken down by constituency. [136909]

Ruth Kelly: The detailed information requested in respect of UK travel by Treasury Ministers is not held centrally and could be provided only at disproportionate cost.

All travel is undertaken fully in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are available in the Libraries of the House.

Network Rail

Mr. Redwood: To ask the Chancellor of the Exchequer what his forecast is of losses on Network Rail for 2003–04. [133664]

Dr. Howells: I have been asked to reply.

The Strategic Rail Authority receives regular financial information from Network Rail as part of the agreement for SRA providing Network Rail with standby credit facilities. The financial information is commercially sensitive. Network Rail's Annual Report and Accounts for 2002–03, the most recently available, showed a loss before tax of £290 million.

Opinion Polling and Market Research

Dr. Cable: To ask the Chancellor of the Exchequer how much *(a)* HM Treasury, *(b)* Customs and Excise and *(c)* the Inland Revenue spent on (i) opinion polling and (ii) market research in the last financial year; and if he will make a statement. [134230]

Ruth Kelly: Expenditure in 2002–03 on external survey research by Customs and Excise was £255,774. Inland Revenue spent £1.6 million on market research (this figure includes: quantitative surveys; qualitative research; media and advertising research; and business-to-business industrial research; public opinion surveys; and desk research). In respect of HM Treasury I refer the hon. Member to my answer of 28 April 2003, *Official Report,* column 168W.

Presidential Visit

Norman Baker: To ask the Chancellor of the Exchequer what the estimated economic cost is of the effect on businesses in London of the forthcoming visit of President Bush. [139409]

Ruth Kelly: Policing operations will aim to minimise any such costs.

Productivity Growth

Mr. Redwood: To ask the Chancellor of the Exchequer what the rate of productivity growth in the public sector was on the last year for which figures are available. [133660]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. John Redwood, dated 18 November 2003:

As National Statistician, I have been asked to reply to your recent question on productivity growth in the public sector. (133660)

I refer you to the article "Measuring Government Output and Productivity" which was published in Economic Trends, July 2003. The purpose of this article was to report work in progress at the Office for National Statistics. To illustrate the methods used, it included experimental results that provide an indicative estimate of productivity change for government. The latest year for which these figures were shown was 2001 when productivity change (over the previous year) was shown as −2 per cent. This estimate should be used in conjunction with the guidance provided in the article.

The article is available on the National Statistics website at: http://www.statistics.gov.uk/cci/article.asp?id=400

No estimates have been published covering the whole of the public sector.

Taxation and Transfer Pricing

Mr. Cousins: To ask the Chancellor of the Exchequer if he will list taxation and transfer pricing cases involving United Kingdom companies which have been *(a)* decided and *(b)* entered for decision by the European Court of Justice in each of the last five years; and if he will estimate the net revenue effect in each case. [139466]

Dawn Primarolo: No tax cases concerning transfer pricing involving UK companies have been decided or entered for decision by the European Court of Justice in any of the last five years.

Thalidomide Trust

Nick Harvey: To ask the Chancellor of the Exchequer if he will estimate the annual cost to the Treasury of allowing income payments from the Thalidomide Trust to thalidomide victims to be tax exempt; and if he will make a statement. [139695]

Dawn Primarolo: The information requested is not available.

Treasury Statistics

Dr. Cable: To ask the Chancellor of the Exchequer (1) whether the HM Treasury official involved in the early release of statistics on 24 October had authorised access to those statistics; and if he will make a statement; [138799]

(2) what the arrangements are for the preparation of briefing materials on statistics to which HM Treasury has pre-release access; and if he will make a statement; [138800]

(3) if he will list all the people outside the Office for National Statistics who had pre-release access to the retail sales estimates and other market moving statistics; and if he will make a statement; [138801]

(4) when the provisions for pre-release access to National Statistics releases by HM Treasury *(a)* Ministers and *(b)* officials were last changed; and if he will make a statement; [138803]

(5) if he will list the HM Treasury provisions for pre-release access to National Statistics releases by HM Treasury *(a)* Ministers and *(b)* officials. [138804]

Ruth Kelly: In line with long-standing practice under this and previous Administrations, Ministers with policy responsibility for the relevant subject matter, and a small number of their officials, are granted limited early access to statistical releases to enable them to respond completely when questions arise at the time of the release of the data. The list of Treasury Ministers and officials who have authorised pre-release access to National Statistics First Releases is available on the Office for National Statistics (ONS) website.

In addition the Macroeconomic Statistics Service Level Agreement, drawn up between ONS and HM Treasury in 1998, lists a further small number of individuals at HM Treasury who receive copies of HM Treasury's internal briefing on these statistical releases before the publication of the data. Since 1998, this list has been updated to reflect changes to personnel and staff structures with the overall number of individuals reduced from eight to seven.

As confirmed by the Treasury at the time, the official from whom the September retail sales data was improperly ascertained had authorised early access to those data.

As noted in the Treasury's statement of 5 November, the Treasury views this incident extremely seriously and is rigorously examining all its procedures to ensure that any repetition is avoided.

Website

John Barrett: To ask the Chancellor of the Exchequer what recent assessment he has made of the *(a)* content and *(b)* design of his Department's website. [139504]

Ruth Kelly: The Treasury has an ongoing programme of user testing for its website. The views of external and internal users are regularly sampled, with the findings feeding into improvements to layout indexing and contents. This development programme also takes account of the accessibility and usability guidelines set out by the World Wide Web Consortium (W3C) and the Office of the e-Envoy.

TRANSPORT

A34

12. **Mr. Cameron:** To ask the Secretary of State for Transport when he expects to receive a progress report from the Highways Agency on its review of the A34; and if he will make a statement. [138865]

Mr. Jamieson: The Highways Agency's Route Management Strategy of the A34 will report in Summer 2004 and will cover limited measures on the A34 itself. Also, the Government Office for the South East has initiated a scoping study into wider problems and issues along the corridor from Southampton to Bicester. Results of which will be known in the New Year and will inform future decisions.

Biofuels

13. **Mr. Wiggin:** To ask the Secretary of State for Transport what steps he is taking towards the introduction of *(a)* bioethanol and *(b)* biodiesel fuels for road users. [138867]

Mr. Jamieson: The Government introduced a 20 pence per litre fuel duty incentive for biodiesel in July 2002, which has already resulted in a big increase in biodiesel sales. A similar duty incentive for bioethanol is due to come into effect in January 2005.

London Underground

14. **John McDonnell:** To ask the Secretary of State for Transport if he will make a statement on safety on the London Underground. [138868]

Mr. McNulty: London Underground is one of the safest transport systems in the world. Its safety is the responsibility of London Underground Ltd, which transferred from the Government to the London Mayor on 15 July this year.

Simon Hughes: To ask the Secretary of State for Transport if he will make a statement on the service levels stipulated in the agreement registered by the Government with private sector companies to run the London Underground. [138852]

Mr. McNulty: London Underground is run by London Underground Ltd. (LUL), which is owned by Transport for London. LUL's contracts with the private sector infrastructure companies require the latter to meet performance specifications designed to deliver faster, more reliable and more pleasant journeys for passengers.

Rail Services

16. **Lynne Jones:** To ask the Secretary of State for Transport what plans his Department has for improvements in rail transport in the West Midlands. [138870]

Mr. McNulty: A number of improvements have recently taken place. For the future, the Strategic Rail Authority has announced a new approach for planning of the railway network through "Regional Planning Assessments". These will establish key objectives for each region within a long-term context. The West Midlands Regional Planning Assessment is due for publication in Autumn 2004.

Cycling

17. **Mr. Burstow:** To ask the Secretary of State for Transport if he will make a statement on his Department's strategy for *(a)* increasing cycling journey numbers and *(b)* reducing cycling injuries and deaths. [138871]

Mr. McNulty: Our strategy for encouraging cycling involves improving both cycling infrastructure and promotion. We have assessed provision for cyclists in all English local authorities. We have initiated the Cycling Projects Fund and given over £4 million to local cycling initiatives. The Department is also a major contributor to the cross-departmental Activity Co-ordination Team, which is seeking to raise levels of physical activity across the board. On the safety front, and in addition to encouraging better facilities for cyclists, we are promoting measures which cyclists can take to protect themselves, such as taking cycle training and making themselves conspicuous. We are also improving training and testing for motorists.

A40

Mr. Nigel Jones: To ask the Secretary of State for Transport (1) what assessment he has made of *(a)* traffic flows and *(b)* congestion on the A40 in Cheltenham since the opening of the new GCHQ building; [138915]

(2) what assessment he has made of the effect on traffic flows of recent changes to the A40 Sixways Junction in Charlton Kings, Cheltenham. [138916]

Mr. Jamieson: I have asked the Acting Chief Executive of the Highways Agency, Mr. Stephen Hickey, to write to the hon. Member.

Letter from Stephen Hickey to Mr. Nigel Jones, dated 18 November 2003:

I have been asked by David Jamieson to reply to your recent Parliamentary Questions about what assessments have been made on traffic flows and congestion at specific locations on the A40 in Cheltenham.

The Highways Agency conducted a queue survey at the A40 Sixways Junction in Charlton Kings on Tuesday 4 November 2003. In the morning peak there appears to be little change in the length of queues; the main change is in the way the traffic moves. Since the installation of the new signals, traffic moves through the junction in a more orderly manner.

No formal assessment of traffic flows has been carried out since the assessment that was made as part of the planning process for the GCHQ building. Not all relocations to the new building are complete therefore it is too soon for a meaningful assessment of the impact of the development to be conducted. GCHQ, Gloucestershire County Council, Cheltenham Borough Council and the Highways Agency are working together to find ways to mitigate the impact of the new GCHQ building.

A414

Mr. Burns: To ask the Secretary of State for Transport what measures he will take to improve road safety on the A414 from Chelmsford towards the M25. [138857]

Mr. Jamieson: The section of the A414 between Chelmsford and the M11/Harlow junction is the responsibility of Essex County Council. Essex County Council have identified the route as having a poor accident record and it is now the subject of a priority route study to determine the main causes and patterns of accidents. Initial analysis has been undertaken and accident remedial measures are being determined for implementation in the next financial year, subject to the availability of funding.

Altmark Case

Miss McIntosh: To ask the Secretary of State for Transport what assessment he has made of the implications of the Altmark case on *(a)* ferry services sailing from ports in Scotland, *(b)* the application of the EU Ports Directive in Scotland and *(c)* competition between modes of transport by sea, air and rail. [136497]

Mr. Jamieson: Financial assistance for ferry services within Scotland is a devolved matter for the Scottish Executive. The Altmark case is very complex and the Scottish Executive and my Department are assessing the potential impact of the judgment on domestic and international maritime services and inter-modal competition.

The Access to Port Services Directive has not yet been adopted. While its potential application in the UK, including Scotland, has been considered during the negotiating process, it has not been possible, as yet, to make a detailed assessment of the potential impact of the Altmark case on implementation.

Road Safety

Mr. Paul Marsden: To ask the Secretary of State for Transport (1) if he will make a statement on the effectiveness of the materials used to demarcate the hard shoulder on motorways in alerting drowsy drivers when they cross the hard shoulder; [138939]

(2) if he will make a statement on the safety systems for demarcating hard shoulders on motorways. [138940]

Mr. Jamieson: Raised rib edge markings used to demarcate the hard shoulder have been found to be highly effective in alerting drivers of cars and light vehicles when they stray across the line onto the hard shoulder. They may be less effective in alerting the drivers of larger vehicles.

Heathrow Airport

Mr. Marshall-Andrews: To ask the Secretary of State for Transport how many and what proportion of night flights into Heathrow operated on *(a)* a westerly and *(b)* an easterly flightpath (i) in 2001, (ii) in 2002 and (iii) between January and August 2003. [138701]

Dr. Howells: The number and proportion of aircraft landing at night between 11:00 p.m. and 7:00a.m. on westerly and easterly flightpaths in each period was:

	Movements westerly	*Proportion westerly (percentage)*	*Movements easterly*	*Proportion easterly (percentage)*
2001	16,612	72	6,460	28
2002	18,095	69	8,129	31
January August 2003	9,373	64	5,282	36

Nuclear Waste

Simon Hughes: To ask the Secretary of State for Transport what amounts of *(a)* low level, *(b)* intermediate-level and *(c)* high-level nuclear waste have been transported by train in each year since 1979; and if he will make a statement. [135172]

Mr. McNulty *[holding answer on 29 October 2003]:* The regulations that ensure the safe transport of radioactive materials do not distinguish on safety grounds between waste and any other radioactive materials. This is because there are no special safety issues pertaining specifically to the transport of waste. There is no regulatory requirement for this department to be notified of waste shipments.

The National Radiological Protection Board (NRPB) carried out studies in 1984 and 1991 examining road and rail transport of radioactive material in the UK for the Department. The latest report identified that around 5000 containers of low-level waste and some 765 irradiated fuel flasks (this material may not have been classified as waste) were transported in 1989. Copies are available in the Libraries of the House.

A further study has been commissioned from NRPB, which is due for completion at the end of 2004. This will contain a similar analysis of national trends. The report will be lodged in the house library when complete.

Simon Hughes: To ask the Secretary of State for Transport what reports his Department has received about plans to increase the transport by train of nuclear waste through London; and if he will make a statement. [135173]

Mr. McNulty *[holding answer 29 October 2003]:* In October 2001 the Greater London Authority (GLA) investigated the transport of irradiated fuel through London. This concluded that there would be no increase in the frequency of transport of spent nuclear fuel through London during the imminent decommissioning of some nuclear reactors in the south east. The Department is not convinced that the conclusions of this report present a full and accurate picture of future trends.

A study has been commissioned from NRPB, which is due for completion at the end of 2004. This will contain an analysis of national trends in the shipment of radioactive material. In particular it will look at trends expected as a result of decommissioning. The report will be lodged in the house Library when complete.

The Department has offered to collaborate with the GLA by including a specific study of London within the national study. This would provide the information requested.

Simon Hughes: To ask the Secretary of State for Transport how many trains went through London with *(a)* low-level, *(b)* intermediate-level and *(c)* high-level nuclear waste in each of the last five years; and if he will make a statement. [135174]

Mr. McNulty *[holding answer 29 October 2003]:* The organisation that operates trains transporting irradiated fuel (Direct Rail Services) has stated that shipments through London have averaged three per week on a reasonably constant basis over the past five years.

A study examining road and rail transport of radioactive material nationally has been commissioned from the National Radiological Protection Board (NRPB), which is due for completion at the end of 2004. This will contain an analysis of national trends of numbers and types of shipments. The report will be lodged in the Library of the House when complete.

In October 2001 the Greater London Authority (GLA) investigated the transport of irradiated fuel through London. In response to this the Department has offered to collaborate with the GLA by including a specific study of London within the national study.

Pensions (Network Rail)

Mr. Wareing: To ask the Secretary of State for Transport if he will make a statement on the decision by Network Rail to close its final salary pension scheme. [139159]

Mr. McNulty: Network Rail's decision about its final salary pension arrangements is a matter for Network rail itself and the independent corporate trustee of the Railways Pension Scheme.

It is our understanding that there is no intention to breach the arrangements put in place to protect staff pensions on privatisation of the industry. The relevant final salary arrangement will still be open to protected rail industry staff who transfer voluntarily to Network Rail.

Regulatory Proportionality

Mr. Chope: To ask the Secretary of State for Transport how the principle of regulatory proportionality will be incorporated in the proposed amendments to Regulation 32 of the Road Vehicles (Construction and Use) Regulation relating to lightly tinted windows. [138734]

Mr. Jamieson: Regulation 32 is not being amended. The regulations are being clarified to verify that the prescribed minimum light transmittance values apply irrespective of whether or not windows have tinted film stuck on them.

Road Congestion

Mr. Paul Marsden: To ask the Secretary of State for Transport (1) what the rates of congestion were on the M54 between Shrewsbury and Telford in each year since 1997; [138355]

(2) what the rates of congestion were on the A5 road between Shrewsbury and Wrexham in each year since 1997. [138371]

Mr. McNulty: I have asked the Acting Chief Executive of the Highways Agency, Mr. Stephen Hickey, to write to the hon. Member.

Letter from Stephen Hickey to Mr. Paul Marsden, dated 18 November 2003:

I have been asked by Tony McNulty to reply to your recent Parliamentary Questions about rates of congestion on the A5 road between Shrewsbury and Telford and Shrewsbury and Wrexham in each year since 1997.

Established modelling techniques are used by the Department for Transport and the Highways Agency in England to assess existing road congestion and forecast future congestion for specific purposes such as the preparation of road improvements. A consequence of this is a 'stress map' indicating those parts of the motorway and trunk road network that are experiencing peak and off-peak congestion. The latest available version of the map was published in the Ten Year Plan for Transport, a copy of which is available in the House Library. The length of A5 between the Welsh border and Wrexham is the responsibility of the Welsh Assembly.

Regular measurement of journey times at the level of detail required (by most congestion indicators) has not been carried out in the past, mainly on economic grounds.

The opening of the Highways Agency's Traffic Control Centre next year will greatly improve our knowledge of traffic conditions and will lead to comprehensive information on journey times and speeds being made generally available to the travelling public.

School Transport

Mrs. Brooke: To ask the Secretary of State for Transport what recent discussions he has had with the Department for Education and Skills regarding funding for school transport. [138869]

Mr. McNulty: The Secretary of State has had a number of discussions with the Secretary of State for Education in the course of developing our new joint initiative on school travel, which was launched on 17 September.

Strategic Rail Authority

Mr. Wareing: To ask the Secretary of State for Transport if he will make a statement on the decision by the Strategic Rail Authority to take over the south-east franchise. [139158]

Mr. McNulty: On 26 June 2003, the Strategic Rail Authority (SRA) formally notified Connex that its franchise would be terminated by 31 December 2003. This followed Connex's failure to introduce agreed changes to their financial monitoring and reporting arrangements designed to ensure that the substantial public subsidy they had received was being properly used. With Connex's agreement, the franchise was in fact terminated on 9 November 2003 and the service is now being run by the SRA through a subsidiary company, South Eastern Trains. This will continue only until a private sector operator is appointed to run the proposed Integrated Kent Franchise, which is expected to begin in 2005.

Train Performance

Mr. Baron: To ask the Secretary of State for Transport how many meetings he has had with train operating companies to discuss train performance in the last six months. [138866]

Dr. Howells: Departmental Ministers meet regularly with train operating companies to discuss performance. Since July 2003, I have visited South West Trains, Midland Mainline and South Central, Virgin, Silverlink, Centro, Central and Wales and Borders.

Transport Security

Mr. Paul Marsden: To ask the Secretary of State for Transport what steps have been taken since 11 September 2001 to improve security at *(a)* ports and *(b)* rail freight terminals. [138356]

Mr. Jamieson: My Department's approach is to manage the risk to the industry arising from the threat of a terrorist attack. The security measures imposed seek to minimise the industries' vulnerabilities while recognising operational realities.

Following the events of 11 September 2001 the security programmes for all modes of transport were reviewed and some adjustments made. The programmes are kept under review. While it is not our practice to detail the required security measures for obvious reasons, we believe that the core policies and baseline measures and the levels of security required are appropriate.

In respect of the security at ports, our national regime (which has been in place since 1990) will be augmented next year with the implementation of the recently agreed International Maritime Organisation's (IMO) global maritime security regime.

For rail freight terminals my Department issued a National Railway Security Programme in July 2001. The review of the programme (which covers the whole of the Great Britain rail network) confirmed that the measures required for domestic rail freight depots are appropriate and proportionate to the threat.

International rail freight terminals using the channel tunnel have been subject to more stringent requirements since the opening of the channel tunnel in 1994. International rail freight terminals have protective security measures in place and all rail freight is liable to be searched. Since 11 September 2001 the level of search required has been increased.

US Naval Ships (Disposal)

Mr. Lidington: To ask the Secretary of State for Transport if he will make a statement about the arrangements approved by his Department for the refuelling of tug boats towing vessels from the United States for decommissioning at Hartlepool. [137187]

Mr. Jamieson: The passage plan approved by my Department did not specify places or arrangements for refuelling of the relevant tug boats. Such arrangements fell within the responsibility of the towage company. However the plan identified places, including the Azores, where refuelling could be carried out if required.

Vehicles (Tinted Windows)

Mr. Chope: To ask the Secretary of State for Transport what his estimate is of how many vehicles which have *(a)* lightly tinted and *(b)* heavily tinted windows do not comply with the proposed amendments to Regulation 32 of the Road Vehicles (Construction and Use) Regulations. [138736]

Mr. Jamieson: A vehicle with windows which has light transmittance values less than the prescribed minima in Regulation 32 is unlawful irrespective of whether it might subjectively be described as having either 'light' or 'heavy' tints. Information on the number of vehicles which do not comply with the regulation is not held.

ADVOCATE-GENERAL FOR SCOTLAND

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Advocate-General how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134681]

The Advocate-General for Scotland: I refer the hon. Member to the answer given today by my hon. Friend, the Under-Secretary of State for Scotland.

CABINET OFFICE

Better Regulation Task Force

Mr. Drew: To ask the Minister for the Cabinet Office when the Government will respond to the Better Regulation Task Force's report, "Imaginative Thinking for Better Regulation"; and if he will make a statement. [139432]

Mr. Alexander: The Government expect to respond to the report before Christmas this year.

Public Administration

21. **Mr. Challen:** To ask the Minister for the Cabinet Office what action the Cabinet Office is taking to reduce the burden of administration in the public sector. [138847]

Mr. Alexander: My Department is working closely with colleagues in other Departments to take forward a programme of measures in relation to this matter.

This joint work has delivered a significant number of actions that directly benefit front line staff, for example:

simplifying the Manual of Guidance for police and CPS on the completion of prosecution paperwork;

reducing the information schools have to supply when they make applications (e.g. for specialist school status); and

scrapping the requirement for GPs to sign passport applications.

Public Appointments

22. **Mr. Savidge:** To ask the Minister for the Cabinet Office what steps have been taken towards improving transparency in the public appointments process. [138848]

Mr. Alexander: The Cabinet Office fully supports the Commissioner for Public Appointments Code of Practice, which provides Departments with a clear guide to ensure a fair, open and transparent appointments process.

Civil Service

23. **Paddy Tipping:** To ask the Minister for the Cabinet Office what progress the Civil Service is making in appointing women to senior positions. [138849]

Mr. Alexander: The Government are strongly committed to equality of opportunity. My Department has put in place a range of programmes to increase the representation of women in the Senior Civil Service.

Internally, we are coaching and mentoring women in grades just below the Senior Civil Service. Externally, we are working to raise women's awareness of recruitment and secondment opportunities.

25. **Mr. Borrow:** To ask the Minister for the Cabinet Office what steps are being taken to increase the proportion of ethnic minority staff in the Senior Civil Service. [138851]

Mr. Alexander: We are making good progress against our target to have 3.2 per cent. ethnic minority staff in the Senior Civil Service by 2004–05. The current level is 2.8 per cent., compared with 1.6 per cent. in 1998.

To help achieve this, my Department is responsible for a number of development schemes as well as undertaking outreach work in order to attract talented ethnic minorities to the Civil Service.

Departmental Floor Space

24. **Norman Baker:** To ask the Minister for the Cabinet Office what floor space in square metres his Department had use of on *(a)* 1 May 1997 and *(b)* 1 November 2003. [138850]

Mr. Alexander: On 1 May 1997, the Cabinet Office had use of 104,077 square metres of floor space, and by 1 November 2003, this figure had reduced to 77,734 square metres.

Bechtel

Malcolm Bruce: To ask the Minister for the Cabinet Office if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to the Office in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137884]

Mr. Alexander: I refer the hon. Member to the reply that I gave him on 3 November 2003, *Official Report*, column 417W. Financial information for former Cabinet Office Agencies prior to 2001 is not available.

Microsoft (Licensing Fees)

Norman Lamb: To ask the Minister for the Cabinet Office how much was paid to Microsoft in licensing fees by the Cabinet Office and its agencies in each of the last three years; and how much has been budgeted for *(a)* 2003–04 and *(b)* 2004–05. [130670]

Mr. Alexander: My Department's accounting systems do not capture comprehensive information on expenditure on specific types of software licences. Expenditure[1] on Microsoft licensing fees that can be identified is as follows:

	£
2000–01	3,456,829
2001–02	392,719
2002–03	459,464

In 2000–01, £3.3 million of expenditure related to the purchase of microsoft licences in connection with the Government Gateway project. The Government Gateway is an IT infrastructure which was developed as part of the strategy for delivering electronic Government. It enables electronic transactions between Government, citizens and businesses in a secure, customer-focused and joined-up way.

Detailed information on budgets for the purchase of Microsoft software in 2003–04 and 2004–05 is not available.

[1] Figures exclude licences purchased on behalf of the Cabinet Office by IT service providers.

SCOTLAND

Market Research

Matthew Taylor: To ask the Secretary of State for Scotland if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137006]

Mrs. McGuire: The Scotland Office was established on 1 July 1999. The Department has not incurred any expenditure on market and opinion research.

Official Properties

Mr. Flight: To ask the Secretary of State for Scotland how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134697]

Mrs. McGuire: The Scotland Office was established on 1 July 1999. The Department does not own any residential properties.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Scotland how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136849]

Mrs. McGuire: In 2002, a small number of staff experienced absence through work-related stress. Further details of cases are covered by Exemption 12 (Privacy of an Individual) of the Code of Practice on Access to Government Information.

TRADE AND INDUSTRY

Age Discrimination

Mr. Pike: To ask the Secretary of State for Trade and Industry what recent *(a)* representations and *(b)* discussions she has had on extending age discrimination legislation to unpaid voluntary workers; and if she will make a statement. [139427]

Jacqui Smith: The Government have consulted widely on age issues and proposals for legislation in two consultation exercises, most recently in Age Matters this summer.

Unpaid voluntary work does not fall within the scope of the European Employment Directive. Existing legislation on race, gender and disability already has a common definition of employment and this will be used for age. We have committed to consistency in approach and definition across existing, as well as new areas of equality legislation, wherever practicable.

Air Travel (Financial Protection)

Laura Moffatt: To ask the Secretary of State for Trade and Industry when she will respond to the consultation by the Civil Airports Authority on financial protection for travellers and package holidaymakers. [138454]

Mr. Sutcliffe: We have asked the Civil Aviation Authority to provide us with copies of the responses they have received to their consultation on Financial Protection for Air Travellers. We will consider these responses carefully along with any recommendations that the CAA make to Government as a result of this Consultation.

Animal Welfare

Mr. Wray: To ask the Secretary of State for Trade and Industry if she will make a statement on the kind of experiments animals are used in; what controls are in place to reduce to reduce the unnecessary waste of animals; and what measures are in place to ensure that companies cannot purchase animals for excessively cruel procedures. [136144]

Caroline Flint: I have been asked to reply.

The use of animals in scientific procedures is regulated by the Animals (Scientific Procedures) Act 1986, which is widely viewed as the most rigorous piece of legislation of its type in the world. It offers a high level of protection to animals whilst recognising the need to use animals in medical research, the development of new medicines and scientific testing. It also has sufficient flexibility to allow the latest ideas and technology to be taken into account when deciding whether the use of animals is justified.

Under Section 5 (3) of the 1986 Act, project licences are only granted for programmes of work that satisfy one or more of the following purposes: the prevention (whether by the testing of any product or otherwise) or the diagnosis or treatment of disease, ill-health or abnormality, or their effects, in man, animals or plants; the assessment, detection, regulation or modification of physiological conditions in man, animals or plants; the protection of the natural environment in the interests of the health or welfare of man or animals; the advancement of knowledge in biological or behavioural sciences; education or training otherwise than in primary or secondary schools; forensic enquiries; the breeding of animals for experimental or other scientific use.

In determining whether and on what terms to grant a project licence, Section 5(4) of the 1986 Act requires that the likely adverse effects on the animals concerned must be weighed against the benefit likely to accrue as a result of the programmespecified on the application. For the purposes of this cost/benefit assessment, the cost to the animal is considered as the adverse effects of pain, suffering, distress or lasting harm. The benefits must be for humans, animals or the environment and relate to the scientific and/or medical progress likely to result from the programme outlined in the application.

Under section 5 (5) of the 1986 Act, a project licence shall only be granted if the purpose of the programme to be specified in the licence cannot be achieved satisfactorily by any other reasonably practicable method not entailing the use of animals; and that the regulated procedures to be used are those which use the minimum number of animals, involve animals with the lowest degree of neurophysiological sensitivity, cause the least pain, suffering, distress or lasting harm, and are most likely to produce satisfactory results.

Under section 10(2A) and Schedule 2A to the 1986 Act, the Secretary of State will not licence any procedures likely to cause severe pain or distress that cannot be alleviated.

Consumer Credit

Mr. Gardiner: To ask the Secretary of State for Trade and Industry if her Department will initiate discussions with Leeds University Business School about research it has recently conducted on debt collectors. [138594]

Mr. Sutcliffe: We are currently considering the research prepared by the Credit Management Research Centre at Leeds University Business School on debt collectors.

We will discuss the findings with the industry at large.

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what plans she has to standardise the cooling off period for consumer credit contracts and agreements. [138595]

Mr. Sutcliffe: The Government have no plans at present to standardise existing cooling off periods for consumer credit contracts and agreements.

Consumer Rights (Energy)

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what recent discussions she has had with Energywatch on measures to help elderly consumers develop a greater understanding of their rights in relation to energy companies. [138674]

Mr. Timms: I have discussed with Energywatch some of its proposals to assist vulnerable consumers, including the elderly. Energywatch is committed to making its information and advice services fully accessible to all consumers, particularly vulnerable consumers. It provides information, advice and guidance direct to those consumers in their own communities, helping them be more assertive and confident in dealing with energy companies. Energywatch also works with other agencies to reach elderly and other vulnerable consumers. Its activities in areas such as fuel poverty, debt prevention and management, energy efficiency and promoting access to the competitive market directly benefit elderly consumers, as do its campaigns on mis-selling, erroneous transfers and billing and metering.

Debt Management Companies

Mr. Cousins: To ask the Secretary of State for Trade and Industry what plans she has for the statutory regulation of debt management companies. [139092]

Mr. Sutcliffe: Companies providing debt management services are required to be licensed under the Consumer Credit Act 1974. Under the Act the Chairman of the Office of Fair Trading (OFT) has a statutory duty to ensure applicants for a licence are fit to engage in the activities for which they are licensed.

In December 2001 the OFT issued guidelines to debt management companies to ensure they deal fairly and openly with consumers—the Debt Management Guidance (December 2001) OFT366. A copy of the guidance can be found in the Libraries of the House.

The guidance requires that companies offering debt management services should comply with the best practice identified in it. Where the OFT has evidence of practices breaching the guidelines they can take action to refuse or revoke the consumer credit licence, or take such other action as appropriate under other legislation (e.g. Unfair Terms in Consumer Contracts Regulations etc).

The Consumer Credit White Paper will set out Government measures for reform of the current licensing system in order to ensure it remains relevant in today's marketplace, enables consumers to make informed decisions through increasing transparency, and provides suitable enforcement measures to allow the OFT to deal with those companies who act in a manner inconsistent with the best practice laid out in the Act and Guidance.

Home Accident Surveillance System

Mr. Burstow: To ask the Secretary of State for Trade and Industry pursuant to the answer of 11 September, *Official Report*, column 392W, to the hon. Members for Cunninghame, South and for Gateshead East and Washington, West, on the Home Accident Surveillance System, if she will place copies of the representations in the Library; and if she will publish the information from the Home Accident Surveillance System for 2000 to 2002. [138659]

Mr. Sutcliffe: I will not place copies of the representations in the Libraries of the House. I have received these on a confidential basis and I do not have permission from any of the individuals or organisations who sent them to make them public.

I plan to publish the back data from 2000 to 2002 in December.

India

John Mann: To ask the Secretary of State for Trade and Industry if she will make a statement on the UK trade and investment relationship with India. [138201]

Mr. Mike O'Brien: The bilateral trade and investment relationship between the UK and India is increasingly strong. In 2002, bilateral trade in goods and services was worth some £5 billion. In the first eight months of 2003, UK exports of goods to India rose by over 29 per cent. against the same period in 2002.

The UK is the fourth largest investor in India (after Mauritius, USA and Japan). India is an increasingly important investor in the UK. The UK receives approximately 60 per cent. of all Indian investment into Europe. There are over 450 Indian companies with a base in the UK; approximately 75 per cent. of these are in the ICT/software sector.

I look forward to visiting India in the new year to see for myself how our bilateral trade and investment relationship is progressing.

Milk Processing Industry

Mr. Drew: To ask the Secretary of State for Trade and Industry what recent discussions she has had with representatives of the milk processing industry on *(a)* prices and *(b)* profitability in that industry. [139600]

Mr. Sutcliffe: My right hon. Friend the Secretary of State for Trade and Industry has had no recent discussions with representatives of the milk processing industry on prices and profitability.

Mr. Drew: To ask the Secretary of State for Trade and Industry what plans she has to investigate the implementing of further merger activity in the milk processing industry. [139601]

Mr. Sutcliffe: My right hon. Friend the Secretary of State for Trade and Industry has no such plans. With the coming into force of the Enterprise Act on 20 June 2003, decisions on new merger situations are taken by the independent competition authorities, not Ministers.

Mobile Phones

Mr. Gardiner: To ask the Secretary of State for Trade and Industry if she will press mobile phone companies to standardise practice in notifying customers of unusually high mobile phone usage patterns. [138604]

Mr. Timms: This is a contractual matter between the mobile network operating companies and their customers. The Department is aware that certain operators follow this procedure but it has no current plans to press all to introduce a standardised practice.

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what research her Department has conducted on the number of mobile phone customers who receive bills for mobile phone charges incurred by thieves before the customers knew that their phone had been stolen. [138605]

Mr. Timms: None.

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what representations she has received from consumer bodies about mobile phone fraud arising when SIM cards are stolen after consumers have ceased using a SIM card but not cancelled the contract for that SIM. [138608]

Mr. Timms: None.

Mr. Gardiner: To ask the Secretary of State for Trade and Industry if she will require mobile phone operators to present charging structures in a standardised format, similar to the credit card industry's Honesty Box scheme. [138615]

Mr. Timms: The Department encourages clarity and transparency in billing arrangements, but has no plans at present to impose further requirements. I welcome steps taken by the mobile network operators to simplify their pricing structures for customers.

National Minimum Wage (Midlothian)

David Hamilton: To ask the Secretary of State for Trade and Industry how many people in Midlothian have benefited from the national minimum wage since its introduction. [137129]

Mr. Sutcliffe: The Office for National Statistics' Low Pay data for spring 2003 only allows estimates to be made of the number of beneficiaries down to country and regional level within the UK. Using this data, the DTI estimates that between 100,000 and 120,000 people in Scotland should benefit from the increase in minimum wage rates in October 2003, the DTI estimates that between 1 and 1.2 million people should benefit in the UK as a whole.

Phishing

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what powers there are to impose penalties on people perpetrating phishing frauds in internet banking; and what the penalties are. [138596]

Caroline Flint: I have been asked to reply.

The term "phishing" has recently been coined to refer to the practice of sending e-mails which falsely claim to originate from banks, asking customers to re-register or "re-activate" their accounts at a replica bank website, with the aim of using the information provided to transfer money out of these accounts.

This is an offence (or attempted offence) of fraud and can be prosecuted under the Theft Acts 1968 and 1978 or under the common law of conspiracy to defraud. The maximum penalty for the main fraud offences (including attempts to commit them) is 10 years' imprisonment.

Post Office and Bank of Ireland

Mr. Cousins: To ask the Secretary of State for Trade and Industry what regulatory approvals are necessary for the Post Office partnership with the Bank of Ireland to provide financial services to proceed. [139465]

Mr. Timms: This is a matter between the two parties concerned. The joint venture will, of course, be subject to all appropriate company and other regulations including those governing the provision of financial services.

Post Office Closures

Norman Baker: To ask the Secretary of State for Trade and Industry for what reasons elements of management within the Post Office are given a financial incentive to close post offices; and what percentage of post offices within their individual remits they need to close to qualify. [139210]

Mr. Timms: I understand from Post Office Ltd that their Network Development Managers working on the urban reinvention programme are paid in the same way as all other managers in Post Office Ltd. Their pay arrangements include provision for a bonus based on a combination of overall business, financial and quality results and achievement of personal objectives. Their personal objectives are structures around identifying and preparing robust network reinvention proposals for presentation to Postwatch to achieve sustainable restructuring of services in local areas, and are linked to the success in migrating customers from any branch which closes as a result to other branches in the network. There is no incentive linked to actual branch closure.

Post Office Robberies

Mr. Oaten: To ask the Secretary of State for Trade and Industry how many post office robberies occurred in each of the last three years. [139248]

Mr. Timms: These are matters that fall within the day-to-day responsibility of Post Office Ltd. I have therefore asked the Chief Executive to reply direct to the hon. Member.

Postal Services

Mr. Hancock: To ask the Secretary of State for Trade and Industry what recent discussions she has had with the Secretary of State for Work and Pensions on promoting the use of post offices; and if she will make a statement. [139552]

Mr. Timms: The promotion of post offices is a matter for Post Office Ltd. The business plan of Post Office Ltd. reflects the commitment to attract new customers for banking at the Post Office, and to develop new business in financial services. I understand that Post Office Ltd. is providing information to customers and guidance to sub-postmasters on the range of services available at post offices. The Department for Work and Pensions is also supplying information about the payment options available to their benefit and pension customers, including those options which provide post office access.

Quality Mark Scheme

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the survey on raising standards commissioned by the Quality Mark Scheme in July; and if she will use the survey to inform her review of the Consumer Credit Act 1974. [138593]

Mr. Sutcliffe: The Quality Mark Scheme, announced 26 March 2002, was initially rolled out as a pilot 26 June 2002. It is expected the scheme will be tested over a three to four year period and as such no survey was conducted in July.

The Government have no plans at present to introduce an independent Quality Mark Scheme for the consumer credit market.

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for Trade and Industry what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans she has for removing these legacy powers. [136122]

Jacqui Smith: The Department has wide investigatory powers, principally under the following legislation:

Part 14 of the Companies Act 1985 (used to investigate the affairs of companies and related matters);

Part 11 of the Financial Services and Markets Act 2000 (used to investigate financial services matters such as insider dealing);

the Wireless Telegraphy Act 1949 (used to enforce against the criminal offences of unlicensed use of radio, deliberate interference, hoax calls and the sale, advertising or possession of certain restricted radio apparatus);

the Police and Criminal Evidence Act 1984 (used in criminal investigations conducted by the Department to gain access to 'special procedure' material under a court order).

However, these powers will henceforth be subject to the approved RIPA regime.

The Department is a relevant public authority for the purposes of Part 2 (surveillance and covert human intelligence sources) of the Regulation of Investigatory Powers Act 2000 (RIPA) and is intended also to become a designated public authority for the purposes of Chapter 2 of Part 1 (acquisition and disclosure of communications data). RIPA does not amend or replace any of the Department's statutory investigatory powers. However, the Department's existing powers to compel production of information will not be used to compel disclosure of communications data by service providers when (subject to Parliament's approval) Chapter 2 of Part 1 of RIPA is fully in force.

The Department's Radiocommunications Agency ['RA'], has investigatory powers under the Wireless Telegraphy Act 1949 and related legislation. However, responsibility for management of civil radio spectrum use will pass to OFCOM on 29th December 2003 under the Communications Act 2003. The position with regard to the exercise of RA's powers is currently the same as the Department's.

Renewable Energy

Mr. Stunell: To ask the Secretary of State for Trade and Industry what percentage of the additional £98 million funding for renewable energy capital grant programme to 2006 is being allocated to *(a)* offshore wind, *(b)* solar PV and *(c)* biomass. [139492]

Mr. Timms: A little under 50 per cent. of this funding has been committed to Round 1 offshore wind projects, reflecting the importance of offshore wind to meeting the Government's 2010 renewable energy target. It is intended that decisions on the allocation of the remaining funding will be taken in the first half of 2004.

Mr. Stunell: To ask the Secretary of State for Trade and Industry how much capital grant funding she will make available for large scale solar PV projects in *(a)* 2003–04 and *(b)* 2004–05. [139493]

Mr. Timms: The notional budget for Stream 2 (medium and large-scale projects) is £12 million over the first phase of the Major PV Demonstration Programme. So far, around £9 million has been allocated over five rounds, and we plan to run three further rounds in 2003–04. This will require some over-committing of funds in the expectation that a certain proportion of projects will not go ahead. Any extra funding allocation for 2004–05 will have to await the outcome of the Renewables Innovation Review around the turn of the year.

Mr. Stunell: To ask the Secretary of State for Trade and Industry how much private sector investment there has been in UK based solar PV manufacturing since the start of her Department's major demonstration programme phase one. [139494]

Mr. Timms: We do not have precise figures for this, but the recent announcements by Romag, Marley, BP Solar and Sharp lead us to believe that a significant UK manufacturing base is beginning to develop in response to the first phase of the Major Photovoltaic Demonstration Programme.

Mr. Stunell: To ask the Secretary of State for Trade and Industry how many new installers were registered under her Department's solar PV major demonstration programme in *(a)* 2002 and *(b)* 2003. [139495]

Mr. Timms: Before the start of the Major Photovoltaics Demonstration Programme in April 2002, it is estimated that there were less than a dozen companies in the UK capable of doing PV installations.

In 2002–03 the programme had 16 fully accredited and 13 provisionally accredited installers. In the first half of 2003–04 there was one further fully accredited and four more provisionally accredited installers, taking the total to 35 different installers.

Mr. Stunell: To ask the Secretary of State for Trade and Industry how many jobs have been created in the UK solar PV industry since the start of the major demonstration programme phase one. [139496]

Mr. Timms: We do not have precise figures for this, but the number of new installers and increases in staffing in existing design/installation companies, as well as the recent announcements by Romag and Sharp, lead us to believe that several hundred new jobs will have been created by March 2004.

Mr. Stunell: To ask the Secretary of State for Trade and Industry what criteria her Department will use to assess the success of the solar PV major demonstration programme phase one. [139497]

Mr. Timms: A range of criteria will be used to assess the success of the First Phase of the Major PV Demonstration Programme, including:

Raising awareness of PV in the UK

Achieving the target number of installations and installed capacity

Reduction in the cost of PV systems

Development of an installer base

Development of a UK PV industry

Overall value for money of the programme

Mr. Stunell: To ask the Secretary of State for Trade and Industry what the totally installed capacity is of Solar PV in the United Kingdom. [139529]

Mr. Timms: At the end of 2002 the estimated total installed capacity in the UK was 4.14MWp. By the end of 2003 we expect this to have risen by at least 50 per cent.

Vanco *v.* BT

Jon Trickett: To ask the Secretary of State for Trade and Industry what assessment she has made of the implications of the case of Vanco *v* BT; and if she will make a statement. [139548]

Mr. Timms: This is a matter for the Director General of Telecommunications, whose decision was published on 10 February 2003. I welcome the rapid and decisive action taken following the Director General's investigation.

DEFENCE

Afghanistan/Iraq

Mr. Jenkin: To ask the Secretary of State for Defence if he will list *(a)* the number and *(b)* the value of Urgent Operational Requirements for Operation Fingal and for Operation Telic 1, showing (i) in which financial year the costs of UORs fall, (ii) how much has been funded from reserves, and (iii) how much has been or will eventually be funded from within the Ministry of Defence's existing budgets instead of from a permanent transfer from the contingency reserve. [137723]

Mr. Ingram: Information on Urgent Operational Requirements (UORs) for Operation Fingal is not held separately from those for overall operations in Afghanistan under Operation Veritas. A total of 113 UORs were agreed for these operations at an approved cost of £155 million, split between financial years 2001–02 and 2002–03. UORs for these operations were funded from the Reserve, under a special arrangement agreed with the Treasury.

Over 190 UOR measures were agreed for Operation Telic 1, at an approved cost of some £510 million falling in financial years 2002–03 and 2003–04. All these UORs are again funded from the Reserve, as agreed with the Treasury, as part of the overall additional costs of Operation Telic. A number of Operation Telic UORs have brought forward planned expenditure already contained within the forward equipment programme. Where that provision is no longer needed, we expect to reimburse the Treasury for an appropriate amount. A precise figure has yet to be established, but the key point is that the defence budget is neither penalised nor gains windfall benefits as a result of pulling forward expenditure in this way.

Where equipment bought through the UOR process is retained after an operation has completed, appropriate provision needs to be made for downstream support costs. Such decisions on whether or not to keep UORs in service are considered in the normal Departmental planning round alongside other potential equipment enhancements.

Army (Non-UK Citizens)

Bob Russell: To ask the Secretary of State for Defence if he will list by country of origin, the numbers of non-UK citizens who have joined the Army in each of the last five years for which figures are available. [137486]

Mr. Caplin: For the last five financial years the intake of Regular Army personnel with a nationality recorded as being other than United Kingdom was as follows:

Nationality	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
American	—	0	0	—	0
Antiguan	0	0	—	—	0
Australian	20	10	20	10	15
Austrian	0	—	0	0	0
Bangalee	—	0	0	—	—
Barbadian	—	0	—	—	—
Belizean	0	—	—	0	—
Bermudian	—	0	0	0	0
Botswana	0	0	0	—	—
British Commonwealth Foreign	10	—	—	—	—
Cameroon	0	0	0	—	—
Canadian	20	15	10	10	5
Cameroon	0	0	0	—	—
Dominican	0	0	—	—	—
Falkland Islander	0	—	0	0	0
Fijian	20	320	265	490	470
Foreign/Foreign	0	0	0	0	—
Gambian	—	—	—	10	20
German-West	0	0	—	0	0
Ghanaian	—	0	15	80	150
Gibraltarian	0	—	—	0	0
Grenadian	0	—	5	10	15
Guyanese	0	—	—	0	5
Indian	—	—	—	5	10
Italian	—	0	0	0	0
Jamaican	10	10	45	180	420
Kenyan	—	—	10	10	15

Nationality	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Malawi	0	—	0	—	20
Malaysian	—	0	—	—	—
Maltese	5	—	—	0	—
Mauritanian	0	—	0	0	0
Mauritian	0	0	—	—	5
Monserrat Islander	0	—	—	0	0
Namibian (FMLY SW African)	0	—	0	0	—
Nepalese	0	0	0	—	0
New Zealander	10	5	15	10	15
Nigerian	0	0	5	10	20
Pakistani	0	—	—	—	—
Republic of Ireland	30	25	30	10	20
Rhodesian	0	0	0	—	0
Seychellois	0	0	0	—	—
Sierra Leone	—	—	—	—	5
Singaporean	0	0	0	—	0
South African	30	45	65	120	155
Spanish	—	0	0	0	0
Sri Lankan	—	—	—	—	—
St. Helenian	10	10	10	0	10
St. Lucia	0	—	—	15	205
St. Vincent	0	0	185	5	120
Sudanese	0	0	0	0	—
Swazi	0	0	0	0	—
Swiss	0	0	0	—	—
Tanzanian	0	0	0	—	—
Tongan	—	0	0	—	—
Trinidadian	—	—	10	15	25
Ugandan	0	0	—	—	10
Zambian	—	0	—	—	—
Zimbabwean	20	20	35	125	235
Not known/stateless	10	5	—	—	—
Total	205	505	770	1,140	2,010

Notes:

1. Totals are trained and untrained officer and other ranks joining the UK Regular Army in financial years 1998–2003 with a nationality (now) on intake of non-UK nationals.
2. Figures are rounded to the nearest five to prevent disclosure of sensitive personal data.
3. '—'denotes fewer than five.

Colombia

Mr. Allan: To ask the Secretary of State for Defence if he will suspend military aid to Colombia until the Colombian Government takes action to comply with UN recommendations on human rights. [138945]

Mr. Ingram: British military assistance to Colombia includes bomb disposal training and provision of British military education. It complements Colombian efforts to reduce the number of deaths, both civilian and military, from explosive devices, and introduces Colombian military personnel to British defence concepts in key areas such as Rules of Engagement and democratic and accountable control of the armed forces. In view of the clear humanitarian benefits this British military assistance offers to the Colombian people, we do not intend to suspend it.

D-Day

Chris Ruane: To ask the Secretary of State for Defence (1) what plans the Government have to celebrate the 60th anniversary of D-Day; and if he will make a statement; [135516]

(2) what funding has been allocated by the Government for the commemoration of the 60th anniversary of D-Day; [135519]

(3) what representations he has received from the *(a)* Normandy Veterans Association, *(b)* British Legion and *(c)* other bodies concerning the commemoration on the 60th anniversary of D-Day; [135520]

(4) how the Government will be represented at celebrations to mark the 60th anniversary of D-Day in France. [135521]

Mr. Caplin: Details of the Government's position on the 60th anniversary of D-Day were outlined in my letter to all Members of the House of 7 July 2003 and updated in my reply to the hon. Member for Yeovil (Mr. Laws) on 11 November, *Official Report,* columns 27–31WH. Further resources to those referred to as part of routine deployments may also be in attendance but it is too early to provide details at this stage. I announced on 17 September that arrangements had been made with P&O Ferries to offer subsidised tickets to veterans travelling to France in 2004. My hon. Friend the Minister of State at the Home Office (Beverley Hughes) announced on 4 June that one year free passports would be made available to eligible veterans travelling to France in 2004.

Since the beginning of 2002 MOD officials have had two meetings with representatives of the Normandy Veterans Association (NVA). The Department has received ten letters from hon. Members and five direct from members of the public relating to the NVA. The Department also received 36 letters from hon. Members as a result of a letter sent by The Royal British Legion (TRBL) in June of this year to all hon. Members. There have also been one written and two oral parliamentary questions in the House of Lords, eight written parliamentary questions in the House of Commons, 39 letters from hon. Members and 39 letters direct from members of the public which did not specifically represent the NVA or TRBL.

The Government intend to be properly represented at both ministerial and senior armed forces level at all major events next June and officials in the royal household will respond when the invitations have been received from the French Government.

Defence Estates (Pilning Range)

Mr. Webb: To ask the Secretary of State for Defence whether the land owned by Defence Estates South West at Pilning Range will be subject to an open market bidding process when it is sold; and if he will make a statement. [138967]

Mr. Caplin: Under the terms of the Joint Declaration of Intent between Ministry of Defence and English Nature the MOD will give advance warning to English Nature of any intended disposal of land wholly or partially notified as a Site of Special Scientific Interest (SSSI). English Nature may then advise MOD on ways to secure wildlife opportunities and to nominate a suitable purchaser. This procedure has operated in the case of Pilning Range, and English Nature have nominated the Avon Wildlife Trust as a suitable purchaser. The balance of the site not purchased by the Wildlife Trust will be offered by open and public competition.

Defence Export Services

Mr. Gardiner: To ask the Secretary of State for Defence what representations have been made to him from *(a)* other governments and *(b)* foreign non-governmental organisations on the Defence Services export international arms fair held in London. [138567]

Mr. Ingram: The Ministry of Defence has received letters and comments of thanks from many of the official overseas defence delegations that attended the Defence Systems and Equipment International exhibition.

I am unaware of any representations from foreign non-governmental organisations.

Depleted Uranium

Mr. Hancock: To ask the Secretary of State for Defence what research he has *(a)* initiated and *(b)* evaluated on the effects of depleted uranium on British (i) service personnel and (ii) civilians; and if he will make a statement. [138794]

Mr. Caplin: We are currently initiating research to provide an understanding of the extent of any depleted uranium intake by United Kingdom ground forces during Operation TELIC.

In accordance with the Biological Monitoring Policy for DU on Operations all regular and reservist service personnel and attached civilians who deployed on Operation TELIC are entitled to a urine test on their return if they wish. To provide a baseline for comparison we have asked the Institute of Occupation Medicine in Edinburgh to carry out a study to establish normative values for uranium and its isotopes in urine of a military population which did not deploy.

The Ministry of Defence is currently placing contracts for the collection and analysis of urine samples for the voluntary screening programme for DU for veterans of the 1990–91 Gulf Conflict and service in the Balkans. In the event that DU is detected, any links between DU exposure and ill health will be investigated by means of an epidemiological study. A study to establish normative values for uranium and its isotopes in urine in a United Kingdom civilian population is also being commissioned.

Gulf War Syndrome

Mr. Tyler: To ask the Secretary of State for Defence what recent evidence he has collated relating to Gulf War Syndrome; what studies have been commissioned by him in the UK; and if he will make a statement. [132694]

Mr. Caplin *[holding answer 20 October 2003]:* The Government's position remains as set out in my answers of 23 June 2003, *Official Report*, columns 687–89W. The fact that the Government does not recognise "Gulf War Syndrome" as a medical condition does not mean that veterans cannot claim war pensions: war pensions are paid on the basis of disability, not diagnosis.

Full details of all the research studies related to Gulf veterans' illnesses which are being funded by the Government are available on the Internet at: www.mod.uk.issues/gulfwar/research.htm.

A considerable amount of research into Gulf veterans' illnesses has been undertaken in the United States and its Department of Defense have also funded research in the United Kingdom. There is scientific evidence that some veterans of the 1990–91 Gulf conflict report a number of recognised medical conditions. However, the overwhelming consensus of the scientific and medical community is that there is insufficient evidence to enable this ill-health to be characterised as a unique illness, condition or 'syndrome'.

Inquiries

Mr. Keetch: To ask the Secretary of State for Defence if he will list outstanding inquiries relating to operations in *(a)* Afghanistan and *(b)* Iraq; and if he will make a statement. [131994]

Mr. Ingram *[holding answer 16 October 2003]*: There are no outstanding boards of inquiry or Special Investigation Branch investigations relating to operations in Afghanistan.

As at 31 October there were 35 boards of inquiry outstanding from operations in Iraq. Boards of inquiry often require a year or more to complete to ensure that the incident in question can be properly considered and the correct conclusions drawn. There are 44 outstanding Special Investigation Branch investigations relating to operations in Iraq, some of which are being conducted in support of the 35 boards of inquiry.

Further details of the inquiries and investigations are being withheld under exemptions 1 and 12 of the Code of Practice on access to government information.

Iraq

Alan Simpson: To ask the Secretary of State for Defence how many British wounded have been brought back from Iraq since United Kingdom military action began in March. [132206]

Mr. Ingram: Since the beginning of the decisive combat operations in Iraq on 19 March 2003 and as at 14 November 2003, 145 United Kingdom military personnel have been wounded in action, of whom 74 needed to be brought back to the UK for medical treatment.

Norman Lamb: To ask the Secretary of State for Defence what assessment he has made of the success of measures taken to avoid using cluster munitions near civilian areas in Iraq. [135854]

Mr. Ingram: We made every effort to minimise the impact on the Iraqi population of the coalition's military action. Cluster munitions were employed against Iraqi armoured formations in the open and on the periphery of built up areas.

Mr. Jenkin: To ask the Secretary of State for Defence what reports he has received of former regime arms dumps within the British area of responsibility in Iraq; and what measures are being put in place to guard former regime arms dumps within the British area of responsibility. [134457]

Mr. Ingram: Since the end of major combat operations United Kingdom forces have discovered an average of about 45 new sites containing arms and/or

munitions each week. The large amount of arms present in Iraq means that where arms are discovered we cannot always tell whether they were left by the former regime or by other organisations or individuals. All sites containing arms or munitions are marked and then cleared once resources permit. Sites containing large numbers of arms are guarded by UK forces until they can be cleared.

Norman Lamb: To ask the Secretary of State for Defence if he will make a statement on the level of priority given to *(a)* avoiding civilian casualties and *(b)* ensuring the security of British troops in respect of unexploded ordnance clearance in Iraq. [135855]

Mr. Ingram: The provision of a safe, secure and risk free environment for the Iraqi people is a key aspect of reconstruction activity for all members of the International Coalition in Iraq. The United Kingdom takes seriously its obligations as a member of that coalition to deal with unexploded ordnance.

We afford a high priority to avoiding any injury or casualty from unexploded ordnance. Clearance operations are performed by specialists to minimise the chances of accidents occurring.

Mr. Keetch: To ask the Secretary of State for Defence how many *(a)* gun and *(b)* bomb attacks there were on British troops in the provinces of (i) Basra City and *(c)* Maysan, broken down by type of incident and weapons used since 1 May, indicating in each case how many (A) British troops and (B) Iraqi civilians were (1) killed and (2) injured in each incident; and if he will make a statement. [136604]

Mr. Ingram *[holding answer 10 November 2003]:* Many of the following figures have been compiled under operational conditions and may therefore be subject to future refinement and revision. Figures were not collected before 1 June.

Between 1 June and 17 October 2003 (the date of the last update) there were 108 deliberate attacks on coalition forces in the United Kingdom led Multi-National Division South East MND(SE) area of operations.

In the same period there were 101 contact incidents (in which coalition forces have been caught up in tribal feuding or attempted crimes but were not the object of the attack) in Basrah Province and 23 contact incidents in Maysan Province. 88 of these contact incidents involved British Forces.

Five incidents (including one outside the MND(SE) area) resulted in the deaths of British personnel as follows:

Date	*Casualties*	*Nature of incident*	*Firearms or Bomb*
24 June	6 Killed	Ambush of Royal Military Police patrol in Al Majir Al Kabir.	Firearms
14 August	1 Killed	Roadside improvised explosive. device detonated as military ambulance drove by. Basrah.	Bomb
23 August	3 Killed	Ambush of RMP in Basrah.	Firearms
27 August	1 Killed	Ambush in Basrah.	Firearms
31 October	1 Killed	Ambush in Baghdad.	Firearms

23 British soldiers have been injured in these attacks, 10 with gunshot wounds and 13 with other types of injury.

We have no reliable figures on Iraqi casualties as collection is virtually impossible: enemy forces frequently remove their casualties from the scene or seek to blame the coalition for casualties they could not possibly have caused. Of those incidents notified to British forces there are currently 22 Special Investigation Branch Investigations involving 17 deaths of and a number of injuries to Iraqis allegedly caused by British personnel.

Mr. Keetch: To ask the Secretary of State for Defence how many Iraqis are being interned by the British forces because they are perceived to be a threat to coalition forces; how long each such person has been held; what plans the British authorities in Basra have for such people; and if he will make a statement. [136606]

Mr. Ingram *[holding answer 10 November 2003]:* As at 13 November, there were 125 Iraqis being interned by the British Forces because they were considered to be a threat to Coalition Forces. The maximum length of time that any person has been held is just under six months; the least one week. Every 28 days, a review is conducted to determine whether continued internment is necessary. Procedures are in place to allow internees to appeal against their continued internment. Individuals will continue to be held until such time as they are no longer considered a threat to Coalition Forces.

Adam Price: To ask the Secretary of State for Defence by what means UK forces in Iraq have sought to confirm whether civilian fatalities have occurred during incidents involving the use of firearms and other lethal force by UK military personnel since the end of the conflict. [136923]

Mr. Ingram: UK forces in Iraq seek to confirm whether civilian fatalities have occurred during incidents involving the use of firearms and other lethal force by UN military personnel since the end of the conflict by the use of appropriate policing techniques as the operational situation allows.

Mr. Soames: To ask the Secretary of State for Defence if he will make a statement on the security situation in Iraq. [139376]

Mr. Ingram: Iraq continues to make progress and is broadly stable. The majority of incidents occur around Baghdad. Throughout the country increasing numbers of Iraqi police are on patrol, reconstruction of essential services and infrastructure continues and most of the population go about their daily lives without hindrance.

Attacks such as that on the Italian headquarters in Nasiriyah are the work of a violent few. Innocent Iraqi civilians have died in these attacks: they are as much victims of the terrorists as coalition forces.

Coalition forces and the Iraqi police are working hard to provide a safe and secure environment. They will not be deflected from that mission.

Dr. Murrison: To ask the Secretary of State for Defence what measures are being taken to fit British military vehicles in Iraq with vehicle protection kits. [139615]

Mr. Ingram: Following public disorder events in Iraq during August, a requirement was identified to fit Vehicle Protection Kits (VPK) to a range of Combat Support Vehicles. Delivery to theatre began in mid August and should be completed by the end of February 2004.

In addition, the requirement to equip battlefield engineering and plant vehicles deployed to Iraq with VPKs is currently being assessed.

Mr. Lansley: To ask the Secretary of State for Defence what the average cost is per day, per person, of the food provided to British security personnel in Iraq. [129997]

Mr. Ingram: The Ministry of Defence identifies the costs of Operations in terms of the net additional costs it has incurred. The costs, which the MOD would have incurred had the operation not been undertaken—expenditure on wages and salaries or on conducting training exercises for example—are deducted from the total costs of the operation.

The cost of food is not identified separately, but is contained within stock consumption, along with ammunition, clothing and vehicle and equipment spares for example. Costs are not incurred on a regular daily basis and force levels have fluctuated considerably. As a result, to attempt to provide monthly average costs would be misleading.

Matthew Taylor: To ask the Secretary of State for Defence what rotation schedule is expected for troops in Iraq. [130279]

Mr. Ingram: The majority of United Kingdom military units deployed to Iraq undertake tours of either four or six months depending on the role they perform. This can be varied according to operational requirements. There is also some variation in cases of individual personnel who may be required to deploy for longer or short periods.

ITAR Waiver

Mr. Gardiner: To ask the Secretary of State for Defence what discussions he has held with his counterpart in the US Administration about the stance taken by *(a)* the Senate and *(b)* the House of Representatives to the US Administration's proposals for an ITAR waiver for the UK. [138603]

Mr. Hoon: I have had discussions with and written to the US Defense Secretary about the progress through Congress of legislation to allow for a waiver for the United Kingdom from the US International Traffic in Arms Regulations, and emphasised the importance the UK attaches to the successful implementation of a waiver.

King's Own Scottish Borderers

Angus Robertson: To ask the Secretary of State for Defence when the King's Own Scottish Borderers are due to finish their deployment in Iraq; and if he will make a statement. [133651]

Mr. Ingram: The Kings Own Scottish Borderers began returning to the United Kingdom in mid-October and all had returned by the end of the month.

Operation Telic

Mr. Jenkin: To ask the Secretary of State for Defence pursuant to his answer of 1 September 2003, *Official Report*, column 915W, and the answer to the hon. Member for Portsmouth South (Mr. Hancock) of 15 September 2003, *Official Report*, column 509W, on Operation Telic, when he expects investigations into the fratricide incidents involving United Kingdom forces during Operation Telic to be complete; whether the families of the United Kingdom personnel involved are being advised of developments; and when the outcome of these inquiries will be made public. [134471]

Mr. Ingram: Investigations into incidents of fratricide involving UK forces will take as long as necessary to uncover and accurately assess and interpret all the possible evidence.

The families of those involved will be kept informed as matters develop. All will have access to a specialist staff officer from the relevant service.

As I informed the House on 15 September 2003, *Official Report*, column 509W, we will make a summary of the reports' conclusions available, but only after all related proceedings are entirely complete. To do otherwise would be to risk prejudicing those other proceedings.

Parliamentary Questions

Mr. Hancock: To ask the Secretary of State for Defence pursuant to his answer of 20 October 2003, *Official Report*, column 375W, on parliamentary questions, how many questions tabled to his Department by the hon. Member for Portsmouth, South have not been answered within the target times set by the Department. [134734]

Mr. Caplin: Up to 22 October, 196 written questions had been received during this session. 67 (34 per cent.) were not answered within the target of five sitting days.

Saudi Arabia

Norman Lamb: To ask the Secretary of State for Defence how many claims for payment by the Saudi Government have been endorsed by staff of his Department's Director General of the Saudi Armed Forces Project since the Al Yamamah programme began; what the total value of these claims is; and what each of the claims endorsed since 1997 have been in respect of. [137235]

Mr. Ingram: Details of the number of claims are not normally recorded and could only be provided at disproportionate cost. The total number will run into tens of thousands. Details of individual claims since 1997 could only be provided at disproportionate cost. All claims cover goods and services supplied by the Prime Contractor to Saudi Arabia.

Norman Lamb: To ask the Secretary of State for Defence how many staff of his Department's Director General of the Saudi Armed Forces Project are based in *(a)* the United Kingdom and *(b)* Saudi Arabia; and what proportion of their salaries is met by (i) his Department and (ii) BAE Systems. [137236]

Mr. Ingram: Under the Department's Director General of the Saudi Armed Forces Project there are currently 111 staff directly employed in the United Kingdom and 65 staff in Saudi Arabia. The UK MOD receives a management fee from the Saudi Arabian Government for its management of the programme. All costs of the team, including salaries, are met from this fee.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what conditions relating to *(a)* security sector reform and *(b)* human rights are included in the contracts governing the Al Yamamah programme; and if he will make a statement. [137764]

Mr. Ingram: There are none. The Saudi authorities are well aware of the importance we attach to the full respect of human rights.

Technology Transfer Contracts

Angus Robertson: To ask the Secretary of State for Defence how many *(a)* technology transfer contracts from his Department to Scottish companies and *(b)* technology transfer contracts per Scottish company, including the values, there were in each year since 1999; and if he will make a statement. [138572]

Mr. Caplin: I assume the hon. Member refers to my reply to him of 4 November 2003, *Official Report*, column 613W concerning Defence Diversification Agency (DDA) operations in Scotland. Contracts are only one measure of technology transfer. The DDA, which acts as a broker, assists companies in various ways including putting them in touch with defence scientists and programme managers. Contracts between the two parties may result and the DDA is currently aware of 16 technology transfer contracts with organisations based in Scotland since 1999. Individual details and financial value of these contracts are subject to confidentiality agreements and are withheld under Exemption 13 of the Code of Practice on Access to Government Information.

Territorial Army

Mr. Liddell-Grainger: To ask the Secretary of State for Defence what plans he has to help recruit doctors into the Territorial Army. [138951]

Mr. Caplin: The recruitment of doctors, nurses and other healthcare professionals is currently the Territorial Army's (TA) highest recruitment priority and additional funding is being made available in support of this goal.

Steps being taken to aid recruitment include twice yearly visits by recruitment teams to selected NHS Trusts; attendance by the TA Medical Services at some 25 professional conferences/exhibitions; media advertising with a focused television campaign planned for transmission in early 2004. Work is also in place to ensure greater synergy between recruitment campaigns for the TA and Regular Army.

The recruitment of health care professionals into the TA Medical Services is supported by the Department of Health as part of the Improving Working Lives Initiative.

Terrorist Attacks

Mr. Rosindell: To ask the Secretary of State for Defence what steps United Kingdom forces are taking to protect British citizens from terrorist attacks in *(a)* Afghanistan and *(b)* Iraq. [132122]

Mr. Ingram: United Kingdom Forces constantly review security arrangements for those British citizens under their care. For reasons of operational security it would be inappropriate to provide details of the measures in place and I am withholding that information under Exemption 1 (Defence, Security and International Relations) of Part II of the Code of Practice on Access to Government Information.

Unexploded Ordnance

Mr. Gardiner: To ask the Secretary of State for Defence how many children in Iraq have taken part in the Theatre Mine Risk education programme. [131238]

Mr. Ingram: Educating children in Iraq about the dangers of unexploded ordnance is currently the responsibility of four de-mining Non-Governmental Organisations operating in Iraq whose work is co-ordinated by the UN Mine Action Co-ordination Team. We do not hold data on how many children have taken part in their programmes.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Defence how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136847]

Mr. Caplin: I refer the hon. Member to my hon. Friend the Member for Kirkcaldy's (Dr. Moonie) letter of 27 March 2002 (reference: D/US of S/LM PQ 2584M) a copy of which is in the Library of the House. The position has not changed since that reply. I am able however to update the hon. Member concerning compensation cases and costs. The most recent figures are as follows:

Sector	*Number of claims received in year*	*Settlements—compensation/legal fees paid in year (£)*
Service		
2000–01	2	0
2001–02	3	0
2002–03	0	21,200
Civilian		
2000–01	17	87,315
2001–02	25	6,015
2002–03	10	61,248

Compensation/legal fees paid in year do not necessarily relate to the number of claims received in the same year.

INTERNATIONAL DEVELOPMENT

Indonesia

Keith Vaz: To ask the Secretary of State for International Development what assistance his Department has offered the Government of Indonesia for the reconstruction of Sumatra Island. [138753]

Mr. Gareth Thomas: The UK has not been approached specifically to assist reconstruction in Sumatra. DFID is however working continuously with the international community and local and international NGOs to alleviate poverty in Indonesia and improve the lives of poor people. Such assistance is targeted where it is most needed. Should the need for further international assistance for Sumatra be demonstrated, we will work through our partners to ensure this is provided.

Palestine

Ms Oona King: To ask the Secretary of State for International Development what financial aid the Occupied Palestinian Territories received from his Department in each of the last five years; and what provision his Department has made for aid to the Occupied Palestinan Territories in each of the next four years. [138375]

Hilary Benn: Bilateral financial aid to the Occupied Palestinian Territories, including support to UNRWA, over the last five years was as follows:

	£ million
1998–99	8.5
1999–2000	21
2000–01	28
2001–02	39.5
2002–03	34

This financial year we plan to spend about £40.2 million.

In addition DFID provided, from 1998 to 2002, a total of approximately £132 million through the European Commission, and since 1994 to June this year approximately £12 million through the World Bank.

The department has made the following provisions for aid to the Occupied Palestinian Territories and UNRWA: 2004–05, £26.5 million and 2005–06, £26.5 million. We do not currently have planning figures beyond 2005–06. Our support through the EC and the World Bank will continue during this period.

Sub-Saharan Africa

Mr. Bercow: To ask the Secretary of State for International Development (1) what the proportion of people living in poverty in sub-Saharan Africa was in each year since 1992; [139531]

(2) what proportion of people lived in poverty in *(a)* East Asia and *(b)* the Pacific in each of the last 10 years; [139536]

(3) what proportion of people lived in poverty in South Asia in each of the last 10 years. [139537]

Hilary Benn: The most recent estimates of the proportion of people living on less than $1 a day in 1990 and 2000 for East Asia and the Pacific, Sub Saharan Africa and South Asia are contained in the World Bank's 'Global Economic Prospects 2004'. Details are as follows:

	Percentage	
	1990	*2000*
East Asia and Pacific	29.4	14.5
Sub Saharan Africa	47.4	49.0
South Asia	41.5	31.9

Information for intervening years is not available on a comparable basis.

Weapons Stocks

Mr. Gardiner: To ask the Secretary of State for International Development what financial assistance the United Kingdom provides to governments in developing countries to reduce their weapons stocks; and what financial support is given to prevent the sale of military surpluses. [138607]

Hilary Benn: The UK Government fully supports the United Nations Programme of Action on Small Arms and Light Weapons (SALW) which commits governments including those of developing countries to dispose of small arms stocks, preferably by destruction, that are surplus to national requirements.

The UK Government is helping developing countries manage and reduce weapons stockpiles through its Global Conflict Prevention Pool SALW strategy. The UK is providing £7.5 million over three years to the Small Arms Destruction Unit (SADU) of UNDP's Bureau for Conflict Prevention and Recovery for weapons collection, management and destruction work in forty-five developing countries. Since the start of the programme in 2001 SADU have destroyed over 360,000 weapons and in excess of 24 million items of ammunition.

The UK Government is also providing £1.9 million for the development of 5-year National Action Plans in Tanzania, Kenya, Uganda, Mozambique and Namibia. These Plans will provide a comprehensive approach to weapons controls in these countries, and will include disarmament, destruction and weapons management elements. Two NGOs, Saferworld and SaferAfrica, are undertaking this work with the governments of these countries.

The UK seeks to address the problem comprehensively, rather than by earmarking funds to prevent any potential sales of military surpluses.

SOLICITOR-GENERAL

Crown Prosecution Service

Mr. Oaten: To ask the Solicitor-General how many staff were employed by the Crown Prosecution Service as *(a)* Grades 1–6, *(b)* legal assistance, *(c)* executive officers and *(d)* administrative officers; and how many in each category were (i) black and (ii) Asian. [138763]

The Solicitor-General: The number of staff employed by the Crown Prosecution Service in each category who have identified their ethnicity as being (i) black and (ii) Asian is summarised in the table:

Percentage

	Asian			*Black*		
	2001	*2002*	*2003*	*2001*	*2002*	*2003*
Administrative Officers	5.9	5.6	6.4	5.6	5.3	5.5
Executive Officers	3.6	3.9	4.8	4.1	4.3	5.5
Legal Assistance	3.6	5.0	5.1	2.6	3.5	3.8
Grades 1–6	2.1	2.3	3.0	1.6	0.0	1.2
Grand Total	4.4	4.8	5.4	4.1	4.3	4.9

The percentages are based on the number of staff who replied to the question asking them to state their ethnicity.

Mr. Oaten: To ask the Solicitor-General if she will make it the policy of the Crown Prosecution Service to pay fees to their legal advisers within 30 days. [138935]

The Solicitor-General: I can confirm that it is the Crown Prosecution Service's policy to pay invoices from all suppliers and service providers, including independent barristers, within 30 days of receipt of a valid claim or invoice.

Published data from the CPS Annual Report shows that in 2002–03, 81 per cent. of undisputed invoices were paid within 30 days of receipt.

Solicitors/Barristers

Mr. Oaten: To ask the Solicitor-General how many *(a)* solicitors and *(b)* barristers there are in England and Wales; and how many are (i) black and (ii) Asian. [138769]

The Solicitor-General: The Solicitor-General does not have ministerial responsibility for the Law Society or The General Council of the Bar, who are the professional bodies regulating solicitors and barristers, respectively.

Statistics in relation to the profession may be obtained directly from the professional bodies.

CULTURE, MEDIA AND SPORT

Alcohol Licences

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport what assessment her Department has made of the impact proposed increases in the cost of alcohol licences will have on *(a)* community clubs and *(b)* sports associations. [138602]

Estelle Morris: The proposed levels of fees for club premises certificates and premises licences under the Licensing Act 2003 will lead to an increase in licensing fees for some community clubs and sports associations operating either as qualifying clubs under club premises certificates or under premises licences though many will also see a reduction in fees.

Any increases will arise because fees have been estimated on the basis of the actual costs to the licensing authority. Current fees are not set on a full cost recovery basis by the magistrates' courts. This change has been made because we do not consider it appropriate for the taxpayer to subsidise the consumption of alcohol in sports clubs or any other premises.

Any increase in fees should not, however, have a significant impact on any of these clubs or associations. Small clubs are likely to pay around £100 in the first year of the new licensing regime and £50 in subsequent years. This means that, for example, for a club with 25 members, the minimum needed to qualify as a qualifying club, a club premises certificate would cost about £4 per member in the first year and £2 per member in subsequent years.

Aviation White Paper

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport what representations her Department has made to the Department for Transport on the Aviation White Paper. [138727]

Estelle Morris: This Department has made a number of representations to the Department of Transport on a range of issues, including heritage and tourism, throughout the development of the Aviation White Paper.

Childhood Obesity

Alan Simpson: To ask the Secretary of State for Culture, Media and Sport what research she has commissioned into the effect of food advertising on levels of childhood obesity. [138741]

Estelle Morris: None. However, the Food Standards Agency has recently published a research review which it commissioned on this subject and the Department for Culture, Media and Sport is taking part in their consultations as well as other cross-Government initiatives to tackle obesity, notably the work of the Activity Co-ordination Team, aimed at increasing levels of physical activity.

Alan Simpson: To ask the Secretary of State for Culture, Media and Sport what representations she has received about *(a)* childhood obesity and *(b)* lack of access to sports facilities. [138742]

Estelle Morris: My right hon. Friend the Secretary of State regularly receives representations from hon. Members, and members of the public, on these subjects. This reflects the extent of public concern about growing rates of obesity among children, and of interest in community sport and activity facilities.

The Government fully shares both that concern, and that interest. The UK is now the most obese nation in Europe. Sedentary lifestyles—especially among young people—have greatly contributed to that. The Government are already investing substantial amounts in schools and community sports facilities. In schools, the New Opportunities Fund is investing £581 million in school sports facilities in England, and Space for Sport and the Arts is putting £130 million into primary school facilities. In communities, NOF is investing £256 million in healthy living centre projects, and £108.5 million in

new community sports facilities. The Government are also investing £459 million in the PE, School Sport and Club Links Project, which aims to increase the proportion of schoolchildren receiving at least two hours a week of high quality PE and school sport to 75 per cent. by 2006.

The cross-Departmental Activity Co-ordination Team will produce a national strategy for physical activity next year.

Alan Simpson: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with other departments about implementing a strategy to tackle childhood obesity. [138743]

Estelle Morris: Nine Government Departments are represented on the Activity Co-ordination Team (ACT) which was set up and is led jointly by the Department for Culture, Media and Sport (DCMS) and the Department of Health (DH) to tackle the increase in obesity rates and physical inactivity.

The group has met twice since 8 July 2003 and is due to meet again on 27 November 2003 under the chairmanship of my right hon. Friend the Minister for Sport and Tourism and my hon. Friend the Minister for Public Health.

Community Fund (Cheltenham)

Mr. Nigel Jones: To ask the Secretary of State for Culture, Media and Sport how many grants have been made from the Community Fund to projects in the Cheltenham constituency since its inception. [138910]

Estelle Morris: Since its inception, the Community Fund has made 62 grants, to a value of £2.68 million, to projects in the constituency of Cheltenham.

This information is derived from the Department's Awards Database and is based on information supplied by the distributing bodies.

National Lottery

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport how much Lottery funding per capita has been awarded to *(a)* organisations in each of the regions in England and Wales and *(b)* organisations in the Vale of York in each of the past three years. [138783]

Estelle Morris: The following table shows how much Lottery funding per capita has been awarded to organisations in the Vale of York and each of the regions of England and Wales in each of the past three years.

Period covered/Region	*£ person*
January 2003 to 13 November 2003	
East Midlands	10.38
Eastern	7.05
London	16.40
North East	14.18
North West	14.86
South East	7.95
South West	10.00
West Midlands	11.90
Yorkshire and Humberside	13.94
Wales	14.33
Vale of York	7.51
2002	
East Midlands	16.60
Eastern	12.78
London	21.76
North East	23.66
North West	17.37
South East	10.96
South West	15.30
West Midlands	13.54
Yorkshire and Humberside	25.24
Wales	29.11
Vale of York	12.41
2001	
East Midlands	20.52
Eastern	13.80
London	24.35
North East	23.48
North West	17.12
South East	13.10
South West	16.51
West Midlands	14.37
Yorkshire and Humberside	23.95
Wales	26.15
Vale of York	19.00
2000	
East Midlands	13.62
Eastern	9.97
London	18.45
North East	18.23
North West	32.62
South East	13.62
South West	14.44
West Midlands	13.38
Yorkshire and Humberside	11.50
Wales	20.64
Vale of York	7.47

This table is derived from the Department's Awards Database and is based on information supplied by the distributing bodies.

Mr. Nigel Jones: To ask the Secretary of State for Culture, Media and Sport how many National Lottery ticket sales there were in the *(a)* GL50, *(b)* GL51, *(c)* GL52 and *(d)* GL53 postcode areas in each of the last 10 years; and how much was raised in each case. [138908]

Estelle Morris: The available information about National Lottery sales by postcode area is set out in the table placed in the Library, in response to a question from my hon. Friend the Member for Morley and Rothwell (Mr. Challen) on 22 October 2002, *Official Report*, columns 182–83W. I will provide an update of the table to the hon. Member as soon as it is available, and place a copy in the Libraries of both Houses.

Market Research

Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport if she will list each item of market and opinion research commissioned since May 1997 by *(a)* her Department and *(b)* agencies and non-departmental public bodies for which her Department is responsible; what the purpose of each item was; and whether the results were published. [137012]

Estelle Morris: The information requested is as follows:

(a) The following table lists those items of market and opinion research undertaken by the Department.

Name	*Year*	*Purpose*	*Published*
Culture Online (Omnibus of Market and Opinion Research)	2000–01	To establish the current usage of Arts and Culture websites and what new services would be values by different groups of users	Yes. Culture Online Website
Olympic Games Poll (Opinion)	2002	To explore public attitudes in London and across the country towards bidding for the Olympics to come to London in 2012 with a view to obtaining a picture of the public's settled view on a London 2012 Games	Yes. Government response to "A London Olympic Bid for 2012" also on DCMS website
Digital Television 2002 (Opinion)	2002	Obtain the opinion of consumer attitudes towards digital television and impact of digital television for people with disabilities	Yes. DCMS website
Sports Coaching in the UK (Market)	2003	To provide a detailed and accurate picture of sports coaching in the UK	No. Work is ongoing

(b) This information is not held centrally and could only be provided at disproportionate cost.

Secondments

Dr. Iddon: To ask the Secretary of State for Culture, Media and Sport how many people from science and technology backgrounds have been seconded into the Civil Service in her Department in each of the last five years for which data are available. [138625]

Estelle Morris: This Department does not maintain a central record of the background of secondees: secondees remain employees of their seconding organisation, which holds records on their previous employment or educational background. This information could therefore only be provided at a disproportionate cost.

Television Advertising

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport (1) what estimate she has made of the revenue received by each of the commercial television channels from selling advertising airtime slots for food and drink products in each of the last five years; [138677]

(2) what estimate she has made of the percentage of revenue gained from selling advertising airtime during children's television scheduling which was used to *(a)* buy in and *(b)* make children's television programmes by each of the commercial television channels in each of the last five years; [138678]

(3) what information her Department collates on the revenue spent by commercial television companies to *(a)* buy in and *(b)* commission children's television programmes. [138679]

Estelle Morris: The Department has not collated or made estimates of such data. However, we understand from figures made available by ITV to the Independent Television Commission that the total programme budget for Children's ITV in 2002 was £37.5 million and the total value of the breaks for food and drink brands in Children's ITV aimed at children was £17.3 million.

Website

John Barrett: To ask the Secretary of State for Culture, Media and Sport what recent assessment she has made of the content and design of her Department's website. [139369]

Estelle Morris: The Department's website was redesigned earlier this year, at which time a thorough assessment of both content and design was undertaken. Content is regularly reviewed and where appropriate, updated daily. The design has not been reviewed in the last 11 months, but will be revisited early in 2004.

The website is currently being audited by the RNIB as part of a work programme to ensure information is accessible to people with visual impairment.

FOREIGN AND COMMONWEALTH AFFAIRS

First World War Battlefields

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he and *(b)* other Departments have had with the Government of Belgium to (i) preserve First World War battlefields which lie on the route of the A11 motorway and (ii) secure the appropriate treatment of British Servicemen's remains. [139030]

Mr. Caplin: Neither the Ministry of Defence, nor the Secretary of State for Foreign and Commonwealth Affairs, has had any discussions on this subject with the Belgian Government. However, the Commonwealth War Graves Commission continues to monitor the effects of the A19 extension scheme. We fully expect the Belgian Government to adhere to existing procedures for dealing with the remains of British Servicemen discovered during the course of the extension of the A19 motorway. This would entail the eventual interment of remains in a Commonwealth War Graves Commission cemetery in Belgium.

Colombia

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer to the hon. Member for Ayr (Sandra Osborne) of 30 June 2003, *Official Report*, column 64W, what reports he has received of what was said by President Uribe of Colombia in his meeting with NGOs on 11 June; and what his assessment is of the significance of the President's comments. [136310]

Mr. Rammell: We saw various press reports and received the views of the NGO community at the time of President Uribe's comments of 11 June. We do not believe it productive to enter into a public debate on these comments. It is more important to continue to underline the need for the Colombian Government to

implement their commitments as set out in the London Declaration concerning respect for the rule of law, human rights and international humanitarian law when tackling the problems it faces. I made this point when I met the Colombian Foreign Minister in New York on 23 September 2003.

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what practical help has been provided to the Colombian Government in accordance with commitments given at the London conference in July 2003. [136987]

Mr. Rammell: I refer my hon. Friend to the answer my noble Friend the Baroness Symons of Vernham Dean gave to the noble Lord, the Lord Avebury in another place on 6 November 2003, *Official Report*, column WA137.

Correspondence

Mr. Salmond: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter of 20 August 2003 from the Member for Banff and Buchan to the hon. Member for North Warwickshire concerning animal welfare and trade liberalisation. [136759]

Mr. Mike O'Brien: I apologise for the delay in reply, which was due to an administrative error. The letter has now been transferred to my hon. Friend the Minister for Nature, Conservation and Fisheries (Mr. Bradshaw) on 5 November 2003, who will reply shortly. This should have happened before.

Democratic Republic of the Congo

Ann McKechin: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans his Department has made to investigate British companies named in the final report of the UN Panel of Experts on the Illegal Exploitation of Natural Resources in the Democratic Republic of the Congo. [136559]

Mr. Timms: I have been asked to reply.

The Government take allegations against UK companies in any UN Panel's report seriously. If we are provided with sufficient evidence that a company has broken UK law, we will take action.

Separately, the DTI, acting as National Contact Point (NCP) for the Organisation for Economic Co-operation and Development (OECD) Guidelines, is aware of the Panel's report and potential cases arising from it. The role of the NCP is to facilitate a dialogue between the two parties with a view to resolving the issues raised. In this situation, however, the NCP cannot mediate between the parties as the Expert Panel has disbanded on the expiry of its mandate (31 October). The evidence that has been supplied to the NCP by the UN Panel, after several requests by HMG, is general in content and relates only to some of the named companies. DTI will therefore have difficulty progressing these cases, under the Guidelines, on the basis of what has been provided so far.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what independent mechanisms exist for the United Nations Panel on the Democratic Republic of the Congo to pursue its investigations into the exploitation of the Congo's natural resources; and what the policy of the Government is in relation to the establishment of such independent capability. [137619]

Mr. Straw: The Expert Panel on the Illegal Exploitation of Natural Resources in the DRC disbanded on the expiry of its mandate (31 October 2003). I am not aware of any other independent mechanisms that exist for the Panel to pursue its investigations.

We have taken the allegations against UK companies in all of the UN Panel's reports very seriously. The report's proposals for preventing the re-occurrence of illegal exploitation are helpful. If we are provided with evidence that a company has broken UK law, we will take legal action. But this latest report fails to substantiate allegations made against UK companies in earlier reports. The evidence that has been supplied to the DTI, the National Contact Point for Organisation for Economic Co-operation and Development (OECD) Guidelines, is circumstantial and general in content. DTI is seeking clarification.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has received from British-based individuals and companies relating to the release of information about such companies and individuals by the UN Panel on the Democratic Republic of the Congo in its recent report; and if he will make a statement. [137620]

Mr. Straw: The Department of Trade and Industry, acting as the National Contact Point (NCP) for the Organisation for Economic Co-operation and Development (OECD) guidelines on Multi National Enterprises (MNEs), has been approached by three companies named in the final UN Panel report. Details of these exchanges will remain confidential under the provisions of the Guidelines. We are still waiting for evidence to be supplied by the Panel on a number of UK companies named in the report. We will publish a statement on the report once all the evidence has been received by the NCP (DTI) and the necessary next steps have been taken.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the United Kingdom made to the UN in relation to United Kingdom-based individuals and companies mentioned in the report on the Democratic Republic of the Congo; and if he will make a statement. [137621]

Mr. Straw: The Department for Trade and Industry, acting as the National Contact Point (NCP) for the Organisation for Economic Co-operation and Development (OECD) guidelines on Multi National Enterprises (MNEs), contacted the UN Expert Panel on the illegal exploitation of natural resources in the Democratic Republic of the Congo (DRC) on three separate occasions, (between April and September 2003), to request information to substantiate allegations made against UK companies and individuals in its earlier reports. The UK Deputy Permanent representative to the UN in New York asked Ambassador Kassem, the chair of the Expert Panel, personally for further

information on the named UK companies and individuals on 11 March 2003. An official from the Foreign and Commonwealth Office also wrote to Ambassador Kassem on 29 May with the same request. On 6 October 2003, an official from our High Commission in Nairobi contacted the political officer of the Panel to request the information. We continue to take every opportunity to seek to clarify the allegations made against UK companies and individuals.

Guantanamo Bay

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government are making on behalf of the welfare and human rights of the non-British detainees at Guantanamo Bay. [137001]

Mr. MacShane: The focus of the Government's representations to the US authorities has been on how to resolve the position of the UK detainees held in Guantanamo Bay.

Our hope, however, is that the issues raised will be reflected in the treatment of other countries' detainees.

Middle East

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 22 October 2003, *Official Report*, column 617W, on the Middle East, whether Article 147 of the Fourth Geneva Convention is one of the pieces of international law with which he believes the actions of the Israeli Government to be inconsistent. [136739]

Mr. Rammell *[holding answer 10 November 2003]:* The Government believe that the deportation by the state of Israel of persons against whom no charges have been laid may be inconsistent with the provisions of the Fourth Geneva Convention, including Article 147.

Nuclear Non-proliferation Treaty

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of whether the US Administration's plans for new low yield nuclear weapons will comply with that country's obligations under the Nuclear Non-Proliferation Treaty. [137590]

Mr. MacShane: The United States declared a continuing and firm commitment to its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) at the Preparatory Committee (PrepCom) meeting earlier this year. In a fact sheet circulated at the PrepCom, the United States further declared that it was not developing, testing or producing any nuclear warheads, that there was no current requirement for a new nuclear warhead, and that it maintained its moratorium on nuclear testing.

Nuclear Weapons

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals the UK will put forward to strengthen the comprehensive nuclear test ban treaty at the preparatory conference, Twenty-First session, to be held from 10 to 14 November 2003. [137940]

Mr. MacShane: The Twenty-First Session of the Preparatory Commission (Prepcom) of the Comprehensive Test Ban Treaty (CTBT), which took place in Vienna from 10 to 14 November 2003, dealt primarily with the 2004 Budget for the Provisional Technical Secretariat. The CTBT has yet to enter into force and the Prepcom has no powers to strengthen the Treaty itself. The UK has always been at the forefront of efforts to maintain the build-up of the Treaty's International Monitoring System. We consider it a priority to ensure that the Treaty's verification requirements can be met at entry into force and will continue to provide appropriate assistance to promote this end.

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for Foreign and Commonwealth Affairs what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136121]

Mr. Straw: My Department has no such investigatory powers.

President Bush (State Visit)

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs on what basis it was decided to make the forthcoming visit of President Bush an official state visit. [139412]

Mr. Mike O'Brien: President and Mrs. Bush have been invited to visit Britain as guests of Her Majesty The Queen. This is an opportunity to celebrate the many dimensions of the UK's long-standing relationship with the United States, which includes strong cultural and economic ties and goes much wider than the political relationship. Each state visit is considered on an individual basis, underlining the relationship between the UK and the nation of the visiting Head of State. On this basis, it is appropriate for the visit to be a state visit.

PRIME MINISTER

House of Lords

Mr. Gordon Prentice: To ask the Prime Minister how many applicants for a people's peerage since April 2002 were acquainted with a Commissioner of the House of Lords Appointments Commission. [138661]

The Prime Minister: Between 1 April 2002 and 31 August 2003, House of Lords Appointments Commission members were acquainted with 13 out of the 94 people from whom the Commission received nominations.

Mr. Drew: To ask the Prime Minister what assessment he has made of the effectiveness of those peers created since 1997, with particular reference to people's peers. [139431]

The Prime Minister: None. It is not for the Prime Minister to make an assessment of the effectiveness of members of the House of Lords.

Mr. Drew: To ask the Prime Minister if he will publish the timetable for creating further people's peers. [139433]

The Prime Minister: I have invited the House of Lords Appointments Commission to recommend a small number of non-party-political peers. I understand that the Commission is currently considering nominations and will make an announcement in due course.

Mr. Gordon Prentice: To ask the Prime Minister how many of those aspiring people's peers who were invited to interview but who were unsuccessful have indicated that they no longer wish their application to be reconsidered. [139746]

The Prime Minister: One.

Mr. Gordon Prentice: To ask the Prime Minister how many aspiring people's peers who were invited to interview but were not subsequently recommended for elevation to the peerage requested feedback from the Commission as to why they were unsuccessful. [139747]

The Prime Minister: None. The House of Lords Appointments Commission made clear in its information pack at the start of the process that it would not provide feedback on unsuccessful nominations.

Mr. Gordon Prentice: To ask the Prime Minister how many applications for a people's peerage have been received since April 2001 from hereditary peers who no longer have the right to sit in the House of Lords. [139748]

The Prime Minister: This information could be provided only at disproportionate cost and in breach of the House of Lords Appointments Commission's undertakings to treat all personal information in individual applications in strict confidence.

Mr. Gordon Prentice: To ask the Prime Minister, pursuant to his answers of 13 November 2003, *Official Report*, columns 429–30W, on the House of Lords, what initiatives the House of Lords Appointments Commission is planning to increase the number of applications from aspiring people's peers. [139794]

The Prime Minister: The House of Lords Appointments Commission keeps its plans for attracting new nominations under review.

Mr. Gordon Prentice: To ask the Prime Minister, pursuant to his answers of 13 November 2003, *Official Report*, columns 429–30W, on the House of Lords, whether any of the applications received since April 2001 were from *(a)* knights or dames, *(b)* professors and *(c)* persons holding the OBE or CBE; and if he will list the employment categories of applicants in work. [139795]

The Prime Minister: Yes. The Commission does not record figures because it is not pertinent to the Commission's consideration of nominations. The Commission does not ask applicants for information about their occupation or employment status as it does not wish to discourage people with outstanding achievements in areas unconnected with how they might earn their living.

Mr. Gordon Prentice: To ask the Prime Minister, pursuant to his answers of 13 November 2003, *Official Report*, columns 429–30W, on the House of Lords, if he will ask the House of Lords Appointments Commission to hold a meeting in Pendle to encourage people there to think about putting themselves forward as a people's peer. [139796]

The Prime Minister: No. The House of Lords Appointments Commission is independent and it is for them to decide on their programme of meetings.

Microsoft (Licensing Fees)

Norman Lamb: To ask the Prime Minister how much was paid to Microsoft in licensing fees by the Prime Minister's Office in each of the last three years; and how much has been budgeted for *(a)* 2003–04 and *(b)* 2004–05. [130675]

The Prime Minister: I refer the hon. Member to the answer the Minister for the Cabinet Office (Mr. Alexander) gave to him today.

President Bush (State Visit)

Richard Burden: To ask the Prime Minister if he will raise the issue of Israel's construction of the Security Wall with President Bush during his visit; and if he will report to the House the outcome of those discussions. [138943]

The Prime Minister: I expect to cover a range of issues of common interest with President Bush. I have regular discussions with him on a wide range of international issues including the Middle East Peace Process.

Norman Baker: To ask the Prime Minister whether he intends to discuss with President Bush the subject of the United States ratifying the Kyoto Treaty during the President's forthcoming visit. [139395]

The Prime Minister: I expect to cover a range of issues of common interest with President Bush. My regular discussions with him include energy policy and climate change. The government welcomes the US's recognition that climate change is a serious problem and the fact that it is taking domestic action.

The UK is fully committed to the Kyoto Protocol, with its binding targets and timetables, which is designed to deliver absolute global emissions reductions.

The UK will work with other governments to develop the technologies needed to reduce global emissions further in the longer term.

Norman Baker: To ask the Prime Minister what the estimated total cost to public funds is of the forthcoming state visit of President Bush. [139413]

The Prime Minister: The estimates have not yet been completed as the final details of the programme are still being agreed. We expect the costs falling to Grant-in-Aid to be in line with previous state visits. The policing costs are met by the Metropolitan Police.

CHURCH COMMISSIONERS

Lettings (SE1)

Kate Hoey: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, how many dwellings in Mitre Road, Ufford Street and

Webber Street, London SE1 have been let at open market rents since the Church Commissioners changed their lettings policy for this estate. [139238]

Mr. Bell: Since the change in the letting policy, the Commissioners have let 7 of these properties on the open market. A further 2 properties are at various stages of the letting process.

Over the same period, there have also been 17 lettings on non-market tenancies on the same part of the estate either because of transfers or change of tenancy on succession.

VAT Group

Miss McIntosh: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will make a statement on his recent visit to Brussels with the Church of England VAT Group to meet *(a)* UK Permanent Representation officials and *(b)* Commissioner Bolkestein. [138837]

Mr. Bell: The Church VAT Group was grateful for the chance to reiterate the case for a reduced rate of VAT for repairs and maintenance to listed places of worship during the recent visit to Brussels. The UK permanent representative office was very clear about the support of the UK Government for our case and their commitment to argue for it at every level up to the Council of Ministers.

Commissioner Bolkestein received our presentation with much interest. Clearly, with negotiations still ongoing, involving discussion of the many different EU Member States' aspirations, he was not prepared to anticipate what the final outcome would be during his meeting with us.

NORTHERN IRELAND

All Ireland Sports Development Conference

Kate Hoey: To ask the Secretary of State for Northern Ireland how much the Irish Sports Council is contributing to the costs of the All Ireland Sports Development Conference on 20 and 21 November; and what the total cost to the Sports Council of Northern Ireland of the Conference is. [138463]

Angela Smith: The hosting of All Island Sports Development Conference is rotated every two years between the Sports Council for Northern Ireland and the Irish Sports Council. This year the Sports Council for Northern Ireland is hosting the event. The host council meets the direct costs of the event and the Sports Council for Northern Ireland will meet the direct running costs for the 2003 All-Island Sports Development Conference. These costs have been budgeted at £116,000.

Attacks on Medical Staff

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to provide greater funding to increase the personal security of medical staff. [138973]

Angela Smith: I refer the hon. Member to the answer I gave on 12 November 2003, *Official Report*, column 375W.

The Department is concerned about violent attacks against all staff working in the Health and Personal Social Services (HPSS) and regards such incidents as totally unacceptable. The Department has encouraged employers to review their risk assessments with a view to identifying and reducing the potential for violence against HPSS staff.

In addition, the Department intends to mount a publicity campaign in the near future to make it abundantly clear that aggressive and violent behaviour against any HPSS personnel will not be tolerated. It is intended that this campaign will cover both staff who are employed directly by HSS Boards and Trusts and General Medical and Dental Practitioners, who are independent contractors working within the Health and Personal Social Services.

Average Pay

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the average weekly gross pay in Northern Ireland for individuals was at the latest date for which figures are available. [137809]

Mr. Pearson: Average gross weekly earnings of all full-time adult employees in Northern Ireland was £404.50 at April 2003.

Monitoring Commission

David Burnside: To ask the Secretary of State for Northern Ireland whether the International Monitoring Commission has the authority to investigate the allegations of activities by the Provisional IRA and members of Sinn Fein in *(a)* Colombia and *(b)* Florida; and what sanctions it has power to recommend. [132895]

Mr. Paul Murphy: The Independent Monitoring Commission will decide what matters are relevant to the exercise of its functions, which are set out in the draft International Agreement published on 4 September. However, the Agreement makes clear that the focus of the Commission will be on continuing activity by paramilitary groups.

In line with Article 7 of the draft International Agreement, the Commission's reports shall recommend any remedial action considered necessary. The Commission may also recommend what measures, if any, it considers might appropriately be taken by the Northern Ireland Assembly. Such measures are limited to those which the Northern Ireland Assembly has power to take under relevant United Kingdom legislation.

Planning Applications

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many applications to the Planning Service are awaiting consideration; and what the average waiting time for the consideration of these applications has been. [138941]

Angela Smith: There are currently 13,832 applications awaiting consideration in the system. The average waiting time for consideration of these applications is 28 weeks.

Skills Shortages

Mr. Beggs: To ask the Secretary of State for Northern Ireland what steps are being taken to address skills shortages in Northern Ireland, with particular reference to the elementary occupations; and if he will make a statement. [132793]

Jane Kennedy: The Northern Ireland Skills Task Force was established in 1999 to advise Government on skills issues. The Task Force has published skills monitoring reports, the most recent in September 2003, and has conducted research on future skills needs in priority skills areas including engineering, construction and tourism.

The Department seeks to address the identified skill needs through its various programmes including the Jobskills Training programme and Further and Higher Education provision. Jobskills, including Modern Apprenticeships, together with a wider range of vocational education and training which addresses local and NI-wide skills needs, is provided through a network of further education colleges and private sector training providers.

The Department has highlighted six priority skill areas for the further education sector and provides additional funding for these areas (computing, construction and the built environment, electronic engineering, manufacturing engineering, hospitality and catering, and software engineering). The development of Centres of Excellence in colleges in the six priority skill areas ensures that the provision is of industry standard. There are currently 13 Centres of Excellence in eight colleges.The Department also works closely with 13 Sector Training Councils in NI covering the major industrial sectors. In addition, the Department plays a full role in the new Skills for Business Network, a UK-wide system including Sector Skills Councils (SSCs). These SSCs aim to address all of the skill needs of their sectors and to involve employers more fully in these issues.

With regard to elementary occupations, the Department seeks to fill such vacancies through its network of jobs and benefits offices and through use of the New Deal Programme where appropriate.

The Department has also launched the Essential Skills for Living Strategy and Action Plan, which aims to support 25,000 adults to improve their literacy and numeracy skills by the year 2005. This will enable them to improve their overall quality of life, their personal development and employment opportunities. In the first year of the strategy, 6,500 learners have participated in a range of courses offered by the colleges, employers and community and voluntary providers.

EDUCATION AND SKILLS

Adult Learning

Sandra Gidley: To ask the Secretary of State for Education and Skills what steps the Government are taking to encourage people over 60 to take part in adult learning. [138163]

Mr. Ivan Lewis: The White Paper '21st Century Skills: Realising Our Potential', published in July this year, reiterates the Government's commitment to ensuring that adults of all ages have the opportunities to develop the skills they need for employment and personal fulfilment. The White Paper highlights the benefits of learning for older people and sets out our intention to safeguard a wide range of learning opportunities for pensioners, including leisure-based learning which is accessed by many older people.

Older people will also benefit from the new entitlement, announced in the White Paper, to free learning for all those studying for their first full Level 2 qualification [5 GCSEs or a similar vocational qualification] as a skills foundation for employability.

Brampton Abbotts School

Mr. Keetch: To ask the Secretary of State for Education and Skills if he will make a statement on the funding of Brampton Abbotts Church of England primary school in Herefordshire. [139055]

Mr. Miliband: Funding of individual maintained schools is the responsibility of the local education authority, which in the case of Brampton Abbotts CE Primary School is Herefordshire council.

Bullying

Dr. Kumar: To ask the Secretary of State for Education and Skills what services are available to *(a)* students and *(b)* teachers to deal with bullying in schools. [137538]

Mr. Ivan Lewis: Students receive support from their school's pastoral support system. In addition ChildLine's CHIPS programme, which is part-funded by my Department, enables students at participating schools to talk to a trained peer supporter, buddy or mediator. Students at other schools can ring ChildLine's confidential helpline (0800 1111).

Teachers can get support from senior managers in their schools, LEA advisory services (including the specialist Key Stage 3 Behaviour and Attendance advisers), the DfES anti-bullying pack "Bullying: don't Suffer in Silence" and the anti-bullying sections of our Key Stage 3 package of behaviour audit and training materials.

Mr. Woodward: To ask the Secretary of State for Education and Skills (1) what the Government's estimate is of the proportion of children that were bullied in schools in *(a)* the United Kingdom, *(b)* the North West region and *(c)* Merseyside in each of the last three years; [137977]

(2) what plans he has to reduce the number of children that are bullied in schools in England; and what additional resources the Government have made available in this financial year to schools to tackle bullying. [138010]

Mr. Ivan Lewis: Data on bullying is not collected centrally and there is no reliable basis for an estimate of prevalence. However, any level of bullying is too high so we are determined to help schools tackle it.

Our guidance pack for schools 'Bullying: Don't Suffer in Silence' and anti-bullying website (www.dfes.gov.uk/bullying) offer advice and examples of good practice in preventing bullying.

I recently launched a new public information film aimed at children and young people. "Tell Someone" encourages pupils experiencing bullying to tell someone who can help rather than suffer in silence.

Later this month I will be launching an anti-bullying Charter which I hope as many schools as possible will sign and use. The Charter is being drawn up in consultation with the professional associations and voluntary sector partners. It will be accompanied by a summary of effective practice to help schools review and enhance their anti-bullying policies.

The Charter will be launched at the first of a series of regional conferences. These conferences will involve schools, local education authorities and voluntary organisations. As well as raising awareness, they will celebrate and share good practice in tackling bullying.

We are investing nearly £470 million over the next three years in measures to tackle the full range of behaviour and attendance problems faced by schools and pupils. This programme promotes whole-school approaches and reflects local as well as national priorities so spending on bullying cannot be disaggregated. However, in 2003–04 we have separately provided ChildLine in Partnership with Schools (CHIPS) with £240,000 for anti-bullying work involving peer support and just over £190,000 to Parentline Plus for their helpline for parents which takes enquiries about bullying.

Childhood Obesity

Mr. Pike: To ask the Secretary of State for Education and Skills what recent discussions he has had with *(a)* the Department of Health, *(b)* the Department for Culture, Media and Sport and *(c)* educational representatives on the role of education in tackling obesity among children; and if he will make a statement. [139448]

Mr. Miliband: The Department works closely with the Department of Health (DH), the Department for Culture, Media and Sport (DCMS) and others on a range of initiatives which educate children about the benefits of healthy eating, healthy food choices, and physical activity. One example is the National Healthy Schools programme that promotes healthy eating and healthy lifestyles, which is jointly sponsored by DfES and DH. A second example is the national PE, School Sport and Club Links strategy designed to ensure that 75 per cent. of five to 16-year-olds in England spend at least two hours each week on high quality PE and school sport, which is supported by DfES and DCMS.

Last week the Secretary of State for Education and Skills announced that he will be working with the Secretary of State for Health and others to develop a joint "Healthy Schools: Healthy Living Action Plan", which will make healthy living an integral part of school life.

Education (13 to 19)

Mr. Willis: To ask the Secretary of State for Education and Skills how many people aged 13 to 19 were in *(a)* school, *(b)* further education college and *(c)* neither school nor further education college in (i) 2001–02, (ii) 2002–03 and (iii) 2003–04. [138544]

Mr. Ivan Lewis: Data for the academic year 2003/04 is not available at the present.

The numbers of 13 to 18-year-olds by type of institution attended for end 2001 to end 2002, the latest available year, are shown in the table.

Participation by 13 to 18-year-olds

	2001/02	*2002/03*
13 to 15-year-olds		
Schools	1,892,259	1,920,952
Not in schools[1]	15,390	15,635
16 to 18-year-olds		
Schools	405,300	418,700
Further Education Institutions (FEIs)	494,100	N/A
Higher Education Institutions (HEIs)	131,400	N/A
Not in schools, FEIs or HEIs[2]	825,500	N/A

[1] This figure is for 11 to 15-year-olds. This will include, for example, pupils being educated at home, or non-statemented pupils in hospital.
[2] These 16 to 18-year-olds not in schools, FE or HE institutions may be in government supported training (GST), employer funded training (EFT), other education training (GET) or employment.

Data for 16 to 18-year-olds in the year 2002/03 (shown as N/A in the table), and updated 2001/02 figures, are due to be published on 20 November 2003 in the SFR "Participation in Education, Training and Employment By 16–18 year olds in England".

Education Provision (East Riding)

David Davis: To ask the Secretary of State for Education and Skills what the pay rates are for *(a)* primary school teachers, *(b)* secondary school teachers and *(c)* teaching assistants in the East Riding of Yorkshire in 2003–04. [136471]

Mr. Miliband: Classroom teachers in the East Riding of Yorkshire are paid on the national pay scales for teachers in England and Wales. Apart from the London area, these national rates do not distinguish between geographic locations or between primary and secondary schools. The national pay rates for classroom teachers in England and Wales for 2003/04 are as follows:

	£ pa
M1	18,105
M2	19,536
M3	21,108
M4	22,734
M5	24,525
M6	26,460
U1	28,668

	£ pa
U2	29,730
U3	30,831
U4	31,968
U5	33,150

Newly qualified teachers normally start at point M1 and move up a point a year, subject to satisfactory service, until they reach point M6. They can then apply to be assessed against national standards and, if successful, move to point U1 with the possibility of further moves based on performance.

Schools have discretion to give classroom teachers extra allowances worth up to £10,572 pa for taking on management responsibilities, up to £3,312 pa for teaching special educational needs pupils, and up to £5,415 pa for recruitment and retention purposes.

The Government considers that pay and contractual arrangements for teaching assistants are best determined at local level and detailed information on these matters is not held centrally. Many local authorities are now reviewing support staff pay in the light of the agreement—commonly known as the Single Status Agreement—made in 1997 by the National Joint Council for Local Government Services (NJC). A guidance document on the employment and grading of school support staff was published by the NJC in October. Links between potential roles and the pay of support staff will remain a matter for local determination, but the National Agreement on Raising Standards and Tackling Workload, signed on 15 January 2003 by the government, local authority employers and school workforce unions, makes clear that we expect support staff remuneration to reflect their level of training, skills and responsibilities.

Employer Training Pilots

Mr. Gibb: To ask the Secretary of State for Education and Skills what assessment he has made of the Employer Training Pilots project. [139077]

Alan Johnson: We are in the process of considering the evaluation from the first year of operation of the pilots and it is our intention to publish an interim report in due course. In November 2002 a decision was made to extend the pilots to August 2004 to give us a wider base of evidence on which to base future policy decisions. We will be undertaking a full evaluation of the second year of operation and hope to publish a full report by Spring 2005.

GCSEs

Mr. Flook: To ask the Secretary of State for Education and Skills (1) what proportion of 15-year-olds in *(a)* Wiltshire, *(b)* Dorset and *(c)* Devon achieved (i) five or more A* to C GCSE grades and (ii) five or more GCSE passes in each year since 1997; [138961]

(2) what proportion of 15 and 16-year-olds in *(a)* Wiltshire, *(b)* Dorset and *(c)* Devon were entered for GCSE examinations in each year since 1997. [138964]

Mr. Miliband *[holding answer 17 November 2003]:* The statistical information requested is detailed in the following table.

Percentage

Academic year	*Dorset*	*Wiltshire*	*Devon*[2]
Percentage of 15-year-old pupils[1] *achieving 5 or more grades A*-C*			
1997	49.8	50.5	44.0
1998	50.0	51.9	47.0
1999	53.5	52.3	48.4
2000	54.6	55.5	49.1
2001	56.4	55.5	51.3
2002	59.0	57.0	50.4
2003[3]	59.6	57.3	52.5
Percentage of 15-year-old pupils[1] *achieving 5 or more grades A*-G*			
1997	91.9	90.7	89.8
1998	92.7	91.0	91.1
1999	93.7	90.7	91.0
2000	93.0	91.9	91.2
2001	92.1	91.7	90.5
2002	91.9	90.7	89.9
2003[3]	92.8	91.5	90.5
Percentage of 15- year- old- pupils[1] *attempting at least one GCSE/GNVQ*			
1997	95.9	95.8	96.6
1998	96.7	95.8	97.3
1999	96.9	95.8	96.8
2000	96.2	96.4	96.8
2001	96.7	96.2	96.5
2002	96.9	96.1	96.7
2003[3]	97.1	96.3	96.7

[1] Pupils are aged 15 at the start of the academic year i.e. 31 August.
[2] For 1997, Devon LEA included schools in Torbay and Plymouth. Following the Local Government reorganisation in 1998, Torbay and Plymouth schools are excluded from the Devon figures.
[3] Provisional

Higher Education White Paper

Paul Farrelly: To ask the Secretary of State for Education and Skills whether the graduate contribution scheme described in the White Paper on Higher Education is *(a)* debt, *(b)* an income contingent loan or *(c)* an individualised graduate tax. [139625]

Alan Johnson: Under the Graduate Contribution Scheme described in the Higher Education White Paper, students may take out a loan to cover the cost of their tuition fees, repayable on an income-contingent basis through the tax system.

Maths Teachers

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what steps his Department is taking to encourage mathematics graduates to become teachers. [138723]

Mr. Miliband: Since September 2000, £6,000 training bursaries have been available to postgraduate trainee teachers and £4,000 golden hellos for those who go on to teach priority subjects, including mathematics, in a maintained school. Since September 2002, these incentives have been reinforced by the Repayment of Teachers' Loans pilot scheme for new teachers of priority subjects. Recruitment to postgraduate courses of initial teacher training in mathematics has accordingly risen by 68 per cent. between 1999/2000 and 2003/04. Partly as a result of this increase, the number of unfilled vacancies for mathematics teachers in maintained secondary schools has fallen by 22 per cent. in only two years.

The Government will build on these achievements over the coming years. The Teacher Training Agency is currently developing a number of new initiatives to bring more mathematics specialists into the classroom. These include enhancement courses designed to allow prospective teachers of mathematics to bring their subject-knowledge up to the required level for entry onto a postgraduate teacher training course.

Medical Students

Mr. Clappison: To ask the Secretary of State for Education and Skills pursuant to the answer of 10 November, *Official Report*, column 90W, if he will give a breakdown by individual institution of the 81 students on courses leading to registration with the General Medical Council and subsequent practice as a doctor who are under 21 and have less than the equivalent of three grade Cs at A level. [139121]

Alan Johnson: No. The Higher Education Funding Council for England (HEFCE) does not, as a matter of policy, publish sensitive student data at course level for individual institutions.

Minister for Children

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills whether the Minister for Children sought advice from departmental officials before writing to the Chairman of the BBC about child abuse in Islington; and if he will make a statement. [139027]

Mr. Charles Clarke: The Minister for Children sought no advice from any departmental official, but did discuss in general terms with the Department's Special Advisers the possibility of writing to the BBC.

Modern Apprenticeships

Rob Marris: To ask the Secretary of State for Education and Skills whether *(a)* his Department and *(b)* its agencies carry out exit surveys with those who (i) complete and (ii) do not complete modern apprenticeships. [136975]

Mr. Ivan Lewis *[holding answer 17 November 2003]:* DfES place the responsibility for planning and managing Modern Apprenticeships (MAs) on the Learning and Skills Council (LSC). Both the Department and LSC place great importance on the role of learner surveys in quality strategies and improvement. The LSC have been running a learner satisfaction survey since early 2002 and the first report was published in November 2002. The main purpose of the survey is to interview those who are still in learning; however, it does cover some learners who have recently completed their course and also a small number who left early.

Both the Department and the LSC are also aware of the importance of labour market destination data. Some feasibility work has recently been concluded and DfES and LSC along with ALI and Ofsted will shortly be publishing proposals as to how best to implement the recommendations.

Rob Marris: To ask the Secretary of State for Education and Skills what proportion of successfully completed modern apprenticeships in *(a)* 2001–02 and *(b)* 2002–03 were provided by (i) further education colleges, (ii) private training providers and (iii) employers. [136976]

Mr. Ivan Lewis *[holding answer 17 November 2003]:* The information requested is not available. The Learning and Skills Council (LSC) published framework completion rates for modern apprenticeship programmes as a whole in July 2003. Current apprenticeships training is delivered in a variety of different ways, including collaboration between various providers and so is not always an exclusive relationship between one provider and one apprentice—hence it is not possible to estimate the proportion of modern apprenticeships successfully completed through different providers.

Rob Marris: To ask the Secretary of State for Education and Skills what proportion of young people undertaking a modern apprenticeship in *(a)* 2001–02 and *(b)* 2002–03 had all or part of their training provided by a further education college. [136979]

Mr. Ivan Lewis *[holding answer 17 November 2003]:* The Learning and Skills Council (LSC) publish figures on modern apprenticeships learner volumes within figures for work-based learning as a whole. They estimate that around 20 per cent. of modern apprenticeships were delivered directly through further education colleges in 2002/03. This figure excludes cases where other training providers for work-based learning have sub-contracted their delivery through further education colleges.

Non-EU Students

Mr. Jon Owen Jones: To ask the Secretary of State for Education and Skills how many non-European Union students registered for courses in *(a)* further education colleges and *(b)* universities in each of the last five years for which figures are available. [131723]

Alan Johnson: The latest available figures are in the table.

Number of non-European Union overseas students, studying in English FE colleges and HE institutions

Thousand

	FE colleges[1]		
Academic year	*Council funded*	*Non-Council funded*	*HE institutions*[2]
1997/98	5.1	n/a	92.7
1998/99	5.7	n/a	94.8
1999/2000	7.2	n/a	99.9
2000/01	8.4	18.5	109.7
2001/02	7.2	20.0	120.8

[1] FE data cover non-EU overseas students studying HE and FE in English FECs, based on a census count as at 1 November.

[2] HE figures cover non-EU overseas students studying HE and FE in English HEIs including the OU, based on a census count as at 1 December.

Source:

Higher Education Statistics Agency (HESA) and Learning Skills Council (LSC).

National Vocational Qualifications

Linda Perham: To ask the Secretary of State for Education and Skills what action he will take to raise the percentage of the London workforce with NVQ Level 2 qualifications. [137490]

Mr. Ivan Lewis: The Skills Strategy, published in July, set out our intention to introduce a new entitlement for any adult in the labour force to have access to free learning for their first full Level 2 qualification. This entitlement will enable individuals to reach a level of attainment that gives a platform of skills for employability, improve their position in the labour market, and increase their chances of undertaking further learning. We are working with the Learning and Skills Council nationwide on the phasing in of the Level 2 entitlement, with phase one in 2004–05 and full rollout beginning the following year.

The Secretary of State has asked the London Development Agency and its partners to produce proposals showing how they will work together to address the key themes of the Skills Strategy, including raising the percentage of the workforce with Level 2 qualifications. The five local London LSCs are working together as a regional pioneer to ensure a consistent approach to improving the quality and responsiveness of post-16 skills provision through the Success for All strategy.

Employer Training Pilots (ETPs) are testing new financial support measures to improve access to training and enable employees to attain basic and Level 2 skills. The East London pilot was launched in September this year and has already signed up 35 employers, 559 NVQ Level 2 learners and 26 basic skills learners.

In addition, London West LSC is one of the 10 areas piloting the new Adult Learning Grant. The grant offers up to £30 per week to adults on low incomes studying full time for a first full Level 2 qualification, and young adults on low incomes studying full time for a first full Level 3 qualification.

Poorer Students

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) what incentives he plans to introduce to encourage universities to offer places to poorer students under a mandatory bursary scheme; [139167]

(2) what form of bursary system he plans to adopt to help poorer students at universities that charge higher tuition fees; [139168]

(3) what assessment he has made of the potential effects of a bursary system on the offer of places at university for poorer students; [139169]

(4) what amount from higher top-up fees he will require universities to set aside for bursaries from poorer students; and by what mechanism. [139170]

Alan Johnson: We are considering and discussing the content of access agreements and the duties of the Office for Fair Access, and will make a statement in due course.

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) what representations he has received from *(a)* Imperial College and *(b)* Sir Richard Sykes in respect of proposals to ask universities to provide bursaries for poorer students out of variable tuition fees; [139171]

(2) what representations he has received from universities in England regarding proposals to provide bursaries for poorer students out of variable top-up fees; [139172]

(3) what discussions he has had with universities in England regarding their preferred methods of contributing to bursaries for poorer students from higher tuition fees. [139173]

Alan Johnson: In our discussions over the content of access agreements and the duties of the Office for Fair Access, we have had representations from a range of interested parties including higher education institutions.

Post-16 Education

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Skills what measures are in place to encourage schoolchildren to stay in school after the age of 16. [139609]

Mr. Ivan Lewis: "14–19: opportunity and excellence", issued in January 2003, sets out our plans to reform education and training for young people, offering a broader and more flexible range of options, including more vocational learning opportunities, to encourage greater participation and higher attainment throughout the 14–19 phase. Young people may choose to study at school, in a college or workplace, or a combination of these, depending on their individual needs and preferences.

From September 2004, education maintenance allowance will be available across the country, offering means-tested payments to help support young people in post-compulsory education.

The Connexions card is available to all young people aged 16–19 and offers a wide range of discounts on goods and services which help reduce the cost of learning. In addition young people attending a place of learning which adopts the card can earn points for attendance. These points can be exchanged for a wide variety of incentives and "money can't buy" opportunities which are exclusive to those who stay in learning.

School Funding

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills whether his pledge of increased school funding is aimed at assisting schools in meeting the cost of *(a)* incremental drift and *(b)* teachers crossing the pay threshold. [137477]

Mr. Miliband: Increased school funding designed to help school maintain the improvement in standards since 1997. The cost of incremental drift has been taken into account in calculating average cost pressures, and although schools' costs will vary from the average, the 5 per cent. floor increase for LEAs should enable them to target resources at particular schools which have unavoidable higher than average staff costs. Threshold payments will continue to be fully funded through grant in 2004–05.

Tuition Fees

Paul Farrelly: To ask the Secretary of State for Education and Skills what his estimate is of the average debt medical students will face when they qualify as doctors if they are charged the maximum tuition fee per year. [137216]

Alan Johnson: Average additional debt for medical students as a result of being charged the maximum variable fee of £3,000 per year from 2006/07 will depend on whether they receive a higher education grant or a bursary from university; and whether they use these sums to offset fees. Currently students who are not eligible for means-tested grants for fees pay £1,125 contributions to fees. Over the four years when this Department is responsible for medical students' support, the maximum increase in support would be £1,875 per year, totalling an additional £7,500, to meet the difference. Poorer medical students will in addition be eligible for HE grants of up to £1,000 per year and university bursaries which will reduce their costs and hence their extra debt.

The level of loan taken out by medical students will depend upon their individual circumstances and choices, including the extent to which they work while in higher education. In years five and six they currently pay no contribution to fees and are eligible for means tested NHS bursaries, which helps to keep down the level of debt. Medical students on graduation should have better prospects of secure employment and of higher salaries than the typical graduate and will therefore pay off their loans faster.

Paul Farrelly: To ask the Secretary of State for Education and Skills what discussions he has had with Ministerial colleagues from other Departments in respect of increasing proposed tuition fee remission levels for students from poorer backgrounds. [139165]

Alan Johnson: The Secretary of State has had a number of discussions with colleagues across Government on all aspects of his proposals for financing higher education.

University Enrolments

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on the work of the task force on university enrolments chaired by Professor Thomas. [129989]

Alan Johnson: I apologise for the delay in replying. I believe the reference is to the Higher Education Endowment Task Force chaired by Professor Eric Thomas, Vice Chancellor of Bristol University. The Task Force is focusing on: exploring tax incentives and models of matched funding schemes to encourage giving and institutions' capacity to raise funds; building a culture where universities ask for donations and donors are more willing to give; and elements necessary for a professional development office and effective fundraising. The Task Force is due to report in March 2004.

Mr. Boswell: To ask the Secretary of State for Education and Skills what evidence he has collated on higher education student participation by socio-economic class in *(a)* subgraduate qualifications, *(b)* first degree courses and *(c)* postgraduate qualifications. [135783]

Alan Johnson: The available information on undergraduate participation is the Age Participation Index (API). The API measures the proportion of UK domiciled initial entrants to full-time undergraduate HE by the age of 20 and is expressed as a percentage of the average of the 18 and 19-year-old populations. The most recent information, for 2001/02, is in the table.

Participation rates for postgraduate study are not held centrally.

Age Participation Index (API) by social class[1] and level of course, 2001/02

Social class	*First degree*	*Sub degree*[2]
I Professional	77	3
II Intermediate	47	3
IIIn skilled non-manual	31	3
IIIm skilled manual	19	2
IV partly skilled	16	2
V Unskilled	13	2
I-IIIn	47	3
IIIm-V	18	2
Total	30	6

[1] Figures rounded to nearest whole percentage.

[2] Around a third of home domiciled sub-degree entrants to GB institutions, aged under 21 years, were part time in 2001/02 and so would not be included in the API.

Working Tax Credit

Judy Mallaber: To ask the Secretary of State for Education and Skills what estimate he has made of the cost of raising the maximum child care element of the working tax credit from 70 per cent. of the costs of eligible child care to *(a)* 80 per cent., *(b)* 90 per cent. and *(c)* 100 per cent. [136777]

Dawn Primarolo: I have been asked to reply.

Such increases are likely to prompt substantial changes in the amount spent on eligible child care. No reliable estimates are available of the sizes of these changes, and therefore of the total costs.

WALES

Coal Mining Communities

Mr. Llwyd: To ask the Secretary of State for Wales what representations he has made to the Department of Trade and Industry regarding the amount paid to Welsh communities by the Coalfields Regeneration Trust in comparison with other former coal mining communities. [115145]

Mr. Touhig: My right hon. Friend and I have regular discussions with Ministers at the Department for Trade and Industry covering matters of interest to people living in former coal mining areas of Wales.

There have been no recent discussions on the Coalfields regeneration Trust.

Website

John Barrett: To ask the Secretary of State for Wales what recent assessment he has made of the content and design of his Department's website. [139365]

Mr. Touhig: A recent review will lead to a bilingual homepage to more easily link to the parallel English and Welsh versions. A further review of the overall content and design of the site is due to begin shortly.

WORK AND PENSIONS

Child Support Agency

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will place in the Library an updated progress report on the implementation of the new child support scheme. [137926]

Mr. Andrew Smith: I have today placed in the Library a second report on progress in implementation of the new child support scheme.

Mr. Alan Reid: To ask the Secretary of State for Work and Pensions when Child Support Agency cases which have been assessed under the old scheme and which are linked to cases which have been assessed under the new scheme will be re-assessed under the new scheme. [139525]

Mr. Pond: Linked cases will transfer to the new scheme from the date on which the fresh case takes effect. (Cases are treated as linked where a person who already has an old scheme assessment is involved in a new scheme application. In addition there are special rules for households on certain prescribed benefits.)

Council Tax Benefit

John Barrett: To ask the Secretary of State for Work and Pensions what estimate he has made of the number of people eligible for but not claiming Council Tax Benefit in *(a)* the City of Edinburgh local authority area, *(b)* Scotland and *(c)* the UK in 2002–03. [138684]

Mr. Pond: The information is not available.

Statistics for Great Britain are presented in the DWP series "Income Related Benefits Estimates of Take-Up". The latest estimates relate to financial year 2000–01 and are in the Library.

John Barrett: To ask the Secretary of State for Work and Pensions what steps he is taking to improve the take-up of Council Tax Benefit among pensioners. [138688]

Mr. Pond: Council Tax Benefit is administered by over 400 local authorities, each of which is required by legislation to take appropriate steps to ensure that people with a potential entitlement to Council Tax Benefit are made aware of the help available. Information is also contained in leaflet GL17 "Help with your Council Tax Benefit" as well as various other information leaflets and posters produced by the Department.

Applicants for Pension Credit are asked if they want to claim Council Tax Benefit and they are either sent or given a claim form to return to their local authority. A similar approach is being taken when a customer changes address. The claim packs for Income Support and Jobseekers Allowance also include a claim form for Housing Benefit and Council Tax Benefit.

Disability Rights Task Force

Miss McIntosh: To ask the Secretary of State for Work and Pensions what recent representations he has received from the Disability Rights Task Force. [137908]

Maria Eagle: The Disability Rights Task Force was set up in 1997 to advise the Government on how best to meet our Manifesto commitment on comprehensive and enforceable civil rights for disabled people. Following its recommendations to Government, it was disbanded in December 1999.

We have already legislated to meet many of the Task Force's recommendations, including:

the Disability Rights Commission Act 1999;

the Special Educational Needs and Disability Act 2001;

the Disability Discrimination (Blind and Partially Sighted Persons) Regulations 2003; and

the Disability Discrimination Act 1995 (Amendment) Regulations 2003.

We have also announced that we will take forward other Task Force legislative recommendations in a draft Disability Bill. The draft Bill will be published later this year with the intention that it undergo pre-legislative scrutiny. Following this process, the Bill will be introduced into Parliament.

Disability Living Allowance

Paul Flynn: To ask the Secretary of State for Work and Pensions how many disabled *(a)* children under 16 and *(b)* people aged between 16 and 59 receive (i) Disability Living Allowance, (ii) Higher Rate Care Component only, (iii) Middle Rate Care Component only, (iv) Higher Rate Mobility Component only, (v) Higher Rate Care with Higher Rate Mobility Components, (vi) Higher Rate Care with Lower Rate Mobility Components, (vii) Middle Rate Care with Higher Rate Mobility Components, (viii) Middle Rate Care with Lower Rate Mobility Components and (ix) Lower Rate Care with Higher Rate Mobility Components; and how many recipients in each case are part of a household in which another adult under 60 or child also gets Disability Living Allowance at one of the above rates. [139114]

Maria Eagle: The information on the numbers of disabled people receiving the various combinations of Disability Living Allowance is given in the following table.

Disability Living Allowance by age bands and components as at 31 May 2003

DLA combination	*Under 16*	*16–59*
Higher Rate Care Only	28.6	7.0
Middle Rate Care Only	51.3	38.4
Higher Rate Mobility Only	2.8	186.5
Higher Rate Care and Higher Mobility	40.8	183.9
Higher Rate Care Lower Rate Mobility	33.8	65.9
Middle Rate Care and Higher Rate Mobility	15.2	172.4
Middle Rate Care and Lower Rate Mobility	63.7	193.0
Lower Rate Care and Higher Rate Mobility	0.9	183.4

Note:
Figures are in thousands and rounded to the nearest hundred.
Source:
IAD Information Centre, 5 per cent. sample.

5 per cent. of households with a person under 60 claiming Disability Living Allowance (DLA) have another person under 60 also claiming DLA. It is not possible to break this figure down by the individual components as requested.

Notes:

1. The information on numbers within households is based on data from the Family Resource Survey (FRS) for 2001–02.
2. The information on benefit receipt taken from the FRS is based on self-assessment and therefore may be subject to misreporting.
3. The estimates are based on sample counts that have been adjusted for non-response. These estimates are subject to sampling error and response bias.

Full-time Carers

Mr. Jenkins: To ask the Secretary of State for Work and Pensions what additional support has been offered to private individuals who are full-time carers for friends and family since 1997. [136441]

Maria Eagle: "Caring about Carers—A National Strategy for Carers" published in 1999 underlined the Government's commitment to support carers. Carers are entitled to an assessment by their local council to determine their needs as carers and their eligibility for support. Depending on their individual circumstances, carers have access to the full range of social security benefits including Carer's Allowance (CA) (previously Invalid Care Allowance), the Carer Premium in income-related benefits and additional amounts in Pension Credit.

The improvements we have made to the support and benefits for carers on top of the annual upratings of benefits include:

the introduction of the Carers' Grant in 1999 to support local councils in providing short breaks for carers to enable them to continue to care while maintaining their own health and well-being. In response to requests from carers and others, the 2003–04 Carers Grant includes new flexibilities. Local councils can now use as much of the money as they wish in pooled budgets and they can fund more services directly for carers. This offers them the opportunity to support carers in more responsive and innovative ways, and not only through breaks;

strengthening, in 2000, of the right of carers to an assessment of their own needs. Local councils were given a mandatory duty to support carers by providing them with services directly and with breaks from caring. In addition, Direct Payments from local councils were made available to carers to enable them to purchase carers services themselves. Resources for personal social services increased by 20 per cent. in real terms between 1996–97 and 2002–03, an average real terms increase of 3 per cent. a year, and will be increased by an annual average of 6 per cent. in real terms from 2003–04 to 2005–06. In 2001–02, local councils provided help to over 140,000 carers through the adults service and to some 52,000 people (including young carers) through the children's service;

increasing the carer premium by £10 a week above normal uprating;

increasing the CA earnings limit from £50 to £72 a week in 2001. Since then, the earnings limit has been increased each year in line with the rise in the national insurance lower earnings limit and is currently £77 after allowable expenses;

abolishing the upper age limit on claims to CA in 2002, so that carers aged 65 and over can claim the allowance. People in receipt of basic state pension who are entitled to, but do not receive CA because of the overlapping benefit rules may be entitled to extra money with their income-related benefits or Pension Credit;

extending entitlement to CA by up to eight weeks after death of disabled person being cared for; and

from April 2003, requiring local councils to make direct payments to carers who have an assessed need and are able to manage the payments (alone or with assistance), and giving local councils discretionary powers to support flexibility in provision of short breaks for carers through the short term breaks voucher scheme.

Carers can find out about the support and benefits available to them through various routes: on-line services such as UK Online, or the Government DWP and carers websites; by telephone via benefits helplines, NHS Direct, carers centres, Carers UK helpline; and booklets/leaflets published by the Government or voluntary sector.

Invalid Care Allowance

John Robertson: To ask the Secretary of State for Work and Pensions how many people aged over 65 years have claimed Invalid Care Allowance and subsequently Carer's Allowance since 28 October 2002 in *(a)* Glasgow, Anniesland and *(b)* the United Kingdom. [136942]

Maria Eagle: Information for Great Britain is as follows.

Number of claims received for Invalid Care Allowance and subsequently Carers Allowance since 28 October 2002

	Claims received from people aged 65 and over
Anniesland Glasgow	95
Great Britain	31,450

Note:
Figures are rounded to the nearest five.
Source:
IAD Information Centre, 100 per cent sample

Pension Credit

Mr. Alan Reid: To ask the Secretary of State for Work and Pensions how many people in Argyll and Bute constituency are in receipt of Pension Credit; and what his estimate is of the number of pensioners in the constituency who are entitled to receive Pension Credit. [139526]

Malcolm Wicks: The information is not available in the format requested.

As at 17 October 2003 the number of people receiving Pension Credit in Argyll and Bute constituency was 2,735.

Around 400,000 pensioner households are entitled to Pension Credit in Scotland.

Notes:

1. Figures have been rounded to the nearest five.
2. Figures are based on 100 per cent. Generalised Matching Service (GMS) data.
3. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Source:
IAD Information Centre, 100 per cent. sample.

Profiling

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions what research he has commissioned on the use of profiling; and if he will make a statement on the use of profiling within the benefit system. [134931]

Mr. Pond: We have commissioned research to explore the potential in using statistical profiling to allocate work-focused help within the Department's client groups: sick and disabled people, lone parents and unemployed people. This research, which has been carried out by the Policy Studies Institute, is due to be published on 20 November 2003 and a copy of the report will be placed in the Library.

We also commissioned a large-scale literature review to help inform the development of the screening process used in the Incapacity Benefit reform pilots introduced in October 2003. This screening is used to distinguish between those incapacity benefit clients who are likely to make an early return to work and those who are not. This enables us to provide more intensive support to return to the labour market to people in this second group. The report of the review "Screening to identify people at risk of long-term incapacity for work" by Professors Gordon Waddell, Kim Burton, and Chris Main was published in May 2003.

In addition we have commissioned a literature review from the Institute for Employment Research, Warwick university to provide evidence to establish whether customer profiling could be useful to Jobcentre Plus, by using international comparisons from other public employment agencies.

Scottish Local Authorities

Annabelle Ewing: To ask the Secretary of State for Work and Pensions which Scottish local authorities have returned unspent discretionary housing payment funds to the Department of Work and Pensions in each year for which figures are available; and how much was returned in each case. [139010]

Mr. Pond: The information is in the table.

Refunds by Scottish local authorities of unspent discretionary housing payment funds

	Amount refunded (£)	
Local authority	*2001–02*	*2002–03*
Aberdeen	43,840	12,905
Aberdeenshire	21,388	0
Angus	0	0
Argyll-Bute	4,440	0
Clackmannanshire	7,187	[2]—
Comhairle Nan Eilean Siar	0	0
Dumfries and Galloway	23,463	0
Dundee	64,867	[2]—
East Ayrshire	22,005	[2]—
East Dunbartonshire	0	0
East Lothian	4,842	[2]—
East Renfrewshire	25,933	18,223
Edinburgh	53,754	0
Falkirk	10,441	[2]—
Fife	47,489	3,106
Glasgow	0	0
Highland	5,319	[2]—
Inverclyde	17,985	0
Midlothian	3,420	7,723
Moray	2,966	1,573

Refunds by Scottish local authorities of unspent discretionary housing payment funds

	Amount refunded (£)	
Local authority	*2001–02*	*2002–03*
North Ayrshire	16,262	[2]—
North Lanarkshire	24,135	27,082
Orkney	383	0
Perth and Kinross	13,362	10,550
Renfrewshire	42,148	[2]—
Scottish borders	10,252	[2]—
Scottish homes	6,534	[1]n/a
Shetland	1,297	[2]—
South Ayrshire	929	[2]—
South Lanarkshire	14,799	0
Stirling	11,484	6,756
West Dunbartonshire	1,289	0
West Lothian	19,315	0

[1] Scottish homes, the national housing agency for Scotland, ceased to administer benefits after 2001–02.
[2] Refers to authorities that have not yet returned an audited final claim
Notes:
1. For 2001–02 most authorities was given their maximum grant and had to refund any under-spend.
2. For 2002–03 each authority was given a partial grant adjusting payments and/or refunds are made where appropriate.
Source:
Audited final claims from local authorities.

CONSTITUTIONAL AFFAIRS

Asylum Seekers

Andy King: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many qualified legal advisers have a Community Legal Service franchise to represent asylum seekers in England. [138692]

Mr. Lammy: As at 1 November 2003, there were 504 solicitors' offices in England and Wales[1] with contracts to undertake publicly-funded immigration and asylum work. At the same date, there were 90 Not for Profit organisations in England and Wales with contracts to undertake publicly funded immigration and asylum work. It is not possible to provide figures for the number of advisers employed under these contracts.

[1] The LSC provides publicly-funded legal services in England and Wales through contracts with solicitors' offices and Not for Profit organisations. It is possible for solicitors based in Wales to represent clients in England and visa versa.

County Court Judgments

Simon Hughes: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many county court judgments have been made against individuals in *(a)* London and *(b)* England and Wales in each of the last six years. [139258]

Mr. Leslie *[holding answer 17 November 2003]:* Information identifying whether or not the claimant or defendant is either an individual or company is not held centrally. Consequently, figures relating specifically to individuals could be provided only at disproportionate cost.

For information, figures showing the overall number of judgments entered in the county courts in *(a)* London and *(b)* England and Wales are provided in the table.

	London	England and Wales
1997	67,080	1,185,367
1998	51,589	1,123,568
1999	43,825	1,077,499
2000	39,317	1,013,044
2001	37,219	887,049
2002	34,692	814,824

Dispute Resolution

Mr. Kidney: To ask the Parliamentary Secretary, Department for Constitutional Affairs what action his Department is taking to promote the use of alternative dispute resolution in legal cases in which Government Departments are involved. [138931]

Mr. Lammy: In March 2001, the Lord Chancellor (Lord Irvine of Lairg) announced the Government's pledge to consider and use alternative dispute resolution (ADR) in their own disputes where suitable and wherever the other party accepts it. Since then, Departments, individually and collectively, have been taking forward work on embedding ADR in the way they handle their disputes.

This Department collates information on the Government's use of ADR under the pledge. The latest report, published in July 2003, demonstrated increasing use of ADR. The report also highlighted the programme of awareness training that has been introduced across Departments. In addition, this Department's legal adviser chairs the ADR sub-group of the Government Legal Service Liaison Group, a cross-government body that was established as a result of the pledge, to promote awareness and use of ADR.

Mr. Kidney: To ask the Parliamentary Secretary, Department for Constitutional Affairs what cost savings have been achieved by Government Departments through the use of alternative dispute resolution in place of legal proceedings since 2001. [138932]

Mr. Lammy: From information provided by Departments, savings have been estimated at over £17 million in the period April 2001 to June 2002, attributable to their use of ADR. That said, it has not been possible to quantify potential savings in every instance.

Marriage Support

Mr. Kidney: To ask the Parliamentary Secretary, Department for Constitutional Affairs what action his Department *(a)* has taken and *(b)* proposes to take to implement the proposed strategy for marriage and relationship support contained in "Moving Forward Together". [138687]

Mr. Lammy: The "Moving Forward Together" report was developed by the Advisory Group for Marriage and Relationship Support (AGMARS) and was published in March 2002. The Advisory Group consisted of officials from across Government and senior representatives of Marriage and Relationship Support (MARS) organisations. The strategy set out in the report was intended to inform the work of both the Government and organisations delivering marriage and relationship support services. The report was welcomed by the Government and in publishing it, my right hon. and learned Friend Lord Irvine the then Lord Chancellor, accepted the Group's recommendations.

Significant progress has been made in taking forward the areas recommended for future development. The aims, objectives, and priorities of the annual Marriage and Relationship Support (MARS) Grant Programme reflect the AGMARS report's recommendations.

As a result of the machinery of government changes in June 2003, responsibility for marriage and relationship support policy has transferred to DfES. My right hon. Friend the Minister of State for Children and Families intends to continue to take the forward the range of developmental activities as an integral and important element of the wider range of family support services for which she is now responsible.

Mediation

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs what action the Lord Chancellor is taking to promote the use of mediation and other forms of alternative dispute resolution in *(a)* civil and *(b)* criminal cases. [138770]

Mr. Lammy: The Government have long held the view that litigation should be the dispute resolution method of last resort. The Civil Procedure Rules encourage the use of alternative dispute resolution, as do the pre-action protocols, which seek to encourage the settlement of disputes before court proceedings are issued. One of this Department's Public Service Agreement targets is to reduce the proportion of disputes that are resolved by resort to the courts. As part of the programme of work designed to achieve this, a number of court based pilot mediation schemes are being developed that will actively encourage the use of mediation. These will complement the local schemes that are already in operation, or under consideration, in a several of courts in England and Wales. The Government are also keen to expand the use of restorative justice in the adult criminal justice system, as well as continuing to build on its success in the youth justice system. Activity in this area is led by the Home Office, which published a strategy, in the form of a consultation document, in July 2003. The strategy covers both restorative justice, which involves mediated contact between offender and victim, and reparation to the community. The Home Office will publish a summary of the consultation responses on its website in the New Year.

Postcodes

Mr. Truswell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what use the Department for Constitutional Affairs and its agencies make of postcode areas for *(a)* the collection and publication of data, *(b)* devising formulae for the distribution of grants and awards and *(c)* the delivery of services; and when such usages were last reviewed. [87771]

Mr. Lammy: I apologise for the delay in responding to my hon. Friend's question; this was due to an administrative error.

My Department, the Northern Ireland Court Service and the Land Registry do not currently make use of postcode areas.

The Public Guardianship Office (PGO) has used postcode areas to help in the delivery of its services. During the financial year 2000–01, the PGO used the postcode information held in its case record system to help with the allocation of geographical areas to client visitors. The allocation of postcodes to each visitor was made so that an even number of clients was given to each of the visitors employed. This was intended to ensure fair and even coverage for the client base, as well as even workload for the visitors themselves. The use of postcodes has not been reviewed since this time.

The National Archives has used postcode areas for the publication and dissemination of data on a very limited basis within the Marketing Department and the Education and Interpretation and Department. It does not use postcodes for the collection of data, distribute grants and awards or distribute external services on a postcode basis.

The Legal Services Commission does not publish data at postcode level. However, the Commission collects postcode information for individual clients and suppliers holding contracts with the Commission for the Delivery of Legal Services. This information is held in the Commission's corporate information system and can be used by Community Legal Service Partnerships to identify geographical gaps in the supply of legal services.

The Legal Services Research Centre (LSRC) has recently begun work on a new project, funded by the Office for National Statistics and Neighbourhood Renewal Unit, to identify, and if possible, collate data relating to legal services. Data collated may be by postcode area, though any published data will be aggregated to electoral ward level. The data will be publicly accessible on the Neighbourhood Statistics website: www.neighbourhood.statistics.gov.uk

Probate Procedures

Mr. Kidney: To ask the Parliamentary Secretary, Department for Constitutional Affairs what progress his Department has made in implementing the recommendations of the review of probate procedures. [138686]

Mr. Lammy: Following the Probate Service Review in 2001, a consultation paper was published in November 2002 seeking responses on the Review's recommendations. The responses are being analysed by the Court Service. The outcome of the analysis will be put to Ministers early in the New Year. A public announcement is expected by Easter 2004.

DEPUTY PRIME MINISTER

Advertisement Regulations

Lynne Jones: To ask the Deputy Prime Minister if he will take steps to empower local authorities to remove placards and posters displayed in contravention of advertisement regulations without the requirement to give two days' notice to the advertiser. [139696]

Keith Hill: No. The statutory two days minimum period must elapse before a local planning authority may remove or obliterate a placard or poster where it has served notice, on the person responsible for the poster, of its intention to do so. This provides that person with the opportunity to challenge the local planning authority's notice or to comply with it. Less than 48 hours is an unreasonably short period of time in which to expect the notice to reach the advertiser and for him to take action.

Assisted Property Purchases

Mr. Hayes: To ask the Deputy Prime Minister how many times local authorities have assisted people in buying properties in each of the last 10 years, broken down by *(a)* local authority and *(b)* amount spent. [139349]

Keith Hill: The information requested covers a number of low cost home ownership schemes including the Cash Incentive Scheme, Homebuy, Do It Yourself Shared Ownership and Right to Buy. As this comprises a considerable amount of data I will write to the hon. Member and place a copy of the reply in the Library of the House.

Care Homes

Sandra Gidley: To ask the Deputy Prime Minister what the average funding offered by each county council and unitary authority to people who have been admitted to care homes was in 2002–03. [138161]

Dr. Ladyman: I have been asked to reply.

The 2002–03 average gross weekly expenditure per person, in shire counties and unitary authorities, on supporting adults in residential and nursing care homes is shown in the table.

£

	Shire counties	*Unitary authorities*
Older People	351	352
Adults with Learning Disabilities	610	677
Adults with Mental Illness	429	412
Adults with Physical Disabilities	526	552

Community Land Trusts

Mr. Drew: To ask the Deputy Prime Minister what assessment he has made of the role of community land trusts as a vehicle for providing affordable housing, with particular reference to key worker housing. [139435]

Keith Hill: The Government have not yet fully assessed community land trusts and therefore have no immediate plans to pursue this model but agree in principle about the need to bring together site preparation, the provision of a mixture of social and private sector housing and development contributions where necessary. Sustainable Communities: Building for the Future signals a further move in this direction, for example through closer working between English Partnerships (EP) and the Housing Corporation. The Housing Corporation and English Partnerships have established a joint unit to bring together EP's land holdings expertise with the Corporation's affordable housing programme. And we

are proposing to extend the Corporation's power to fund bodies other than housing associations, with a view to widening the opportunities for encouraging new housing development.

Correspondence

Mr. Steen: To ask the Deputy Prime Minister when he will reply to the letter from the hon. Member for Totnes to the Parliamentary Under-Secretary at the Department for Environment, Food and Rural Affairs, dated 27 August 2003, concerning Dr. C. Taylor of Totnes and the Local Communities Sustainability Bill, which was transferred to his Department. [139764]

Keith Hill: I replied to the hon. Member on 17 November 2003.

Council Housing

Mr. Purchase: To ask the Deputy Prime Minister pursuant to his answer of 3 November 2003, *Official Report*, columns 497–98W, on council housing, what the 10 per cent. additional subsidy represents in cash terms to a local authority. [139140]

Keith Hill: The additional subsidy to support borrowing for expenditure by Arm's Length Management Organisations (ALMOs) for local authorities with ALMOs that qualified for funding in 2002–03 and those that have so far qualified in 2003–04 is as follows:

£

Local authority	*Subsidy 2002–03*	*Subsidy 2003–04*
ALMO qualified in 2002–03		
Ashfield	1,012,603	2,400,000
Derby	1,312,164	3,110,000
Hounslow	1,179,452	3,500,000
Kirklees	1,917,808	6,250,000
Rochdale	835,397	2,420,000
Stockton-on-Tees	1,353,288	4,450,000
Westminster	745,260	2,030,000
Wigan	1,788,932	5,830,000
ALMO qualified in 2003–04		
Barnsley	—	2,773,770
Blyth Valley	—	1,329,235
Bolton	—	3,427,131
Brent	—	2,342,213
Kensington and Chelsea	—	1,580,334
Leeds (north east and west)	—	1,225,282
Oldham	—	3,033,211
TOTAL	10,144,904	45,701,176

Overall subsidy entitlements for later years, including those for ALMOs that have yet to qualify for funding, have yet to be determined.

Mr. Purchase: To ask the Deputy Prime Minister what requirement there will be on regional housing boards to ring-fence additional subsidy provided for arm's length management organisations. [139575]

Keith Hill: Regional Housing Boards advise Ministers on the allocation of housing capital resources. They do not make recommendations on the allocation of funding specifically for arm's length management organisations (ALMOs).

The additional funding awarded for ALMOs takes the form of Housing Revenue Account Subsidy to support borrowing. Housing Revenue Account Subsidy may be used only for Housing Revenue Account purposes.

Mr. Purchase: To ask the Deputy Prime Minister pursuant to his answer of 3 November 2003, *Official Report*, column 498W, on council housing, what plans he has to continue additional funding for arm's length management organisations beyond Rounds 1 and 2 of the current programme. [139576]

Keith Hill: I announced on 28 July 2003 (in the Office of the Deputy Prime Minister's Press Notice 147) that 13 local authorities have been awarded places in Round three of the Arms Length Management Organisation (ALMO) programme. Conditional funding for these ALMOs totals £360 million for 2004–05 and 2005–06. This is in addition to the 20 authorities with confirmed or conditional 2-year allocations of ALMO funding totalling £700 million in Rounds one and two. Bids for places in Round four have been invited by 31 December 2003. Funding for ALMOs beyond 2005–06, including possible further Rounds, is subject to the outcome of the 2004 Spending Review.

Mr. Byers: To ask the Deputy Prime Minister what steps he is taking to ensure that equal funding is being made available for tenants who wish to remain within council ownership and control rather than stock transfer as an arm's length management organisation. [138894]

Keith Hill: The Sustainable Communities Plan made it clear that local authorities seeking additional investment in their housing stock are able to choose from three options: stock transfer, PFI and ALMOs.

The Plan also made it clear that authorities that do not pursue these options cannot expect increased investment above that provided for through mainstream housing funding.

The funding available for social housing, although greatly increased under this Government, is inevitably limited; and we wish to use it in ways that will most improve the lives of tenants.

To make best use of those resources the Government will only provide additional funding to councils that separate their landlord and strategic functions. This provides a strong incentive to better performance; ensures a sharper focus on the two distinct housing functions; and guarantees that tenants have a greater role in the future management of their homes.

Mr. Byers: To ask the Deputy Prime Minister what procedures he has put in place to ensure that full and effective consultation takes place with council tenants during the appraisal of the option of stock disposal; and if he will make a statement. [138895]

Keith Hill: The Government are committed to bringing all social homes up to set standards of decency by 2010. The PSA Plus Review of the decent homes target emphasised that tenants must be at the heart of plans to deliver decent homes.

Arrangements for involving tenants should be set out in locally agreed Tenant Participation Compacts. These should be based on standards set out in the National

Framework for Tenant Participation Compacts. Tenants must have access to independent advice and support and to capacity building and training throughout, from the investment appraisal stage to after transfer. An Independent Tenant Adviser (ITA) should be appointed at an early stage in the process and retained until after the ballot.

With ALMOs, local authorities should consult with tenants on the functions to be transferred and the continuing role of the local authority, and the rights of tenants and leaseholders. They should consult on the composition and status of the arms length body and its Board, including the selection and role of the tenant Board members.

In the case of a Transfer, tenants should be central to all stages of the investment appraisal and development of a proposal, including the selection of a prospective new landlord. Tenant consultation and participation should feature strongly in transfer proposals, and transfer landlords are expected to provide opportunities for tenants to have a real say in the management of their homes.

In order to inform tenants about the Decent Homes agenda the Office of the Deputy Prime Minister is organising a series of regional roadshows that will help to develop their skills and knowledge so that they can participate effectively in the Options Appraisal process. We are also making arrangements to produce a video for tenants explaining the various stock options.

Jon Trickett: To ask the Deputy Prime Minister how many council houses have been the subject of stock transfer since June 2001; and what the average capital receipt per property accruing to the local authority was. [139550]

Keith Hill: 205,483 dwellings have transferred from local authorities to registered social landlords since June 2001. The average tenanted market value per dwelling was £4,990. The tenanted market value reflects the requirement to maintain the property for social renting and to a decent homes standard in perpetuity.

Mr. Drew: To ask the Deputy Prime Minister what recent discussions he has had with the Audit Commission on the effects of large scale voluntary transfers. [139436]

Keith Hill: Officials work closely with the Audit Commission and were members of the study advisory group for the Commission's report on Housing after transfer: The local authority role which was published on 5 December 2002.

Departmental Staff

Mr. Flight: To ask the Deputy Prime Minister how many *(a)* special advisers, *(b)* press officers, *(c)* civil servants, *(d)* advisers to civil servants and *(e)* permanent staff were working for his Department in each year since 1996. [126479]

Yvette Cooper: The Office of the Deputy Prime Minister was established on 29 May 2002.

Staffing information is available in Table C of the annual publication 'Civil Service Statistics', which covers Permanent Staff numbers in each department and agency from 1995 to 2002. Copies of the publication are laid in the Libraries of both Houses. The latest edition, based on April 2002 data, was published on 24 July 2003. These figures include press officers.

Alternatively, this information is available at the following address on the Cabinet Office Statistics website http://www.civil-service.gov.uk/statistics/css.htm

The Office of the Deputy Prime Minister currently employs three special advisers: two full-time and one part-time. The term "advisers to civil servants" is not a recognised job title.

Elected Regional Assemblies

Mr. Hammond: To ask the Deputy Prime Minister what mechanisms he has put in place to ensure that public money spent on information campaigns in the three English regions due to hold referendums on elected regional assemblies is not used to promote a particular view. [139122]

Mr. Raynsford: The Government's Information Campaign is in accordance with the requirements of the Civil Service Code and Guidance on the Work of the Government Information Service. Its purpose is to inform people of the key issues and to stimulate debate, not to influence the referendum outcome. Guidance on what civil servants can and cannot do in the run up to the referendum will be issued nearer the time.

English Partnerships

Geraldine Smith: To ask the Deputy Prime Minister what criteria English Partnerships uses in reaching decisions on funding priorities; and what account English Partnerships takes of the North West Regional Housing Strategy in its decision-making process. [138719]

Keith Hill: English Partnerships' priorities for new projects focus on:

The 20 per cent. most deprived wards in the country;

The Coalfields programme ;

Urban Regeneration Company areas;

Housing Market Renewal Fund pathfinder areas;

Target areas for major housing growth in the South East of England;

Strategic brownfield sites in or close to any of the above priority areas or in areas of housing pressure or housing abandonment;

Other discretionary projects where funding constraints allow and which would promote wider regeneration benefits, particularly where EP can add significant value.

English Partnerships is represented on the North West Regional Housing Board and takes the strategy into account when making decisions on specific projects in the region.

Geraldine Smith: To ask the Deputy Prime Minister for what period Lancaster City Council has requested funding from English Partnerships for the West End housing regeneration project in Morecambe; and for what sums for that project over that period the Council has applied; [138720]

(2) what discussions English Partnerships has held with Lancaster City Council regarding funding for *(a)* West End Housing Regeneration Project, Morecambe and *(b)* Luneside Development, Lancaster; and what decisions were reached; [138721]

(3) what funding English Partnerships is providing to Lancaster City Council to fund *(a)* a masterplan for the West End Housing Generation Project in Morecambe and *(b)* annual costs of a project team for the project. [138722]

Keith Hill: The Chief Executive of English Partnerships (EP) met members and officers of Lancaster City Council in October to discuss EP's role in both the West End of Morecambe and the Luneside redevelopment. English Partnerships is working with Lancaster City Council to find appropriate regeneration solutions for both areas.

(a) West End of Morecambe: EP has already committed £100,000 for a masterplanning study to determine the precise scope, cost and timetable for the regeneration of this area. As a result of last month's visit, EP has also agreed to fund the £200,000 cost of a project team for the next 12 months. The Council has made no additional requests for funding from English Partnerships.

EP is working actively with the Council to facilitate the appointment of the masterplanning organisation as soon as possible, hopefully in December.

(b) Luneside: the Council is currently finalising its proposals for the regeneration of this site and a submission is expected to go forward to English Partnerships shortly.

Environmental Health Officers

Norman Baker: To ask the Deputy Prime Minister how many people in each year since 1997 *(a)* were in professional training to become environmental health officers and *(b)* entered the profession as environmental health officers. [139178]

Phil Hope: The Office of the Deputy Prime Minister does not hold this information centrally, and could be provided only at disproportionate cost. The Employers Organisation for local government has provided some limited information taken from the Environmental Health Workforce Survey 2002. This survey shows that during 2002–03 129 student environmental health officers were due to qualify in England. During 2003–04 this figure is expected to increase to 159

During the 12 months up until 1 January 2002, 118 Environmental Health Officers entered English local authorities as first appointments.

Data for other years since 1997 is not available.

Norman Baker: To ask the Deputy Prime Minister what steps he is taking to increase the number of environmental health officers. [139179]

Phil Hope: The Local Government Association set up the Regulatory Services Partnership in July this year, in order to find ways of addressing the need to recruit and retain environmental health officers. The partnership includes the Local Government Association, the Welsh Local Government Association, the Local Authority Coordinators of Regulatory Services, the Improvement and Development Agency, the Employers' Organisation, the Trading Standards Institute and the Chartered Institute of Environmental Health.

The Partnership's programme of actions is aimed at raising the profile of local authority public protection regulatory services with the community and within local and central government. The actions also aim to improve these services generally and address the recruitment and retention issues concerning Environmental Health Officers and Trading Standards Officers.

The need to improve local government recruitment, including that of environmental health officers, has been recognised in the Pay and Workforce Strategy for Local Government. The Office of the Deputy Prime Minister is working with the Local Government Association and Employers Organisation to take forward the implementation of the strategy.

Norman Baker: To ask the Deputy Prime Minister how many environmental health officers were employed in each year since 1997 *(a)* in England and *(b)* broken down by local authority area. [139198]

Phil Hope: The Office of the Deputy Prime Minister does not hold this information centrally. The Employers Organisation for local government has provided some limited information taken from the "Environmental Health Workforce Survey 2002". This survey shows that in January 2002 there were 4,565 environmental health officers employed in English local authorities. Data for other years since 1997 is not available.

The survey provides a breakdown by type of authority and shows that 678 were employed in London boroughs, 880 employed in metropolitan districts, 2,299 employed in Shire districts and 708 employed in English unitaries.

Essex Fire and Rescue Service

Mr. Francois: To ask the Deputy Prime Minister what the total number of vacancies for retained firefighters in the Essex fire and rescue service was on 1 September. [139616]

Mr. Raynsford: There are currently 49.25 full-time equivalent (FTE) vacancies for retained firefighters in Essex fire and rescue Service.

Mr. Francois: To ask the Deputy Prime Minister how many retained firefighters were employed by the Essex Fire and Rescue Service on 1 September 2003. [139662]

Mr. Raynsford: On 31 March 2003 (the latest available figures), there were 379 retained firefighters in post (expressed in 24-hour units). The actual head count figure was 472.

Mr. Francois: To ask the Deputy Prime Minister how many control room staff were employed by the Essex Fire and Rescue Service on 1 September 2003. [139664]

Mr. Raynsford: On 31 March 2003 (the latest figures available), there were 39 control room staff in post in full-time equivalents (FTE). The actual head count figure was 43.

Mr. Francois: To ask the Deputy Prime Minister how many fire engines were retained by the Essex fire and rescue service on 1 September. [139666]

Mr. Raynsford: As at 31 March 2003 (the latest figures available) there were 72 front line pumping appliances (fire engines), with 15 reserve pumping appliances.

Exchange Flags (Liverpool)

Mrs. Ellman: To ask the Deputy Prime Minister (1) what evidence was shown to English Partnerships to substantiate the claim by the Walton Group that they had paid their wholly owned subsidiary Todd and Benn Contractors £23,705,511 in relation to Exchange Flags in Liverpool; [138920]

(2) when the Walton Group presented the certificate to English Partnerships certifying that they had refurbished Exchange Flags in Liverpool; what work was specified in that certificate; and what the *(a)* names and *(b)* qualifications were of the persons who signed the certificate. [138921]

Keith Hill: Under the terms of the City Grant Agreement dated 31 July 1992 between the Walton Group and the Secretary of State, each quarterly grant claim submitted by Walton Group was accompanied by a letter from an external auditor and were based on a valuation certificate given by an external Chartered Quantity Surveyor.

The auditor's letters certified that the Walton Group had maintained adequate records and received no other public sector support for the project, and that the claims were in accordance with the City Grant Agreement and Walton Group had defrayed expenditure to cover the qualifying costs incurred.

The last such claim submitted covered the quarter ending 31 May 1994. The accompanying auditor's letter certified that the Walton Group had defrayed expenditure to cover qualifying costs amounting to £23,705,511. It also listed various works that had been undertaken.

I will write to my hon. Friend with further details of this.

Food Expenditure

Mr. Lidington: To ask the Deputy Prime Minister how much was spent on food by his Department and by each of the agencies for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance he has issued to encourage the procurement of home-produced food; and if he will make a statement. [129367]

Yvette Cooper: The Office of the Deputy Prime Minister was formed on 29 May 2002 and it is thus not possible to provide data for the Office prior to then.

The Office of the Deputy Prime Minister's expenditure on food is generally limited to official hospitality provided by the Office and meals and refreshments provided to delegates to the Fire Service College. Expenditure 2002–03 was £225,274 on official hospitality and £341,374 on meals and refreshments at the Fire Service College.

The current catering contracts for the headquarters of the Office neither prescribe the source of produce supplied nor require contractors to provide this information. It is anticipated this will change when new contracts are put in place next year. 72 per cent. of the food supplied to the Fire Service College was produced in the UK.

Officials of the Office of the Deputy Prime Minister are working closely with the Department of Environment, Food and Rural Affairs (Defra) to integrate and promote the principles of sustainable development into the public procurement of food and catering services.

Local Government Finance

Mr. Gardiner: To ask the Deputy Prime Minister pursuant to his answer of 17 September 2003, *Official Report*, column 739W, on formula funding share, on what basis he will determine the 2005–06 formula funding share. [138600]

Mr. Raynsford: I refer the hon. Gentleman to my answer to the hon. Member for Reigate (Mr. Blunt) of 6 November 2003, *Official Report*, column 794W.

Government Office for the South West

Mr. Flook: To ask the Deputy Prime Minister how many staff are employed by the Government Office for the South West; and how many were employed in 1997. [137385]

Yvette Cooper: In 1997 the Government Office for the South West (GOSW) carried out work on behalf of four Departments and employed 173 full time equivalent staff. Since then GOSW has taken on additional work for a further six Departments and the administration of the £300 million Cornwall Objective One programme, and now employs 313 full time equivalent staff and 18 inward secondees or attachments.

Hazardous Waste

Mr. Sheerman: To ask the Deputy Prime Minister how many planning applications are being considered for hazardous waste landfill; and how many sites for hazardous waste landfill received planning approval in the last year for which figures are available. [139697]

Keith Hill: Information collected by the Office of the Deputy Prime Minister on planning applications relates to decisions taken and does not distinguish the waste stream going to landfill. In 2002–03, 335 planning applications relating to landfill were considered by waste planning authorities, of which 302 were approved. A breakdown of those decisions relating to landfill by type of application is in the table.

Nature of application	*Number*	*Granted*	*Refused*
New site	73	57	16
Extension to area	12	11	1
Extension to life	47	45	2
Deepening or other within site	25	25	0
Increasing void for landfill	11	10	1
Ancillary operations	40	38	2
Variation of conditions	69	64	5
Sum of above[1]	227	250	27
Total	335	302	33

[1] Totals do not correspond to number of waste planning decisions because some were categorized as being of a dual nature and some were not specified as to nature of application.

Source:

Data provided to the Office of the Deputy Prime Minister by waste planning authorities on CPS1/2 Returns.

Housing

Ms Oona King: To ask the Deputy Prime Minister pursuant to his answer of 12 December 2002, *Official Report*, column 488W, on housing, when he expects to publish the updated Survey of English Housing, based on the population figures from the 2001 Census. [139270]

Keith Hill: The report on the Survey of English Housing 2001–02 is due to be published in December 2003. Some of the key findings of the 2001–02 survey were published on 20 August 2002 in "Housing Statistics Summary No. 13", and a large batch of 2001–02 tables was published on the Office of the Deputy Prime Minister's website last December. Further batches have been published since, and currently there are 346 tables on the website. In addition, some of the findings of the 2002–03 survey have been published in "Housing Statistics Summary No. 17" and "Housing Statistics Summary No. 18". It is intended to publish a large batch of 2002–03 tables on the Office of the Deputy Prime Minister's website in December 2003.

Mr. Paul Marsden: To ask the Deputy Prime Minister how many properties in Shrewsbury and Atcham are awaiting adaptations for disabled people; and what the estimated value is of such adaptations. [138886]

Keith Hill: There are currently 353 residential properties in the social and private sector that are awaiting adaptations for disabled people in Shrewsbury and Atcham. The estimated value of the adaptations is £2.3 million.

Landfill Sites

Norman Baker: To ask the Deputy Prime Minister what guidance he issues to local authorities on the siting of landfill sites in the green belt. [139205]

Keith Hill: National planning policy on waste management is set out in Planning Policy Guidance Note 10 "Planning and Waste Management". This states that

> "sites which are protected by national and regional policies on the restraint of development will not generally prove acceptable for waste management facilities".

Local planning authorities should also have regard to Planning Policy Guidance Note 2 "Green Belts" (PPG2). This advises that the carrying out of operations and the making of material changes of use which do not maintain the openness of the Green Belt and conflict with the purposes of including land in the Green Belt would not be appropriate development. In such cases applicants would have to demonstrate that there were very special circumstances that clearly outweighed the harm that the development would cause to the Green Belt. PPG2 also states that when large-scale development or redevelopment of land occurs in the Green Belt (which may include the tipping of waste) it should, so far as possible, contribute to the achievement of the objectives for the use of land in Green Belts.

Morecambe

Geraldine Smith: To ask the Deputy Prime Minister how much funding was granted by the North West Regional Development Agency in each year since 1997 for regeneration of Morecambe's sea front; and what sums have been allocated by the Agency for future years. [138724]

Keith Hill: A £4.3 million programme for the regeneration of Morecambe was approved in 1994 under the Single Regeneration Budget (SRB) Round 1 scheme "Turning the Tide". Prior to the creation of North West Development Agency (NWDA) in April 1999, this was administered by Government Office for the North West (GO-NW).

The programme was delegated to Lancaster City Council, as Accountable Body, and a Partnership Board which then appraised and approved a number of projects within that delegation limit. Some of those projects provided for the regeneration of the seafront, although the exact amount of funding for that particular activity is not known. The SRB scheme completed in 2002 and was fully spent.

Since it took over responsibility for SRB in 1999, NWDA has allocated over £1 million to Morecambe, including a contribution of £44,000 towards a Morecambe Resort Action Plan study.

Tabled are the breakdowns in the investment since 1997, which includes an additional £482,000 from English Partnerships in 1998–99.

	Investment £ Thousand
1997–98	1,340
1998–99	955
1999–2000	448
2000–01	350
2001–02	205
2002–03	72

NWDA is currently working with Urban Splash and Lancaster City Council on proposals to repair, refurbish and re-develop the Midland Hotel and its environs. This could lead to substantial new NWDA investment in future years.

Overcrowded Housing

Ms Oona King: To ask the Deputy Prime Minister what assessment he has made of the 2001 Census estimate of the percentage of children who live in overcrowded housing; and if he will make a statement. [139268]

Keith Hill: The Office of the Deputy Prime Minister is aware of the Census results relating to occupancy, including the relatively high percentage of children who live in "overcrowded" housing. These results, alongside those from the Survey of English Housing, are being taken into account of in our on-going work on this topic.

Ms Oona King: To ask the Deputy Prime Minister what obligations a local housing authority has to a household deemed to be statutorily overcrowded. [139269]

Keith Hill: Under section 167 of the Housing Act 1996, a local housing authority is required to have an allocation scheme for determining priorities in the allocation of housing accommodation. That scheme must ensure that reasonable preference is given to:

"people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions".

Where a person applies to a local housing authority as homeless, the authority must decide whether or not he is homeless under section 175 of the Housing Act 1996. In reaching their decision, the local housing authority must not treat the applicant as having accommodation (if he does) unless it is accommodation which it would be reasonable for him to continue to occupy. Where statutory overcrowding exists, it will be a relevant consideration in reaching this decision, but under section 177(2) the local housing authority may also have regard to the general circumstances prevailing in relation to housing in the district.

Parks and Green Spaces

Dr. Kumar: To ask the Deputy Prime Minister what action his Department is taking to encourage local authorities to protect and develop parks and green spaces, with particular reference to *(a)* Sunderland and *(b)* Redcar and Cleveland. [139423]

Keith Hill: Sunderland and Redcar and Cleveland will benefit from our support for local authorities to protect and develop parks and green spaces, which are essential to sustainable communities.

The Office of the Deputy Prime Minister expects local authorities to undertake a robust assessment of needs and opportunities and develop a strategic approach to protect and provide their parks and green spaces.

The Office of the Deputy Prime Minister supports authorities with free advice, delivered through Commission for Architecture and the Built Environment (CABE) Space, to develop a strategic approach to parks and green spaces where they do not already have one.

We will continue to develop and promote better practice in civic spaces.

Regional Co-ordination Unit

Mr. Pickles: To ask the Deputy Prime Minister how many full-time equivalent employees were employed in the Regional Co-ordination Unit *(a)* when it was first established and *(b)* in July. [138132]

Yvette Cooper: 47 full time equivalent staff were employed by the Regional Co-ordination Unit (RCU) when it was first set up in summer 2000 to implement the conclusions of the Performance and Innovation Unit's "Reaching Out" report. Since then the unit has expanded, taking on new roles including business co-ordination and knowledge management, while the network of sponsors has increased from three to 10. In July 2003 there were 65 full-time equivalent employees.

Regulatory Reform Act

Mr. Hayes: To ask the Deputy Prime Minister (1) what arrangements he has put in place to assess the effect of orders under the Regulatory Reform Act 2001 on local authorities' activities in *(a)* the issuing of grants and loans for home repair, improvement and adaptation, *(b)* aiding people to buy new properties, *(c)* issuing of disabled facilities grants and *(d)* the creation of renewal areas; [139347]

(2) how many times local authorities have given financial assistance for home repair, improvement and adaptation *(a)* in each of the last 10 years and *(b)* since 18 July 2002, broken down by local authority; and how much was spent in each case; [139348]

(3) how many times local authorities assisted people in buying new properties since 18 July 2002, where the authority judged moving to be more appropriate than adapting an existing home; [139350]

(4) how many times local authorities assisted people in buying new properties where existing homes were subject to compulsory or voluntary purchase for renewal or clearance in each of the last 10 years. [139351]

Keith Hill: The Office of the Deputy Prime Minister is working in collaboration with the Joseph Rowntree Foundation and the Welsh Assembly Government by jointly commissioning research to monitor the development and implementation of new strategies by local authorities and to identify good practice for broader dissemination. This follows the coming into force on 18 July 2002 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO 2002), which gave local authorities wider powers to provide assistance to private homeowners for repair and renovation. This research work is on-going until October 2004. An initial progress report was published by the Office of the Deputy Prime Minister at the beginning of November showing that, by March 2003, four-fifths of authorities were in the process of planning and developing loan/grant packages, the majority of which include outside expertise and support. Progress in implementing these strategies will be assessed through the research and from statistical information provided by local authorities.

A table showing the number of grants and amount spent on private sector housing renewal and on disabled facilities by each local authority in England over the last six years has been placed in the Libraries of the House.

Separately, data are being collected for 2002–03 and subsequent years on local authority expenditure in England using the new RRO 2002 power. This will show the amount spent on grants and loans by each authority split by type of recipient (elderly on benefit, non-elderly on benefit, disabled) and by geographical area including the amount spent in renewal areas. These data are still being analysed and will not be published until early 2004.

Information is not collected separately on local authority expenditure designed to assist people to move to another dwelling, either for adaptation or because the existing home is subject to compulsory or voluntary purchase for renewal or clearance.

Revenue Support Grant

Mr. Cousins: To ask the Deputy Prime Minister how much was *(a)* raised in council tax and *(b)* contributed in revenue support grant in (i) each authority within and (ii) the county areas of (A) Tyne and Wear, (B) Durham and (C) Northumberland in each year since 2000–01; and what estimate he has made in respect of 2003–04. [139095]

Mr. Raynsford: The information requested is in the following table.

	Council tax requirement (£000)			
	2000–01	*2001–02*	*2002–03*	*2003–04*
Tyne and Wear[1]				
Gateshead	48,874	51,368	55,313	61,748
Newcastle upon Tyne	66,196	69,413	74,497	82,248
North Tyneside	51,101	54,176	58,548	63,683
South Tyneside	36,408	37,962	41,001	44,056
Sunderland	59,281	63,208	68,444	73,604
Tyne and Wear Fire and Civil Defence Authority	14,311	15,657	16,928	18,449
Durham				
Durham County Council	99,035	103,761	120,146	131,755
Chester-le-Street	2,041	2,175	2,368	2,623
Derwentside	4,793	5,144	5,899	6,103
Durham City	3,567	3,804	4,304	4,449
Easington	6,279	6,583	7,037	7,220
Sedgefield	6,623	6,991	7,647	7,924
Teesdale	1,224	1,300	1,453	1,549
Wear Valley	2,925	3,056	3,366	3,392
Durham police authority[2]	9,129	9,855	11,374	14,140
Darlington unitary authority[2]	20,863	23,767	27,278	29,436
Northumberland[1]				
Northumberland County Council	76,380	81,896	88,322	100,664
Alnwick	1,587	1,703	1,818	1,925
Berwick-upon-Tweed	1,215	1,275	1,341	1,481
Blyth Valley	2,897	3,100	3,427	3,446
Castle Morpeth	2,767	2,952	3,360	3,745
Tynedale	3,013	3,178	3,450	3,781
Wansbeck	2,398	2,609	2,715	2,745
Northumbria Police Authority[1]	21,218	22,872	24,062	26,561

[1] Northumbria Police Authority covers both Tyne and Wear and Northumberland County Council areas.
[2] Durham Police Authority covers Darlington UA and Durham County Council.

Revenue support grant (RSG) figures cannot be considered in isolation in this context, because the amounts payable depend upon the amounts of redistributed national non-domestic rates (NNDR) that an authority receives. Both RSG and NNDR are therefore included in the following table. Grant figures are not consistent between years because of changes in function.

£000

	2000–01			*2001–02*		
	RSG	*NNDR*	*Total*	*RSG*	*NNDR*	*Total*
Tyne and Wear[1]						
Gateshead	92,657	55,370	148,027	97,851	53,836	151,687
Newcastle upon Tyne	132,208	76,848	209,056	139,539	74,215	213,754
North Tyneside	77,075	54,012	131,087	83,013	52,519	135,532
South Tyneside	76,875	43,028	119,903	81,201	41,716	122,917
Sunderland	137,515	81,373	218,888	145,032	79,005	224,037
Tyne and Wear Fire and Civil Defence Authority	21,415	10,728	32,143	22,994	10,488	33,482

£000

	2000–01			2001–02		
	RSG	NNDR	Total	RSG	NNDR	Total
Durham						
Durham	163,867	126,543	290,410	173,761	123,386	297,147
Chester-le-Street	1,395	2,177	3,572	1,609	2,163	3,772
Derwentside	2,913	3,360	6,273	3,141	3,277	6,418
Durham City	2,736	3,438	6,174	3,031	3,430	6,461
Easington	4,979	3,559	8,538	5,359	3,484	8,843
Sedgefield	3,447	3,400	6,847	3,795	3,359	7,154
Teesdale	800	952	1,752	876	949	1,825
Wear Valley	2,870	2,398	5,268	3,183	2,344	5,527
Durham Police Authority[2]	18,383	14,069	32,452	19,871	13,937	33,808
Darlington Unitary Authority[2]	34,230	29,209	63,439	36,742	28,268	65,010
Northumberland[1]						
Northumberland	98,217	77,383	175,600	105,934	75,597	181,531
Alnwick	1,181	1,194	2,375	1,334	1,201	2,535
Berwick-upon-Tweed	1,177	1,010	2,187	1,290	994	2,284
Blyth Valley	2,955	3,073	6,028	3,238	3,010	6,248
Castle Morpeth	890	1,912	2,802	1,050	1,904	2,954
Tynedale	1,451	2,238	3,689	1,577	2,211	3,788
Wansbeck	2,883	2,365	5,248	3,143	2,325	5,468
Northumbria Police Authority[1]	54,115	32,999	87,114	58,067	32,586	90,653

	2002–03			2003–04		
	RSG	NNDR	Total	RSG	NNDR	Total
Tyne and Wear[1]						
Gateshead	93,325	58,472	151,797	106,154	55,971	162,125
Newcastle upon Tyne	132,377	80,340	212,717	155,069	75,993	231,062
North Tyneside	78,904	57,643	136,547	92,071	56,212	148,284
South Tyneside	80,687	45,358	126,045	92,330	44,731	137,060
Sunderland	142,289	85,984	228,273	165,563	82,211	247,774
Tyne and Wear Fire and Civil Defence Authority	22,627	11,707	34,334	25,134	10,925	36,059
Durham						
Durham	165,556	134,413	299,969	200,732	132,318	333,050
Chester-le-Street	1,433	2,427	3,860	2,363	1,873	4,235
Derwentside	2,902	3,665	6,567	4,196	2,972	7,168
Durham City	2,785	3,869	6,654	3,913	3,064	6,976
Easington	5,184	3,870	9,054	6,635	3,279	9,913
Sedgefield	3,566	3,754	7,320	4,693	3,043	7,736
Teesdale	831	1,081	1,912	1,245	853	2,099
Wear Valley	3,049	2,607	5,656	3,875	2,141	6,016
Durham Police Authority[2]	18,679	15,111	33,790	26,327	8,444	34,770
Darlington Unitary Authority[2]	35,678	30,950	66,628	44,640	29,650	74,290
Northumberland[1]						
Northumberland	93,484	82,433	175,917	109,565	82,387	191,953
Alnwick	1,263	1,333	2,596	1,544	1,085	2,628
Berwick-upon-Tweed	1,333	1,105	2,437	1,549	906	2,455
Blyth Valley	3,024	3,393	6,416	4,177	2,838	7,015
Castle Morpeth	881	2,141	3,023	1,360	1,710	3,069
Tynedale	1,461	2,481	3,942	2,263	2,054	4,317
Wansbeck	3,002	2,593	5,596	3,954	2,133	6,086
Northumbria Police Authority	55,804	35,218	91,022	71,038	19,751	90,789

[1] Northumbria Police Authority covers the areas of both Tyne and Wear and Northumberland County Council.
[2] Durham Police Authority covers the areas of both Darlington Unitary Authority and Durham County Council.

Revenue Support Grant (Worcester)

Mr. Michael Foster: To ask the Deputy Prime Minister (1) what the total revenue grant from all sources allocated to Worcester city council was in each year since 1992; [138901]

(2) what the percentage cash charge in revenue support grants allocated to Worcester city council was in each year since 1992. [138902]

Mr. Raynsford: The information requested is in the table. Figures are not consistent between years because of changes in function.

	Total ring-fenced grants inside AEF[1] (£000)	% change	Revenue support grant (£000)	% change	Redistributed national non-domestic rates (£000)	% change	Total (£000)	% change
1992–93	179	—	—	—	—	—	—	—
1993–94	192	7.3	2,576	[2]—	2,942	[2]—	5,710	[2]—
1994–95	221	15.1	3,292	27.8	2,772	-5.8	6,285	10.1
1995–96	235	6.3	3,105	-5.7	2,931	5.7	6,271	-0.2
1996–97	232	-1.3	2,933	-5.5	3,164	7.9	6,329	0.9
1997–98	206	-11.2	3,089	5.3	2,891	-8.6	6,186	-2.3
1998–99	208	1.0	3,427	10.9	2,960	2.4	6,595	6.6
1999–2000	209	0.5	3,265	-4.7	3,212	8.5	6,686	1.4
2000–01	197	-5.7	3,094	-5.2	3,629	13.0	6,920	3.5
2001–02	205	4.1	3,345	8.1	3,580	-1.3	7,130	3.0
2002–03	207	1.0	3,056	-8.6	4,032	12.6	7,295	2.3
2003–04	438	111.6	3,889	27.3	3,258	-19.2	7,585	4.0

[1] Aggregate External Finance.
[2] Not available.

Note:
In 1992–93, revenue support grant and redistributed national non-domestic rates paid to district councils included a share of the amounts that were payable to the county council for the area, and separate amounts attributable to each district council were not separately identified. Figures for Worcester city council are not therefore available for 1992–93.

Right to Buy

Ms Oona King: To ask the Deputy Prime Minister when he expects to publish the review of the system for valuing properties for Right to Buy purposes undertaken by the College of Estate Management. [139250]

Keith Hill: The Office of the Deputy Prime Minister expects to publish the report of this review in January 2004.

Ms Oona King: To ask the Deputy Prime Minister pursuant to his response to the report of the Select Committee on the Office of the Deputy Prime Minister on the draft Housing Bill, what assessment he has made of extending the Right to Buy discount repayment period to more than five years. [139251]

Keith Hill: I refer my hon. Friend to my reply to the answer given on 30 June 2003, *Official Report*, column 116–17W. The Government are committed to the principle of the Right to Buy scheme, and do not wish to penalise tenants disproportionately.

Ms Oona King: To ask the Deputy Prime Minister if he will list the reports his Department and its predecessors have commissioned since 1979 on valuations for properties bought under the Right to Buy. [139252]

Keith Hill: In March 2002, the former Department for Transport, Local Government and the Regions commissioned the College of Estate Management to review the system for valuing properties for Right to Buy purposes. It is expected that the review report will be published in January 2004. No other reports have been commissioned on this topic since 1979.

Mr. Pickles: To ask the Deputy Prime Minister how many right to buy applications there were each month since June 1997, broken down by *(a)* local authority area and *(b)* region. [138128]

Keith Hill: The number of right to buy applications in each region are tabled as follows. These are only available on a quarterly basis. Information by local authority is not readily available. Tables providing right to buy sales figures as reported by local authorities are available in the Library of the House.

		North east	North west	Yorkshire and Humber	East Midlands
1997	Q2	2,141	2,901	3,025	2,411
	Q3	1,424	2,596	2,198	1,553
	Q4	1,075	1,560	1,481	1,277
1998	Q1	1,617	2,137	2,111	1,929
	Q2	1,506	2,096	2,255	1,694
	Q3	1,429	2,305	2,003	1,837
	Q4	1,276	2,161	2,563	1,550
1999	Q1	3,121	3,691	4,108	3,175
	Q2	2,056	2,627	2,729	2,008
	Q3	1,974	2,804	2,693	2,327
	Q4	1,551	1,949	1,714	1,712
2000	Q1	2,333	2,928	3,023	2,330
	Q2	2,114	2,922	3,122	2,158
	Q3	1,811	2,733	3,208	2,213
	Q4	1,478	2,089	2,072	1,625
2001	Q1	2,373	3,250	3,837	2,628
	Q2	1,784	3,056	3,996	2,493
	Q3	1,592	3,435	3,876	2,603
	Q4	1,584	2,542	3,189	2,011
2002	Q1	2,852	3,895	4,726	3,043
	Q2	2,994	4,520	5,479	3,556
	Q3	3,631	5,089	6,492	3,695
	Q4	3,031	4,789	5,601	3,457
2003	Q1	4,189	6,278	9,251	4,686

		West Midlands	East	London	South east	South west
1997	Q2	3,511	3,208	5,057	2,837	2,408
	Q3	2,602	1,971	4,160	2,096	1,655
	Q4	2,082	1,440	3,520	1,361	1,137
1998	Q1	2,637	2,131	4,082	1,955	1,643
	Q2	2,695	2,019	4,180	2,032	1,575
	Q3	2,800	2,189	4,501	2,142	1,410
	Q4	2,404	1,978	5,562	1,933	1,575
1999	Q1	5,206	4,932	11,737	4,074	3,016
	Q2	3,016	2,556	5,007	2,483	1,671
	Q3	3,138	2,813	5,515	2,495	1,686
	Q4	2,509	1,858	4,447	2,122	1,214
2000	Q1	3,478	3,218	5,803	2,509	1,786
	Q2	3,238	2,535	6,434	2,055	1,714
	Q3	2,964	2,345	5,290	1,986	1,484
	Q4	2,496	1,727	4,460	1,371	967

		West Midlands	East	London	South east	South west
2001	Q1	3,420	2,772	5,983	2,204	1,583
	Q2	3,285	3,049	6,329	2,246	1,584
	Q3	3,124	2,761	6,120	2,115	1,372
	Q4	3,494	2,019	4,809	1,487	1,207
2002	Q1	5,127	3,066	7,875	2,522	1,693
	Q2	4,516	3,083	7,565	2,532	1,785
	Q3	5,086	3,715	11,422	3,184	2,170
	Q4	4,786	2,711	9,090	2,742	1,558
2003	Q1	6,633	4,404	29,559	3,774	2,178

Sheltered Accommodation

Mr. Nigel Jones: To ask the Deputy Prime Minister how many sheltered accommodation centres *(a)* have and *(b)* do not have resident wardens; and if he will make a statement on the trends regarding resident wardens over the last 10 years. [138911]

Keith Hill: Figures are not available showing how many sheltered accommodation centres have and do not have resident wardens, and on the trends regarding resident wardens over the last 10 years. As part of their on-going assessment of local needs and review of housing-related support services as part of the Supporting People programme, local authorities are examining the amount of sheltered accommodation and housing-related support provided in that accommodation and, for the first time, will be able to gradually build up an indication of longer term trends.

Mr. Nigel Jones: To ask the Deputy Prime Minister if he will make an assessment of the *(a)* advantages and *(b)* disadvantages, including financial considerations, of requiring resident wardens in all sheltered accommodation centres. [138912]

Keith Hill: The Government are committed to ensuring that all vulnerable members of the community receive the housing-related support they need including, where appropriate, warden services in sheltered accommodation, to help them live as independently as possible. To help bring this about, the Supporting People programme provides an integrated framework for planning and funding housing-related support services. Under Supporting People, local authorities will review all housing-related support services, examining their quality, performance and cost-effectiveness. In the case of sheltered housing, we would expect these reviews to consider the advantages and disadvantages of the way in which warden services are provided.

Somali Community (Housing)

Ms Oona King: To ask the Deputy Prime Minister what research he has collated on the treatment of the Somali community in relation to housing. [139249]

Keith Hill: The Office of the Deputy Prime Minister has not carried out any research on this subject. A report on "Somali housing experiences in England" by researchers at Sheffield Hallam university carried out with the support of the Housing Corporation was published earlier this year.

Ms Oona King: To ask the Deputy Prime Minister pursuant to his answer of 11 July 2003, *Official Report*, columns 1062–63W, on housing (black minority ethnic communities), if he will commission research into the housing needs of the Somali community; and whether a decision has been made on taking forward the recommendation on commissioning research on the housing and neighbourhood experiences of black and minority ethnic children. [139259]

Keith Hill: The Office of the Deputy Prime Minister has no plans in place to commission research into the housing needs of the Somali community or to collect further data on the housing and neighbourhood experiences of black and minority ethnic children.

Ms Oona King: To ask the Deputy Prime Minister on what research policy decisions on the housing needs of the Somali community are based. [139260]

Keith Hill: The Office of the Deputy Prime Minister is not responsible for making policy decisions about the housing needs of specific groups. Local authorities are responsible for formulating Housing Strategy Statements for their areas. These should be based on the best local evidence available. They are required to take into account the needs of particular sections of the community including Black and Minority ethnic populations. Guidance was published in 2000, "Local Housing Needs Assessment: A Guide to Good Practice" and "Black and Minority Ethnic Housing Strategies: A Good Practice Guide".

Ms Oona King: To ask the Deputy Prime Minister what assessment he has made of the housing needs of the Somali community. [139261]

Keith Hill: The Office of the Deputy Prime Minister is not responsible for assessing the housing needs of specific groups. Local authorities are responsible for formulating Housing Strategy Statements for their areas. These should be based on the best local evidence available. They are required to take into account the needs of particular sections of the community including Black and Minority ethnic populations. Guidance was published in 2000, "Local Housing Needs Assessment: A Guide to Good Practice" and "Black and Minority Ethnic Housing Strategies: A Good Practice Guide".

Sound Insulation

Mr. Cousins: To ask the Deputy Prime Minister if he will include in the decent homes standard the provision of sound insulation in domestic properties *(a)* constructed and *(b)* converted into flats and apartments. [139091]

Keith Hill: The issue of noise insulation is already dealt with in the decent home standard. For a property to be considered decent it must meet four criteria one of which is the provision of reasonably modern facilities and services. A property fails to meet this criterion if it lacks three or more of a list of six facilities, one of which is 'adequate noise insulation'.

The guidance on implementing the standard concentrates on insulation from external airborne noise, such as traffic or factory noise. It has this focus because it can be difficult to assess the extent to which domestic noise nuisance is caused by problems with the building itself (either because of its construction or inadequate

internal insulation) or by unreasonable activity or behaviour of neighbours or by acute noise sensitivity by the occupant of the home affected.

The Decent Homes Standard applies to all social housing, including purpose built and converted apartments.

Voluntary Bodies (Wolverhampton)

Mr. Purchase: To ask the Deputy Prime Minister if he will list the voluntary bodies in Wolverhampton in receipt of direct government grant, broken down by *(a)* capital and *(b)* revenue. [139139]

Mr. Raynsford: My hon. Friend will be aware that there are in excess of 700 voluntary and community sector organisations in Wolverhampton. They will be attracting funding from a very wide range of government and European funding programmes including SRB, Neighbourhood Renewal Fund, Community Empowerment Fund, ERDF and ESF programmes, New Deal for Communities, Learning and Skills Council and Lotteries funding regimes to name some. There is no single database of organisations and their funding sources, so it is impossible to provide the level of detail required by the question.

A list of organisations funded through the Community Empowerment Network can be obtained from Wolverhampton Network Consortium and the City Council's Voluntary Sector Unit can provide details of the voluntary and community organisations they support via a co-ordinated small grants programme which has sought to simplify the funding process for eight specific small grants initiatives for the voluntary and community sector.

HOME DEPARTMENT

Acceptable Behaviour Contracts

Mr. Oaten: To ask the Secretary of State for the Home Department what information he collates on the use of acceptable behaviour contracts; in what form; how many local authorities do not use acceptable behaviour contracts; and if he will make a statement. [139224]

Ms Blears: Research conducted in April 2002 showed that there were 173 Acceptable Behaviour Contract (ABC) schemes running in England and Wales, with 1,868 contracts signed. A Home Office Research Development and Statistics publication on the evaluation of an ABC scheme in the London borough of Islington is forthcoming.

The Home Office does not routinely collect statistics on the use or otherwise of ABCs. ABC schemes are voluntary and developed by a range of agencies whose role it is to prevent such behaviour.

Airwave

Mr. Oaten: To ask the Secretary of State for the Home Department on what dates he estimates that the Airwave communications system will be fully operational in each police force area. [138527]

Ms Blears: In England and Wales Airwave is already fully operational in the following forces: Cambridgeshire, Humberside, Lancashire, Leicestershire, Greater Manchester, Northumbria, North Yorkshire, Suffolk and West Mercia.

Estimated dates for the other forces in England and Wales to become fully operational are given in the table.

Rollout of Airwave in Scotland will follow after England and Wales.

Airwave operational date		*Force*
Q4	2003	Bedford
		Derbyshire
Q1	2004	Hertfordshire
		Lincolnshire
Q2	2004	Avon & Somerset
		Dorset
		Durham
		Essex
		Gloucestershire
		South Wales
		Wiltshire
Q3	2004	Cheshire
		City of London
		Cleveland
		Gwent
		Nottinghamshire
		South Yorkshire
		Surrey
		Sussex
		Thames Valley
Q4	2004	Merseyside
		Northamptonshire
		Warwickshire
		West Midlands
Q1	2005	Norfolk
Q2	2005	West Yorkshire
Q3	2005	Cumbria
		Staffordshire
Q4	2005	Kent
		Metropolitan
		Devon and Cornwall
	Not yet available	Dyfed Powys
		Hampshire
		North Wales

Mr. Oaten: To ask the Secretary of State for the Home Department how much has been spent to date on the Airwave communications system, broken down by police force area. [138528]

Ms Blears: It is estimated that the Airwave service contract for the provision of the police service's new digital radio communication service will cost £2.3 billion (at 1999 prices) over the 22-year lifetime of the project. In addition, forces have to procure radio terminals and to modernise control rooms. Funding is provided centrally by the Home Office and locally by police authorities.

To date, the Home Office has provided a total of £336.4 million to police forces in England and Wales for Airwave. The break-down by police force area is given in the table.

Home Office spend on airwave to date broken down by police force area

Force	*£ million*
Avon & Somerset	8.9
Bedfordshire	3.2
Cambridgeshire	4.4
Cheshire	4.2
City of London	2.2
Cleveland	3.9
Cumbria	2.3
Derbyshire	5.7
Devon & Cornwall	6.7
Dorset	3.2
Durham	3.9
Dyfed-Powys	1.4
Essex Police	6.9
Gloucestershire	3.1
Greater Manchester	31.6
Gwent	3.0
Hampshire	7.6
Hertfordshire	4.9
Humberside	6.3
Kent	7.2
Lancashire	14.5
Leicestershire	8.1
Lincolnshire	3.3
Merseyside	11.2
Nottinghamshire	6.8
Norfolk	3.2
Northamptonshire	2.5
North Yorkshire	3.5
North Wales	2.9
Northumbria	11.8
South Wales	7.8
South Yorkshire	8.3
Staffordshire	4.4
Suffolk	5.4
Surrey	4.7
Sussex	6.4
Thames Valley	10.8
Warwickshire	2.0
West Mercia	8.6
West Midlands	14.7
West Yorkshire	11.1
Wiltshire	2.9
Metropolitan Police	60.9
TOTAL	336.4

Alcohol-related Offences

Mr. Oaten: To ask the Secretary of State for the Home Department what estimate he has made of the proportion of offences related to the misuse of alcohol, broken down by offence category, in each of the last five years. [139227]

Ms Blears: Questions in the British Crime Survey (BCS) ask victims of assault whether they think the perpetrator of the offence was under the influence of alcohol at the time of the incident or not.

Data are available from the 1996, 1998, 2000 and 2001–02 sweeps of the BCS. These are as follows:

Proportion of violent incidents that were alcohol related

	1996	*1998*	*2000*	*2001–02*
Domestic	32	33	44	45
Acquaintance	45	44	36	51
Stranger	55	57	53	58
Mugging	17	15	17	19
All violence	41	41	40	47

The question of whether the perpetrator was under the influence of alcohol or not was not asked of other offences, as this question can only be asked when there is contact with the perpetrator.

Mr. Oaten: To ask the Secretary of State for the Home Department what estimate he has made of the cost of alcohol-related crime in each of the last five years. [139228]

Ms Blears: As part of their work on developing an Alcohol Harm Reduction Strategy for England, the Prime Minister's Strategy Unit published an Interim Analytical Report on 19 September 2003. This report indicated that the annual estimated costs of alcohol-related crime and public disorder were up to £7.3 billion. These estimates were prepared using specially commissioned research by the Strategy Unit. No previous estimates of the costs of alcohol-related crime have been made.

Animal Testing

Mr. Etherington: To ask the Secretary of State for the Home Department how many laboratory animals were used in the United Kingdom for the potency testing of batches of botulinum toxin for cosmetic purposes in each year since 2000; and if he will make a statement on Government policy on animal tests for cosmetic products. [136516]

Caroline Flint: Botulinum toxin is not a cosmetic for the purposes of the EU Cosmetics Directive, and no animals have been used to test this material for marketing as a cosmetic in the United Kingdom. It is, however, produced, tested on animals and marketed for clinical use as a prescription only medicine.

The Government, the cosmetic manufacturers and the contract research organisations agreed a voluntary ban on the animal testing of all cosmetics (based upon the EU definition) in November 1997. This voluntary ban applied both to cosmetic ingredients and finished products.

We are committed to putting an end to testing cosmetics on animals across Europe and have led the way and worked hard for many years to try to achieve that. The Government have strongly supported the 7th Amendment on the Cosmetics Directive which was approved by the European Parliament in Plenary on 15 January and by the Council on 27 January 2003. The adopted text extends what has been almost solely a UK ban on testing cosmetic products and ingredients to cover animals throughout the EU.

An animal testing ban on finished products will be introduced immediately after the Directive enters force in 2005, followed by an animal testing ban on ingredients in 2006. The Government welcomes the introduction of an EU wide testing ban as an important and positive step to achieving real improvements in animal welfare standards across the European Community.

The 7th Amendment will also, in due course, introduce a marketing ban. This will mean that cosmetics cannot be marketed in the EU if animal tests have been carried out on either the finished product, or an ingredient or

combination of ingredients, once an alternative to that test has been accepted and published by the European Centre for the Validation of Alternative Methods (ECVAM), and not at all after 2009. This ban will apply regardless of whether or not the animal testing took place in the EU. There will be very limited exceptions to the 2009 deadline. The Department of Trade and Industry leads on policy in this area.

Through our contributions to the European Union, we support the work of ECVAM, whose role is to co-ordinate the independent evaluation of the relevance and reliability of tests and validation studies, so that cosmetics products, as well as medicines, vaccines, other biologicals, medical devices, household products and agricultural products, can be manufactured, transported and used more economically and more safety whilst the current reliance on animal test procedures is progressively reduced.

We also support the Test Guidelines Programme of the Organisation of Economic Development and Co-operation (OECD) which should enable alternative methods to be accepted internationally and with minimum delay.

Anti-terrorism, Crime and Security Act

Mr. Oaten: To ask the Secretary of State for the Home Department what steps he is taking to facilitate the trial in normal criminal courts of those detained under section 4 of the Anti-terrorism, Crime and Security Act 2001. [139222]

Mr. Blunkett: The Secretary of State will only certify and detain an individual under the Anti-terrorism, Crime and Security Act, (ATCS) part 4 powers, once he is satisfied that criminal charges cannot be brought. This does not preclude the bringing of criminal charges at a later stage, should further evidence come to light. It is not always possible to bring criminal prosecutions. Some types of evidence cannot safely be disclosed in criminal proceedings without putting others at risk and other types of evidence (e.g. intercept evidence) are not permissible in UK criminal courts. This point was extensively debated before Parliament passed the ATCS Act 2001.

Antisocial Behaviour Orders

Mr. Nigel Jones: To ask the Secretary of State for the Home Department how many offenders in Gloucestershire have *(a)* received and *(b)* breached anti-social behaviour orders since their inception; and if he will make a statement on the effectiveness of ASBOs. [138917]

Ms Blears: The number of notifications received by the Home Office of Anti-Social Behaviour Orders (ASBOs) issued in Gloucestershire from 1 April 1999 (commencement) up to 30 June 2003 (latest available) is seven.

The available information relating to breaches of ASBOs, covers the period 1 June 2000 to 31 December 2001 and shows that of the four ASBOs made, one was breached in Gloucestershire during this time.

Arson

Matthew Taylor: To ask the Secretary of State for the Home Department what his Department's strategy is on arson and catching arsonists. [125691]

Ms Blears: We are fully committed to tackling arson through the achievement of our Public Service Agreement target to reduce crime and the fear of crime and through our continued engagement in the work of the Arson Control Forum. We have also recognised the important contribution of the fire service to multi-agency working. From 1 April 2003, all fire authorities are statutory partners in local crime and disorder reduction partnerships, which will help ensure that the fire services play a full role in community safety and raise local ability to tackle arson and the associated areas of crime.

Mr. Woodward: To ask the Secretary of State for the Home Department what plans he has to increase resources to police forces in order to tackle arson. [137993]

Ms Blears: Provision for policing supported by the Government has increased by 25 per cent. since 2000–01. Allocation of resources locally between various activities is a matter for each police authority and its chief officer of police. Decisions will take account of local pressures and concerns.

Asylum Application

Mike Gapes: To ask the Secretary of State for the Home Department when a decision will be taken on the asylum application lodged on 8 June 1998 by Mr. Mohamed Aweis Yusuf, Home Office reference M685182; when the hon. Member for Ilford, South will receive responses to the letters sent to the Minister of State on *(a)* 16 October 2002 and *(b)* 1 May 2001; and if he will make a statement. [137514]

Beverley Hughes *[holding answer 11 November 2003]:* I wrote to my hon. Friend on 17 November.

Asylum Seekers

Simon Hughes: To ask the Secretary of State for the Home Department what action he plans to take to amend his Department's policies in relation to *(a)* the detention of children in removal centres and *(b)* the education of those children in local schools. [131765]

Beverley Hughes: We have no plans to amend our policy in relation to the detention of families with children in removal centres. Children will continue to be detained as members of family groups as it would clearly not be in the interests of children to separate them from their parents. The vast majority of families with children are detained for a short time, most for only a few days immediately prior to removal. Removal centres that may hold families with children for anything more than a few days are required to have arrangements in place to provide educational classes to the children concerned. At present, this relates only to Dungavel Immigration Removal Centre and Oakington Reception Centre. The education provision at Dungavel is well established. The position at Oakington is different in that the need for educational provision has arisen only comparatively recently and is in the process of being put in place. We

have no plans to change the overall arrangements for the provision of educational classes or to place the children concerned in local schools.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what steps he is taking to ensure that asylum seekers are integrated into the community. [138322]

Beverley Hughes: The full integration into British society of asylum seekers awaiting decisions on their claims is neither achievable nor desirable. Asylum seekers are for example, generally not permitted to take up employment. We are working to speed up the decision-making process so that their status is resolved more quickly. Nonetheless the Government is fully committed to ensuring that asylum seekers who make their claims in accordance with the law are enabled to live in decent conditions and gain access to essential services, including education for their children, and that they may live in this country without fear of harassment. We also seek to encourage asylum seekers to contribute through volunteering to the communities in which they live.

In order to promote these ends, the regional management of the National Asylum Support Service (NASS) maintains regular contact with all the relevant statutory and voluntary services in the areas to which asylum seekers are dispersed. NASS holds regular meetings to ensure that issues relating to the local integration of asylum seekers are raised and, where possible, resolved locally. Regional management will be representing NASS and asylum issues in all matters relating to community cohesion. We are also gradually developing our police liaison and intelligence capabilities to help provide safe and secure communities where asylum seekers are dispersed.

Childhood Obesity

Alan Simpson: To ask the Secretary of State for the Home Department what discussions he has had with other departments about implementing a strategy to tackle childhood obesity. [138789]

Fiona Mactaggart: The Home Office participates in the Activity Co-ordination Team led jointly by the Department for Culture, Media and Sport and the Department of Health which takes forward work on increasing participation in sport and physical activity, primarily in recognition of the significant health benefits.

This is of direct relevance to the prevention and management of childhood obesity.

Alan Simpson: To ask the Secretary of State for the Home Department what research his Department has commissioned on the effect on children's criminal behaviour of *(a)* poor nutrition and *(b)* childhood obesity. [138788]

Ms Blears: The Home Office is not currently conducting any specific research into the effects that poor nutrition and obesity have on children's criminal behaviour.

There is extensive research on the risk factors which can have an influence on children and young people becoming criminally active. These factors include deprivation and poverty which can of course lead to poor nutrition, and poor diet and lack of opportunity for physical exercise which can contribute to obesity.

The Government's programme to tackle youth crime includes a specific focus on addressing risk factors through the work with families, in neighbourhoods to tackle deprivation, and with education services to improve standards and behaviour and reduce truancy and exclusions.

Class A Drugs

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) what percentage of those brought into a police station tested positively for Class A drugs in 2002; and what the level of voluntary take-up of treatment was; [128627]

(2) what percentage of those brought into a police station tested positive for Class A drugs in the last six months for which figures are available; and what the level of voluntary take-up for treatment was for those people. [127671]

Caroline Flint: It is not possible to provide a national figure for the percentage of individuals testing positive for Class A drugs, nor do we have recent data available for positive tests at arrest. However, the percentage of individuals testing positive at charge for cocaine and/or opiates at each of nine pilot sites is shown in the table.

The data have been taken from Home Office Findings 180 "Evaluation of drug testing in the criminal justice system in nine pilot areas". This is available on the RDS website http://www.homeoffice.gov.uk/rds/pdfs2/r180.pdf and in the House Library.

Police on charge drug test results for cocaine and/or opiates: cumulative to 31 October 2002

Pilot site	*Start date of pilot*	*Testing positive for Cocaine and/or opiates (Percentage)*
Stafford and Cannock	July 2001	45
Hackney	September 2001	66
Nottingham	September 2001	58
Bedford	August 2002	54
Blackpool	June 2002	44
Doncaster	June 2002	63
Torquay	July 2002	36
Wirral	July 2002	58
Wrexham and Mold	August 2002	56

Source:
Home Office Findings 180 "Evaluation of drug testing in the criminal justice system in nine pilot areas".

The Criminal Justice and Court Services Act 2000 gave the police power to drug test arrestees once they are charged with a "trigger offence" (these include property crime, robbery and specified Class A drug offences).

Data on the level of voluntary uptake for treatment by detainees testing positive for Class A drugs has yet to become available from this study. As the evaluation continues information will be collected as detainees/offenders move from one part of the criminal justice system to another, and into treatment.

Communications Masts

Mr. Gibb: To ask the Secretary of State for the Home Department pursuant to his answer of 21 October,

Official Report, column 543W, on communication masts, what plans he has to commission further research recommended in the National Radiological Protection Board report into mechanisms that might transform TETRA energy bursts occurring 17.6 times a second into a current which interferes with biological functions. [139217]

Ms Blears: There is no known mechanism by which the biological functions of the human body could react to radio signals, and the National Radiological Protection Board's independent Advisory Group on Non-ionising Radiation recommended further research on this topic. A study on possible non-linear mechanisms is under consideration as part of the adjunct Mobile Telecommunications and Health Research TETRA programme funded by the Home Office.

Mr. Gibb: To ask the Secretary of State for the Home Department pursuant to his answer of 21 October, *Official Report*, column. 543W, on communications masts, what the conclusions were of the Defence Science and Technology Laboratory study regarding *(a)* calcium efflux, *(b)* brain slice electrophysiology and *(c)* epileptiform activity. [139234]

Ms Blears: The Defence Science and Technology Laboratory (Dstl) work on calcium efflux is complete and shows that TETRA has no effect on calcium exchanges in cells. The work on brain slice electrophysiology and epileptiform activity is still underway. The electrophysiology results are not yet fully analysed. Initial results show no effects of TETRA on epileptiform behaviour.

Community Punishment Orders

Simon Hughes: To ask the Secretary of State for the Home Department how many hours per week the average offender sentenced to a community punishment order spends engaged in purposeful activity, broken down by probation area. [109594]

Paul Goggins: The information requested is not currently collected.

Community Support Officers

Mr. Oaten: To ask the Secretary of State for the Home Department how many people have been detained by a community support officer; and in how many cases a police officer took charge of the detainee within half an hour of detention. [139221]

Ms Blears: At present, six police forces are piloting the power of detention, which was given to community support officers by the Police Reform Act 2002. The forces are the Metropolitan Police Service, West Yorkshire Police, Gwent Police, Lancashire Constabulary, Northamptonshire Police, and Devon and Cornwall Constabulary.

As part of ongoing evaluation, when they use their detention powers community support officers in the relevant forces complete questionnaires which are then forwarded to the Home Office for monitoring purposes. The information currently available indicates that;

To date the Home Office has received 161 questionnaires. This does not necessarily represent 161 separate detentions, as it is possible that two community support officers may have been involved in the same incident.

Subsequent evaluation indicates that police officers have arrived within 30 minutes in 98.8 per cent. of cases and that there have been only two incidents where the time limit has not been met.

These questionnaires are still being completed in each force and evaluation of the results is an on-going process. This work is being undertaken jointly by Her Majesty's Inspectorate of Constabulary and with the Home Office Research Development and Statistics Directorate.

Computer Games Companies

Mr. Oaten: To ask the Secretary of State for the Home Department if he will list the contracts his Department has awarded to computer games companies, broken down by *(a)* company to which the contract was awarded, *(b)* the date and cost of the contract and *(c)* the purpose of the contract; what has been delivered to date from each contract; what remains to be delivered; what each game seeks to achieve; and what assessment he has made of their effectiveness in meeting these aims. [139223]

Fiona Mactaggart: No contracts have been awarded to computer games companies.

Note:
The answer includes the Home Department's executive agencies and non-departmental public bodies.

Consultants

Mr. Oaten: To ask the Secretary of State for the Home Department how many projects his Department has contracted out to external consultancies in each year since 1997; and at what cost. [138501]

Fiona Mactaggart: Information by project is not held centrally for the Home Department and is not available in the format requested. To provide a complete answer in the time available will incur disproportionate costs.

A similar question was asked earlier this year about spend on consultancy. I therefore refer the hon. Member to the answer given on 29 January, *Official Report*, column 913W.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department if he will meet the right hon. Member for Manchester, Gorton to discuss the letter to him dated 9 September, with regard to Mrs. S. Ahmed. [138456]

Mr. Blunkett: I responded to my right hon. Friend in a letter on 13 November 2003. A meeting would serve no useful purpose as there is nothing more I can add to that letter.

Publicity Campaigns

Mr. Oaten: To ask the Secretary of State for the Home Department what the total cost to his Department was of *(a)* the Good to be Secure website, *(b)* the Don't let them bag your booty publicity campaign, *(c)* the Danny Timpson's Kebabathon computer game and *(d)* the Bargain Boost computer games; and whether Mr. David Dickinson received a fee for his involvement in the initiative. [138478]

Ms Blears: The Home Office is committed to reducing crime and we implement several campaigns to reduce the risk for the public.

Burglary is a high volume crime. It is a crime that causes fear and concern. Campaigns which help reduce risk and fear is therefore a priority for us. There are several groups who are particularly at risk—the elderly, students, home movers, and holidaymakers.

The campaigns we run are designed to reassure people and reduce their risk by offering them simple, practical advice on burglary prevention.

The students' campaign is one of those key campaigns.

The costs involved in the specific activities (including development costs) the hon. Gentleman mentioned were:

	£
The 'good to be secure' web site	19,470
The 'Don't let them bag your booty' publicity campaign including the 'Bargain bost' computer games	80,000
The 'Danny Timpson's Kebabathon' computer game	12,000
David Dickinson did receive a fee for his involvement in this initiative	10,000
Total	121,470

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Secretary of State for the Home Department how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134693]

Fiona Mactaggart: The Home Office leases one property, acquired for security reasons, as the London residence of the Home Secretary of the day. A major programme of cyclical refurbishment—the first for some years—was completed in late spring 2002. This was needed to maintain the repair and value of the property and to deal with the impact of substantial flood and storm damage.

I refer the hon. Member to the answer given to the hon. Member for Ribble Valley (Mr. Evans) on 1 July 2002, *Official Report*, column 176W.

1. Home Secretary's residence

The figures are as follows:

	Maintenance	*Renovation*	*Council tax*	*Running costs/ utilities*	*Capital charge/depreciation/ cost of capital*
1997–98	2,581	0	304	3,189	77,995
1998–99	14,849	0	325	3,875	84,863
1999–2000	2,055	0	350	3,993	104,615
2000–01	6,457	0	375	2,268	120,702
2001–02	1,386	[1]72,340	410	2,110	112,345
2002–03	[2]37,338	27,440	445	5,306	122,199

[1] Works carried out in 2001–02 were paid in 2002–03 when invoice was submitted
[2] Includes roof works of £12,342

Not included above is rent at £7,100 per annum and costs of security measures. Capital Charge and depreciation are related to the book value of the lease which was revalued in 2001.

2. Officials

Only in exceptional circumstances does my Department provide accommodation for officials other than seconded police officers. At present these are limited to three seconded junior staff carrying out duties which requires them to be located in Central London. The Prison Service also provides its staff including Governor grades with a limited number of married quarters

Excel Exhibition Centre Protesters

Mr. Oaten: To ask the Secretary of State for the Home Department pursuant to his Answer to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) of 16 September 2003, *Official Report*, column 662W, whether he has received the Metropolitan Police report; whether he intends to publish it; and if he will make a statement on the use of anti-terrorism legislation against the protesters at the Excel Exhibition Centre in London on 9 September. [139254]

Fiona Mactaggart: I received an interim report from the Metropolitan Police Service (MPS) on 18 September and a final report on 15 October. The report shows that what happened during the policing of the Defence Systems and Equipment International (DSEi) arms fair has not been routinely replicated across the force area from the time that the Terrorism Act 2000 came into force.

I welcome the steps that have been already been taken to deal with concerns at force level about the use of this power and the enhanced guidance and training that will

be given to officers from this point on. I have also agreed with the MPS that we continue to be vigilant and ensure that these powers are deployed correctly.

Drug Offences

Mr. Hepburn: To ask the Secretary of State for the Home Department how many people were arrested for drug offences in *(a)* Tyne and Wear, *(b)* the North East and *(c)* the UK in each year since 1997. [138433]

Caroline Flint: Information on the number of persons arrested for notifiable offences is collected at police force area level only. Available data on the number of persons arrested for drugs offences within Northumbria police force area and the North East region are given in the table for the years 1999–2000 to 2001–02. Information for earlier years is not available on a consistent basis. Statistics for 2002–03 will be available later this year.

Figures for Scotland and Northern Ireland are matters for the Scottish Parliament and the Northern Ireland Assembly respectively.

Number of persons arrested for drug offences in Northumbria police force area, the North East region and England and Wales

	Northumbria police force area	*North East region*[1]	*England and Wales*
1999–2000	4,719	[2]8,300	[2]121,200
2000–01	4,831	[2]8,000	[2]111,300
2001–02	5,473	[2]9,300	[2]116,600

[1] North East region comprises of Northumbria, Durham and Cleveland police force areas.
[2] Estimated. Durham data not supplied.

Identity Cards

Mr. Best: To ask the Secretary of State for the Home Department what estimate he has made of the costs involved in introducing a mandatory national identity card scheme in the UK. [132424]

Beverley Hughes: My right hon. Friend, the Home Secretary announced on 11 November that the Government has decided to begin the process of introducing a national identity cards scheme following the consultation paper published in July 2002.

The Government are determined to ensure that the development of a national identity cards scheme is managed to the highest standards, and that the major business change and IT challenges which we face are dealt with effectively. A Programme Board is being established chaired by the Home Office to co-ordinate and drive forward the different elements of the Government strategy. Progress at every stage will be monitored and reviewed as further decisions are taken during the implementation. Before decisions are taken on implementation, there will be an intensive phase of feasibility assessment and prototyping so that decision making is soundly based and risks in the programme are kept to a minimum.

Once the Office of Government Commerce (OGC) has confirmed that the programme is ready to proceed, by means of an OGC Gateway Zero review, we will publish draft legislation to enable the scheme to be introduced.

Set up costs for the first three years have been estimated at £36, £60 and £90 million. Costs thereafter will be covered by charges. Under the proposed scheme, we estimate that a 10 year plain identity card would cost most people approximately £35. The enhanced fee for a combined passport—identity card would be £77and a combined driving licence—identity card would be £73.

The proposed charging schedule would fund free cards for all 16 year olds and a reduced charge of £10 for those on low incomes. We are looking at how those who have been in retirement for some time could obtain a lifelong card, requiring no further payment and are also looking at whether plain identity cards could be paid for by instalments.

For very frail and elderly citizens it would be possible to issue a non-biometric card (for instance those with severe learning disabilities who are in residential care or those over 80).

People who held both a passport and a driving licence would only pay the additional charge for one document. This is because the charge covers the cost of establishing a more secure identity including recording the biometric information which only needs to happen once.

We will continue to work with potential suppliers and partners to ensure estimates are accurate, realistic and deliverable.

Mr. Webb: To ask the Secretary of State for the Home Department pursuant to his oral statement on identity cards of 11 November 2003, *Official Report*, column 176, what was the basis for his estimate of savings to be made in benefit and related systems from introducing an ID card was. [139089]

Beverley Hughes: The Department for Work and Pensions estimates that the level of identity fraud in the benefit system is between £20 million and £50 million per annum. A national identity cards scheme would reduce this once cards were widely held. It could also help to streamline the process of allocating National Insurance numbers, though there are no plans in the first stage of the scheme to require the possession of a card in order to obtain a National Insurance number.

Mr. Pike: To ask the Secretary of State for the Home Department what representations he has received from *(a)* police authorities and *(b)* other interested parties on the introduction of identity cards, with particular reference to the effect on under-age drinking; and if he will make a statement. [139440]

Beverley Hughes: "Identity Cards—A Summary of Findings from the Consultation Exercise on Entitlement Cards and Identity Fraud" (CM 6019) was published on 11 November 2003 and gives a summary of the comments received from organisations and from the public on identity cards.

It records (at page 111) that police organisations considered that an identity card scheme would assist licensees to control the sale of age related products and (at page 39) that 6 per cent. of members of the public who were surveyed and were in favour of identity cards gave "to stop under-age drinking" as a reason.

Immigration Appeals

Mr. Drew: To ask the Secretary of State for the Home Department if he will make a statement on the use in special immigration appeals committees of evidence obtained through torture in a foreign country. [139063]

Beverley Hughes *[holding answer 17 November 2003]:* The Special Immigration Appeals Commission (SIAC) has adopted the common law approach to evidence which may have been obtained elsewhere through the use of torture—save for evidence that is obtained from a party (usually the defendant in a criminal trial), all evidence is admissible, however unlawfully obtained. However, where that evidence may have been obtained by torture, this will bear on the proper weight to be given to the information. The means by which information is obtained therefore goes to its reliability and weight and not to its admissibility.

While we do not condone torture, we do have an obligation to protect national security and public safety and we would be deficient in this duty if we did not properly assess all information involved in association with the war on terror.

IT Equipment

Mr. Oaten: To ask the Secretary of State for the Home Department how much was spent on purchasing and upgrading IT equipment in each of his Department's executive agencies and non-departmental public bodies in *(a)* 2002 and *(b)* 2003. [138526]

Fiona Mactaggart: The information requested, which was provided to the hon. Gentleman on 30 October 2003 in response to UIN 135895, is as follows:

Core Home Office:

Notes:

1. The figures are expenditure incurred by the Home Department
2. The figures exclude expenditure from the Department's Outsourced Managed Service Contracts for the provision of IT infrastructure services, where the assets have not transferred to the public sector.

Financial Year (FY)	*Time Period*	*Totals (£)*
Part FY	01 January 2002–31 March 2002	36,464,010
Full FY	01 April 2002–31 March 2003	13,017,585
Part FY	01 April 2003–30 September 2003	9,127,403
		58,608,998

National Criminal Intelligence Service (NCIS)

	Time Period	*Totals (£)*
Part FY	01 January 2002–31 March 2002	476,629
Full FY	01 April 2002–31 March 2003	1,408,661
Part FY	01 April 2003–30 September 2003	356,039
		2,241,329

NCIS Note:

1. The period January 2002 to March 2002 includes the start of a major project to upgrade infrastructure and desktops to Windows 2000 (excludes laptops).
2. April 2002 to March 2003 includes the completion of the rollout of Windows 2000 and the acquisition of an electronic email archive.
3. April 2003 to September 2003 includes equipment to meet Business Continuity requirements.

Criminal Records Bureau

	Time Period	*Totals (£)*
Part FY	01 January 2002–31 March 2002	4,000
Full FY	01 April 2002–31 March 2003	251,000
Part FY	01 April 2003–30 September 2003	176,000
		431,000

United Kingdom Passport Service:

	Time Period	*Totals (£)*
Part FY	01 January 2002–31 March 2002	32,117
Full FY	01 April 2002–31 March 2003	671,639
Part FY	01 April 2003–30 September 2003	103,164
		806,920

Police Information Technology Organisation:

	Time Period	*Totals (£)*
Part FY	01 January 2002–31 March 2002	136,611
Full FY	01 April 2002–31 March 2003	650,314
Part FY	01 April 2003–30 September 2003	60,980
		847,905

Independent Police Complaints Commission (IPCC):

	Time Period	*Totals (£)*
Part FY	01 January 2002–31 March 2002	N/A
Full FY	01 April 2002–31 March 2003	N/A
Part FY	01 April 2003–30 September 2003	1,540,171
		1,540,171

IPCC Note:

IPCC is a new Agency and as such has no IT expenditure prior to this financial year. All costs for 2003 are connected with the start up operation of the IPCC.

Asset Recovery Agency (ARA):

The return for the Asset Recovery Agency is NIL as until very recently, IT was encompassed within a Managed Service Contract for the ARA premises and as such the IT spend element was not transparent.

Criminal Cases Review Commission:

After six years of operation the Criminal Cases Review Commission is now undertaking a programme of upgrades to software and hardware in line with its Information Systems strategy. This means that expenditure in the periods of the question is higher than would be the case for simply routine operations.

	Time Period	*Totals (£)*
Part FY	01 January 2002–31 March 2002	6,508
Full FY	01 April 2002–31 March 2003	223,480
Part FY	01 April 2003–30 September 2003	58,630
		288,618

Forensic Science Service:

	Time Period	*Totals (£)*
Part FY	01 January 2002–31 March 2002	585,000
Full FY	01 April 2002–31 March 2003	3,063,000
Part FY	01 April 2003–30 September 2003	1,942,000
		5,590,000

Security Industry Authority (SIA)

	Time Period	Totals (£)
Part FY	01 January 2002–31 March 2002	Included in Home Office return
Full FY	01 April 2002–31 March 2003	Included in Home Office return
Part FY	01 April 2003–30 September 2003	16,000
		16,000

Note: Security Industry Authority
The SIA was established 1 April 2003. Prior to this date any IT spend associated with the set up would have been covered within the core Home Office expenditure.

National Asylum Support Service

Mr. Oaten: To ask the Secretary of State for the Home Department on what date Mr. Digby Griffith was appointed to the team which undertook the independent review of the National Asylum Support Service; on what date he was offered his current position at NASS; and on what date he took up that post. [133965]

Beverley Hughes: The independent team established to review the operation of the National Asylum Support Service submitted its report on 30 May 2003.

Mr. Digby Griffith was appointed as Secretary to the independent NASS Review Team during the first week in March 2003 and took up post on 10 March. Following a national open competition he was offered the post of Head of Accommodation in NASS on 24 April. He took up post on 30 June.

Crime Statistics

Mr. Oaten: To ask the Secretary of State for the Home Department how many offences recorded by the police resulted in no further action being taken in each year since 1997. [138499]

Ms Blears: The percentage rates of offences detected and described as 'No further action', are available from 1997 to 2002–03, and are given in the table.

Detection rates as a percentage of recorded offences, for England and Wales

		Percentage of all offences detected with 'No further action' taking place:	
Year	Percentage of offences detected (All methods)	Interview of convicted prisoner: (Percentage)	Other (Percentage)
1997[1]	28	4	4
1997–98[2]	28	4	4
1998–99[3]	29	2	5
1999–2000[5]	25	[5]—	4[4]
2000–01	24	[5]—	4[4]
2001–02[6]	23	[5]—	4
2002–03[6]	24	[5]—	4

[1] Crime-related statistics were published on a calendar year basis until 1997, and on a financial year basis thereafter.
[2] Excluding offences of 'other criminal damage' of value £20 and under prior to March 1998.
[3] Percentage detected using the figures derived from the expanded coverage and revised counting rules for recorded crime which came into effect on 1 April 1998, and hence may not be comparable with previous years.
[4] Estimates based on returns from 42 (of the 43) police forces.
[5] Revised detections guidance was implemented on 1 April 1999, and hence detection rates are not comparable with previous years. The new instructions provide more precise and rigorous criteria for recording a detection, with the underlying emphasis on the successful result of a police investigation. Therefore detections obtained by the interview of a convicted prisoner were no longer collected.
[6] The National Crime Recording Standard (NCRS) was implemented by some police forces in advance of it's national implementation on 1 April 2002, and as a result of this, figures are not directly comparable with previous years

MI5

Norman Baker: To ask the Secretary of State for the Home Department if he will make a statement on the undertaking of activities by MI5 which require authorisation by warrant but which have been carried out without such authorisation in place. [138584]

Mr. Blunkett: It is the longstanding policy of successive governments neither to confirm nor deny allegations concerning the activities of the Security Service. We have maintained this policy irrespective of the accuracy or inaccuracy of the allegations made. The intelligence and security agencies each operate under a strict statutory framework. The agencies are overseen by Ministers and by independent Commissioners who hold, or have held, high judicial office. There is no question of the agencies, or anyone else, being above the law.

Passports

Keith Vaz: To ask the Secretary of State for the Home Department how many passports have been lost by the Immigration and Nationality Directorate in Liverpool in 2003. [133481]

Beverley Hughes: The information is as follows:

(1) 78 passports have been recorded as lost by the Immigration and Nationality Directorate in Liverpool during 2003.

(2) The incidence of lost passports amounts to 0.04 per cent. set against the number of applications handled. Current processes do not allow the movement of passports to be tracked through each stage of case consideration.

(3) I have instituted new arrangements to ensure the security and return of passports by IND.

Mr. Goodman: To ask the Secretary of State for the Home Department on what basis he reached his decision to set fees for *(a)* applications for variation of leave and *(b)* endorsing passports at the current level. [136959]

Beverley Hughes *[holding answer 6 November 2003]:* The fees are calculated under Treasury Rules to recover the full administrative cost entailed in considering applications and no more. This is calculated by taking the overall costs of processing the applications divided by the number of decisions we expect to make.

The fee is £155 for a postal application and £250 for personal callers who wish to apply at one of the four Public Enquiry Offices. The charges will ensure we are able to meet the cost of providing for the service and will ensure that we are able to meet the higher standards of service we have set for the Immigration and Nationality Directorate.

Fees were introduced at a time when we were confident that we had in place the service improvements, which were the necessary precursors to charging.

The principle behind charging is to ensure that those who use the service pay for it rather than the general taxpayer.

Mr. Goodman: To ask the Secretary of State for the Home Department how many complaints he has received in relation to the introduction of fees for *(a)* applications for variation of leave and *(b)* endorsing passports. [136961]

Beverley Hughes: I have received a number of letters; particularly those representing the education sector such as UKCOSA, Universities UK and various universities to which I have already responded.

A number of letters, phone calls and emails have also been received from members of the public, including students with regard to both the introduction of charging and the level of the fee. My Officials at Croydon continue to deal with these.

The charges will ensure we are able to meet the cost of providing for the high service standards-service and will ensure that we are able to meet the tighter performance targets we have set for IND. Postal applications should be dealt within 13 weeks from when they are received in IND. We aim to complete 70 per cent. of postal applications within three weeks of receipt in IND. The premium service will enable callers to have their case considered on the same day as long as the application is complete and further enquiries are not required. We have recently invested heavily to ensure that the improved service standards we publish are achievable and sustainable.

The principle behind charging is to ensure that those who use the service pay for it rather than the general taxpayer.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many and what proportion of the adult population of the United Kingdom does not have a passport. [138694]

Beverley Hughes: Out of the adult population of 45.5 million residents, approximately 10 million, or 22 per cent. do not have a passport.

People Trafficking

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what penalties are in place to punish those convicted of people trafficking; and what measures are in place to deter people traffickers. [139658]

Beverley Hughes: In the White Paper "Secure Border Safe Haven" the Government promised to introduce legislation on trafficking for both labour and sexual exploitation.

The Nationality, Immigration and Asylum Act introduced a new offence of trafficking for the purpose of controlling in prostitution with a maximum penalty of 14 years. This offence came into force 10 February 2003.

More wide-ranging offences covering trafficking for the purposes of sexual exploitation were included in the Sexual Offences Bill. The offence of trafficking for sexual exploitation carries a tough maximum penalty of 14 years. In addition to this, the Sexual Offences Bill also introduces a new offence of Commercial Sexual Exploitation of a child, which will protect children up to 18. It covers a range of offences, including buying the sexual services of a child, (for which the penalty ranges from seven years to life depending on the age of the child); and causing, facilitating or controlling the commercial sexual exploitation of a child in prostitution or pornography, for which the maximum penalty will be 14 years imprisonment.

An offence of trafficking for labour exploitation is under development and will be introduced when parliamentary time permits. This will carry the same 14 year penalty, which is the maximum determinate penalty available to the courts.

In addition to these penalties, the Government are taking action against immigration crime bosses to ensure that they do not profit from their crimes. To dismantle these criminal networks, the Government are trebling funding for Reflex with £20 million in this financial year and a further £20 million each year for the following two years.

Reflex is focused on tackling organised immigration crime at source, in transit and in the United Kingdom through intelligence led enforcement action and overseas co-operation. Since April 2003, 20 organised criminal gangs have been disrupted and 16 facilitators have been convicted. Under Reflex successful partnerships have or are being established in a variety of countries such as Romania, Serbia, Bosnia, Montenegro and Bulgaria.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for the Home Department what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137956]

Fiona Mactaggart: Performance targets for the Home Office were agreed as part of the Spending Review 2002. The monitoring and measurement of Public Service Agreement (PSA) targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the Department, and as such it is not possible to separate the specific costs out. The monitoring of progress towards, and performance against, the Department's PSA targets is undertaken by a wide variety of staff at all levels of the organisation.

Mr. Flight: To ask the Secretary of State for the Home Department if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if he will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137971]

Fiona Mactaggart: Key performance targets for the Home Office were agreed as part of the Spending Review 2002 and the latest set were published in Spending Review 2002: Public Service Agreements 2003–2006 (CM 5571). They have also been published in various

Home Office publications, including "Targets Delivery Report" (CM5754), and on the Department's website. The Department monitors progress towards the targets along with Her Majesty's Treasury and the Prime Minister's Delivery Unit and progress is reported regularly.

Targets relating specifically to Home Office agencies and executive non-departmental public bodies (NDPBs) are set by the Secretary of State for the Home Office and are monitored by the Department, including through meetings between each organisation and Ministers or officials. A list of Home Office-sponsored agencies and executive NDPBs is as follows:

Home Office agencies

Criminal Records Bureau
Forensic Science Service
Prison Service Agency
UK Passport Agency

Home Office executive NDPBs

Central Police Training & Development Authority (Centrex)
Community Development Foundation
Commission for Racial Equality
Criminal Cases Review Commission
Criminal Injuries Compensation Authority
Independent Police Complaints Commission
National Crime Squad
National Criminal Intelligence Service
Office of the Immigration Services Commissioner
Parole Board
Police Complaints Authority
Police Information Technology Organisation
Security Industry Authority
Youth Justice Board

Information on targets, and performance against them, is set out in each organisation's Annual Reports and Accounts, which are laid before Parliament. Information on each organisation, along with links to their individual websites, is also available in the main Home Office website at www.homeoffice.gov.uk.

Police

Paddy Tipping: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* civilian police staff were employed in (i) Avon and Somerset, (ii) Bedforshire, (iii) Leicestershire and (iv) South Yorkshire on *(A)* 31 March 1997, *(B)* 31 March 2003 and *(C)* 31 August 2003. [138844]

Ms Blears: The available information is given in the tables:

Number of police officers[1]

	31 March 1997	*31 March 2003*	*31 August 2003*
Avon and Somerset	2,989	3,160	3,304
Bedfordshire	1,094	1,119	1,132
Leicestershire	1,949	2,147	2,159
South Yorkshire	3,159	3,194	3,210

[1] Full time equivalents

Number of civilian police staff[1,2]

	31 March 1997	*31 March 2003*	*31 August 2003*
Avon and Somerset	1,330	1,785	[3]
Bedfordshire	484	595	[3]
Leicestershire	755	934	[3]
South Yorkshire	1,291	1,510	[3]

[1] Full time equivalents
[2] Excludes traffic wardens
[3] Not available

Police (Firearms)

Dr. Cable: To ask the Secretary of State for the Home Department when he proposes to release the 2002–03 authorised firearms officer figures for all forces in England and Wales; what the cause of the delay in releasing the figures is; and if he will make a statement. [139068]

Ms Blears: The police use of firearms statistics for 2002–03 are currently being validated and I hope to release them by way of a ministerial statement early in the new year.

Police Funding

Mr. Simmonds: To ask the Secretary of State for the Home Department what the projected funding per head of population for each police authority in England and Wales is in 2003–04. [138231]

Ms Blears: The information is set out in the table.

£

Force	*Funding[1] per head of population[2] 2002–03*	*Funding[1] per head of population[2] 2003–04*
Avon and Somerset	110.15	117.18
Bedfordshire	115.55	118.92
Cambridgeshire	100.54	111.62
Cheshire	108.84	120.16
Cleveland	157.87	167.00
Cumbria	125.24	130.76
Derbyshire	105.09	112.58
Devon and Cornwall	109.35	113.03
Dorset	93.58	98.28
Durham	138.76	149.74
Dyfed-Powys	111.64	115.43
Essex	102.63	107.04
Gloucestershire	107.24	113.45
Greater Manchester	151.72	168.58
Gwent	129.39	137.75
Hampshire	107.94	118.03
Hertfordshire	101.99	107.18
Humberside	128.61	139.32
Kent	116.74	128.40
Lancashire	127.54	135.86
Leicestershire	108.92	116.95
Lincolnshire	103.72	102.31
Merseyside	180.40	194.66
Metropolitan	260.66	286.02
Norfolk	106.24	115.26
Northamptonshire	102.84	112.98
Northumbria	153.22	166.89
North Wales	119.43	124.00
North Yorkshire	98.67	103.85
Nottinghamshire	127.25	133.70
South Wales	135.83	145.63
South Yorkshire	136.86	151.49
Staffordshire	104.48	114.45
Suffolk	100.07	107.25
Surrey	86.55	93.50
Sussex	107.94	114.11

£

Force	Funding[1] per head of population[2] 2002–03	Funding[1] per head of population[2] 2003–04
Thames Valley	104.96	110.48
Warwickshire	100.95	110.32
West Mercia	97.92	101.55
West Midlands	147.44	171.37
West Yorkshire	142.66	152.24
Wiltshire	102.79	106.38

[1] Government funding includes Home Office police grant, Office of the Deputy Prime Minister and Welsh Assembly Government Revenue Support Grant and National Non-Domestic Rates, Crime Fighting Fund, Rural Policing Grant, Airwave, DNA Expansion Programme, Community Support Officers, London and South East Allowances, Free Travel for City of London and MPS, Basic Command Unit funding, Street Crime Initiative, Special Priority Payments from the PNB agreement, Counter Terrorism (PMS only), Capital grant and the premises Improvement Fund.

[2] *Source for resident population figures:*
Office of the Deputy Prime Minister. The figures are as used for calculation of grant under the Police Funding Formula.

Mr. Simmonds: To ask the Secretary of State for the Home Department what the projected funding for 2004 is for each police authority in England and Wales under the Rural Sparsity Grant. [138233]

Ms Blears: I shall announce details of the Rural Policing Fund allocations for 2004–05 with the provisional police funding settlement for 2004–05.

Mr. Evans: To ask the Secretary of State for the Home Department what police funding was allocated to the North West in each year since 1992. [134898]

Ms Blears: The information is set out in the tables.

*North West Region**

	Government Revenue Grant[1] (£ million)
1992–93[2]	n/a
1993–94[2]	n/a
1994–95[2]	n/a
1995–96	752.65
1996–97	789.41
1997–98	805.79
1998–99	834.17
1999–2000	852.13
2000–01	884.26
2001–02[3]	939.82
2002–03	962.04
2003–04	1,022.16

[1] Government Grant includes Home Office police grant, Office of the Deputy Prime Minister (ODPM) Revenue Support Grant and non national domestic rates, Crime Fighting Fund, Rural Policing Grant, Basic Command Unit funding, Community Support Officer funding, DNA Expansion Programme, Street Crime Initiative and Special Priority payments.

[2] Before 1995–96, when most Police Authorities became independent local authorities, revenue support grant and non-national domestic rates were paid as part of respective county council grant funding.

[3] The grant figures for 2001–02 and 2002–03 are not directly comparable, owing to changes from 2002–03 in the method of funding the National Crime Squad and the National Criminal Intelligence Service. Based on the new arrangements, comparable grant figure for 2001–02 would have been £917,614,378.

* The North West region is policed by Cheshire, Cumbria, Greater Manchester, Lancashire and Merseyside forces.

In addition, the North West forces received the following funding in capital grant, including Airwave and the Premises Improvement Fund.

	North West Region, Capital Grants (£ million)
1995–96	22.54
1996–97	17.73
1997–98	19.05
1998–99	12.92
1999–2000	13.46
2000–01	17.59
2001–02	45.46
2002–03	36.56
2003–04	30.90

Police Vehicles

Richard Burden: To ask the Secretary of State for the Home Department how many police vehicles there were in the last year for which figures are available, broken down by *(a)* police authority area and *(b)* manufacturer. [139054]

Ms Blears: This information is not held centrally and could be obtained only at disproportionate cost.

Policing Costs

Mr. Oaten: To ask the Secretary of State for the Home Department what guidance is issued to police forces in relation to negotiating contributions from the organisers of *(a)* football matches and *(b)* other public events towards the costs of policing those events. [138498]

Ms Blears: Section 25 of the Police Act 1996 enables Chief Officers of Police to provide special police services upon request and in return for payment at a rate set by the police authority.

Home Office guidance is that where the police charge for special services arrangements should be made for full recovery of costs. Home Office circular 34/2000 deals specifically with charging for policing football matches and offers guidance on the calculation of full costs.

Mr. Willis: To ask the Secretary of State for the Home Department if he will take steps to make football clubs responsible for a greater proportion of the costs of policing football matches. [138548]

Ms Blears: Section 25 of the Police Act 1996 enables chief officers of police to provide special police services upon request and in return for payment at a rate set by the police authority.

We appreciate that policing football raises particular issues about resources and deployment which is why a working group, involving the police, police authorities, football authorities and others was set up to consider these matters.

The group has met on a number of occasions but has not concluded its deliberations. It would be premature to speculate on the outcome but a final or interim report will be sought early next year.

Pupil Visa Charges

Mr. Lansley: To ask the Secretary of State for the Home Department if he will initiate a review of the introduction of visa charges on pupils from overseas attending United Kingdom boarding schools which provides an opportunity for consultation with schools affected. [133072]

Beverley Hughes: The level of charges are set under Treasury rules to recover the full costs associated with delivering the service. Under these rules, there is a requirement for an annual fee review with which the Home Office will comply. My officials are looking at a number of issues for the future including fee structures, the possibility of differential charging and how to further improve the service.

I cannot, of course, guarantee the outcome of the fee review. However, the hon. Gentleman has my assurance that Home Office officials will engage with the DfES, British Council, UKCOSA and others to ensure that the education sector's representations are taken into account.

The principle behind charging is to ensure that those who use the service pay rather than the general taxpayer.

Racism

Mr. Oaten: To ask the Secretary of State for the Home Department how many racist incidents were reported to the police in England and Wales in each of the last 10 years. [138400]

Ms Blears: Section 95 of the Criminal Justice Act 1991 requires the Secretary of State to publish such information as he considers expedient in order to enable those involved in the criminal justice system to become aware of the financial implications of their decisions, or to avoid discrimination on grounds of race, sex or any other improper grounds.

The number of racist incidents both 'reported' to and 'recorded' by the police in England and Wales since 1991 and published under section 95, can be seen in the following table.

	Total
1991	7,882
1992	7,734
1993–94	11,006
1994–95	11,878
1995–96	12,222
1996–97	13,151
1997–98	23,049
1998–99	23,049
1999–2000	47,814
2000–01	53,092
2001–02	54,351

We believe that the sharp rise in incidents recorded by the police reflects better recording and greater confidence of communities in reporting incidents.

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for the Home Department what steps his Department are taking to ensure consistency in using the Regulations of Investigatory Powers Act 2000 across all Government Departments. [136132]

Caroline Flint: My right hon. Friend the Home Secretary has issued statutory Codes of Practice relating to the exercise and performance of powers and duties under the Regulation of Investigatory Powers Act 2000. Subject to the approval of Parliament, new and revised codes will be issued. These codes, together with provision of advice from independent Commissioners and the delivery of training and seminars, support consistency in the use of powers under the Act.

Independent Commissioners, who are appointed by my right hon. Friend the Prime Minister, are under a statutory duty to keep under review the exercise and performance of the powers and duties conferred or imposed on public authorities by the Regulation of Investigatory Powers Act 2000. The Commissioners' role includes, where necessary or appropriate, ensuring consistency in the application of the Act's provisions or the interpretation of the statutory Codes of Practice.

The Government are committed to ensuring that the relevant Commissioners have the necessary resources to carry out effective oversight of public authorities' use of the Regulation of Investigatory Powers Act 2000.

Road Traffic Regulations (Police Confiscation Powers)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department on how many occasions the police have used their new power to confiscate vehicles that persistently infringe road traffic regulations or are used off-road causing public annoyance in *(a)* Crosby and *(b)* England. [137824]

Caroline Flint: The new powers given to the police by the Police Reform Act 2002 relate to offences under sections three and 34 of the Road Traffic Act 1988. Those offences cover driving on-road without due care and attention and driving off-road without authority. As from January 2003, where a vehicle committing one of these offences is being driven in such a way that it is causing or is likely to cause alarm, distress or annoyance to members of the public, a constable in uniform is empowered to stop and seize it. Unless a warning has been given previously, the police are required where practical to warn the person before seizing the vehicle, so that its anti-social use can be stopped.

The new power came into effect at the start of the year and its effective use is being developed. Figures for the number of vehicles that have so far been seized under this legislation are not collected centrally. I understand, however, from the Merseyside Police that as at 10 November, 14 warnings had been issued and one vehicle had been seized in Crosby.

Road Traffic Speeds

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department what help he will give chief constables to reduce illegal speeding. [139039]

Caroline Flint: The National Safety Camera Scheme the Government have introduced enables local partnerships to net off money from fixed penalties for

speeding offences detected by camera to fund camera enforcement. The Scheme has been shown to be effective in reducing speed related death and injury and in the National Policing Plan we have encouraged all forces to support it. All forces will be fully participating in the scheme by the middle of next year.

Secondment

Dr. Iddon: To ask the Secretary of State for the Home Department how many people from science and technology backgrounds have been seconded into the Civil Service in his Department in each of the last five years for which data are available. [138628]

Fiona Mactaggart: Secondments are part of the Interchange initiative, which promotes the exchange of people and good practice between the Civil Service and other organisations—public, private and voluntary. Interchange provides opportunities for civil servants to learn new skills, widen their experience and develop ideas, it also brings in skills and experiences from other sectors. 198 staff were seconded into the Home Office during the period 1 April 1998 to 31 March 2003. The Home Office records data on inward secondees according to their originating sector, but it does not specifically collate data on secondees with a science and technology background.

The annual number of inward secondments to the Home Office from outside the Civil Service was:

Year	
1998–99	25
1999–2000	30
2000–2001	21
2001–2002	44
2002–2003	78

Terrorism Act

Simon Hughes: To ask the Secretary of State for the Home Department pursuant to his answer of 4 November 2003, *Official Report*, column 575W, on the Terrorism Act, if he will break down the number of stop and searches under section 44 (1) and section 44 (2) of the Terrorism Act 2000 by *(a)* ethnicity and *(b)* gender in each year. [139267]

Mr. Blunkett *[holding answer 17 November 2003]:* The data collected on stops and searches made under section 44 of the Terrorism Act 2000 is not automatically cross-referenced with data on the ethnicity and gender of those stopped. This information could be collated and verified only at disproportionate cost.

Mr. Oaten: To ask the Secretary of State for the Home Department how many applications for authorisations under section 44 of the Terrorism Act 2000 have been received from *(a)* Avon and Somerset, *(b)* Merseyside, *(c)* West Midlands, *(d)* South Wales and *(e)* Northumbria police forces. [138507]

Mr. Blunkett: The applications received from the listed forces for the authorisation of section 44 powers are as follows.

Listed forces	*Applications*
Avon and Somerset Police	3
Merseyside Police	7
West Midlands	19
South Wales Police	17
Northumbria Police	2

UK/US Extradition Treaty

Norman Baker: To ask the Secretary of State for the Home Department for what reason the Extradition Treaty he signed on 31 March gives the US the right to request extradition from the UK without the need to provide prima facie evidence but does not provide an equivalent right for the UK in respect of individuals in the US. [139131]

Caroline Flint: I refer the hon. Member to the answer which I gave to a question from my hon. Friend the Member for Glasgow, Baillieston, (Mr. Wray) on 8 July 2003, *Official Report*, column 722W.

Website

John Barrett: To ask the Secretary of State for the Home Department what recent assessment he has made of the content and design of his Department's website. [139372]

Fiona Mactaggart: We are in the process of redeveloping the Home Office website so that it is seen as a key communication with the general public.

As well as the Home Office site, we have specific issue sites that deal with high priority issues such as policing and crime reduction.

www.policecouldyou.co.uk has processed nearly 5,000 police applications.

www.good2bsecure.co.uk provides crime prevention advice particularly to students who are one of the country's most vulnerable groups.

Working Immigrants

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how significant he estimates working immigrants will be in remedying problems of an ageing population in the UK. [138272]

Beverley Hughes: The latest (interim 2001-based) projections from the Government Actuary indicate that the proportion of the population aged over 65 is projected to increase from 16 per cent. in 2001 to 21 per cent. in 2026 and the number of dependants of pensionable age per 1,000 persons of working age is estimated to grow from 299 in 2001 to 341 in 2026.

Working immigrants help fill labour shortages in a variety of sectors and contribute to productivity and economic growth. However working immigrants are just one factor that can help mitigate the effects of an ageing population. They complement a variety other measures such as increasing labour market participation, improving productivity as well as savings policies and the provision of public services.

HEALTH

Painkillers

John Mann: To ask the Secretary of State for Health how many over-the-counter painkillers contain codeine phosphate; and if he will make a statement. [134993]

Ms Rosie Winterton *[holding answer 28 October 2003]:* According to the records held by the Medicines and Healthcare Products Regulatory Agency, there are currently 96 granted marketing authorisations for medicinal products containing the active ingredient codeine phosphate. These are licensed as pharmacy medicines and are available without prescription from a pharmacy under the supervision of a pharmacist. No products containing codeine phosphate are licensed for general sale.

John Mann: To ask the Secretary of State for Health how many opiate-based painkillers are available on prescription. [134994]

Ms Rosie Winterton *[holding answer 28 October 2003]:* According to the records held by the Medicines and Healthcare Products Regulatory Agency, there are currently 440 granted marketing authorisations for products containing opiate or opioid-based substances which are prescription only medicines and licensed for pain relief.

"Making Amends"

Mr. Baron: To ask the Secretary of State for Health (1) whether the reforms set out in his Department's document, "Making Amends", will require primary legislation; [139563]

(2) if he will publish the responses his Department has received to the Chief Medical Officer's consultation paper, "Making Amends". [139564]

Ms Rosie Winterton: The type and scope of legislation needed to implement changes to the way the national health service handles incidents that may involve clinical negligence will depend on the Government's response to the Chief Medical Officer's (CMO's) recommendations on this issue. The CMO's recommendations were set out in his consultation report, "Making Amends", which was published on 30 June. Formal consultation ended on 17 October and responses are now being analysed. It is expected this will take several weeks, given the complexity of the issues.

All those who responded to the consultation exercise on the CMO's report were asked whether they were willing for their responses to be published. More than 170 responses were received and the majority have given consent for their comments to be published. We intend to publish these responses as soon as possible, on the Department of Health's website.

Alzheimer's Disease

Mr. Patrick Hall: To ask the Secretary of State for Health what the average annual personal care costs were for someone with Alzheimer's disease living in their own home in the last 12 months for which figures are available. [138927]

Dr. Ladyman: Data are not collected centrally on the average annual personal care costs for someone with Alzheimer's disease living in their own home.

Ambulances

Mr. Rosindell: To ask the Secretary of State for Health what length of time on average ambulance crews spent on each emergency call out in each of the London boroughs in the last year for which figures are available. [137320]

Mr. Hutton: This information is not held centrally.

Ambulatory Oxygen Systems

Mr. Wilkinson: To ask the Secretary of State for Health (1) if he will amend the contractual procedures with equipment suppliers so as to bring forward the date when ambulatory oxygen administration systems can be made available to patients in the NHS; [138564]

(2) when he expects that all patients in England and Wales who have a medical need for ambulatory oxygen administration systems will have them supplied under the NHS; [138565]

(3) by what date ambulatory oxygen administration systems will be made available to NHS patients; [138566]

(4) what assessment he has made of the number of patients in England and Wales in need of ambulatory oxygen administration systems. [138585]

Ms Rosie Winterton: In June, we announced plans to introduce a modernised, integrated, oxygen service. The new contract for oxygen services, currently being drawn up, will set out clear standards for the delivery of services to meet individual patient needs. Specialist hospital consultants will take on the responsibility for assessing and prescribing oxygen, including ambulatory oxygen, with service contractors required to provide the type of service needed.

We are working towards an operational date of 1 April 2005 for the new oxygen services contract. This is the earliest practical date, taking into account the need to minimise inconvenience to patients and to ensure fair and open competition for the new contract.

Details of the service specification for the new contract, currently being drawn up, will be available in early 2004.

Information on the numbers of patients who need ambulatory oxygen is not held centrally.

Audiologists

Bob Russell: To ask the Secretary of State for Health how many vacancies there are for audiologists at each NHS trust. [137855]

Mr. Hutton: Information is not collected separately on audiologists, they are included within the physiological measurement area of work. Information on the number of vacancies lasting three months or more for qualified physiological measurement staff has been placed in the Library.

Chiropody

Sir Teddy Taylor: To ask the Secretary of State for Health if he will amend the restrictions placed on the provision of chiropody in the health service. [134095]

Dr. Ladyman *[holding answer 4 November 2003]:* There are no centrally imposed restrictions on the provision of chiropody in the National Health Service. Primary care trusts have the responsibility for improving the health of the community. In commissioning services PCTs need to plan local services near to patients and ensure that they are identifying the health needs of patients and securing services for them.

Commission for Patient and Public Involvement

Mr. Austin Mitchell: To ask the Secretary of State for Health what assessment he has made of whether the Commission for Patient and Public Involvement will have new structures in place and working by 1 December 2003. [135637]

Ms Rosie Winterton: The Commission for Patient and Public Involvement in Health (CPPIH) is well on track to meeting its statutory obligations to ensure all its new structures are in place and working by the time of the abolition of the community health councils on 1 December 2003. The Independent Complaints Advocacy Service has been in place since 1 September 2003, supporting individuals who wish to pursue a complaint against the national health service. Recruitment to patients' forums is progressing well, with national and local advertising campaigns eliciting a large number of applications leading the CPPIH to have every confidence in being able to achieve full forum coverage by 1 December 2003.

Mr. Colman: To ask the Secretary of State for Health whether the Public Bodies (Access to Meetings) Act 1960 applies to the Commission for Patient and Public Involvement in Health. [134583]

Ms Rosie Winterton: The Public Bodies (Access to Meetings) Act 1960 does not apply to the Commission for Patient and Public Involvement in Health (CPPIH), which was also the case with the community health councils.

The NHS Reform and Healthcare Professions Act 2002 requires the CPPIH to adopt the provisions of the Local Government Act 1972 (part v), in respect of access to public meetings. These requirements have been applied and appropriately modified under the CPPIH's Membership and Procedures Regulations 2002.

Community Health Councils

Mr. Austin Mitchell: To ask the Secretary of State for Health if he will make it his policy to extend the life of community health councils in advance of the transition to the new structure. [135634]

Ms Rosie Winterton: Community health councils (CHCs) will be abolished on 1 December. We do not support any further delay in the abolition. We believe such a move would place remaining staff under great strain, give rise to widespread logistical problems and cause confusion among patients and the public.

Mr. Austin Mitchell: To ask the Secretary of State for Health what procedures he has put in place *(a)* for the employment of community health council officers and staff in the new complaint and consultation structure and *(b)* to ensure that community health council (i) records, (ii) skills and (iii) experience are not lost to their local communities. [135635]

Ms Rosie Winterton: A human resources framework for community health council (CHC) staff, agreed with the relevant trades unions, was issued in June 2003. The framework included arrangements for those CHC staff who wished to leave early to take up posts in organisations providing independent complaints advocacy services, local network providers to patients' forums, overview and scrutiny committees (OSCs) and other posts in the national health service dedicated to patient and public involvement. The framework also made provision for clearing houses, training opportunities and helplines to assist CHC staff find alternative employment in the NHS. Guidance on the retention and disposal arrangements for CHC records was also issued in June 2003. The Commission for Patient and Public Involvement in Health continues to work with CHCs to consider the best ways to transfer valuable local knowledge to patients' forums to help them build local capacity. CHCs have for some time been working with patient advice and liaison services and OSCs, including sharing experiences and local knowledge, so that those organisations are able to carry out their new responsibilities as effectively as possible.

Mr. Austin Mitchell: To ask the Secretary of State for Health if he will make it his policy that new organisations handling complaints and patient issues in place of community health councils should establish *(a)* local offices and *(b)* drop-in advice services. [135636]

Ms Rosie Winterton: The independent complaints advocacy service, that supports people if they want to make a complaint against the national health service, provides a service across the whole of England from a mixture of regional and local offices. It is not a general drop-in advice service.

Patient advice and liaison services, providing on-the-spot help and advice to patients, their families and carers, exist in almost all NHS trusts and primary care trusts (PCTs) and do provide a drop-in advice service.

Patients' forums, providing new opportunities to get involved in health services, are being set up for every NHS trust and PCT and will operate locally. Providing a drop-in advice service is a function of PCT patients' forums.

Mr. Rosindell: To ask the Secretary of State for Health what guidelines are in place to ensure that patients' interests are safeguarded during the period leading up to the abolition of community health councils. [136461]

Ms Rosie Winterton: The majority of community health councils (CHCs) will continue to operate to ensure that patients' interests are safeguarded up to the abolition date. Each CHC has an exit strategy based on national and local guidelines. The Commission for Patient and Public Involvement in Health continues to work with CHCs to consider the best ways to transfer valuable local knowledge to patients' forums to help

them build local capacity. CHCs have also been liaising with organisations providing independent complaints advocacy services and have for some time been working with patient advice and liaison services and overview and scrutiny committees, sharing experiences and local knowledge to enable those organisations to pick up their *new powers and responsibilities.*

Dementia

Mr. Patrick Hall: To ask the Secretary of State for Health what proportion of people in care homes have a form of dementia; what proportion of care homes are registered as being able to accept people with Alzheimer's disease; and what plans he has to ensure that care home staff receive dementia care training. [138926]

Dr. Ladyman: Data are not collected on the number of people with dementia, in the population generally or in care homes in particular. Research evidence shows that about five per cent. of the population over 65 has dementia. This represents about 600,000 people in the United Kingdom. Alzheimer's disease causes up to 60 per cent. of cases of dementia.

All care homes which have the client group/service user category of DE (dementia under 65 years) or DE(E) (dementia over 65 years) are able to accept client/service users with Alzheimer's disease.

Regulation 18 of the Care Homes Regulations 2001 requires care home providers to ensure that at all times there are suitably qualified, competent and experienced staff working in care homes in such numbers as are appropriate for the health and welfare of the residents. It also requires providers to ensure the staff they employ receive training appropriate to the work they are to perform. The National Care Standards Commission is responsible for ensuring care homes conform to the regulations and meet the assessed needs of residents.

Dentistry

David Davis: To ask the Secretary of State for Health what assessment he has made of the impact which moving responsibilities for dentistry from health authorities to primary care trusts has had on registration numbers. [135281]

Ms Rosie Winterton: Primary care trusts (PCTs) took over the responsibility for the administration of the general dental services (GDS) arrangements from 1 October 2002. National arrangements for determining remuneration of dentists working in the GDS were not affected by these changes. The level of patient registrations in the GDS has remained broadly stable since October 2002. Patients do not need registration in order to access national health service dentistry through the community or personal dental services. Arrangements are also in place for patients to access NHS dentistry on an occasional basis in the GDS.

Subject to Parliament, the Health & Social Care (Community Health & Standards) Bill will give new duties to PCTs from April 2005 to secure dental services and will enable them to provide assistance and support to dental practices with which they contract. From the same date, the £1.2 billion held centrally for dentistry will be devolved to PCTs to support them in delivering their new duties on dentistry.

Mr. Flook: To ask the Secretary of State for Health how many dentists offered NHS treatment in *(a)* Taunton and *(b)* Somerset in each year since 1997. [136899]

Ms Rosie Winterton: Information is available for the Somerset Health Authority area for the years 1997 to 2001 and is shown in the following table. For the years 2002 and 2003, information is given in the table for Taunton Dean Primary Care Trust (PCT) area and for four Somerset PCTs.

General Dental Service: Number of Dentists in Somerset 1997 to 2003

Primary Care Trust/ Health Authority	*Date*	*Number of dentists*
Somerset PCTs[1]	30 June 2003	233
Somerset PCTs[1]	30 September 2002	227
Somerset HA	30 September each year	
	2001	176
	2000	181
	1999	165
	1998	163
	1997	163

[1] Taunton Deane PCT, Somerset Coast PCT, South Somerset PCT and Mendip PCT

Mrs. Iris Robinson: To ask the Secretary of State for Health (1) if he will make a statement on the safety of *(a)* mercury and *(b)* silver fillings in dentistry; [138971]

(2) what research he has *(a)* commissioned and *(b)* received on risks associated with using (i) mercury and (ii) silver in tooth fillings; and if he will make a statement. [138985]

Ms Rosie Winterton: Dental amalgam is a combination of alloy particles, mainly silver, and mercury. Dental amalgam is the most frequently used material for restoring decayed teeth. Its main advantages include wide indications for use, ease of handling and excellent physical properties. It has been used in dentistry with good results for more than a century.

The 1998 European Union expert report concluded that currently available data indicate that mercury from dental amalgam restorations will not cause an unacceptable health risk to the general population. There is little evidence that an unacceptable health risk is associated with occupational exposure of dental personnel providing due care is used in the preparation and handling of dental amalgam. The same report also concluded that there is no scientific evidence that the use of dental amalgam is related to adverse effects on pre- and post-natal health or fertility. There are therefore no plans to commission further research into amalgam safety. However, it remains the Department's advice that dentists should continue to avoid or delay any dental intervention or medication during pregnancy.

Digital Hearing Aids

Tim Loughton: To ask the Secretary of State for Health what the waiting time is for digital hearing aids in the NHS, broken down by primary care trust area. [138491]

Dr. Ladyman: This information is not collected centrally. We have invested £94 million over two years, which will be used to make digital hearing aids available across England by April 2005.

Early Intervention Services

Tim Loughton: To ask the Secretary of State for Health how much has been invested in the *(a)* planning and *(b)* establishment of Early Intervention Services; how much has been allocated to each primary care trust; how many Early Intervention Services have been established; and where they are. [138475]

Ms Rosie Winterton: The funds necessary to set up early intervention teams, as envisaged in the Priorities and Planning Framework 2003–06, have been made available to primary care trusts within their general allocations.

The numbers of early intervention teams in operation, according to local implementation team catchment areas, are shown in the table.

Local implementation team	*Number of services*
Birmingham	3
Croydon	1
Devon and Torbay	1
Dewsbury	1
East Yorkshire	1
Hartlepool	1
Lambeth	2
Lincolnshire	1
Luton	1
Northumberland	1
Plymouth	1
Salford	1
Sheffield	1
Suffolk	1
Sutton and Merton	1
Tameside and Glossop	1
Tower Hamlets	1
Trafford	1
Wandsworth	1
Wolverhampton	1
Worcestershire	1
Total	24

Epilepsy

Mr. George Osborne: To ask the Secretary of State for Health if he will make a statement on the provision of specialist epilepsy nurses for children with epilepsy. [139149]

Dr. Ladyman: We recognise the important role that epilepsy specialist nurses play in the treatment and management of children and adults with epilepsy. Around 100 epilepsy specialist nursing posts have already been developed in both hospital and community settings. Primary care trusts are best placed to determine the number of such posts required to support the development and delivery of local epilepsy services.

We are currently developing the national service framework (NSF) for long term conditions, which will focus on improving the standard of neurology services across England for a range of conditions, including epilepsy. As part of the process of developing the NSF, work is in hand to consider relevant work force issues such as the need for increased numbers of staff but also for new ways of working, including skill mix, role extensions and multi-disciplinary working, based around patient needs. We expect that the group looking at these work force issues will make recommendations on the future supply of professionals and development of new ways of working to inform national work force planning processes. The needs of people with epilepsy will be considered in this work alongside other specialties and conditions.

Foundation Hospital Trusts

Mr. Gordon Prentice: To ask the Secretary of State for Health what assessment he has made of the likely range of costs of *(a)* building and *(b)* maintaining the membership base of an NHS foundation trust. [138559]

Mr. Hutton: The costs associated with a membership base for a National Health Service foundation trust will depend on a number of factors, including the size of membership. Experience of other membership organisations suggested that the cost of establishing and maintaining a membership base of 5,000 people is likely to be approximately £2.25 per member per annum, although these costs will be lower the larger the membership.

Foundation Trusts

Mr. Gordon Prentice: To ask the Secretary of State for Health what assessment he made of the effects of piloting the proposals for NHS foundation trusts before allowing their roll-out in England. [139117]

Mr. Hutton: Piloting was a consideration as the proposals for national health service foundation trusts were developed. However, it was concluded that piloting would not achieve the radical and comprehensive reform that is required to deliver the freedoms and local accountability central to the Government's policy on NHS foundation trusts. There will, however, be opportunities to learn from the experience of the first wave NHS foundation trust applications.

General Practitioners

Mr. Cousins: To ask the Secretary of State for Health pursuant to the answer to the hon. Member for Sutton and Cheam (Mr. Burstow), of 8 January 2003, *Official Report*, columns 278–79W, on general practitioners, what the figures were for the year to April 2003. [137377]

Mr. Hutton: The number of whole-time equivalent general practitioners in each strategic health authority, Government office region and in England between October 1997 and March 2003 are shown in the table.

General Medical Practitioners (excluding GP retainers) [1,2] *in England, by Strategic Health Authority and Government Office Region: 1997 to March 2003*

Estimated whole-time equivalents

	1997	*1998*	*1999*	*2000*	*2001*
England	27,660	27,848	28,033	28,154	28,439
North East	1,402	1,418	1,426	1,434	1,488
Northumberland, Tyne and Wear	782	802	807	812	836
County Durham and Tees Valley	620	617	619	622	652
North West	3,834	3,822	3,880	3,874	3,903
Cumbria and Lancashire	1,079	1,083	1,090	1,079	1,093
Greater Manchester	1,409	1,404	1,420	1,424	1,422
Cheshire and Merseyside	1,346	1,335	1,370	1,371	1,388
Yorkshire and the Humber	2,848	2,843	2,892	2,911	2,950
North and East Yorkshire and Northern Lincolnshire	944	934	951	959	968
West Yorkshire	1,188	1,198	1,221	1,227	1,248
South Yorkshire	716	711	720	725	734
West Midlands	2,877	2,901	2,920	2,959	2,962
Shropshire and Staffordshire	757	776	787	792	779
Birmingham and the Black Country	1,261	1,272	1,279	1,299	1,305
Coventry, Warwickshire, Herefordshire and Worcestershire	859	853	853	869	878
East Midlands	2,220	2,233	2,227	2,225	2,261
Trent	1,363	1,382	1,386	1,408	1,434
Leicestershire, Northamptonshire and Rutland	857	851	841	817	827
East of England	2,901	2,955	2,963	2,979	2,987
Norfolk, Suffolk and Cambridgeshire	1,227	1,243	1,250	1,268	1,276
Bedford and Hertfordshire	869	892	894	897	906
Essex	805	819	819	814	805
London	4,225	4,212	4,198	4,217	4,212
North West London	1,107	1,097	1,055	1,044	1,064
North Central London	738	741	727	748	746
North East London	835	845	844	866	841
South East London	814	810	840	825	833
South West London	731	720	732	735	727
South East	4,410	4,482	4,512	4,507	4,579
Thames Valley	1,145	1,186	1,198	1,202	1,218
Hampshire and Isle of Wight	996	999	1,014	1,017	1,037
Kent and Medway	860	867	868	853	860
Surrey and Sussex	1,410	1,430	1,432	1,435	1,464
South West	2,942	2,981	3,014	3,048	3,097
Avon, Gloucestershire and Wiltshire	1,225	1,257	1,281	1,289	1,301
South West Peninsula	990	981	972	1,000	1,025
Somerset and Dorset	727	744	761	759	771

Estimated whole-time equivalents

	March 2002	*2002*	*March 2003*	*Increase 1997 to 2003*	*Increase 1999 to 2003*
England	28,540	28,740	29,180	1,520	1,146
North East	1,494	1,523	1,542	140	116
Northumberland, Tyne and Wear	852	866	855	73	48
County Durham and Tees Valley	642	657	688	68	68
North West	3,923	3,943	4,002	168	122
Cumbria and Lancashire	1,107	1,103	1,116	37	26
Greater Manchester	1,422	1,409	1,444	35	24
Cheshire and Merseyside	1,395	1,430	1,442	96	72
Yorkshire and the Humber	2,979	2,988	3,037	189	145
North and East Yorkshire and Northern Lincolnshire	985	989	998	54	47
West Yorkshire	1,266	1,257	1,298	110	77
South Yorkshire	728	742	741	26	21

Estimated whole-time equivalents

	March 2002	*2002*	*March 2003*	*Increase 1997 to 2003*	*Increase 1999 to 2003*
West Midlands	3,001	3,034	3,051	174	132
Shropshire and Staffordshire	781	806	818	61	31
Birmingham and the Black Country	1,317	1,330	1,323	62	44
Coventry, Warwickshire, Herefordshire and Worcestershire	903	898	910	51	57
East Midlands	2,236	2,275	2,311	91	84
Trent	1,405	1,439	1,462	99	76
Leicestershire, Northamptonshire and Rutland	831	836	849	-8	8
East of England	2,997	2,991	3,040	140	77
Norfolk, Suffolk and Cambridgeshire	1,276	1,277	1,297	70	47
Bedford and Hertfordshire	906	914	918	49	23
Essex	814	800	826	21	7
London	4,229	4,288	4,398	173	199
North West London	1,043	1,056	1,085	-22	30
North Central London	755	759	760	22	33
North East London	859	888	919	84	74
South East London	820	830	872	58	32
South West London	752	755	762	31	30
South East	4,602	4,608	4,670	260	158
Thames Valley	1,236	1,268	1,273	129	75
Hampshire and Isle of Wight	1,041	1,022	1,047	51	33
Kent and Medway	855	854	863	3	-5
Surrey and Sussex	1,469	1,464	1,487	77	55
South West	3,079	3,091	3,128	185	113
Avon, Gloucestershire and Wiltshire	1,300	1,302	1,316	90	35
South West Peninsula	1,012	1,006	1,039	48	66
Somerset and Dorset	768	783	773	46	12

[1] All Practitioners (excluding GP retainers) include QMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA), PMS Other and Flexible Career Scheme GPs.
[2] GP retainers were first collected in 1999 and have been omitted for comparability purposes.
Notes:
1. WTE data has been estimated using the results from the 1992–93 GMP Workload Survey;
Full time = 1.00 wte;
Three quarter time = 0.69 wte;
Job share = 0.65 wte;
Half time = 0.60 wte.
2. Totals may not add up to sum of component parts due to rounding
3. Data as at 1 October 1997–99, 30 September 2000–02, 31 March 2002–03
Source:
Department of Health General and Personal Medical Services Statistics.

Health Care Assistants

Mr. Burstow: To ask the Secretary of State for Health how many health care assistants work in the NHS; and if he will list the titles they work under in *(a)* England, *(b)* each region and *(c)* each NHS trust. [138177]

Mr. Hutton: As at September 2002, there were 210,462 healthcare assistants employed in the national health service according to the non-medical workforce census. Healthcare assistants perform a similar role as other groups in the NHS, including nursing auxiliaries and assistants to qualified scientific, therapeutic and technical staff. These staff are included in the above figure and also the Performance and Planning Framework target for 27,000 more healthcare assistants by 2005 over a 2002 baseline.

Job titles of staff within NHS organisations are determined at a local level and are not collated centrally.

Details of the number of healthcare assistants by primary care trusts have been placed in the Library.

Heath Care (Bath/North East Somerset)

Dan Norris: To ask the Secretary of State for Health what the average waiting time for patients from Bath and North East Somerset was in *(a)* 1997 and *(b)* 2003 for (i) cancer treatment and (ii) heart operations. [136327]

Ms Rosie Winterton: Information for 1997 is not available. Specific information on heart operations is collected from patients waiting over nine months at the end of the quarter. At quarter ending September 2003, there were no patients waiting over nine months within the Bath and North East Somerset primary care trust area. Trust level data on waiting times for cancer treatment for quarter ending September 2003 are published at: http ://www.doh.gov.uk/waitingtimes

Health Care (York)

Hugh Bayley: To ask the Secretary of State for Health how many general dental practitioners offered NHS treatment in York in each year since 1979. [135953]

Miss Melanie Johnson: The available information is for the general dental service (GDS). The information in the table shows the number of GDS dentists in the York area at September each year from 1979 to 2002 and at 30 June 2003. The number of dentists includes principals, assistants and vocational dental practitioners. The information is presented for the health administration area covering the York area, which changed during the period.

General Dental Service: number of dentists in the York area, 1979 to 2003

Health area	*Number of dentists*
Selby And York Primary Care Trust	
30 June 2003	117
30 September each year	
2002	126
North Yorkshire Health Authority	
2001	304
2000	292
1999	287
1998	277
1997	267
1996	264
North Yorkshire Family Health Service	
1995	244
1994	248
1993	247
1992	235
1991	243
1990	241
North Yorkshire Family Practitioners Committee	
1989	235
1988	231
1987	217
1986	218
1985	221
1984	219
1983	215
1982	205
1981	199
1980	193
1979	186

Health Services (Essex)

Mr. Francois: To ask the Secretary of State for Health how many full-time midwives were employed by Essex Strategic Health Authority on 1st September. [139511]

Dr. Ladyman: Essex Strategic Health Authority (SHA) does not employ any full time midwives. However, I am informed that the number of midwives employed by the National Health Service in Essex SHA area as at 30 September 2002 was 292.

Source:
Department of Health Non-Medical Workforce Census.

Mr. Francois: To ask the Secretary of State for Health how many full-time district nurses were employed by Essex Strategic Health Authority on 1 September. [139512]

Dr. Ladyman: Essex Strategic Health Authority (SHA) does not employ any full time district nurses. However, I am informed that the number of district nurses employed by the National Health Service in Essex SHA area as at 30 September 2002 was 289, for which these are the latest figures available.

Source:
Department of Health Non-Medical Workforce Census 2002.

Mr. Francois: To ask the Secretary of State for Health how many occupational therapists were employed by South Essex Partnership NHS Trust on 1 September. [139513]

Dr. Ladyman: As at 30 September 2002, there were 82 occupational therapists employed by the South Essex Partnership National Health Service Trust. This, the latest available data, is shown in the table.

Whole-time equivalent	*Headcount at 30 September 2002*
73	82

Source:
Department of Health Non-Medical Workforce Census 2002

Mr. Francois: To ask the Secretary of State for Health how many full-time administrative staff were employed in general practice surgeries by Essex Strategic Health Authority on 1September. [139514]

Dr. Ladyman: Essex Strategic Health Authority (SHA) does not directly employ staff in general practitioner practices they are recruited by each GP practice in line with their specific support requirements.

However, I am advised that there are 1,486 administrative and clerical staff employed by in practices in the Essex SHA area as at 30 September 2002, which are the latest figures available.

Source:
Department of Health General and Personal Medical Services Statistics.

Mr. Francois: To ask the Secretary of State for Health how many full-time general practitioners were employed by Essex Strategic Health Authority on 1 September. [139515]

Dr. Ladyman: Essex Strategic Health Authority (SHA) does not directly employ any general practitioners, they are recruited through the primary care trusts in line with empowering the local care providing communities. However, I am advised that within the Essex SHA area in June 2003, the number of GPs were as shown in the table.

Number of GPs	*Number of which were full time*
900	750

Source:
Department of Health General and Personal Medical Services Statistics

Mr. Francois: To ask the Secretary of State for Health what the vacancy figure for NHS general practitioners in Essex was on 1 September. [139520]

Dr. Ladyman: It is not possible to give vacancy statistics on a particular date. However, I am informed that there are currently 157 vacancies for general practitioners in the Essex Strategic Health Authority area as at 31 March 2003, for which these are the latest figures available.

Mr. Francois: To ask the Secretary of State for Health what the vacancy figure for district nurses in Essex was on 1 September. [139521]

Dr. Ladyman: The total number of vacancies are not held centrally. However, I am advised that information for three month vacancies is collected and the data currently available is as at 31 March 2003.

Vacancies for all district nurses in the Essex Strategic Health Authority area and three month vacancy rates, numbers and staff in post are shown in the table.

District Nurses

Three Month vacancy rate—percentage	*Three month vacancy number*	*Staff in post (whole-time equivalent)*	*Staff in post (headcount)*
March 2003		*September 2002*	
5.8	20	407	512

Sources:
Department of Health Vacancies Survey, March 2003.
Department of Health Non-Midical Workforce Census, September 2002.

Mr. Francois: To ask the Secretary of State for Health what the vacancy figure for ambulance paramedics in the Essex ambulance service was on 1 September. [139522]

Dr. Ladyman: The total number of vacancies is not held centrally. However, I am advised that information for three month vacancies is collected and the data currently available is as at 31 March 2003.

Vacancies for all ambulance staff in the Essex Strategic Health Authority area and three month vacancy rates, numbers and staff in post are shown in the table.

All Ambulance Staff

Three Month vacancy rate—percentage	*Three month vacancy number*	*Staff in post (whole-time equivalent)*	*Staff in post (headcount)*
March 2003		*September 2002*	
0.0	—	566	623

Source:
Department of Health Vacancies Survey, March 2003.

Mr. Francois: To ask the Secretary of State for Health how many full-time paramedics were employed by Essex Air Ambulance on 1 September. [139660]

Dr. Ladyman: This information is not collected centrally.

Mr. Francois: To ask the Secretary of State for Health how many trainee paramedics were employed by the Essex Ambulance Service on 1st September. [139661]

Dr. Ladyman: As at 30 September 2002, there were 62 full-time trainee ambulance personnel employed by the Essex Ambulance Service National Health Service Trust, for which these are the latest figures available.

Source:
Department of Health Non-Medical Workforce Census.

Health Services Planning

Mr. Burstow: To ask the Secretary of State for Health when the Government will reassess the priorities and planning framework for health and social services; and how future priorities and planning frameworks will take account of the needs of people with disabilities. [138462]

Dr. Ladyman: The Government has introduced a three year planning cycle to allow for greater stability in National Health Service and social care planning. We are aiming to announce the priorities and planning framework for the next three year period, 2005–06 to 2007–08, in autumn 2004. No decisions have yet been made about the contents of this priorities and planning framework.

Kaiser Permanente System

Tim Loughton: To ask the Secretary of State for Health if he will make a statement on the findings of his visit to the Kaiser Permanente healthcare system in the US, with particular reference to the costs of the system. [138834]

Dr. John Reid: During my visit to Washington DC in October, I visited the West End Medical Centre to meet staff and patients and to see at first hand how Kaiser Permanente serves its members. At the medical centre, I learnt about the way in which Kaiser involves patients in their own care, and heard a presentation about the prevention and treatment of diabetes. I was given a tour of the medical centre and talked to staff and patients. The costs of the Kaiser system have been studied by independent researchers whose comparison of the national health service and Kaiser was published in the *British Medical Journal* last year. Departmental officials are working with Kaiser to explore how we might learn from their approach in the next stages of NHS reform.

Long-term Care

Mr. Terry Davis: To ask the Secretary of State for Health what response he has given to the statement published in October by nine members of the Royal Commission on Long-Term Care. [139298]

Dr. Ladyman: No statement has been made in response to the statement by nine of the members of the Royal Commission on Long-Term Care which reported in 1999. However, we do not believe that making personal care free for everyone is the best use of limited resources. Instead we have significantly increased investment in other aspects of older people's services. We believe that investing in this way will secure greater benefits for older people than could have been achieved by simply providing free personal care.

The recent publication of performance indicators and star ratings for social services for 2002–03 demonstrates that the Government's policy is now having the desired effect with 81,500 people in England now receiving intensive home care to maintain their independence. The proportion of households over the age of 65 receiving intensive home care has risen from 7.9 per 1,000 in 1998–99 to 10.4 per 1,000 in 2002–03 and 57 per cent. of older people in England report that they were either very satisfied or extremely satisfied with the services they received in their own home.

Long-term Conditions

Mr. Burstow: To ask the Secretary of State for Health how the Government will ensure that the National

Service Framework for Long Term Conditions is given sufficient priority by primary care trusts; and what the reasons were for the decision not to set milestones and targets. [138461]

Dr. Ladyman: Our strategy to support delivery of the NHS Plan is to set a clear national framework of standards backed up by strong inspection regimes and increasingly to give more responsibility to front-line health and social services providers so that local organisations have more flexibility and freedom to plan, resource and deliver services. As a result we set fewer central targets. Progress in policy areas not directly linked to national targets can be monitored and driven forward in a number of ways, for example:

Primary care trusts can set local targets and performance manage progress locally.

The Commission for Health Improvement (to become, subject to legislation, the Commission for Healthcare, Audit and Inspection) and the Social Services Inspectorate (to become, again subject to legislation, the Commission for Social Care Inspection) will take account of nationally set standards including national service frameworks when inspecting hospitals and other providers, and may undertake themed inspections.

Patients' forums will be able to identify where services are not meeting the standards.

Patient feedback, both informal and formal (for example, patient surveys), will provide a local means of identifying shortfalls in services.

Policies like the expert patients programme and the patients choice programme are also giving people an increasing say in local services and their own treatment.

Mental Health

Mr. Hancock: To ask the Secretary of State for Health (1) if he will make it his policy to exempt people with mental health problems from paying prescription charges; [136114]

(2) if he will assess the long-term effects upon NHS finances of providing free prescriptions for people with long-term mental health problems; and if he will make a statement. [136133]

Ms Rosie Winterton: We have no plans to make an assessment of the effects upon national health service finances of providing free prescriptions for people with mental health problems.

Prescription charges are expected to raise some £446 million for the NHS in 2003–04 and are a valuable source of revenue for the NHS.

Our policy is to help those who may have difficulty in paying prescription charges, rather than extending the exemption arrangements. There are extensive exemption, remission and prepayment arrangements which mean that around 85 per cent. of all prescribed items are supplied free of charge. Around 10 per cent. of items are paid for at the point of dispensing with another five per cent. going to holders of prepayment certificates.

Patients who are liable to pay may seek help through the NHS low income scheme or by using a prescription prepayment certificate need to pay more than £32.90 for four months or £90.40 for 12 months, for all the NHS medication that they are prescribed.

Mr. Burstow: To ask the Secretary of State for Health what assessment his Department has made of whether the prevalence of physical illness amongst mental health service users is higher than amongst the general population. [138352]

Ms Rosie Winterton: The Office for National Statistics survey, "Psychiatric Morbidity Among Adults Living in Private Households", 2000, found that there was a clear relationship between the number of neurotic disorders present and the reporting of a physical complaint.

Just under 38 per cent, of adults with no neurotic disorder reported having a physical complaint while this figure rose to 57 per cent, of those with one neurotic disorder. Among those with two or more neurotic disorders, 67 per cent, reported at least one physical complaint.

The same survey found that people assessed as probably having a psychotic disorder were more likely than those without to report a longstanding physical health problem. Overall, 62 per cent, of those with probable psychosis reported a physical complaint, compared with only 42 per cent, of those without this disorder.

Tim Loughton: To ask the Secretary of State for Health how many mental health care beds in the independent sector have been occupied by NHS patients on average in the last five years, broken down by *(a)* number of patients and *(b)* bed days. [138492]

Ms Rosie Winterton: This information is not centrally available. However, individual primary care trusts would be able to provide details of the beds they have commissioned from the independent sector upon request.

Arrangements are being made for National Health Service use of the independent sector to be included in centrally returned data via hospital episodes statistics. In time, this will capture all activity sub-contracted by NHS trusts or commissioned by the NHS. Early estimates have been made in respect of general and acute activity only.

MRI Scans

Gregory Barker: To ask the Secretary of State for Health how many people in *(a)* East Sussex and *(b)* England are waiting for MRI scans; and what the longest time is that a patient has had to wait for an MRI appointment. [137081]

Mr. Hutton: Specific data on waiting times for diagnostic tests are not collected centrally. The central returns capture consultant speciality level data on waits for a first out-patient appointment and for in-patient admissions.

However, it is the Government's priority to ensure that all patients are seen quickly in the first instance so that if diagnostic tests are required they are requested sooner. Where this is not the case, we are determined to speed up the process. The national health service is committed to reducing the length of time that people wait before their treatment starts and the NHS Plan set targets for staged reductions in waiting times.

Gregory Barker: To ask the Secretary of State for Health if he will make a statement on his plans to provide additional MRI scanning capacity in East Sussex. [137082]

Ms Rosie Winterton: Brighton and Sussex University Hospitals National Health Service Trust and Royal Surrey County Hospital NHS Trust have been identified as priorities for an additional magnetic resonance imaging scanner from central funding. Both scanners will be delivered by December 2004.

National Institute for Clinical Excellence

Julie Morgan: To ask the Secretary of State for Health what criteria are used in deciding which treatments are referred to the National Institute for Clinical Excellence. [139145]

Ms Rosie Winterton: The work programme for the National Institute for Clinical Excellence is determined by Ministers having regard to national health service priorities and published selection criteria. These criteria are set out on the Department's website at www.doh.gov.uk/nice/consultation2002/overviewdec02.pdf.

National Miminum Standards

Mr. Edward Davey: To ask the Secretary of State for Health what the formal status is of the national minimum standards of the National Care Standards Commission. [139558]

Dr. Ladyman: Whereas regulations are mandatory and form a statement of the law, compliance with national minimum standards is not itself enforceable. However, in assessing whether a care establishment conforms with the relevant regulations the National Care Standards Commission must take the national minimum standards into account.

National Service Framework

Dr. Iddon: To ask the Secretary of State for Health (1) when he intends to publish the National Service Framework for long-term conditions; [139488]

(2) if he will provide additional ring-fenced funding for the implementation of the National Service Framework for Long-Term Conditions. [139499]

Dr. Ladyman: We currently plan to publish the national service framework for long-term conditions at the end of next year. Implementation will take place over 10 years from 2005 and will be in line with our overall strategy to support delivery of the NHS Plan, which is to set a clear national framework of standards backed up by independent inspection and, increasingly, to give more responsibility to front-line health and social services providers so that local organisations have more flexibility and freedom to plan, resource and deliver services. As a result we are increasing general funding allocations to local national health service and social care organisations.

Needlestick Injury

Laura Moffatt: To ask the Secretary of State for Health what plans he has for the introduction of safer devices to reduce the risk of needlestick injury in the NHS. [135220]

Mr. Hutton: The Department is currently carrying out work on the production of guidance on health, safety and welfare issues for national health service staff. The Medical Devices Agency has also issued guidelines for the safer use of needles and sharps.

We are working closely with colleagues from the Unions, Royal Colleges, Safer Needles Network and manufacturers and expect to launch new web based guidance in the spring of 2004.

Both the Health and Safety Executive and the Department are advising NHS Trusts to carry out risk assessments in areas of high risk and to introduce into these areas "safer" devices, which they can then evaluate in use.

The Department is also working closely with colleagues in the Health and Safety Executive, the Medicines and Healthcare products Regulatory Agency and the NHS Purchasing and Supplies Agency, to identify further action that can be taken on this issue.

NHS Charges

Mr. Evans: To ask the Secretary of State for Health how much accrued to the NHS from charges on non-UK citizens for treatment in the NHS in each of the last five years. [137491]

Mr. Hutton: Entitlement to free national health service treatment is based on residence in the United Kingdom. The National Health Service (Charges to Overseas Visitors) Regulations 1989 place a duty on NHS trusts to establish whether a patient is ordinarily resident or otherwise eligible for free NHS hospital treatment and if not to levy a charge for any treatment provided.

The amounts collected from NHS charged patients are not separately identified in trust accounts and are not collected centrally.

NHS Dentistry

Mr. Hunter: To ask the Secretary of State for Health what statistics his Department has collected on the availability of NHS dentistry in each year since 1997; if he will make a statement on the level of availability of NHS dentistry; and what measures he is taking to increase the availability of NHS dentistry. [134710]

Ms Rosie Winterton: For the general dental service (GDS), statistics are available each month as a by-product of the dentists' payment system. Relevant statistics include: the number of dentists; patient registrations; and the number of courses of treatment. The personal dental service (PDS) commenced in October 1998 and summary activity statistics are available. For the community dental service (CDS), data is available annually on the number of dentists and on activity. Information is also available annually on

the emergency dental service (EDS). Since November 2001, information is also available on dental telephone calls made to NHS Direct.

There were 18,200 GDS dentists in June this year, compared to 16,300 in June 1997; a rise of 1,900.

From September 1996, the registration period for adults was shortened from 24 months to 15 months. As a result adult registrations fell between 1997 and August 1998. Registrations lapse if a patient does not attend during the registration period. In the five years between September 1998 and September 2003, adult registrations fell by 100,000, or 0.7 per cent.

Children's registrations have fallen by 1.5 per cent., but the children's population is also falling.

The number of adult courses of treatment in the GDS increased by about one million between 1997–98 and 2002–03. In addition, 500,000 patients were seen in 2002–03 in the PDS, which started in October 1998.

With regard to EDS, a total of 17,000 sessions were worked in 1997–98 and 133,000 patients were seen. The corresponding figures for 2002–03 were 38,000 sessions and 241,000 patients.

The number of episodes of care in the CDS fell from 1.1 million in 1997–98 to 0.6 million in 2002–03. During this time some CDS services have moved into PDS arrangements.

The number of calls to NHS Direct increased from 11,000 in November 2001 to 18,000 in July 2003.

We recognise that in some areas people are not able to register with a national health service dentist. Patients who cannot or choose not to register with a dentist can access dental services by telephoning NHS Direct for information on NHS dental services. Arrangements are also in place for patients to be seen under the GDS on an occasional basis.

The Government remain committed to NHS dentistry and are taking forward major reform to modernise it. Subject to Parliament, under the Health & Social Care (Community Health & Standards) Bill primary care trusts (PCTs) will assume responsibility for commissioning primary dental services from April 2005. With this new responsibility will go the £1.2 billion funding for dentistry which is held centrally.

The Health & Social Care (Community Health & Standards) Bill will also enable PCTs to provide assistance and support to dental practices with which they contract. To enable PCTs to provide such assistance in advance of 2005, the General Dental Services Incentive Schemes Directions 2003 have been published, together with guidance to PCTs.

We have also set up a NHS support team to work with those areas which are hardest pressed and have announced new funding of £44 million to support dental access, choice and quality.

NHS Direct

Chris Grayling: To ask the Secretary of State for Health what proportion of NHS Direct staff has a clinical role. [134857]

Ms Rosie Winterton: Information on each of the NHS Direct staffing groups is not collected centrally. The proportion of NHS Direct frontline staff who deal with the handling of clinical calls is 1,756. The figure of 1,756 comprises of 1,063 nurses, 543 call handlers and approximately 150 health information advisers.

Dr. Cable: To ask the Secretary of State for Health how many cases have been dealt with by NHS Direct; how many calls have been abandoned; how many call centres have closed; how many call centres are operational, and where they are; what the running costs in 2003–04 are of each call centre; and if he will make a statement. [136869]

Ms Rosie Winterton: NHS Direct has handled over twenty million calls since the launch of the service in March 1998. Since December 1999, NHS Direct has collected national data centrally and a total of eight per cent. of the total calls to NHS Direct have been abandoned. NHS Direct has been operating from twenty-two NHS Direct sites since October 2000 and all of these sites are still fully operational.

Running costs for the 22 sites in 2003–04 are shown in the table.

£

NHS Direct Site	*Running costs 2003–04*
Anglia	3,615,100
Avon, Gloucester and Wiltshire	4,111,100
Bedfordshire and Hertfordshire	3,754,904
Birmingham, Black Country and Solihull	4,412,627
East Midlands	6,327,300
Essex	3,997,750
Greater Manchester, Cheshire and Wirral	6,018,350
Hampshire and Isle of Wight	5,102,673
Kent, Surrey and Sussex	5,005,000
Midland Shires	3,976,650
North Central London	3,105,205
North East	4,848,900
North East London	2,067,000
North West Coast	5,218,529
South East London	3,480,144
South West London	2,691,449
South Yorkshire and South Humber	3,276,000
Tees, East and North Yorkshire	3,759,000
Thames Valley and Northamptonshire	4,177,866
West Country	4,955,000
West London	3,742,535
West Yorkshire	5,196,450
Total	92,839,532

Dr. Cable: To ask the Secretary of State for Health what the average monthly running costs of NHS Direct have been over the last six months; and if he will make a statement. [136872]

Ms Rosie Winterton: The average monthly running costs of NHS Direct over the last six months are approximately £12,686,000 a month.

NHS National Programme

Chris Grayling: To ask the Secretary of State for Health what cost-benefit analyses have been carried out as part of the initial work of the NHS National Programme projects. [127634]

Mr. Hutton: Each major project within the national programme for information technology in the national health service (NPfIT) is subject to business case approval

process. The business cases include what conventionally can be termed cost-benefit considerations, developed with increasing detail through the life of the project and subject to review and approval at key stages.

The business cases completed and approved to date are as follows:

NHS E-mail and Directory Service—Full business case approval received 13 September 2002, contract awarded to EDS on 26 September 2002.

Electronic appointment booking—Full business case approval received 26 September 2003, contract awarded to SchlumbergerSema on 8 October 2003.

The procurement process is continuing for the remaining key elements of NPfIT and relevant business case approval will be received before proceeding through to final award of contract for the following:

Integrated care records service (includes local service providers for the geographic clusters and national application service provider for NHS Data Spine)

N3 (The New NHS Network).

National Institute for Clinical Excellence

Mr. Edwards: To ask the Secretary of State for Health what criteria the National Institute for Clinical Excellence uses to decide when to look at new treatments in between their particular class appraisals. [137575]

Ms Rosie Winterton: The work programme for the National Institute for Clinical Excellence is determined by Ministers having regard to national health service priorities and published selection criteria. These criteria are set out on the Department's website at www.doh.gov.uk/nice/consultation2002/overviewdec02.pdf

Mr. Edwards: To ask the Secretary of State for Health if he will provide the National Institute for Clinical Excellence with extra funds *(a)* to carry out more appraisals and *(b)* to issue interim guidance on new technologies during 2004. [137576]

Ms Rosie Winterton: The National Institute for Clinical Excellence has been notified of its funding for the three financial years 2003–04 to 2005–06. The funding includes provision for an additional appraisal committee to be established.

Mr. Edwards: To ask the Secretary of State for Health what guidance is being given to funders to ensure that new medical treatments that are class compatible with the National Institute for Clinical Excellence appraised treatments are not denied funding because they have become licensed in between NICE's appraisal. [137577]

Ms Rosie Winterton: In August 1999, the Department issued Health Service Circular 1999/176, which asks national health service bodies to continue with local arrangements for the managed introduction of new technologies where guidance from the National Institute for Clinical Excellence is not available at the time the technology first became available. These arrangements should involve an assessment of all the available evidence.

Nurses

Tim Loughton: To ask the Secretary of State for Health (1) how many learning disability specialist nurses are employed in each primary care trust; [138041]

(2) what the ratio is of specialist learning disability nurses to *(a)* population and *(b)* patients receiving such specialist care in each primary care trust area. [138042]

Mr. Hutton *[holding answer 11 November 2003]:* Information is not collected centrally on the number of patients receiving specialist learning disabilities care. Employment arrangements of learning disabilities nurses vary from place to place; they are employed by organisations other than primary care trusts (PCTs), which often cover several PCT areas. It is therefore not possible to show the ratio of qualified learning disability nurses to PCT populations. Information on the number of qualified learning disabilities nurses by strategic health authority and per 100,000 population has been placed in the Library.

Older People (Services)

Mr. Burstow: To ask the Secretary of State for Health if he will publish the definition of a stroke unit in relation to the milestones within the National Service Framework for Older People. [138180]

Dr. Ladyman: The formal definition of a stroke unit is still being developed. We would expect, however, that there would be a consultant physician with specialist knowledge of stroke formally recognised as having principal responsibility for stroke services. This consultant would be supported by a multi-disciplinary team who are specialists in stroke care.

Overseas Treatment Scheme

Mr. Brazier: To ask the Secretary of State for Health pursuant to his answer of 9 June 2003, *Official Report*, column 692W, on overseas treatment, how many further operations have been carried out abroad under the NHS overseas treatment scheme; whether he is now in possession of information on the clinical outcomes of these operations; and what proportion of them resulted in medical complications. [136944]

Mr. Hutton: Since 9 June 2003, no patients have been treated in France as part of the overseas treatment programme. The total number of patients treated in France is 275. The total number of patients treated abroad, including the pilot project, is 588.

The Department does not routinely collect information about the post-operative complication rates arising after surgery for patients treated abroad.

National health service organisations may collect and analyse this kind of information, among other indicators of quality, as part of their local clinical governance arrangements designed to assure and continuously improve the quality of care for all NHS patients. The NHS is responsible for ensuring that NHS patients receive high clinical standards of care wherever they are treated. From November 2003, where orthopaedic patients are treated abroad, there is support and agreement to register these patients on the United Kingdom National Joint Registry.

East Kent Hospitals NHS Trust local audit committee, commissioned by the overseas commissioners, is undertaking a comparative audit of outcomes against patients treated by local consultants. When completed, East Kent Hospitals NHS Trust will hold this information.

Patient Forums

Mr. Colman: To ask the Secretary of State for Health how many of the proposed statutory patient and public involvement forums in England are served by local network providers who are insolvent. [137199]

Ms Rosie Winterton: No local network provider contracted to support patients' forums is insolvent.

One organisation involved in a joint contract, The College of Health, has recently become insolvent. However, the Council of Ethnic Minority Voluntary Organisations, which was a joint contractor with the College of Health to provide staff support, is now contracted solely to provide the support to the patients' forums previously covered under the joint contract.

Bob Russell: To ask the Secretary of State for Health who will determine which applicants will be selected to serve on each patient and public involvement forum. [137484]

Ms Rosie Winterton: The Commission for Patient and Public Involvement in Health is responsible for appointing members of patients' forums. Regional managers or delegated members of staff lead the selection decision for each potential patients' forum member. The decision is made against nationally uniform selection criteria, supported by an appeals procedure.

Bob Russell: To ask the Secretary of State for Health how many applications have been received for each patient and public involvement forum. [137485]

Ms Rosie Winterton: Information for individual patients' forums is not available. The national figure for applications for membership of patients' forums is 3,793 at 11 November 2003, which represents over 90 per cent. of the target for the first tranche of recruitment.

Mr. Austin Mitchell: To ask the Secretary of State for Health what steps he has taken to ensure that *(a)* organisations given contracts to organise patients' forums and *(b)* the members of patients' forums (i) have experience in patient advocacy, (ii) have knowledge of the working practices of the NHS and (iii) live in the local community. [135632]

Ms Rosie Winterton: People from all walks of life are encouraged to join patients' forums, bringing with them a diversity of experience and views. The majority of members of a forum must be people for whom services are being or have been provided by the relevant national health service trust or relevant primary care trust (PCT) and, in the case of PCTs' patients' forums, are living in the area where the service is provided. A general understanding of the NHS by members is desirable. More important is to find individuals who have a real interest in improving services and a commitment to represent the views of the community served by the trust or PCT.

Local network providers were identified using a competitive tendering programme and were awarded contracts on the basis of their ability to provide effective support at a community level, not where they were located.

It is not the role of patients' forums or local network providers to provide patient advocacy. Under the new system this is given by patient advice and liaison services and independent complaints advocacy services.

Mr. Austin Mitchell: To ask the Secretary of State for Health how many patient forums are in place; and how many members have been appointed. [135633]

Ms Rosie Winterton: The programme of recruitment to the patients' forums is still under way. We understand the national and local advertising campaigns have elicited a large number of applications, which are currently being processed by the Commission for Patient and Public Involvement in Health (CPPIH). The CPPIH is on track for achieving full forum coverage by 1 December.

Performance Targets

Mr. Burstow: To ask the Secretary of State for Health pursuant to his Answer to the honourable Member for Truro and St Austell of 6th February 2003, *Official Report*, column 450W, on performance targets, how his Department will measure progress towards achieving the public service agreement target on value for money. [138199]

Mr. Hutton: The value for money Public Service Agreement (PSA) target requires that 'Value for money in the National Health Service and personal social services will improve by at least 2 per cent. per annum, with annual improvements of 1 per cent, in both cost efficiency and service effectiveness'.

For the NHS, the cost efficiency element of the PSA target will be measured by comparing data from the National Schedule of Reference Costs between one year and the previous year. Adjustments to this simple comparison will be made to take account of changes in casemix, quality investment, input price inflation and externally driven, one-off, cost-increasing events such as rising employer pensions contributions.

The quality element of the target will be assessed by comparing the estimated expenditure on increasing service effectiveness with data on quality from the NHS performance ratings exercise. A key element of this will be the value that can be placed on the lives saved from reducing mortality following health care interventions.

For personal social services, costs will be based on unit costs of services, after some adjustments to allow for increases in funding for quality improvements. The quality element will be based on the quality indicators published by the Department, in the social services performance assessment framework, for instance, waiting times for care packages.

Personal Care

Mr. Patrick Hall: To ask the Secretary of State for Health what plans he has to reassess the means test limit for personal care costs. [138928]

Dr. Ladyman: All individuals receiving residential care services are assessed as to their ability to pay for the cost of personal care and for their board and lodging. The capital limits used in the means test are subject to an annual review. Any revisions would be implemented from April 2004. Care from a registered nurse is free to individuals in all settings regardless of their financial position following an assessment of their care needs.

Pressure Ulcers

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the number of pressure ulcers occurring in the NHS in *(a)* England and *(b)* each strategic health authority, in each of the last six years; if he will estimate the cost of pressure ulcers to the NHS in these years; and if he will make a statement. [138178]

Dr. Ladyman: This information is not held centrally. We are taking steps to improve services for patients with pressure ulcers.

A pressure ulcer risk assessment and prevention guideline was published by the National Institute for Clinical Excellence (NICE) in April 2001. An updated version of the guideline was published on 22 October 2003. The guideline outlines best practice for health professionals caring for individuals who are vulnerable to or at risk of developing pressure ulcers.

A wound care package of guidelines is also currently being developed by NICE, which will include a guideline on pressure ulcer treatment.

As part of the guideline development process, NICE estimated that the cost of treating pressure ulcers may be as high as £750 million a year.

Psychiatric Hospitals

Mrs. Brooke: To ask the Secretary of State for Health how many *(a)* in-patients and *(b)* in-patient beds there are in psychiatric hospitals in England and Wales; how many individuals serving prison sentences have been diagnosed with severe mental health problems; and if he will make a statement. [138450]

Ms Rosie Winterton: There were 178,065 admissions to National Health Service inpatient facilities under mental illness specialties in 2001–02, the latest year for which figures are available. The data has not been grossed for coverage and therefore has a provisional status.

Information about the number of beds in psychiatric hospitals in England is not available. However, the average daily number of mental illness beds for England in 2002–03 was 32,753. Questions about Wales are now matters for the devolved administration.

We cannot say precisely how many sentenced prisoners have been diagnosed with severe mental health problems. Based on data from a survey of mental ill-health in the prison population of England and Wales, undertaken in 1997 by the Office for National Statistics, the NHS Plan (2000) stated that at any time some 5,000 people with a serious mental illness will be in prison.

Smallpox Vaccine

Chris Grayling: To ask the Secretary of State for Health how many NHS staff were given smallpox vaccine in 2002–03; and how many suffered ill-effects as a result of the immunisations. [135758]

Mr. Hutton: As of 4 November 2003, the number of health care workers who have been vaccinated in England stood at 262. Of this total, 128 are doctors, 116 are nurses, 15 are scientists and three are from other areas.

Information on suspected vaccine-associated adverse events experienced as part of the current vaccination programme have been collected by the Health Protection Agency and the Medicines and Healthcare Products Regulatory Agency. The type of adverse reactions noted after smallpox vaccinations so far were mostly non-serious; the majority were expected reactions to successful vaccination with smallpox vaccine or are known to occur after any vaccination. These included reactions at the site of injection, fever, feeling unwell and swollen glands. Two vacinees were hospitalised, one with suspected encephalitis and one with severe local cellulitis. A further four people developed cellulitis at the injection site. Two vacinees reported shortness of breath. One vacinee retrospectively reported having experienced retrospective symptoms of suspected mycocarditis though no confirmation tests were carried out. Adverse experience occurring after vaccination does not necessarily mean that the vaccine caused the problem. Other factors, such as an underlying illness present before vaccination, must be considered as possible alternative causes.

Social Services

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 6 October 2003, *Official Report*, column 1351W, on social services, how the figure published in paragraph 2.79 of the Chief Inspector of Social Services Annual Report was derived. [134068]

Dr. Ladyman *[holding answer 27 October 2003]:* The Department is working towards achieving a guideline figure of 5 per cent. vacancy rates across the social care work force. The figures published in paragraph 2.76 are based upon current data published in the Social Services Workforce Survey 2002, gathered by the Employers Organisation on behalf of the Department.

The figure of 50,000 whole-time equivalent (wte) people to join the work force is derived from an estimated 20,000 wte people coming into the system to staff service development and an additional 30,000 wte identified from SR2002 funding, estimated to be sufficient to bring vacancy rates down to the 5 per cent. guideline.

The figures about the number of care trusts were extracted from the delivery and improvement statements which are those self reported to Social Services Inspectorate by all councils in May 2002. Each council was asked to report on progress with care trust planning.

We can confirm that the actual number of children's trusts is 35. The number previously reported in the published Chief Inspector's report of 34 was an error.

Strokes

Mr. Burstow: To ask the Secretary of State for Health if he will list the average waiting time of those waiting for a scan after a suspected stroke; and if he will make a statement on waiting times for these scans. [138181]

Dr. Ladyman: This information is not collected centrally. The target in this area is to achieve a computed tomography or magnetic resonance imaging scan in less than 48 hours. The summary report of the 2001–02 National Sentinel Stroke Audit reported that more patients than ever had brain imaging, with at least 83 per cent. meeting that target.

Mr. Burstow: To ask the Secretary of State for Health if he will publish the research his Department has commissioned on the cost of *(a)* treating and *(b)* caring for patients who have had a stroke. [138182]

Dr. Ladyman: The Department has not commissioned any recent research on the cost of treating and caring for patients who have had a stroke.

Valuing People

Tim Loughton: To ask the Secretary of State for Health what measures within Valuing People are aimed at children; and what plans he has to expand its remit. [138495]

Dr. Ladyman: Our proposals for improving services for people with learning disabilities, their families, and carers are set out in the White Paper, Valuing People: A New Strategy for Learning Disability for the 21st Century (Cm 5086), published in March 2001. Valuing People had a chapter on disabled children which set out Government objectives and proposals for maximising opportunities for disabled children and supporting young people's transition into adulthood. In particular, it set out how we would develop an integrated approach to supporting disabled children. In Making Change Happen (HC 514), our 2003 annual report to Parliament on learning disability, we highlighted the progress we had made towards the achievement of the objectives.

The Green Paper, Every Child Matters gave further commitments to improving services for disabled children and their families, particularly through: the development of the children's national service framework, which will set new national standards across the National Health Service, social services and interface with education for children; the development of the children trusts pathfinders, a significant number of which will focus on disabled children and their families; and the forthcoming special educational needs action programme.

Waiting Lists

Chris Grayling: To ask the Secretary of State for Health if he will list the clinical areas where the NHS in London has longer *(a)* waiting lists and *(b)* waiting times than the national average. [133742]

Mr. Hutton: The clinical areas where the national health service in London has longer waiting lists and waiting times than the national average is shown in the tables.

Consultant specialties in London where the waiting list per 100,000 head of population is higher than the national position: Position at 30 June 2003

		Waiting list per 100,000 head of population		
Specialty code	*Specialty*	*National*	*London*	*Difference*
101	Urology	140.39	150.18	9.79
120	Ear, Nose and Throat	196.32	219.81	23.49
141	Restorative dentistry	0.92	4.13	3.21
142	Paediatric dentistry	2.94	8.50	5.56
171	Paediatric surgery	16.78	20.24	3.46
190	Anaesthetics	8.53	9.54	1.02
302	Endocrinology	0.63	2.28	1.65
303	Clinical haematology	0.96	1.02	0.05
305	Clinical pharmacology	0.00	0.01	0.01
310	Audiological medicine	0.05	0.28	0.22
314	Rehabilitation	0.26	0.42	0.16
320	Cardiology	62.52	82.51	20.00
330	Dermatology	4.61	6.96	2.35
340	Thoracic medicine	2.28	7.05	4.77
350	Infectious diseases	0.02	0.03	0.01
361	Nephrology	1.34	3.77	2.43
370	Medical oncology	0.33	1.11	0.79
400	Neurology	4.88	8.71	3.83
401	Clinical neuro-physiology	0.09	0.35	0.26
420	Paediatrics	1.92	4.72	2.80
421	Paediatric neurology	0.51	1.86	1.36
502	Gynaecology	159.14	168.98	9.84
823	Haematology	0.13	0.42	0.29

Source:
Department of Health form QF01

Consultant specialties in London where the median waiting time is higher than the national average: Position at 30 June 2003

		Median waiting times (months)		
Specialty code	*Specialty*	*National average*	*London average*	*Difference*
100	General surgery	2.68	2.70	0.01
101	Urology	2.38	2.53	0.16
110	Trauma and orthopaedics	3.66	3.74	0.08
120	Ear, Nose and Throat	2.90	3.50	0.60
142	Paediatric dentistry	2.39	2.46	0.07
160	Plastic surgery	3.09	3.44	0.35
191	Pain Management	2.15	2.62	0.47
300	General medicine	1.89	2.06	0.17
303	Clinical haematology	1.68	1.79	0.11
310	Audiological medicine	2.33	2.42	0.09
314	Rehabilitation	2.19	2.21	0.02
330	Dermatology	1.81	2.01	0.20
340	Thoracic medicine	1.85	1.93	0.08
350	Infectious diseases	1.93	2.25	0.32
360	Genito-urinary medicine	1.93	2.25	0.32
361	Nephrology	1.89	2.01	0.12
370	Medical oncology	1.61	1.62	0.01
371	Nuclear medicine	1.72	4.00	2.28
400	Neurology	2.35	2.82	0.48
401	Clinical neuro-physiology	2.76	4.50	1.74
410	Rheumatology	1.81	1.93	0.12
420	Paediatrics	1.98	2.26	0.27
421	Paediatric neurology	2.19	2.41	0.22
430	Geriatric medicine	1.96	2.88	0.91
450	Dental medicine specialities	1.71	2.84	1.14
502	Gynaecology	2.30	2.36	0.06
620	GP (non maternity)	1.70	2.00	0.30
710	Mental illness	1.61	2.79	1.18
800	Clinical Oncology	1.52	1.80	0.28
810	Radiology	2.04	2.14	0.11
823	Haematology	1.63	1.72	0.10

Source:
Department of Health form QF01.

Systemic Neglect (NHS Hospitals)

Mr. Paterson: To ask the Secretary of State for Health how many cases of systemic neglect have been

reported by users at NHS hospitals in *(a)* England and *(b)* Shropshire in each of the last five years for which figures are available. [139115]

Ms Rosie Winterton: This information is not collected centrally.

Waiting Times

Sandra Gidley: To ask the Secretary of State for Health what the average waiting time for hearing assessments for *(a)* patients under 60 and *(b)* patients over 60, broken down by primary care trust, was in the last 12 months for which figures are available. [138157]

Dr. Ladyman: This information is not collected centrally. We have invested £94 million over two years, which will be used to make digital hearing aids available across England by April 2005.

Working Time Directive

Miss McIntosh: To ask the Secretary of State for Health if he will revoke the application of the European Working Time Directive as it applies to the healthcare profession. [137071]

Mr. Hutton: No. European Directives are negotiated and implemented across member states and they cannot be revoked by an individual country.

Written Answers to Questions

Wednesday 19 November 2003

SOLICITOR-GENERAL

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Solicitor-General how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134702]

The Solicitor-General: Nothing. None of the Departments for which the Attorney-General is responsible have residential properties used by Ministers or officials.

CABINET OFFICE

Civil Service

Mr. Ben Chapman: To ask the Minister for the Cabinet Office if he will make a statement on progress towards achieving ethnic diversity within the senior civil service. [139750]

Mr. Alexander: The Government are strongly committed to achieving ethnic diversity in the senior civil service and to ensuring that the civil service is fully representative of the community it serves.

Latest data, for April 2003, show that ethnic minorities make up 2.8 per cent. at senior civil service level, up from 1.6 per cent. in 1998. Our target is for ethnic minorities to make up 3.2 per cent. of the senior civil service by 2004–05.

Departmental Website

John Barrett: To ask the Minister for the Cabinet Office what recent assessment he has made of the content and design of his Department's website. [139340]

Mr. Alexander: The Cabinet Office commissioned an external review of the content and design of its internet presence in February and March of 2003. We are now putting in place the recommendations from this review.

Market Research

Dr. Cable: To ask the Minister for the Cabinet Office how much his Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if he will make a statement. [139991]

Mr. Alexander: I refer the hon. Member to the answer I gave to the hon. Member for Buckingham (Mr. Bercow) on 15 May 2003, *Official Report*, column 402W.

Government Bodies

Norman Lamb: To ask the Minister for the Cabinet Office if he will make a statement on the *(a)* purpose, *(b)* annual budget since inception, *(c)* projected budget for the next two years and *(d)* current work programme of the (i) Prime Minister's Delivery Unit, (ii) Office of Public Services Reform and (iii) Office of the e-Envoy. [139775]

Mr. Alexander: The work of the units is explained in the Cabinet Office's Departmental Report for 2003, published in May 2003.

Financial Information is shown in the following table.

Budgets for the next two years will be decided on completion of the Cabinet Office planning round, which is currently under way.

£ million

	Financial year unit established	*1999–2000*	*2000–01*	*2001–02*	*2002–03*[1]	*Budget 2003–04*
Prime Minister's Delivery Unit	2001–02	0	0	0.9	3.1	3.8
Office of Public Services Reform	2001–02	0	0	2.0	5.7	4.2
Office of the e-Envoy	1999–2000	38.5	22.7	25.5	24.8	17.5

[1] Subject to audit.

Norman Lamb: To ask the Minister for the Cabinet Office how many staff are employed in the *(a)* Prime Minister's Delivery Unit, *(b)* Office of Public Services Reform and *(c)* Office of the e-Envoy; where these staff are located; and if he will make a statement. [139776]

Mr. Alexander: As at 3 November 2003, there were 28 staff working in the Prime Minister's Delivery Unit, 40 working in the Office of Public Services Reform and 105 in the Office of the e-Envoy. These figures are for Cabinet Office employees and are rounded to full-time equivalents. All of these units are based in central London.

Norman Lamb: To ask the Minister for the Cabinet Office how many times the *(a)* Cabinet Office Strategy Board, *(b)* Business Regulation Team, *(c)* Regulatory Reform Strategy Team, *(d)* Public Sector Team, *(e)* Europe and Economics Team, *(f)* Reform Strategy Group and *(g)* Corporate Development Group have met since they were established; how much each meeting cost; what the (i) annual budget since inception has been, (ii) projected budget for the next two years is and (iii) current work programme of each body is; and if he will make a statement. [139777]

Mr. Alexander: The Cabinet Office Strategy Board has met regularly since its formation earlier this year. The secretariat for the Cabinet Office Strategy Board is an integral part of the Managing Director's private office. There is no separate budget line for this work.

The terms of reference for the Cabinet Office Strategy Board are available on the Cabinet Office website (www.cabinet-office.gov.uk).

The Business Regulation Team, the Regulatory Reform Strategy team, the Public Sector Team and, the Europe and Economics Team are all functional work areas within the Cabinet Office's Regulatory Impact Unit, and therefore do not 'meet' in the way an ad-hoc Board or committee might do.

The Resource Outturn for these teams since their inception is as follows:

£ million

	1999–2000	2000–01	2001–02	2002–03	2003–04
Business Regulation Team	0	0	0.1	0.3	0.3
Regulatory Reform Strategy	0	0	0	0.2	0.4
Public Sector Team	0.1	0.3	0.6	0.6	0.7
Europe and Economics Team	0.6	0.4	0.3	0.4	0.4

The work of the Regulatory Impact Unit is explained in the Cabinet Office's Departmental Report for 2003, published in May 2003.

The Reform Strategy Group and Corporate Development Group are functional units of the Cabinet Office. Annual budgets are as follows:

£ million

	2002–03	2002–03
Reform Strategy Group	1.6	[1]—
Corporate Development Group	17.1	14.7

[1] The work of the Reform Strategy Group has been absorbed within other units.

Budgets for the next two years will be decided on completion of the Cabinet Office planning round, which is currently under way.

Official Properties

Mr. Flight: To ask the Minister for the Cabinet Office how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134685]

Mr. Alexander: Admiralty House contains residential accommodation for Ministers and the occupying Departments are responsible for relevant costs associated with each of the residential flats. No Cabinet Office Ministers are currently accommodated in Admiralty House. The Cabinet Office is responsible for costs associated with the common parts, as well as for maintaining the fabric of the entire building.

The Cabinet Office's share of the maintenance costs of Admiralty House for 2002–03 was £2,295.

From February 2002 to September 2002, a major electrical rewiring, asbestos removal and redecoration project was undertaken to the ground floor state rooms and two of the residential flats. The cost of this work (which was borne by the Cabinet Office) was £629,266.

The Cabinet Office's share of the running costs of Admiralty House (i.e. excluding the appropriate share of the costs from the occupying Departments) for 2002–03 was £631,421.

Information about the costs of official residences used by Ministers for previous financial years is already in the public domain.

Two Cabinet Office officials occupy accommodation in residential properties in the grounds of the Emergency Planning College in Easingwold. One flat is occupied by an official working at the Emergency Planning College on detached duty. The other occupant pays a market rent for the property, which was established by a valuation conducted within the past 18 months by independent valuers appointed by the Office of Government Commerce. Records are not held separately of the maintenance, renovation and running costs associated with these properties in particular and these costs could be provided only at disproportionate cost. The council tax for 2002–03 associated with the property occupied by the individual on detached duty was approximately £175. For 1997–98, the council tax associated with properties occupied by college employees was approximately £190, for 1998–99 and 1999–2000 no college employees resided in college properties, for 2000–01 the approximate council tax was £50, and for 2001–02 the council tax was approximately £150.

From 1997 to May 2002, some officials were accommodated in civil service college properties on the college's Sunningdale estate. The individual occupants of the properties were responsible for paying the rents that had been established by independent valuers. From June 1999 to March 2000, a number of general repairs were made, to some of the residential dwellings occupied by college staff, amounting to £20,827. In October 2000, £365 was spent on repairs. In January 2002, £3,160 was spent on repairs. There may have been other costs incurred under a maintenance contract let to cover the whole of the Sunningdale Park estate, however, it is not possible to disaggregate costs to a level of individual building. The individual occupants were responsible for their own council tax and running costs (such as utility bills).

Work-related Stress

Dr. Cable: To ask the Minister for the Cabinet Office how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136844]

Mr. Alexander: The Cabinet Office does not record reported cases of work-related stress. However, in August 2002 it introduced a mechanism for recording sickness absence caused by work-related stress as distinct from non-work related stress.

Since that date, the number of reported cases where work-related stress has been recorded as the reason for sickness absence has been less than five. To protect the privacy of individuals, more detailed information cannot be provided.

No compensatory payments have been claimed or made.

The Cabinet Office is aware of its legal responsibilities to reduce stress at work. It provides in-house guidance and training to its managers and individuals, has an in-house counselling service that can be accessed by all and has procedures in place for dealing with complaints, harassment and bullying.

It also encourages, where possible, flexible working arrangements that allow for both work and home commitments to be accommodated.

Information on the individual costs of these initiatives could be obtained only at disproportionate cost.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Marine Consents Unit

Dr. Cable: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on regulating impact assessments which have been carried out into the work of the Marine Consents Unit. [138551]

Mr. Morley: The Government's first Marine Stewardship Report announced a Review of Development in Marine and Coastal Waters. This included an examination of a range of marine controls, including those exercised by the Marine Consents and Environment Unit, from a regulatory perspective. A range of options for short-term and long-term reform are currently being considered. An announcement will be made in due course.

Dr. Cable: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the regulatory impacts of the proposed spatial planning body within the Marine Consents Unit. [138552]

Mr. Morley: The Government's first Marine Stewardship Report contained a commitment to explore the role of spatial planning for the marine environment. This is being followed up in a number of workshops. There is currently no proposal for a spatial planning body within the Marine Consents Unit.

Dr. Cable: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the progress of the review being conducted into the Marine Consents Unit. [138555]

Mr. Morley: No review is being conducted into the Marine Consents Unit. However, the Government are currently undertaking a Review of Development in Marine and Coastal Waters to see how the complexity of the current regulatory control regime might be reduced. The review is being led by my noble Friend the Lord Rooker, Minister of State for Regeneration and Regional Development. The findings from the review will be announced in due course.

Agriculture

Matthew Green: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish the consultation on measures to address the environmental impacts of agriculture through the use of economic instruments referred to in her speech to the Environmental Industries Commission Annual Conference on 25 June 2003. [139478]

Mr. Morley: The Government included a discussion of agriculture and economic instruments in an annex to the Strategy for Sustainable Farming and Food, published in December 2002. The main route for progressing issues raised in the annex has been through work on diffuse water pollution. The aim is to publish a consultation paper on a broad range of policy options, including economic instruments, by the end of this financial year.

Bovine Tuberculosis

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* strategy has been implemented and *(b)* funds have been committed to (i) identifying and (ii) eradicating bovine tuberculosis. [138031]

Mr. Bradshaw: In 2002–03 we spent nearly £74 million on the bovine tuberculosis (TB) Five Point Plan, based on:

Protecting human health;

Cattle testing and controls;

Development of a TB vaccine;

Research into how TB is spread; and

A badger culling trial

We are keen to improve diagnosis of the disease in both cattle and badgers and have commissioned the Veterinary Laboratories Agency to carry out two research projects, at a total estimated cost of over £950,000.

The current TB programme is under review and we expect to consult on proposals for a new TB strategy for Great Britain, and on short-term policy options for TB control, around the end of the year. In developing the strategy we will need to consider whether eradication of the disease is a realistic goal within the 10 year period over which the strategy will apply, and on the most appropriate ways of achieving it.

Cement Kilns

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent analysis has been carried out by the Environment Agency to establish emission levels from the Rugby Cement Works, Rugby; what conclusions have been drawn in respect of the health implications for residents in the town; and if she will make a statement. [138577]

Mr. Bradshaw: The Environment Agency is the regulator for the cement works in Rugby and last conducted independent monitoring at the installation on 13 August 2002. I understand that further independent tests have been scheduled for the week beginning 10 November 2003.

The Rugby Cement Works is regulated under the Pollution Prevention and Control (England and Wales) Regulations 2000. The Environment Agency recently issued a permit to the cement works in Rugby under those regulations.

It is the Environment Agency's opinion that compliance with the very carefully designed PPC permit conditions is sufficient to protect human health and the environment. The rationale for the Environment Agency's decision to grant a PPC permit is set out in full detail in a lengthy decision document (Ref. BL7248) which has been placed on public registers maintained by the Environment Agency and the Rugby borough council. A copy of the agency's Decision Document can be obtained by telephoning 01684 850951.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the impact on emission levels from the burning of tyres in cement kilns used for co-incineration, with particular reference to *(a)* nitrogen dioxide, *(b)* sulphur dioxide and *(c)* particulate matter; and if she will make a statement. [138578]

Mr. Bradshaw: As the competent authority under the Pollution Prevention and Control (England and Wales) Regulations 2000, the Environment Agency is responsible for assessing the impact of emissions from cement kilns that burn tyres. The Environment Agency's assessment methodology shows that tyre burning trials have consistently demonstrated that emissions of the principal pollutant from cement kilns—oxides of nitrogen—are reduced when conventional fuels such as coal and pet coke are substituted by scrap tyres, in some cases significantly. Whilst there might be an increase or decrease in other, less environmentally significant, emissions, the use of scrap tyres has been repeatedly demonstrated to result in a net environmental benefit.

Childhood Obesity

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with other Departments about implementing a strategy to tackle childhood obesity. [138786]

Mr. Bradshaw: Defra has been working closely with the Department of Health, the Department for Education and Skills and the Food Standards Agency in relation to cross-Government initiatives such as the Food and Health Action Plan, Food in Schools, the National School Fruit Scheme and the Five a Day Programme. These are aimed at educating and encouraging both children and the wider population to adopt a healthier diet and lifestyle, including tackling the growing problem of obesity.

Cod Farms

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement about the future of cod farming; [138809]

(2) how many cod farms have been proposed to be built in the UK; [138810]

(3) if she will make a statement on the health aspects of eating farmed cod; [138811]

(4) if she will make a statement about the effects of cod farming on natural fish stocks. [138812]

Mr. Bradshaw: The Government's policy on aquaculture is to encourage the development of viable, competitive and sustainable enterprises (including cod farming) provided that this can be done within a framework which safeguards public health and also protects the health and welfare of farmed and wild stocks.

At present there are six farming enterprises on growing cod on seven sites in Scotland. In general, the English coastline is unsuitable for marine cages, and the alternative (enclosed water re-circulation systems) is capital-intensive.

While cod-farming on this relatively modest scale may well meet a niche market demand, and there is potentially a vast market for farmed cod, it is not clear that significant expansion in cod is economically viable, given the cost of inputs and the price obtainable for final output.

The Food Standards Agency advises that there are health benefits to consumers in eating at least two portions of fish a week as part of a healthy diet, at least one of which should be oily. We have no reason to believe that farmed cod should not contribute to a healthy diet as does cod from the wild.

Consumer Reward Card

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will commission a study of the potential effect of a consumer reward card scheme to influence people's behaviour and its impact on the environment; and what studies she has received of the NU card scheme in the Netherlands. [139183]

Mr. Morley: The Department is aware of the scheme which is being tried out in the Netherlands, as the National Consumer Council and the New Economics Foundation have recently had discussions with stakeholders in this country about the scheme's potential. We have not received any studies as such, nor at this stage do we have any plans to commission one; but this is an interesting approach and we will keep in touch with developments.

Contingency Planning

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on new measures in place to deal with disease breakdown following foot and mouth disease. [139473]

Mr. Bradshaw: A new EU directive on measures to control foot and mouth disease was adopted in Agriculture Council on 29 September 2003 and is due to be transposed into domestic legislation by 30 June 2004.

Under the terms of this directive, the slaughter of infected animals and known "dangerous contacts" remains the principal tool in tackling an FMD outbreak. The main area of change in the new directive is the emphasis it places on emergency vaccination, which has now moved to the forefront of disease control strategies and has to be considered immediately the first case of FMD is confirmed.

The policies and operational arrangements that would be implemented in an outbreak are captured in the Foot and Mouth Disease Contingency Plan which is reviewed, updated and laid before Parliament annually.

Corporate Environmental Performance

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what research her Department undertook on the environmental reporting of FTSE 350 companies prior to the Prime Minister's challenge in October 2000 to produce more corporate environmental reports; when her Department will next report progress made by UK companies in voluntary reporting of environmental performance; and what information her Department collates on the response of UK companies to the Prime Minister's challenge. [139673]

Mr. Morley: Prior to the challenge in 2000, the Department drew on published sources to establish trends in environmental reporting by business. Last year the Department conducted its own survey of reporting by FTSE 350 companies and an account of this was placed in the Library of the House in July 2002. That exercise has not been repeated, but several surveys by other organisations are now publicly available. One recent survey indicates that over half of FTSE 250 companies now report publicly on their environmental performance.

Country Land and Business Association

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs when she will reply to the invitation from the Country Landowners Association to speak at their November conference. [135591]

Margaret Beckett *[holding answer 3 November 2003]:* My Diary Secretary sent an interim response to the invitation, by e-mail, to Richard Jarman, Head of CLA Public Affairs, on 29 August 2003. After further contact by telephone, a final response was sent, again by e-mail, on 29 October 2003, confirming that I was, regrettably, unable to attend, but that Alun Michael would be delighted to speak at the CLA Conference in my stead.

Countryside Agency

Mr. Martlew: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to abolish the Countryside Agency; and if she will make a statement. [138958]

Alun Michael: There will be a continued need for the functions which the Countryside Agency performs. I refer my hon. friend to the written ministerial statement of my right hon. Friend the Secretary of State on 11 November, in which she announced the intention to create an integrated agency incorporating some elements of work currently undertaken by the Countryside Agency, and to focus delivery on others in partnerships with regional development agencies, local government and the voluntary sector in order to provide the best services to rural communities.

The Countryside Agency will continue with a new, well focused role which we will discuss with the Agency and others over the next few months.

Mr. Nigel Jones: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the future of the Countryside Agency Headquarters in Cheltenham. [138913]

Alun Michael: No decisions have been taken yet on the future structure of the Countryside Agency beyond what the Secretary of State announced on 11 November. We will work closely with the Countryside Agency as we develop more detailed proposals, and intend to give more details in the spring.

Dry Walls

Mr. Evans: To ask the Secretary of State for Environment, Food and Rural Affairs how much Government assistance has been given for repairing dry walls in each of the last five years. [139975]

Alun Michael: Grants for repairing dry stone walls have been given under the Environmentally Sensitive Area Scheme since 1987 and the Countryside Stewardship Scheme since 1991. On the latest information available, the total length of wall repaired under these schemes since those dates is approximately 1,100 kilometres, at a current cost of between £12 and £28 per metre.

Egg Industry

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with *(a)* representatives of the UK's egg industry and *(b)* the European Union about possible changes in the EU intervention price of feed grain; and if she will make a statement. [138087]

Mr. Bradshaw: The question of whether to change the cereals intervention price was considered as part of the CAP reform discussions earlier this year. As announced in conjunction with my right hon. Friend the Secretary of State's statement to the House on 26 June 2003, *Official Report*, column 1220 21, in the final compromise deal the Agriculture Council decided not to implement the 5 per cent. reduction proposed by the European Commission, although monthly increments will be reduced by 50 per cent. from the 2004 05 marketing year. I have had no specific discussions with the egg industry on this issue.

Energy Consumption (Standby Units)

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate

she has made of the daily energy consumption resulting from the use of standby units on televisions; and if she will make a statement. [139192]

Mr. Morley: The Government's Market Transformation Programme estimates that the 61.5 million televisions in the UK consume approximately 38 million KWh of electricity per day. Of this approximately 3.3 million Kwh (8.5 per cent.) per day is consumed by these televisions while they are in stand-by mode.

The Government is aware of the potential for many types of appliance to consume significant amounts of energy while left in stand-by mode. It is therefore already working via the Market Transformation Programme (www.mtprog.com) to encourage manufacturers to reduce both the "on" and "stand-by" power consumption of household appliances, including televisions, through the adoption of design improvements, voluntary codes of conduct, and the establishment of best practice guidelines and targets. To date this approach has been fairly successful and we expect that the majority of new televisions sold in the UK should soon consume around 1 watt of power in stand-by mode rather than the 3–8 watts consumed by older models.

In addition, the Government's recently announced commitment to purchase goods and services that meet higher environmental standards ("Quick Wins") requires any government department which purchases televisions to specify a stand-by power requirement of no more that 1 watt.

EU Committees

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Committee for the adaptation to scientific and technical progress of the directive on water intended for human consumption, *(b)* the EU Management Committee of the common organisations of agricultural markets for sheep and goats and *(c)* the EU Committee on the Directive on packaging and packaging waste during the Danish and Greek presidencies; what items were on each agenda for each meeting; what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132714]

Mr. Morley: The information is as follows:

(a) The EU Committee for the adaptation to scientific and technical progress of the Directive on water intended for human consumption

The Drinking Water Directive management committee met during the Danish presidency on 26 November 2002 and during the Greek presidency on 8 May 2003. Issues discussed included sampling and monitoring for radioactivity, lead, copper and nickel, and studies on drinking water.

(b) The EU Management Committee of the common organisations of agricultural markets for sheep and goats

The Management Committee of the common organisations of agricultural markets for sheep and goats met during the Danish presidency on 5 July 2002. It discussed the Implementation of the Council Regulation concerning the community scale for the classification of Ovine animals. The Committee did not meet during the Greek presidency.

(c) The EU Committee on the Directive on packaging and packaging waste

The EU Committee on the Directive on packaging and packaging waste met during the Danish presidency on 25 July 2002 and during the Greek presidency on 29 January 2003. Issues discussed included data reporting on recycling and recovery of packaging waste, development of the CEN standards on packaging, and notification of Belgium concerning Article 6(6) of Directive 94/62/EC.

The devolved Administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Committee for the adaptation to scientific and technical progress of the Directive on protection of waters against pollution caused by nitrates from agricultural sources and *(b)* the EU Committee on the conservations of natural habitats and of wild fauna and flora (habitat) during the Danish and Greek Presidencies; what items were on each agenda for each meeting; what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132716]

Mr. Morley: The information is as follows:

(a) The EU Committee for the adaptation to scientific and technical progress of the Directive on protection of waters against pollution caused by nitrates from agricultural sources;

The EU Committee for the adaptation to scientific and technical progress of the Directive on protection of waters against pollution caused by nitrates from agricultural sources did not meet during the Danish Presidency. It met on one occasion during the Greek presidency on 27 March 2003. Issues discussed at the Committee included grassland fertilisation and nitrates, tracing nitrate origin, and updated monitoring guidelines for groundwater and surface waters.

(b) The EU Committee on the conservations of natural habitats and of wild fauna and flora (habitat);

The Habitats Committee (the Committee on the conservation of natural habitats and of wild fauna and flora) met during the Danish Presidency on 20 November 2002 and during the Greek Presidency on 10 March 2003. Issues discussed included the Natura 2000 Network and conservation projects.

The devolved administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption two to the Code of Practice on Access to Government Information applies.

Fallen Stock

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what provisions there will be for farmers to deliver their own casualty animals to the collection point under the new Fallen Stock Scheme. [138782]

Mr. Bradshaw: There will be no need for farmers to deliver their own casualty animals to collection points under the Scheme. The subscription fee paid by farmers which join the Scheme covers collection and disposal of fallen stock from farm premises. If farmers nevertheless wish to use their own vehicles to transport carcases to approved collection centres their vehicles will need to comply with the Animal By-products Regulations 2003 and they will need to establish with the approved collection centre that they are prepared to accept carcases which are so delivered.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects to publish details regarding the collection of carcases under the Fallen Stock Scheme. [138780]

Mr. Bradshaw: Progress is being made drawing up the detailed requirements for collection of carcases and the other conditions of the Scheme. These will be made widely available shortly for collection and disposal operators who wish to provide services to the Scheme.

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs whether hunts will be able to register as *(a)* collectors and *(b)* receivers of fallen stock. [138781]

Mr. Bradshaw: The Animal By-products Regulations 2003 require hunt kennels that collect and treat fallen stock carcases to be approved by Defra as collection centres and premises which only receive treated carcases for feeding to hounds are required to be approved as final users. Appropriately authorised hunt kennels will be eligible to register as collectors and/or disposal agents under the National Fallen Stock Scheme if they wish to do so.

Farm Holdings

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what assistance is provided by the Government to young farmers who wish to obtain their own farm holding. [137260]

Mr. Bradshaw: The Government recognise the importance of encouraging new entrants into farming. The Strategy for Sustainable Farming and Food sets out how industry, Government and consumers must work together to secure profitable and international competitive farming and food industries which are attractive to those already engaged in them and to potential new entrants.

This Department has commissioned research which will seek to identify the existence and nature of any artificial barriers to new entrants, and the potential means by which such barriers might be overcome. We are discussing with interested organisations how to take forward any measures which are found to be necessary.

Farmers' Markets

Mr. Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what help was given to farmers' markets in England in 2001–02. [139041]

Mr. Bradshaw: During the financial year 2001–02, Defra provided the following help to farmers' markets in England:

funding to help the National Association of Farmers' Markets (NAFM), the umbrella organisation for farmers' markets, re-launch farmers' markets following the foot and mouth outbreak;

funding under the Agriculture Development Scheme to NAFM for the publication of information booklets to help producers develop their knowledge of sales and marketing, and to help NAFM develop its certification programme for accrediting farmers' markets; and

funding under the Rural Enterprise Scheme for the Somerset Farmers' Market Company.

In addition, the Countryside Agency, which we grant aid, provided start-up funding to NAFM.

Fisheries

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what proposals she will bring forward at *(a)* national and *(b)* European level to tackle cetacean by-catch; and if she will make a statement. [138088]

Mr. Bradshaw: At a national level, the UK has published a strategy for the reduction of small cetacean by-catch, which includes a number of recommendations for action. As part of this strategy, trials to reduce cetacean by-catch have been carried out in the offshore bass fishery. These trials have demonstrated that separator grids are a viable means of minimising dolphin by-catch in this fishery and the Scottish fishermen involved in this fishery have already indicated that they will continue to use the grid on a voluntary basis. I am determined to move forward from trialling the separator grid to deploying the gear in the fishery. However, given that the UK is not the main prosecutor of this fishery, it must be understood that whatever action we might consider by way of requiring the use of separator grids or other mitigation measures, or even closing the fisheries, would need to be implemented at the EU level in order to have significant effect.

The importance of reducing cetacean by-catch has been raised by the UK at ministerial level with the Fisheries Commissioner on a number of occasions and bilaterally with France. In particular, the UK has pressed for the introduction of a observer programme across the EU to broaden the information available about which fisheries, and which vessels, are involved in the problem.

The Commission published, on 24 July 2003, a draft Council regulation concerning the incidental by-catch of cetaceans in fisheries. Discussions on this proposal are at a very preliminary stage.

Food Standards

Judy Mallaber: To ask the Secretary of State for Environment, Food and Rural Affairs if she will assess the adequacy of charges available to prosecutors under food regulations. [137584]

Miss Melanie Johnson: I have been asked to reply.

As part of its action plan to implement the recommendations of the Waste Food Task Force, the Food Standards Agency (FSA) has undertaken to consider a number of legal issues with stakeholders. These issues include the offences available to enforcers when taking prosecutions for illegal diversion of unfit meat, the penalties available for such offences, the time limits for investigation of these offences and the issues involved with lack of a power of arrest for food safety offences. The FSA will be discussing these issues with stakeholders at a seminar on 26 November 2003 to discuss the lessons to be learned from the prosecutions in the Denby Poultry Products case.

Judy Mallaber: To ask the Secretary of State for Environment, Food and Rural Affairs what steps are being taken to improve enforcement of food safety regulations at animal by-products processing premises arising from recent meat fraud cases. [137588]

Mr. Bradshaw: Food safety regulations are the responsibility of the Food Standards Agency. The State Veterinary Service (SVS) visits animal by-products premises for the purposes of administering the animal by-products legislation, which is enforced by local authorities and the Meat Hygiene Service. SVS instructions were amended in light of the fraud cases referred to, with the aim of preventing further such incidents. They improved audit procedures and highlighted the need to liaise more closely with enforcement agencies where there are possible breaches of food hygiene or other legislation. To improve communication and co-operation between the relevant bodies, Defra has also provided joint training on the new Animal By-Products Regulation for all the relevant enforcement bodies.

Genetically Modified Crops

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs whether estimates of yield for GM maize in the GM farm scale evaluation published by her Department will be based upon maize crops grown using the same herbicide regime as used on these farm scale evaluations. [137655]

Mr. Morley: The Department has not published yield estimates for the GM maize grown in the farm-scale evaluations. The paper by Champion and others 'Crop management and agronomy of the farm-scale evaluations' published in the Philosophical Transactions of the Royal Society on 16 October explains that crop yields were not routinely recorded. The GM and conventional maize crops in each field evaluation were assessed and compared at every stage of growth and results were only included in the analysis where these correlates of yield were comparable and consistent with the protocol requiring 'cost effective weed control'.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the public relations companies employed by her Department to present the Government's viewpoint on GM *(a)* foods and *(b)* crops; and how much public funding has been allocated for this purpose. [139768]

Mr. Morley: This Department does not employ public relations companies to present our viewpoint on GM food and crops.

Mr. Simon Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the *(a)* role and *(b)* responsibilities of the Advisory Committee on Releases to the Environment in relation to GM (i) crops and (ii) trials. [139807]

Mr. Morley: The Advisory Committee on Releases to the Environment (ACRE) is the statutory advisory committee established under Section 124 of the Environmental Protection Act 1990. ACRE advise Government and the devolved administrations on all aspects of releases of GMOs into the environment, including the release of GM crops for the purposes of marketing or research. ACRE'S full terms of reference are included in their most recent annual report, which is available on the internet at http://www.defra.gov.uk/environment/acre/annrep9/index.htm.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the effects she estimates the adoption of genetically modified crops in the UK would have on the organic farming industry. [138808]

Mr. Morley: The Government recognises that the growing of GM crops could affect the economic position of organic and conventional farmers growing equivalent crops. This was highlighted in the Strategy Unit report entitled 'Field Work: weighing up the costs and benefits of GM crops', published last July. The issue is also being discussed amongst member states of the European union. The Agriculture and Environment Biotechnology Commission has been analysing the co-existence of GM and non-GM crops and associated liability issues and was due to publish a report last month. When the report is published we will consider it very carefully, taking into account the possible effects on the organic sector.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what information she has received about whether the planting of GM crops would lead to a change in the use of *(a)* pesticides and *(b)* chemical weed killers. [138813]

Mr. Morley: Almost all of the GM crops that have been grown under trial in the EU in recent years, or are under consideration for commercial growing, are associated with changes in the use of herbicides and/or insecticides. Each GM crop is assessed on its own merits and any application to release must be accompanied by a dossier that includes detailed information on any potential changes in pesticide use and the effects this would have on the environment. The GM crop farm-scale evaluations, conducted in the UK, made a detailed assessment of the impact of herbicide use associated with three types of GM crop. A copy of the results, which were published last month, is in the Library.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of EU labelling and traceability regulations in respect of GM *(a)* seeds, *(b)* animal food and *(c)* food for human consumption. [139015]

Miss Melanie Johnson: I have been asked to reply.

The Food Standards Agency and the Department for Environment, Food and Rural Affairs have commissioned an independent study on the impact of the new GM regulations. This study and information obtained from stakeholders will form the basis of a Regulatory Impact Assessment on the regulations. This will be part of a consultation package which will be issued at the end of December 2003 and will include the draft domestic implementing regulations and draft guidance to accompany the regulations.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment her Department has made of the application for the sale of GM sweetcorn Bt11; and what advice her Department will offer to forthcoming Council of Ministers meetings on the application. [139016]

Miss Melanie Johnson: I have been asked to reply.

The Food Standards Agency (FSA), as the competent authority under the EC Novel Foods Regulation, is advised by the independent Advisory Committee on Novel Foods and Processes (ACNFP). The ACNFP assessed the original data submitted in support of the application for the sale of genetically modified sweetcorn Bt11 and the opinion of the Dutch competent authority. The European Commission's Scientific Committee (SCF) for food carried out a further assessment of these data and additional information submitted in support of the application and its opinion was also considered.

Ministers have agreed that the FSA will advise the Council of Ministers that the United Kingdom should support this application based on the conclusion of the SCF, which stated that:

"Bt11 sweet maize is as safe for human use as its conventional counterparts".

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with her counterparts in the National Assembly for Wales in respect of their decision to declare Wales a GM-free nation. [139017]

Mr. Morley: I understand from ministerial colleagues in the Welsh Assembly Government that their policy is to adopt the most restrictive approach possible on GM crops within the confines of European Union and domestic law. They have made clear that this is not the same as declaring Wales GM-free. Ministers and officials in Defra and the Assembly Government keep in close touch on GM issues and hold regular meetings.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment has been made through *(a)* research commissioned by her Department, *(b)* farm scale trials and *(c)* other research of the potential for GM herbicide tolerant plants to create herbicide tolerant hybrid weeds; and what the results of that research were; [139018]

(2) what assessment her Department has made of the *(a)* likelihood and *(b)* impact of hybridisation of GM oilseed rape. [139156]

Mr. Morley: There has been considerable research investigating hybridisation between GM and non-GM crops, including the crops studied in the Farm Scale Evaluations, and between GM crops and wild relatives. This includes studies commissioned by my Department (e.g. "Monitoring large scale releases of genetically modified crops, incorporating report on project EPG 1/5/30: monitoring releases of genetically modified crop plants" (December 2002)), studies carried out in parallel with the Farm Scale Evaluations (e.g. "Gene Flow Monitoring from the GM Crop FSE Sites: Monitoring Gene Flow from the GM Crop to Non-GM Equivalent Crops in the Vicinity. Part 1: Forage Maize" (October 2003)) and other research published in scientific journals (e.g. Wilkinson et al. (2003) Science online www.scienceexpress.org (9 October 2003)). The issues of gene flow and hybridisation between GM and non-GM crops are addressed in Chapter 7 of the GM Science Review published in July 2003 (http://www.gmsciencedebate.org.uk/).

The impact of hybridisation between herbicide tolerant GM crops and other crops or wild relatives is considered as part of the risk assessment carried out prior to any decision to authorise the release of herbicide-tolerant GM crops.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans her Department has to monitor the impact of GM animal feed on animal health. [139152]

Mr. Morley: The Department has no current plans to monitor the impact of GM animal feed on animal health.

Under EU Directive 2001/18, no genetically modified organism may be used in animal feed in the EU unless and until EU member states have agreed collectively that it is safe to do. In making these decisions, each GM product is judged on its own merits according to evidence of risk to human health or the environment. If authorisation is granted, any subsequent marketing of the GM product in question will be subject to conditions of consent, including details of how the GM product must be monitored. These monitoring conditions may or may not include a requirement to monitor the impact of GM animal feed on animal health depending on the details of each specific case. No such condition has been thought necessary to date.

In the UK, we are advised on GM product applications by a statutory expert body the Advisory Committee on Releases to the Environment (ACRE). If a proposed GM product were intended for use in animal feed, ACRE would consult the Advisory Committee on Animal Feedstuffs (ACAF), which would provide advice on any risks to animal health. If the experts advised that a proposed GM product was safe but that its effects on animal health should be monitored, we would use our voice within Europe to call for this to be included in the monitoring plan.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what role the GM Science Review Panel will play in advising her Department on future decisions in respect of applications to grow GM crops in the UK. [139153]

Mr. Morley: The GM Science Review Panel will not play a role in advising on future decisions on GM crop applications. The Government are advised on these matters by a statutory expert body, the Advisory Committee on Releases to the Environment.

The GM Science Review was commissioned specifically to undertake a comprehensive review of the science of genetic modification relevant to crops and food. The Government are taking its findings into account along with other elements of the GM public dialogue (the Strategy Unit study of costs and benefits and the debate "GM Nation?") in shaping its overall approach to GM crops and food. The GM Science Review Panel published their first report in July 2003 and will shortly conclude their work with the publication of a second supplementary report.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what role her Department will have in implementing the surveillance scheme proposed in the Food Standards Agency's study on post-marketing monitoring. [139155]

Mr. Morley: I am aware that in July 2003 the Food Standards Agency published research by Imperial College looking into the feasibility of monitoring the buying and eating of novel foods, including GM foods. I understand that the Food Standards Agency has not yet decided whether or not to proceed with the recommendations.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer of 4 November 2003, *Official Report*, column 561W, what research has been conducted on unintended biochemical consequences of genetic modification in the GM crops that were tested in the farm scale evaluations. [139218]

Mr. Morley: Potential unintended biochemical consequences of specific genetic modifications are considered as part of the case-by-case risk assessment of all GM crops. This consideration is based on research studies of the composition of particular crops grown under a range of conditions. Data examining composition of the crops in the Farm Scale Evaluations will form an important part of the assessment of any applications to market the crops concerned.

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs if she will set up a GM public debate on the findings of the farm-scale evaluations. [139582]

Mr. Morley: The government has already sponsored 'GM Nation?'—the public debate on GM issues—to explore the public's opinions on GM crops.

The results of the farm-scale evaluations, published on 16 October, are in the public domain and are being discussed widely. The results relate to specific GM crops and have been passed to the Advisory Committee on Releases to the Environment (ACRE) for statutory advice. ACRE will be holding open meetings on 25 November in London and fourth December in Edinburgh to take evidence from stakeholders and the public. There are no plans to hold a further public debate specifically on the results of the Farm Scale Evaluations.

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs on what research the choice of *(a)* dose, *(b)* timing, *(c)* formulation and *(d)* method of application of the herbicide used on GM maize in the farm scale evaluations was based. [139804]

Mr. Morley: Research and other information necessary to make these choices was determined by the company concerned. The specific use of the herbicide in the farm-scale evaluations was covered by an approval issued by the Pesticides Safety Directorate.

Housing

Mr. Kidney: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effectiveness of the rural proofing of the Office of the Deputy Prime Minister's new regional housing policies. [137827]

Alun Michael: I refer to the answer given by my right hon. Friend the Minister of State for Housing and Planning on 11 November 2003, *Official Report*, column 259W. I shall also be meeting with my noble Friend Lord Rooker next month to discuss this issue.

Livestock Industry

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what has been the average *(a)* disposal sale price and *(b)* market price for (i) commercial dairy cattle and (ii) pedigree dairy cattle in (A) England and (B) Wales for each of the last five years for which figures are available. [136409]

Mr. Bradshaw: The average *(a)* disposal sale price of (i) commercial dairy cattle (ii) pedigree dairy cattle and the *(b)* market price of (ii) pedigree dairy cattle is not recorded by either Defra or the MLC and is therefore unavailable.

The average *(b)* market price for (i) commercial dairy cattle for the last five years is available, as an aggregate of (A) England and (B) Wales due to the few Welsh markets from which data is available. Six years data of the yearly average market price for Friesian Holstein dairy cows sold at auction markets in England and Wales shows the trend of livestock prices prior to the foot and mouth outbreak.

Average price of dairy cows sold at livestock auctions (England and Wales)

	Average price £ per head
1998	555
1999	489
2000	479
2001	616
2002	593
2003	744

Notes:
1. 2001: The yearly average price was calculated from data collected during January and February 2001, until foot and mouth forced the closure of the livestock auctions.

2. 2002: The yearly average price was calculated from data collected from the auction markets which began to re-open from February 2002 onwards, the numbers steadily increased as more markets opened after the restrictions were lifted due to the end of foot and mouth.
3. 2003: The yearly average price was calculated from data collected during the period January until October 2003.

Milk Chocolate

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact on consumption of milk chocolate in the EU of its re-designation as family milk chocolate. [139133]

Miss Melanie Johnson: I have been asked to reply.

Directive 2000/36/EC harmonising labelling and composition rules on cocoa and chocolate products only took effect on 3 August 2003. It is therefore too early to make an assessment on whether there has been any effect on the consumption of milk chocolate in the European Union.

Ministerial Speeches

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the speeches made by each Minister in her Department since 1 January. [135468]

Margaret Beckett *[holding answer 30 October 2003]:* Copies of most of keynote ministerial speeches can be found on the Defra website. Speeches made by Defra Ministers since January 2003 are as follows:

Secretary of State: Margaret Beckett

Oxford Farming Conference (7 January)

Carnegie Endowment for International Peace, USA (3 February)

Guardian and Observer Business and Society Conference (6 February)

Local Government Association Launch of the Rural Revival Report Conference (11 February)

National Farmers Union Annual Conference (18 February)

Launch of the Government's Annual Report 2002 (24 February)

Royal Institute of International Affairs—UK Objectives for the Kiev Conference (27 February)

Launch of the Supply Chain Partnership Forum Dinner (27 February)

Food and Drink's Federation New President's Dinner (6 March)

Industry Forum (Energy) (19 March)

Agra Europe Outlook Conference (31 March)

G8 Environment Ministers Meeting (26 April)

Joint launch with the UNFCCC Secretariat on the IDR (8 May)

Royal Society for the Green Alliance "The GM Debate: Precaution in Practice" Workshop (5 June)

Vaillant Service Centre—Speech on the Energy White Paper (23 June)

Environment Industries Commission Conference (Benefits to the UK of High Environmental Standards) (25 June)

Green-Works (3 July)

Fabian Society Waste event (9 July)

Opening of the Plant Sciences Centre at Broomfield College—(24 September)

Better Building Summit (21 October)

REEEP Conference (23 October)

PUS(L)—Lord Whitty

Oxford farming conference (7 January)

Regional Food Showcase (21 January)

Address CLA Council Meeting (29 January)

Agri-Economics Society Conference (30 January)

Foodaware Meeting (30 January)

100th school milk bar (31 January)

Parliamentary Warm Homes Group Conference (5 February)

Unilever Sustainable Agriculture in Practice Seminar (25 February)

Entry Level Agri-Environment Scheme launch (27 February)

National heart forum launch (12 March)

International Food and Drink Exhibition (25 March)

UK Gas Conference (25 March)

Carbon Trust and BAA plc energy efficiency partnership launch (31 March)

Launch of the Crop Protection Management Plans (3 April)

CCAs event (7 April)

Briefing MEPs and Assistants on CAP Reform (30 April)

Young Farmers Annual Forum (3 May)

Coal UK 2003 conference (12 May)

Royal Institute of International Affairs conference on Food and Trade (19 May)

UK BCSE National Conference (20 May)

Building Research Establishment conference on sustainable development and off site construction (21 May)

Pimlico District Heating Scheme (Community Energy Programme) (21 May)

Go Wild At Kew Gardens (22 May)

Johannesburg renewable energy conference, Brussels (4 June)

Royal Cornwall Show (6 June)

Launch of agricultural export promotion unit (10 June)

Address General Assembly of Confederation of European Spirit Producers (16 June)

Institute of Public Policy Research Energy Conference (17 June)

Sustainable Energy Awards (18 June)

British Water annual lunch (25 June)

Kew Gardens SSSI launch (4 July)

MLC barbecue (7 July)

Queen Mary and Westfield Seminar (16 July)

Launch Public Sector Food Procurement Initiative (26 August)

5th Advisory Committee on Business and the Environment (10 Sept)

Strategy on Sustainable Consumption and Production Launch, two speeches (25 September)

Better building Summit (21 October)

Renewable Power Conference (23 October)

British Meat Processor's Association launch (28 October)

David Black Awards (29 October)

Noise abatement society's John Connell Awards (29 October)

MoS (Rural Affairs and Local Environmental Quality)—Alun Michael

National Association of Farms for Schools (15 January 2003)

West Midlands Rural Affairs Forum (15 January 2003)

CPRE—opening new office (23 January 2003)

Making it Happen—Reality on the Ground Conference (29 January 2003)

LGA Rural Housing Conference (4 March 2003)

Food for thought: 1 day Conference (14 March 2003)

Quality Parish Conference (18 March 2003)

CHaRT RICS meeting (18 March 2003)

Speak at RPA Inspectorate Conference (24 March 2003)

Corporate Responsibility Group meeting (10 April 2003)

Rural Business Support Conference (9 June 2003)

Conference of the International Rural Network (26 June 2003)

Living Sea Conference (23 July 2003)

Living Lakes Conference (10 September 2003)

ANPA Conference (2 October 2003)

NALC Annual Conference (3 October 2003)

Co-operatives and Social Enterprise Conference (4 October 2003)

Society Local Council Clerks Conference (20 October 03)

Civil Service MP attachment scheme (21 October 2003)

Connexions Event: Delivery of Connexions in rural areas (28 October 2003)

MoS (Environment) (Michael Meacher)

SW scoping study into impacts of climate change (22 January)

Parliamentary Sustainable Waste Group (28 January)

HCIMA—hospitable climates (28 January)

Adam Smith Institute (29 January)

Women's Environmental Network seminar on real nappies (10 February)

Gene Futures conference (11 February)

Fabian Society (11 February)

Newcastle University Chaplaincy Lecture (14 February)

LGA conference on waste (18 February)

UNED-UK conference on sustainable development (19 February)

Foundation for Science and Technology seminar on Arctic regions (25 February)

Environment Agency Chairmen's National Conference (26 February)

UKCIP EPSRC conference on climate change (3 March)

Packaging Federation conference (13 March)

Wilton Park conference on the Arctic (17 March)

Eve Balfour Lecture (Soil Association) (19 March)

QMW energy seminar (20 March)

ACCA awards (20 March)

London First Sustainable Business Network launch (1 April)

Organic Products seminar (7 April)

UK Business and Environment Chief Executives seminar (9 April)

Fabian Society Environmental Forum (8 May)

NW Regional Assembly State of the Region conference (9 May)

Euromoney emissions trading conference (12 May)

All Party Group on Conservation and Wildlife (19 May)

CIRIA climate change conference (4 June)

Trucost IRS conference (4 June)

Parliamentary Sustainable Waste Group (4 June)

Game Conservancy Trust conference (10 June)

MoS (Environment and Agri-Environment)—Elliot Morley

CHPA President's Reception (18 June)

Address to National Glass Week Conference (19 June)

Launch of the LGA/EA joint document (23 June)

ADA Annual demonstration event, Lincolnshire (3 July)

New Bristol Zoo Waste Minimisation display (7 July)

Government's environmental priorities to the All Party Parliamentary Environment Group (8 July)

'Listening to Business' Breakfast, Stevenage (10 July)

the All Party group on Sewers and Sewerage (10 July)

UKCIP Launch on climate change (15 July)

Speech on Energy and Environment at Informal Environment Council, Montecatini (20 July)

Launch of the Greenwich Council new recycling facility (29 July)

Opening of the Gowy Flood Defences (31 July)

Launch of the Number Regional Waste Strategy, Doncaster (1 August)

Regional Visit, Cumbria Speech on Agri-Environment (14 August)

Launch of Recycle for London (2 September)

Opening the new Waste Resources Action Programme Building, Banbury (11 September)

Speech to School Children about being responsible for the Environment during presentation of the Franco-British council Environmental Exchange(17 September)

Thames Water Regulation seminar (22 September)

British Water Seminar on UK-China Co-operation, Beijing (23 September)

British Water Seminar UK-China Co-operation, Guangzhou (24 September)

British Water Seminar UK-China Co-operation, Shanghai (26 September)

Launch of the WCMC World Atlas of Seagrasses (15 October)

Economist 14th Annual Water Industry conference (16 October)

Institute of Chartered Accountants Corporate Social Responsibility Debate (21 October)

Environment Agency Annual Conference Dinner (28 October)

Speech to present Biffawards (30 October)

Speech to present prizes to School children at the Shout About Waste event (3 November)

ADA annual conference (5 November)

Royal Institute International Affairs conference (5 November)

WATER UK Source 2003 Conference (5 November)

Launch of the Enhanced Capital Allowance Scheme for Water Technologies (6 November)

Speech on Business and the Environment to local business groups in Burnley (6 November)

Opening of the IWEX Water Exhibition (11 November)

PUS/C) — Elliot Morley

Launch of the Animal Health and Welfare Strategy (8 January)

Opening of the Lower Tone Flood Defence scheme (14 January)

Opening Water UK's 3rd Annual City Conference (15 January)

Business Breakfast of the South Yorkshire Green Business Club (20 January)

Launch of the RSPB Twite report (20 January)

Coastal Futures Conference (23 January)

North Sea Flood Conference '1953 Floods and beyond' (30 January)

Opening a Vulture rehabilitation Centre, part funded by the Darwin Initiative.(8 February)

Tehri Institute, Delhi (7 February)

Marsh Award for Bird Conservation, Indian High Commission (26 February)

British Water UK Poland Water Co-operation seminar (4 March)

Launch of the Global Partnership on Forest Landscape Restoration Rome (11 March)

Address to the UK Association of Frozen Food Producers Annual Lunch (19 March)

Deer Initiative Conference Buxton (28 March)

National Sea Fish awards (2 April)

UFAW Animal Welfare Conference (3 April)

45th Ministerial conference on Protection of Forests in Europe (28 April)

AINA reception (6 May)

IEA's 4 Annual Conference, Water 2003 (4 June)

National Water Efficiency Awards (5 June)

Water Bill and the Sustainabie Management and use of Water, SERA dinner(10 June)

PUS/C) — Ben Bradshaw

All Party Group on Wildlife and Conservation (17 September)

National Environment Campaigns

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment has been made of the impact of the Bag It and Bin It campaign on individual behaviour, with specific reference to the change in the number of items disposed of inappropriately. [139182]

Mr. Morley: Bag It and Bin It is a water industry campaign and it is for the water companies themselves to assess the impact of the campaign.

Nuclear Waste Sites

Mr. Alan Reid: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the *(a)* sites in the United Kingdom on which intermediate level nuclear waste is stored and *(b)* volume stored on each site. [139507]

Mr. Morley: The following is a list of sites at which intermediate-level radioactive waste (ILW) is stored. The figures have been taken from the 2001 waste inventory published by Defra and Nirex in October 2002. The figures for each site are the volume of conditioned waste, in cubic metres, and, where appropriate, include the ILW estimated to arise from continued operation and decommissioning.

Waste site	*ILW volume, cubic metres, conditioned*
Aldermaston	4,247.0
Amersham	488.0
Berkeley	2,364.0
Bradwell	4,591.0
Calder Hall	4,755.0
Capenhurst	2.0
Cardiff	423.0
Chapelcross	5,640.0
Clyde	1.0
Culham	383.0
Devonport	258.0
Donnington and Stafford	0.2
Dounreay	8,580.0
Dungeness A	4,197.0
Dungeness B	3,729.0
Hartlepool	4,114.0
Harwell	2,744.1
Heysham 1	4,307.0
Heysham 2	4,417.0
Hinkley Point A	6,015.0
Hinkley Point B	4,156.0
Hunterston A	5,428.0
Hunterston B	4,502.0
Oldbury	3,665.0
Portsmouth	9.0
Rosyth	86.0
Rosyth and Devonport (submarines)	1,928.0
Sellafield	131,547.0
Sizewell A	4,244.0
Sizewell B	595.0
Torness	4,224.0
Trawsfynydd	2,849.0
Vulcan	203.0
Windscale	4,209.0
Winfrith	1,312.0
Wylfa	6,810.0
Total	237,022.3

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Environment, Food and Rural Affairs what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for her Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137973]

Alun Michael: The monitoring of progress towards PSA targets is part of the mainstream work of the department and involves a wide variety of staff at all levels of the organisation. Progress towards achieving targets is also monitored by staff in HM Treasury.

Pesticides

Matthew Green: To ask the Secretary of State for Environment, Food and Rural Affairs if she will carry out the appraisal of the progress of the voluntary initiative on pesticides at the end of 2003, as recommended by the Environmental Audit Committee in its First Report of Session 2002–03. [139530]

Alun Michael: In its response to this Environmental Audit Committee report, the Government said that it would continue to make regular assessments of progress and would be looking for real steps forward during 2003. In particular, the Government said it would be important for the initiative to demonstrate growing farmer uptake and progress on outcomes, particularly in respect of the water catchment project.

The Government's assessments of progress are published in the Budget and Pre-Budget Reports. The next such assessment will be in next month's Pre-Budget

Pig Farming

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what progress is being made with measures to support British pig farmers; and if she will make a statement. [137249]

Mr. Bradshaw: This Government has done and will continue to do what it can to help the pig sector. Since December 2000 over £63 million of taxpayers money, comprising £21.8 million for ongoers and £15.6 million for outgoers under the Pig Industry Restructuring Scheme and some £26 million in relation to Classical Swine Fever, has gone or will go direct to pig farmers as well as £200 million of indirect support in areas such as private storage aid schemes, export refunds, development grants and market promotion.

We meet frequently with representatives of the pig industry to discuss the challenges they face and have pledged to continue to encourage all parts of the pigmeat supply chain to work together, with ourselves and with Sir Don Curry's Implementation Group, in order to build a sustainable future for all sections of the industry. The Department helped to sponsor the first World Pork Congress in June and assisted industry in getting the approval of the Pigmeat Management Committee to use a new method of carcase grading — Autofom — in Great Britain.

In addition the Red Meat Industry Forum has made a successful start in providing information designed to help improve competitiveness for all the players in the red meat supply chain. In particular, this includes benchmarking for pig producers.

We will also be publishing a 10 year Animal Health and Welfare Strategy next spring, after a comprehensive consultation process. The aim of the Strategy is to improve the health and welfare of animals kept by man, and protect public health from animal disease. One major initiative of the Strategy, will be the publication of dedicated sector based sub-strategies, based on a partnership approach between Government and industry. We have been working closely with the pig sector over the past 12 months to help develop such a sub-strategy, which I believe will be launched later this year.

On illegal imports, we have made much progress in implementing our Action Plan in the past two years. Successes include the transfer of anti-smuggling responsibilities to HM Customs, new risk assessments are being carried out by the Veterinary Laboratories Agency, looking at the risk of illegally imported meat. These assessments will be published next year. We are also raising awareness of the import rules among travellers, using a wide variety of methods to get our messages across.

The Department has been active in persuading overseas authorities to accept UK exports again. Last year an Export Certification Users Group was set up for live pigs, their genetic material, meat and products. The Group meets regularly to identify priority export markets which remain closed and it also enables us to consider export certification for potential markets abroad.

Furthermore we recently launched the Public Sector Food Procurement Initiative to procure food in a manner that promotes sustainable development. Its aim is to encourage public bodies to procure food in a manner that promotes sustainable development and to provide greater opportunities for small and local suppliers to compete for public sector business.

The Government is also making rapid progress on setting up a National Fallen Stock Scheme to help reduce costs to farmers, including pig farmers, for disposing of their fallen stock. We are aware of the pig industry's concerns about biosecurity and will consult the industry on the scheme's biosecurity conditions before issuing. The Directors who will sit on the Board of the Company that will run the scheme have now been selected by industry interests and formally appointed and we hope that the scheme will be up and running early in the new year.

Plankton

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what data her Department holds on plankton *(a)* density and type *(b)* around the British Isles; and whether areas of cold water plankton have been replaced by warm water types. [134010]

Mr. Morley: The Department does not hold data on plankton density and type, but does fund the international marine environmental charity 'Sir Alister Hardy Foundation for Ocean Science' (SAHFOS) which is based in Plymouth, UK. SAHFOS currently operates the Continuous Plankton Recorder survey, which has been in operation since 1931 and provides one of the longest and largest marine biological data sets in the world. More than 70 years of information on the density of over 450 plankton types is contained in the database. Plankton samples have been collected from all over the north Atlantic but predominantly from waters around the British Isles.

Plankton are at the bottom of the marine food-web and because of this they are an essential food-source to virtually all marine life from fish to marine mammals and sea birds. The results of monitoring plankton communities can be used to monitor the state of the marine environment and have been employed to assess the ecological health of the waters around the British Isles.

Recent research using data from the Continuous Plankton Recorder survey has shown significant changes to the North sea ecosystem. Cold-water species of plankton that are an important food-source for cod and salmon have been displaced northwards, particularly over the last decade, and appear to be being replaced by more southerly warmer-water species.

Pollution Incidents

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her answer of 12 December 2002, *Official Report*, column 435W, on discharges into the environment, in

respect of pollution incidents, if she will place in the Library an updated list of the documents provided in writing to the hon. Member for Lewes. [139185]

Mr. Morley: The Environment Agency is currently updating the information provided to the hon. Member. This will take a little time, and I will write when it is available.

Protected Geographical Indicators Scheme

John Mann: To ask the Secretary of State for Environment, Food and Rural Affairs how many products from the United Kingdom, broken down by region and nation, are being considered for registration under the Protected Geographical Indicators Scheme by the EU. [138214]

Mr. Bradshaw: There are two products, both Scottish, Arbroath Smokies and Scottish Farmed Salmon, which are currently being considered for registration as Protected Geographical Indications by the EU.

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs how many regional foods are registered in each EU state; and how many of these in each state have registered within the last 12 months. [138215]

Mr. Bradshaw: The numbers of regional foods registered as protected food names by all EU member states are set out in the following table.

Member state	*Protected designations of origin (PDOs) and Protected geographical indications (PGIs)*	*Traditional speciality guaranteed (TSGs)*	*Total registered*
Italy	132	1	133
France	132		132
Portugal	85		85
Greece	83		83
Spain	71	3	74
Germany	64		64
United Kingdom	33	1	34
Austria	12		12
Belgium	4	5	9
Netherlands	5		5
Luxembourg	4		4
Ireland	3		3
Denmark	3		3
Sweden	2	1	3
Finland	1	2	3

The numbers of regional food products registered within the last 12 months are set out in the following table:

Member state	*Number registered*
Italy	10
Greece	4
Portugal	4
Spain	3
United Kingdom	2
France	1
Finland	1

Rats

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will estimate the rat population *(a)* in England and *(b)* broken down by local authority area (i) in each year since 1997 and (ii) in each year to 2006. [139180]

Mr. Bradshaw: The most recent estimate of the Norway rat population in England was a minimum of 5,240,000 individuals. This figure was established by a review that assessed the population and conservation status of all British mammals, published in 1995. The only recent objective national survey of rat presence is within the English House Condition Survey. The latest report available is for the 1996 survey which revealed that 0.23 per cent. of properties had rats indoors and 1.6 per cent. had rats present outside.

With regard to local authorities, section 2(2) of the Prevention of Damage by Pests Act 1949 required every local authority to maintain records of activities undertaken to destroy rats and mice. However, this section was repealed in 1980 since when no information on rat presence within individual local authority areas has been collected by central Government.

Sewage

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what powers water companies have to divert sewage into rivers; and if she will make a statement. [139187]

Mr. Morley: Water companies have duties under section 94 of the Water Industry Act 1991 to provide and maintain sewers to ensure that they are effectively drained, and the sewer contents are effectively dealt with by treatment works or otherwise.

Consents to discharge sewage effluents, sometimes in emergencies, into controlled waters are subject to conditions and are issued by the Environment Agency under the Water Resources Act 1991 (WRA91).

In certain situations water companies may have to make discharges other than in accordance with a consent. In these circumstances, the WRA91 provides two distinct defences to offences of polluting controlled waters under section 85 of the WRA91.

Section 89(1) states that a person shall not be guilty of an offence of polluting controlled waters if the discharge is made in an emergency to avoid danger to life or health, if steps are taken to minimise the polluting effects of the discharge, and if details of the incident are provided to the Agency as soon as possible after it occurs.

Section 87(2) states that a sewerage undertaker shall not be guilty of an offence if the undertaker could not reasonably be expected to prevent the discharge into the sewer or works, if a discharge into the sewer is caused by another person and if the undertaker was not bound to receive it, or if it was, the conditions of the discharge were not observed.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs (1) how many recorded incidents there have been in each year since 1997 of water companies diverting sewage into rivers under section 89 of the Water Resources Act 1991; what the location was; and what the volume of sewage released was in each case; [139188]

(2) if she will list the incidents under investigation by the Environment Agency relating to cases where water companies have diverted sewage into rivers; what the location was; which water company was involved; and what volume was released in each case; [139189]

(3) what estimate she has made of the total cost in each of the last five years of cleaning up rivers as a result of incidents where water companies have diverted sewage into rivers. [139190]

Mr. Morley: The information requested is not available centrally and could be provided only at disproportionate cost.

Sugar Costs

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received from food manufacturers about the process of applying for reimbursment of sugar costs from the Rural Payments Agency. [139132]

Alun Michael: None. The Rural Payments Agency maintains on-going dialogue with industry representatives through its Industry Forum and Experts Group. There is also frequent contact with individual companies in connection with the payment of claims. The RPA tells me that it is not aware of any particular representations having been made by the sector in question.

Timber

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the local authorities which have not responded to the letter from the Environment Minister on timber procurement of 19 September 2002. [139176]

Mr. Morley: Written replies to the Environment Minister's letter dated 19 September 2002 about timber procurement, and the follow up letter dated 7 April 2003, have not been received from the following local authorities:

Adur District Council, Allerdale District Council, Alnwick District Council, Ashfield District Council, Barking and Dagenham London Borough, Barnet London Borough, Barrow in Furness Borough Council, Bassetlaw District Council, Bedford Borough Council, Bexley London Borough, Blackburn with Darwen Borough Council, Blyth Valley Borough Council, Bolsover District Council, Borough of Poole, Bracknell Forest Borough Council, Breckland District Council, Brent London Borough, Bridgnorth Distict Council, Bromsgrove District Council, Broxbourne Borough Council, Cambridgeshire County Council, Cannock Chase District Council, Caradon District Council, Carlisle City Council, Carrick District Council, Castle Morpeth Borough Council, Castle Point District Council, Cheltenham Borough Council, Cherwell District Council, Cheshire County Council, Chester City Council, Chorley Borough Council, Christchurch Borough Council, Corby Borough Council, Corporation of London, Craven District Council, Crawley Borough Council, Crewe & Nantwich Borough Council, Cumbria County Council, Dacorum Borough Council, Dartford Borough Council, Daventry District Council, Derbyshire Dales District Council, Derwentside District Council, Doncaster Metropolitan Borough Council, Durham City Council, Ealing London Borough, Easington District Council, East Hampshire District Council, East Hertfordshire District Council, East Riding of Yorkshire Council, Eden District Council, Ellesmere Port and Neston Borough Council, Elmbridge Borough Council, Enfield London Borough, Epsom and Ewell Borough Council, Erewash Borough Council, Fenland District Council, Forest of Dean District Council, Fylde Borough Council, Gedling Borough Council, Gravesham Borough Council, Great Yarmouth Borough Council, Hackney London Borough, Halton Borough Council, Hammersmith & Fulham London Borough, Harborough District Council, Haringey London Borough, Hartlepool Borough Council, Hastings Borough Council, Hertfordshire County Council, Hillingdon London Borough, Hinckley and Bosworth Borough Council, Hyndburn Borough Council, Isle of Wight Council, Isles of Scilly Council, Islington London Borough, Kennet District Council, Kettering Borough Council, King's Lynn and West Norfolk Borough Council, Kingston Upon Thames Royal Borough Council, Lambeth London Borough, Leeds City Council, Lewisham London Borough, Lichfield District Council, Lincoln City Council, Maidstone Borough Council, Mendip District Council, Merton London Borough, Mid Suffolk District Council, Mid Sussex District Council, Middlesbrough Borough Council, Milton Keynes Council, Newcastle City Council, North Dorset District Council, North Hertfordshire District Council, North Tyneside Metropolitan Borough Council, North Warwickshire Borough Council, North West Leicestershire District Council, North Wiltshire District Council, Northamptonshire County Council, Nottingham City Council, Oadby and Wigston Borough Council, Oswestry District Council, Oxford City Council, Oxfordshire County Council, Pendle Borough Council, Penwith District Council, Peterborough City Council, Plymouth City Council, Preston District Council, Redditch Borough Council, Reigate and Banstead Borough Council, Restormel Borough Council, Richmond Upon Thames [illegible] Borough, Rochford District Council, Rother District [illegible], Rotherham Metropolitan Borough Council, Runnymede Borough Council, Rushcliffe Borough Council, Rutland County Council, Ryedale District Council, Sevenoaks District Council, Shropshire County Council, Slough Borough Council, Solihull Metropolitan Borough Council, South Bedfordshire District Council, South Bucks District Council, South Cambridgeshire District Council, South Derbyshire District Council, South Holland District Council, South Kesteven District Council, South Shropshire District Council, South Tyneside Met. Borough Council, Southampton City Council, Southend-on-Sea Borough Council, Southwark London Borough, St. Helens Metropolitan Borough Council, Stafford Borough Council, Stevenage Borough Council, Stockton on Tees Borough Council, Stoke on Trent City Council, Sunderland City Metropolitan Borough Council, Surrey Heath Borough Council, Sutton London Borough, Tameside Metropolitan Borough Council, Taunton Deane Borough Council, Teesdale District Council, Teignbridge District Council, Test Valley Borough Council, Tewkesbury Borough Council, Three Rivers District Council, Trafford Metro Borough Council, Tynedale District Council, Uttlesford District Council, Vale of White Horse District Council, Vale Royal Borough Council, Walsall Metropolitan Borough Council, Waltham Forest London Borough, Wansbeck District Council, Warrington Borough Council, Warwickshire County Council, Watford Borough Council, Waverley Borough Council, Wealden District Council, Welwyn Hatfield District Council, West Berkshire District Council, West Devon Borough Council, West Oxfordshire District Council, West Sussex County Council, West Wiltshire District Council, Weymouth and Portland Borough Council, Wigan Metropolitan Borough Council, Winchester City Council, Woking Borough Council, Worthing Borough Council, Wychavon District Council, Wyre Borough Council, York (City of) Council

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list, based on responses to the Environment Minister's letter on timber procurement from 19 September 2002, the local authorities which have timber procurement policies in place. [139177]

Mr. Morley: All the local authorities that responded to the Environment Minister's letters dated 19 September 2002 and 7 April 2003 described their various policies for purchasing timber. Some authorities were in the process of reviewing their policies and others reported plans to undertake reviews or were considering making such plans. The authorities that responded are listed as follows:

Amber Valley Borough Council, Arun District Council, Ashford Borough Council, Aylesbury Vale District Council, Babergh District Council, Barnsley Metrópolitan Borough Council, Basildon District Council, Basingstoke and Deane Borough Council, Bath and North East Somerset Council, Bedfordshire County Council, Berwick-Upon-Tweed Borough Council, Birmingham Metropolitan City Council, Blaby District Council, Blackpool Borough Council, Bolton Metropolitan Borough Council, Boston Borough Council, Bournemouth Borough Council, Bradford City Council, Braintree District Council, Brentwood Borough Council, Brighton and Hove Council, Bristol City Council, Broadland District Council, Bromley London Borough, Broxtowe Borough Council, Buckinghamshire County Council, Burnley Borough Council, Bury Metropolitan Borough Council, Calderdale Metropolitan Borough Council, Cambridge City Council, Camden London Borough, Canterbury City Council, Charnwood Borough Council, Chelmsford Borough Council, Chesterfield Borough Council, Chester-le-Street District Council, Chichester District Council, Chiltern District Council, Colchester Borough Council, Congleton Borough Council, Copeland Borough Council, Cornwall County Council, Cotswold District Council, Coventry City Council, Croydon London Borough, Darlington Borough Council, Derby City Council, Derbyshire County Council, Devon County Council, Dorset County Council, Dover District Council, Dudley Metropolitan Borough Council, Durham County Council, East Cambridgeshire District Council, East Devon District Council, East Dorset District Council, East Lindsey District Council, East Northamptonshire District Council, East Staffordshire Borough Council, East Sussex County Council, Eastbourne Borough Council, Eastleigh Borough Council, Epping Forest District Council, Essex County Council, Exeter City Council, Fareham Borough Council, Forest Heath District Council, Gateshead Metropolitan Borough Council, Gloucester City Council, Gloucestershire County Council, Gosport Borough Council, Greenwich London Borough, Guildford Borough Council, Hambleton District Council, Hampshire County Council, Harlow District Council, Harrogate Borough Council, Harrow London Borough Council, Hart District Council, Havant Borough Council, Havering London Borough, Herefordshire Council, Hertsmere Borough Council, High Peak Borough Council, Horsham District Council, Hounslow London Borough, Huntingdon District Council, Ipswich Borough Council, Kensington and Chelsea Royal Borough, Kent County Council, Kerrier District Council, Kingston Upon Hull City Council, Kirklees Metropolitan Council, Knowsley Metropolitan Borough Council, Lancashire County Council, Lancaster City Council, Leicester City Council, Leicestershire County Council, Lewes District Council, Lincolnshire County Council, Liverpool City Council, Luton Borough Council, Macclesfield Borough Council, Maldon District Council, Malvern Hills District Council, Manchester City Council, Mansfield District Council, Medway Towns Council, Melton Borough Council, Mid Bedfordshire District Council, Mid Devon District Council, Mole Valley District Council, New Forest District Council, Newark and Sherwood District Council, Newcastle-under-Lyme Borough Council, Newham London Borough, Norfolk County Council, North Cornwall District Council, North Devon District Council, North East Derbyshire District Council, North East Lincolnshire Council, North Kesteven District Council, North Lincolnshire Council, North Norfolk District Council, North Shropshire District Council, North Somerset Council, North Yorkshire County Council, Northampton Borough Council, Northumberland County Council, Norwich City Council, Nottinghamshire County Council, Nuneaton and Bedworth Borough Council, Oldham Metropolitan Borough Council, Portsmouth City Council, Purbeck District Council, Reading Borough Council, Redbridge London Borough, Redcar and Cleveland Council, Ribble Valley Borough Council, Richmondshire District Council, Rochdale Metropolitan Borough Council, Rossendale Borough Council, Rugby Borough Council, Rushmoor Borough Council, Salford City Council, Salisbury District Council, Sandwell Metropolitan Borough Council, Scarborough Borough Council, Sedgefield Borough District Council, Sedgemoor District Council, Sefton Metropolitan Borough Council, Selby District Council, Sheffield City Council, Shepway District Council, Shrewsbury and Atcham Borough Council, Somerset County Council, South Gloucestershire Council, South Hams District Council, South Lakeland District Council, South Norfolk District Council, South Northamptonshire Council, South Oxfordshire District Council, South Ribble District Council, South Somerset District Council, South Staffordshire District Council, Spelthorne Borough Council, St. Albans City and District Council, St. Edmundsbury Borough Council, Staffordshire County Council, Staffordshire Moorlands District Council, Stockport Metropolitan Borough Council, Stratford-on- Avon District Council, Stroud District Council, Suffolk Coastal District Council, Suffolk County Council, Surrey County Council, Swale Borough Council, Swindon Borough Council, Tamworth Borough Council, Tandridge District Council, Telford and Wrekin Council, Tendring District Council, Thanet District Council, Thurrock Borough Council, Tonbridge and Malling Borough Council, Torbay Council, Torridge District Council, Tower Hamlets London Borough, Tunbridge Wells Borough Council, Wakefield Metropolitan District Council, Wandsworth London Borough, Warwick District Council, Waveney District Council, Wear Valley District Council, Wellingborough Borough Council, West Dorset District Council, West Lancashire District Council, West Lindsey District Council, West Somerset District Council, Westminster City Council, Wiltshire County Council, Windsor and Maidenhead Royal Borough Council, Wirral Borough Metropolitan Council, Wokingham District Council, Wolverhampton Metropolitan Borough, Worcester City Council, Worcestershire County Council, Wycombe District Council, Wyre Forest District Council.

Transfrontier Shipment Notifications

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if a transfrontier shipment notification can be issued when a company does not have a licence to dispose of the shipment. [137925]

Mr. Morley: The notifier (the company submitting the transfrontier shipment notification) is required to submit the notification to the relevant competent authorities. The notifier is unlikely to be the company recovering, or disposing, of the wastes. However, the waste should be consigned to a suitably licensed facility.

US Warships (Decommissioning)

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs whether she has secured from the US authorities undertakings that the ships from the US Naval Reserve due to be stored at Hartlepool will *(a)* remain the responsibility of the US authorities and *(b)* be returned to the United States. [139206]

Mr. Morley *[holding answer 17 November 2003]:* The legal responsibility of the ships will remain with the contractors: the US Marine Administration and Able UK. Able UK hold the Waste Management Licence for the site where the ships will be stored, pending a decision on their future.

If dismantling cannot be completed consistent with international rules and Community Law, the law requires that the ships be returned to the US, unless the waste can be recovered in an alternative, environmentally sound manner.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what requirements the Environment Agency has put in place to prevent environmental damage arising from the storage at Hartlepool of ships from the US Naval Reserve. [139208]

Mr. Morley *[holding answer 17 November 2003]:* On 12 November, the Environment Agency used its emergency powers under section 43(4) of the Environmental Protection Act 1990 to modify Able UK's existing waste management licence to include conditions which:

(a) Impose restrictions so that ships cannot be dismantled, decommissioned, cut or broken at the Able facility.

(b) Require the installation of floating booms across the dock entrance and around waste vessels that are berthed in the dock. The booms must be inspected daily, and should oil be identified within the boomed area, it must be removed within two hours.

(c) Require that no removal of bilge or ballast water from waste ships shall take place except in accordance with a method statement submitted to and approved in writing by the Agency.

(d) While waste ships are in the dock, sampling of the dock water and estuary water upstream and downstream of the dock must take place weekly. Results must be submitted to Agency within four weeks. In the event that any results exceed specified trigger levels, the Agency must be notified within 24 hours.

In addition to these conditions imposed on Able UK, the Agency will carry out its own unannounced site inspections initially at a weekly frequency. The Agency will carry out its own environmental monitoring, as well as auditing the monitoring carried out by Able UK.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on who will bear the cost of storage, including any inspection and basic safety measures necessary, of ships from the US Naval Reserve at Hartlepool. [139209]

Mr. Morley *[holding answer 17 November 2003]:* It is the Waste Management Licence holder's responsibility to comply with the conditions of a Waste Management Licence at their expense. The modification to the conditions of Able UK's Waste Management Licence now requires them, in effect, not to undertake any dismantling of the ships or other works, save for pollution control measures.

The Environment Agency will conduct such inspections as it considers necessary to ensure compliance with the conditions of the licence. The costs of these are recovered through subsistence charges.

Any costs from the safety inspection would be borne by the Maritime and Coastguard Agency.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what factors underlay her press statement of 7 November that immediate return of the ships sent for disposal to Able UK at Hartlepool would be impractical. [139211]

Mr. Morley *[holding answer 17 November 2003]:* The immediate return of the ships is impractical primarily due to the prevailing weather conditions in the Atlantic over the winter. In the interests of safeguarding human health and the environment, it has been agreed that the ships should be stored temporarily at Hartlepool, pending a decision on their future.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her recent discussions with the US Transportation Secretary on the fleet of ships en route from the USA to Hartlepool. [139212]

Mr. Morley: My Department issued a statement on 15 November following discussions between US and UK authorities, the text of which is reproduced below.

"Following exploration of alternative options, the Government has agreed with the US authorities that the third and fourth US ships currently on their way to the UK, should continue their passage to Hartlepool, where they will be securely stored pending a decision on their future. As with the first two ships, the Environment Agency will place requirements on them to ensure the environment is fully protected and the ships remain ready for return to the United States.

We explained last week that we were working closely with the United States authorities to examine the practicability of the return of the third and fourth ships to the United States. We have now reached a shared view that it would be imprudent for these ships to attempt a return crossing at this time of year; and that there is no other suitable storage site available. Hartlepool therefore best meets our objectives of safety and environmental protection.

The US authorities accept that the four ships will have to return to the United States next Spring, unless environmentally suitable and legally acceptable methods for their disposal have by then been identified."

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs for what reasons the Environment Agency's press statement of 6 October 2003 about the decommissioning of United States ships did not refer to the Agency's earlier advice that the ships should not sail from America. [137768]

Mr. Morley: The Environment Agency's 6 October press release was issued in response to specific statements made by Friends of the Earth about its legal challenge to the Agency. It was also based on the Agency's understanding of the legal situation at that time.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment has been carried out of the *(a)* economic and *(b)* environmental impact of the arrival of the ships due to arrive from the United States for dismantling by Able UK. [138064]

Mr. Morley: The information requested is as follows:

(a) No formal assessment of the economic aspect of the contract has been undertaken. It has been reported that the contract could result in the creation of several hundred jobs.

(b) In September the Environment Agency undertook an assessment of whether the proposed modification to the waste management licence would be likely to have a significant effect on Teesmouth and Cleveland Coast Special Protected Area (SPA) and Ramsar site alone, or in combination with other plans or projects. The assessment was based on the construction of a bund or dry-dock. More recently they undertook another assessment of whether a proposed modification to the waste management licence to impose pollution prevention conditions

on the licence, would cause likely significant effect on the SPA and Ramsar site, alone, or in combination with other plans or projects.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what powers Government Ministers have to prevent ships entering United Kingdom waters; and on what occasions they have used these powers. [138065]

Mr. Jamieson: I have been asked to reply.

Powers of intervention, including the power to direct a ship to leave UK waters, may only be exercised where a ship is already in UK waters. Such powers may be exercised only where it is considered necessary for the purpose of securing the safety of the ships or other ships; the safety of persons or property; or preventing or reducing significant pollution.

Warm Front Scheme

Mr. Goodman: To ask the Secretary of State for Environment, Food and Rural Affairs how many grants made under the Warm Front scheme have been suspended this year to date; and if she will make a statement. [137085]

Mr. Bradshaw *[holding answer 10 November 2003]:* Warm Front is the Government's main programme for tackling fuel poverty in the private sector in England.

No grants have been suspended under the Warm Front scheme. However a number of applications have been cancelled either by the applicant, or by the scheme managers in cases where proof of eligibility has not been provided.

Waste Incineration

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what research is being undertaken into the health effects of energy-from-waste incinerators. [138820]

Mr. Morley: The Government has commissioned a review of the environmental and health effects of waste management options including incineration. This appraisal is currently being peer reviewed by the Royal Society and is due to be published around the time of the Pre-Budget report 2003.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the distribution of proposed waste incineration. [138823]

Mr. Morley: At present just over 12 per cent. of England's municipal waste is recycled or composted, about 9 per cent. of municipal waste is incinerated and the rest is landfilled.

There are 16 Municipal Solid Waste Incinerators in the whole of the UK (14 in England and Wales, two in Scotland) with a total capacity of about 2.7 million tonnes of municipal solid waste per year. There are many hundreds of other incinerators for sewage sludge, hazardous waste, clinical waste, production waste from factories etc.

The Government has no plans for constructing any particular number of incinerators: the choice of waste treatment facilities is a matter for local authorities to take into consideration with the communities they serve; along with other factors such as their recycling targets and national waste policy.

Waste Performance Reward Grant

Mr. Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the practice in other EU countries in relation to excluding rubble and incineration bottom ash from recycling totals. [139455]

Mr. Morley: No detailed assessments have been made of the practice in other EU countries. In the UK and England, any wastes that are recycled are included in the relevant statistics for recycling.

However, for the purposes of local authority Best Value Performance Standards in England, rubble and incineration bottom ash, among some other wastes, are excluded from the recycling figures. They are not included in the Standards because the Government want to encourage the recycling and composting of dry recyclables and compostable materials separated from mixed household wastes.

Mr. Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects to receive the report of the review into the health and environmental effects of waste disposal. [139458]

Mr. Morley: The report on the review of the environmental and health effects of waste management options is due to be published around the time of the pre-budget report.

Mr. Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs what capacity there is in the United Kingdom for the *(a)* treatment, *(b)* recovery and *(c)* recycling of (i) end of life vehicles and (ii) electrical and electronic equipment. [139460]

Mr. Morley: A recent study, undertaken by the Industry Council for Electronics Recycling (ICER), estimated the UK's current capacity to treat waste electrical and electronic equipment (WEEE) to be between 130 and 180 facilities UK wide. At present, there are between 70 and 120 specialist treatment facilities that only treat and process electrical waste, mainly IT waste. There are also 19 fridge recyclers in the UK, and ICER suggest that these facilities may turn to treatment of other WEEE in the future. In addition to the specialist treatment facilities, there are around 40 plants UK wide that shred and granulate WEEE in preparation for recycling, and these types of plants treat most types of WEEE, alongside other waste streams, like end-of-life vehicles (ELVs).

Similarly, it is estimated that there are presently around 950 businesses with waste management licences, and a further 1,750 registered exempt businesses, treating end-of-life vehicles. A recent study, carried out for the Department by TRL Ltd., calculated that approximately 77 per cent. of the weight of ELVs scrapped in 2000 was reused, recovered and recycled.

However, it is not clear what the UK capacity will be for recycling WEEE, although we do know that much of the recycling industry has already taken the opportunity to recycle electronic and vehicle scrap now entering the waste stream.

Mr. Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs what recent measures she has introduced on waste minimisation. [139461]

Mr. Morley: The Government have committed over £40 million over the next three years (2003–06) to the Waste and Resources Action Programme's (WRAP) waste minimisation work. Its work tackles waste minimisation through four schemes:

an expansion of home composting;

promotion of re-usable nappies;

a research and development programme, aimed at identifying and developing innovative approaches to waste minimisation; and

work with major retailers to reduce the amount of waste entering the waste stream from supermarkets.

In addition, WRAP will take forward an education and awareness programme. This will operate at both a national and local level to raise the public's awareness about waste issues, including waste minimisation.

Mr. Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the amount of commercial and industrial waste diverted to local authority managed civic amenity sites in the last year for which figures are available; and if she will make a statement. [139462]

Mr. Morley: Section 51(1) of the Environmental Protection Act 1990 places a duty on waste disposal authorities to provide reasonably accessible places (civic amenity sites) for persons resident in their area to deposit their household waste. Section 51(3) of the 1990 Act enables waste disposal authorities to include in those sites arrangements for the deposit of other controlled waste (commercial and industrial waste) by other persons on such terms as to payment (if any) as the waste disposal authority determines.

Defra does not hold information on the amount of commercial and industrial waste diverted to local authority managed civic amenity sites.

Mr. Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs how many local authority projects for waste minimisation are funded from the Waste Minimisation and Recycling Fund. [139463]

Mr. Morley: In 2003–04, the National Waste Minimisation Fund received 34 funding bids for waste minimisation, including education. Of these, 11 received just over a total of £2 million.

Mr. Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Waste Performance Reward Grant. [139464]

Mr. Morley: The Government announced on 12 August 2003 that they would consult interested parties on the design of the waste performance reward grant in the autumn. Preparations for launching the consultation are well-advanced.

Website

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on the use of computer games on her departmental website. [139296]

Alun Michael: Our aim is that our website should include material that is suitable for its intended audience. On occasion, we have developed website content, typically aimed at a schools audience, that uses quizzes and similar content to stimulate users of the site as part of their learning process.

Yoghurt Classification

Mr. Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what advice has been given to yoghurt manufacturers to help them comply with EU Directives on yoghurt classification. [139045]

Miss Melanie Johnson: I have been asked to reply.

I am advised by the Food Standards Agency (FSA) that there is no specific European Union legislation on the composition and labelling of yoghurt. However, the European Commission is considering the need for such legislation and the form it might take. The FSA is currently consulting interested parties on a draft document prepared by the Commission.

SCOTLAND

Bechtel

Malcolm Bruce: To ask the Secretary of State for Scotland if he will list the contracts for consultancy and other work carried out by Bechtel in each year since 1997 by the Scottish Office, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137731]

Mrs. McGuire: No consultancy or other work was carried out by Bechtel for the Scottish Office between 1997 and 30 June 1999. Responsibility for contracts after that date is a matter for the Scottish Executive.

Malcolm Bruce: To ask the Secretary of State for Scotland if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department and its predecessor in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [138066]

Mrs. McGuire: No consultancy or other work was carried out by Bechtel for agencies responsible to the former Scottish Office between 1997 and 30 June 1999; or for agencies responsible to the Scotland Office since 1 July 1999.

Civil Service

Mr. Peter Duncan: To ask the Secretary of State for Scotland how many civil service jobs there were in

Scotland in each year from 1974 to 1999, broken down by *(a)* local authority area, *(b)* Department and *(c)* agency. [135271]

Mrs. McGuire: Information on civil service numbers is contained in the Cabinet Office publications 'Civil Service Statistics', back copies of which are available from the Library of the House. Electronic copies from 1995 onwards can also be accessed from the web: www.civil-service.gov.uk/statistics/css.htm. Specific details relating to location of jobs by local authority area is not held centrally and could be provided only at disproportionate cost.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Scotland what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137953]

Mrs. McGuire: The Scotland Office has no public service agreements. Details of other performance targets are set out in Departmental Reports. Performance management is an integral part of the day to day running of the Department, and as such it is not possible to separate the specific costs. The monitoring of progress towards, and performance against, targets is undertaken by a variety of staff at all levels of the organisation.

Mr. Flight: To ask the Secretary of State for Scotland if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if he will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137968]

Mrs. McGuire: The Scotland Office has no public service agreements. Details of other performance targets are set in Departmental Reports. Monitoring progress toward departmental targets is undertaken by a variety of staff at all levels of the organisation.

Website

John Barrett: To ask the Secretary of State for Scotland what recent assessment he has made of the *(a)* content and *(b)* design of his Department's website. [139503]

Mrs. McGuire: The Scotland Office website is kept under regular review and content is added when required. It is currently being redesigned.

TRANSPORT

Licensed Cabs

Mr. Martlew: To ask the Secretary of State for Transport what plans he has to remove local authority powers to restrict the number of licensed cabs in a local authority area; and if he will make a statement. [138956]

Mr. McNulty: We are currently considering the taxi and private hire vehicle market study report published on 11 November by the Office of Fair Trading which recommended that local authorities' power to control taxi numbers (outside London) should be abolished. We are now consulting principal stakeholders and are committed to responding to the recommendations within 120 days of the report's publication.

Traffic Control

Mr. Key: To ask the Secretary of State for Transport who has statutory authority to direct traffic on a public highway; and if he will make a statement. [139944]

Mr. Jamieson: The police have the prime statutory authority for directing traffic on public highways. Traffic wardens, as part of the Police Service, are empowered to direct traffic in certain circumstances. A limited number of authorised persons, including school crossing patrols, have power to stop vehicles for particular purposes. Vehicle and Operator Services Agency examiners, accredited under the Police Reform Act 2002, have powers to stop vehicles for the purpose of inspecting their roadworthiness.

Air Transport White Paper

Mr. Dhanda: To ask the Secretary of State for Transport when he expects to publish the new Air Transport White Paper. [139356]

Mr. McNulty: The White Paper will be published before the end of the year.

Silent Aeroplanes

Mr. Colman: To ask the Secretary of State for Transport if he will provide funds to Cambridge University for research into silent aeroplanes. [140078]

Mr. McNulty: The Cambridge-MIT Institute (CMI) launched its project to design a 'silent' aircraft on 10 November 2003. The project, centred around collaborative research teams at Cambridge University and Massachusetts Institute of Technology (MIT), has been established using Government funding.

Ballast UK

Mr. Lyons: To ask the Secretary of State for Transport what contracts Ballast UK has for the renewal of the rail network; and what the value is in each case. [132925]

Mr. McNulty: Decisions on letting contracts for work on the rail infrastructure are an operational matter for Network Rail. Network Rail advises that it has no contracts with Ballast UK.

British Transport Police

Simon Hughes: To ask the Secretary of State for Transport how many incidents of violence on underground trains have been reported to British Transport Police in the last six years for which figures are available. [139381]

Mr. McNulty *[holding answer 18 November 2003]:* The British Transport Police have provided the following information regarding criminal offences on London Underground trains that have been reported to the force.

Offence category	1998–99	1999–2000	2000–01	2001–02	2002–03	April–October 2003
Violence against the person	261	409	337	341	405	278
Sexual offences	183	287	279	234	208	133
Robbery	224	379	376	497	259	143
Total	668	1,075	992	1,072	872	554

Buses

Mr. Geoffrey Robinson: To ask the Secretary of State for Transport how many miles of bus lanes there are in England. [137683]

Mr. McNulty: Allocation of road space is a matter for local highway authorities. The Department does not maintain a central register of the length of bus lanes.

Mr. Ben Chapman: To ask the Secretary of State for Transport what his policy is on re-regulation of buses. [139749]

Mr. McNulty: The current statutory framework for buses is set out in the Transport Act 2000. As with all other legislation, we keep the situation under review. Ministers have discussed these matters with a number of groups and individuals representing both local authorities and bus operators.

Call Centres

Mr. Connarty: To ask the Secretary of State for Transport whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132100]

Mr. McNulty: The Department has no call centre plans which specify a location outside the United Kingdom.

Central Railway Project

Mr. Grieve: To ask the Secretary of State for Transport for what reason he is unable to make an immediate decision on the Central Railway project. [138772]

Mr. McNulty: A decision cannot be made until all aspects of Central Railway's proposal have been fully examined.

Climate Change

John Thurso: To ask the Secretary of State for Transport what research his Department has conducted on the effect of climate change on railway infrastructure; what assessment he has made of the likely impact of future climate change upon the transport sector; and if he will place in the Library copies of reports published from research funded by his Department on the effects of climate change on *(a)* railways, *(b)* roads, *(c)* aviation and *(d)* other transport. [139761]

Mr. McNulty: An assessment into the impact of climate change on transport policies was undertaken by the Department of Environment, Transport and the Regions in 2001 and is now available from the Defra website at: http://www.defra.gov.uk/environment/climatechange/impacts/01.htm.

The Rail Safety and Standards Board published their own research, entitled 'Safety Implications of Weather, Climate and Climate Change', in April 2003. This is available from their website, www.railwaysafety.org.uk.

The Highways Agency completed a report entitled 'Climate change and the Highways Agency' in January 2001. The report covered both the influence the Agency had on climate change as well as the implications of climate change on the Agency's operations. A copy of all three reports will be placed in the Library of the House.

Computer Games

John Thurso: To ask the Secretary of State for Transport (1) what contracts his Department has awarded to external computer game companies, broken down by *(a)* the company to which the contract was awarded and *(b)* the date and total cost of the contract; what the purpose of each contract was; and what has been delivered to date on each contract; [139587]

(2) if he will list the computer games on *(a)* his Department's website and *(b)* other websites supported financially by his Department; what the cost to date was of (i) producing and (ii) promoting these; what each game seeks to achieve; and what assessment has been made of the effectiveness of each in meeting its aims. [139588]

Mr. Jamieson: Our THINK! Road Safety web site www.hedgehogs.gov.uk – which is designed to engage children has a games area:

The contract for the games area was awarded to Draught Associates on 13 February 2001 and cost £13,125 ex vat. The purpose was to design and develop a series of interactive games as a fun and relevant vehicle for communicating important road safety messages to 7–11 year olds. The contract has finished and five interactive games were delivered. This included versions of the games for under 7s, and for 8–11s. The contract cost covered design, production, testing and research.

The site and games were launched as part of the 'Be Safe Be Seen campaign' in October 2001 and the URL has been on advertisements, T-shirts, stickers, etc we have aimed at children since then. We do not incur expenditure promoting the games specifically as Be Safe, Be Seen is itself our promotional message.

For the under 7s there are three games:

'Double Up' is a simple matching pairs game where children must find a total of 18 pairs of road safety icons e.g: crash helmet, zebra crossing, lollipop lady, etc.

'Simon' is a game where children have to remember a sequence of coloured cars as they drive past. It becomes increasingly difficult and there is a road safety message after each sequence

'Look Out' is a game where children must scroll through a street scene and, when prompted, identify children being careless in various scenarios eg:

playing with a ball near the road, cycling without a helmet, etc

For the 8–11 years old there are five games:

'Double Up' is similar as for the under 7s except it uses more advanced icons eg: road signs etc.

'Zebras'—in this game players navigate a zebra through a series of crossings. They must use crossings where the man is green to score points 'Simon' is similar to the under 7s game of the same name except the player follows a cyclist and identifies his arm signals.

'Walkies' is a similar concept to the game where you have to feed a metal loop along a wire without touching the two together. The player has to walk their pet dog along a road and use designated crossings etc to score points.

'Look out' is similar to the under 7s game of the same name but uses scenarios which are more relevant to older children.

Qualitative research was carried out with groups from the target audience to test the games. The hedgehogs site is popular with children and has had 403,719 page impressions this year.

Deep Vein Thrombosis

Mrs. Iris Robinson: To ask the Secretary of State for Transport what research studies he has *(a)* commissioned and *(b)* received on alternative designs for the layout of aeroplane cabins to minimise the risk of deep vein thrombosis. [138979]

Mr. McNulty: The Government has neither commissioned nor received any such studies. Following the House of Lords Report on air travel and health, the Government is co-funding research through the World Health Organisation into the incidence and possible causes of deep vein thrombosis amongst air travellers.

Mr. Paul Marsden: To ask the Secretary of State for Transport how many incidents of deep vein thrombosis in passengers on aeroplanes there were in each of the last 12 months. [139608]

Mr. McNulty: This data is not collated centrally. Such data would be difficult to obtain as any passenger developing thrombosis is usually likely to do so a number of days or weeks after the flight has taken place.

Mr. Paul Marsden: To ask the Secretary of State for Transport what guidance he has issued to airline companies on informing passengers on *(a)* the risk of deep vein thrombosis and *(b)* drinking water during the flight to reduce the risk of DVT. [139694]

Mr. McNulty: In 2001 the Government issued advice on deep vein thrombosis and air travel. It identified groups of people with a higher risk of DVT and provided guidance on measures to reduce the risk, including a recommendation that passengers should drink plenty of water to avoid dehydration. All UK airlines operating long-haul flights have based the information they give to passengers on this advice.

Website

John Barrett: To ask the Secretary of State for Transport what recent assessment he has made of the content and design of his Department's website. [139371]

Mr. McNulty: The DfT web site, re-launched in July 2003, was developed to provide improved design, navigation and information retrieval. Following the launch of the site, we carried out an internal content review over the summer and commissioned a survey of external users designed by NOP. Further changes to improve customer focus are planned as a result of these exercises.

Driver and Vehicle Licensing Agency

John Thurso: To ask the Secretary of State for Transport how many complaints were received by *(a)* the Driver and Vehicle Licensing Agency, *(b)* his Department and *(c)* other bodies about the process by which licence applications are processed by the DVLA, broken down by the nature of each complaint, in (i) 2001–02, (ii) 2002–03 and (iii) 2003–04 to date. [139728]

Mr. Jamieson: The following table provides information about formal complaints received directly by DVLA about the driving licence application process. Figures are not available on complaints received by other bodies.

DVLA formal customer complaints

Complaints category	*2001–02*	*2002–03*	*2003–04*[1]
Driving licence applications			
Non-receipt of a driving licence	57	86	52
Other driving licence complaints	367	457	278
Drivers medical complaint	129	141	214
Documents lost at DVLA	92	120	96
Processing time	24	32	34
Processing procedures	189	211	156
DVLA forms	85	96	18
Total	943	1,143	848

[1] April to October

Environmental Impact Assessments

Mr. Randall: To ask the Secretary of State for Transport whether his Department has incorporated Directive 85/337/EEC on environmental impact assessment into its consideration of the future development of air transport in the UK. [138840]

Mr. McNulty: Directive 85/337/EEC makes it clear that environmental impact assessment is a matter for developers, as part of the procedure for seeking consent to any development. That said, we believe our strategic appraisal of airport options is consistent with the aims of the Directive.

Environmentally Sustainable Aviation

Mr. Laurence Robertson: To ask the Secretary of State for Transport what plans he has to introduce an environmentally sustainable aviation policy; and if he will make a statement. [138876]

Mr. McNulty: The Air Transport White Paper will be published before the end of the year and will address the issue of environmental sustainability in the context of aviation policy.

EU Committees

Angus Robertson: To ask the Secretary of State for Transport whether the EC-Former Yugoslav Republic of Macedonia Joint Transport Committee met during the Danish and Greek presidencies. [132682]

Mr. McNulty: This information is not centrally available.

Angus Robertson: To ask the Secretary of State for Transport whether the EU Advisory Committee on transport met during the Danish and Greek presidencies; and if he will make a statement. [132719]

Mr. McNulty: This information is not centrally available.

Angus Robertson: To ask the Secretary of State for Transport if he will list the dates of meetings of *(a)* the EU Committee for the establishment of conditions for the interoperability of the trans-European high-speed rail system, *(b)* the EU Committee on the System of Charging for the Use of Transport Infrastructure and *(c)* the EU Advisory Committee on unfair pricing in maritime transport during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if he will make a statement. [132723]

Mr. Jamieson: The information requested is as follows:

(a) During the period in question, there were four meetings of this Committee, on 3 July 2002, 30 September-1 October 2002, 4 February 2003, and 23–24 June 2003. The UK is represented on this Committee by the Strategic Rail Authority. The Committee is primarily responsible for assisting and overseeing the production, adoption and revision of Technical Standards of Interoperability. The purpose of these specifications is to technically harmonise the European railway supply market. The committee oversees the development of these TSIs for both the High Speed (96/48/EC) and the Conventional Interoperability (2001/16/EC) Directives. During the specified period, the Committee discussed principles for the drafting groups to adhere to in writing the TSIs and monitored the progress being made on the production of these TSIs. It also considered the cost-benefit analyses (including methodology) that accompany the TSIs and the co-ordination of notified bodies (organisations appointed in Europe to verify compliance with TSIs).

(b) This Committee did not meet during the period in question.

(c) UK involvement in this Committee is not the responsibility of the Department for Transport.

Exemption 2 of the Code of Practice on Access to Government Information covering internal discussion and advice applies.

Angus Robertson: To ask the Secretary of State for Transport whether *(a)* the EC-Bulgaria Joint Transport Committee, *(b)* the EEC-Slovenia Joint Transport Committee and *(c)* the EC-Romania Joint Transport Committee met during the Danish and Greek presidencies. [132728]

Mr. McNulty: This information is not centrally available.

Angus Robertson: To ask the Secretary of State for Transport if he will list the dates and locations of meetings of *(a)* the EU Advisory Committee on the definition and use of compatible technical and operating standards and specifications for the procurement of air-traffic management equipment and systems, *(b)* the EU Advisory Committee on restrictive practices and dominant positions in the shipping industry and *(c)* the EU Advisory Committee on restrictive practices and dominant positions in air transport during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if he will make a statement. [132731]

Mr. McNulty: The information requested is as follows.

(a) This Committee did not meet during the period in question.

(b) and *(c)* UK involvement in these Committees is not the responsibility of the Department for Transport.

Angus Robertson: To ask the Secretary of State for Transport whether *(a)* the EC-Czech Republic Joint Transport Committee, *(b)* the EC-Slovak Republic Joint Transport Committee, *(c)* the EC-Hungary Joint Transport Committee and *(d)* the EC-Poland Joint Transport Committee met during the Danish and Greek Presidencies; and if he will make a statement. [132761]

Mr. McNulty: This information is not centrally available.

Freight

Norman Baker: To ask the Secretary of State for Transport, how much freight in *(a)* actual and *(b)* percentage terms was carried by (i) road, (ii) rail and (iii) water in each year from 1974 to date. [133111]

Dr. Howells: The information requested is as follows:

Domestic freight transport by mode: Great Britain 1974–2002

	Goods moved (billion tonne kilometres)					*Goods moved (percentage share of total)*				
Year	*Road*	*Rail*[1]	*Water*	*Pipeline*	*All modes*	*Road*	*Rail*	*Water*	*Pipeline*	*All modes*
1974	90	22	31	5	148	61	15	21	4	100
1975	92	21	28	6	147	63	14	19	4	100
1976	96	21	30	6	153	63	14	20	4	100
1977	98	20	41	9	168	58	12	24	5	100
1978	100	20	48	10	178	56	11	27	6	100
1979	103	20	56	10	189	54	11	30	5	100
1980	93	18	54	10	175	53	10	31	6	100
1981	94	18	53	9	173	54	10	31	5	100
1982	95	16	59	10	179	53	9	33	5	100
1983	96	17	60	10	183	52	9	33	5	100
1984	100	13	60	10	183	55	7	33	6	100
1985	103	15	58	11	187	55	8	31	6	100
1986	105	17	55	10	187	56	9	29	6	100
1987	113	17	54	11	195	58	9	28	5	100

Domestic freight transport by mode: Great Britain 1974–2002

	Goods moved (billion tonne kilometres)					*Goods moved (percentage share of total)*				
Year	*Road*	*Rail*[1]	*Water*	*Pipeline*	*All modes*	*Road*	*Rail*	*Water*	*Pipeline*	*All modes*
1988	130	18	59	11	219	60	8	27	5	100
1989	138	17	58	10	223	62	8	26	4	100
1990	136	16	56	[2]11	219	62	7	26	5	100
1991	130	15	58	11	214	61	7	27	5	100
1992	127	16	55	11	208	61	7	26	5	100
1993	135	14	51	12	211	64	7	24	5	100
1994	144	13	52	12	221	65	6	24	5	100
1995	150	13	53	11	227	66	6	23	5	100
1996	154	15	55	12	236	65	6	23	5	100
1997	157	17	48	11	233	67	7	21	5	100
1998	160	17	57	12	245	65	7	23	5	100
1999	157	18	59	12	246	64	7	24	5	100
2000	158	18	67	11	255	62	7	26	4	100
2001	157	19	59	12	247	64	8	24	5	100
2002	157	19	67	11	254	62	7	26	4	100

Source:
[1] Road and water—DfT; Rail—Strategic Rail Authority; Pipeline—DTI
From 1991 figures for rail are for financial years ie 1991/92 etc. and from 1998 are calculated on a new basis.
[2] The increase in 1990 is largely due to changes in coverage

Heathrow Pollutants

Mr. Randall: To ask the Secretary of State for Transport (1) what research he has commissioned on methods of maintaining levels of nitrogen dioxide around Heathrow Airport within EU limits; [138839]

(2) whether a third runway at Heathrow Airport would remain an acceptable option in the forthcoming Aviation White Paper in the event that relevant pollutants could not be contained within EU limits; [138841]

(3) what assessment his Department has made of the action plan to minimise emissions from Heathrow Airport which BAA plc was required to produce as a condition of the planning permission for the fifth terminal. [138842]

Mr. McNulty: The Government has reviewed a wide range of evidence, including information contained within the BAA plc Air Quality Strategy and Action Plan, in considering the future development of Heathrow. The Government remains of the view that a new runway at Heathrow could not be considered unless it could be confident that levels of all relevant pollutants could be consistently contained within EU limits. Final decisions will be announced in the forthcoming air transport White Paper.

Missile Incidents

Mr. Paul Marsden: To ask the Secretary of State for Transport how many incidents since 1997 have been caused by missiles thrown from bridges over *(a)* motorways and *(b)* trunk roads. [138882]

Mr. Jamieson: Police and Highways Agency procedures for recording details of incidents on motorways and trunk roads do not support identifying those caused by missiles being thrown from bridges.

Mr. Paul Marsden: To ask the Secretary of State for Transport what measures the Government is taking to reduce the number of incidents caused by missiles thrown from bridges over motorways and trunk roads. [138883]

Mr. Jamieson: The Agency is tackling the problem of missiles thrown from bridges and trunk roads in several different ways.

These include education initiatives, visits to schools by Police and local Road Safety officers, to make younger children more aware of the consequences of this type of activity. The Agency is also looking to support the Police in implementing additional enforcement measures, including increased CCTV coverage and warning notices on the approaches to problem sites. The Agency has also incorporated guidance on measures to prevent missile throwing within the latest version of its standard for the design of footbridges.

NM Rothschild and Sons Ltd

Kevin Brennan: To ask the Secretary of State for Transport if he will make a statement on services provided to his Department by NM Rothschilds since 1997. [139967]

Mr. McNulty: The Department was formed in May 2002. No services have been provided to the Department by NM Rothschilds.

Rail Industry

Mr. Hancock: To ask the Secretary of State for Transport if he will make it his policy to take back into full public ownership *(a)* rail operations, *(b)* full responsibility for track renewal and *(c)* London Underground; and if he will make a statement. [137898]

Mr. McNulty: The Government aims to deliver a safer, more reliable and efficient rail system.

What is essential is for the public and private sector working together to focus on delivering improvements. Major structural change can be disruptive and would detract effort from making improvements to the day to day management of the network.

Network Rail have said they will continue to use contractors to carry out renewals, upgrading lines or installing a new signalling system—areas where there is

a competitive supply market. This work is typically carried out on a project basis, making use of a specialist workforce and is well-suited to competitive tendering.

Responsibility for London Underground (LUL) transferred from central Government to Transport for London, an agency of the London Mayor on 15 July 2003. It is now for London Underground, working with the infrastructure companies, to ensure the stable long-term funding that Government is providing is used to bring the Tube up to modern standards.

Mr. Dhanda: To ask the Secretary of State for Transport what recent assessments his Department has made of the potential of high-speed rail as an alternative to short-haul flights. [139354]

Mr. McNulty: Scope for the railways to provide an alternative to short-haul air services was among the many issues on which we invited views in our consultation on the future development of air transport in the United Kingdom.

We will set out our conclusions in the air transport White Paper, which we expect to publish next month.

John Thurso: To ask the Secretary of State for Transport if he will place a list of the stations which have secure station accreditation in the Library. [139743]

Mr. McNulty: The list of the 163 stations currently accredited under the Secure Stations Scheme has been placed in the House Library today. Seventy three of these stations have been reaccredited.

Approximately two thirds of all overground rail journeys, and approximately one half of all London Underground journeys now involve passengers starting or finishing their journey at a Secure Station.

Richard Ottaway: To ask the Secretary of State for Transport how many new train carriages will be ready for use by December but cannot be used due to insufficient power supply. [133039]

Mr. McNulty: Over 2,000 new carriages are being introduced to replace all the slam-door trains—most of which are over 30 years old—across the three south-of-the-Thames franchises. Railtrack failed to plan for the associated upgrade of the power supply. The Strategic Rail Authority (SRA) now has a grip on the project and expects to complete it early in 2005. Meanwhile, many of the new carriages are already in service and none is in store because of power shortages. As deliveries continue, around a 100 out of over 2,000 new carriages may be stored by December, but the SRA is leading work on ways in which they might be introduced into service using existing power supplies.

Mrs. Calton: To ask the Secretary of State for Transport what progress is being made towards reducing the train journey time between London and Manchester; and if he will make a statement. [134556]

Mr. McNulty: Work is currently underway to modernise the West Coast Main Line which will substantially reduce the current journey time of two hours 41 minutes. The Strategic Rail Authority's West Coast Main Line Strategy, published in June 2003, projects a reduction in minimum journey times between London and Manchester of around 40 minutes by 2007.

Reflective Clothing

John Thurso: To ask the Secretary of State for Transport (1) what assessment has been made of the effect of wearing reflective clothing on the number of *(a)* child and *(b)* road casualties; [139589]

(2) what support has been given to the Cats Eyes for Kids road safety campaign; and what assessment there has been of its impact on *(a)* the number of casualties and *(b)* promoting better individual behaviour related to road safety. [139590]

Mr. Jamieson: The Nationwide's Cats' Eyes for Kids campaign promotes reflective clothing, and provides reflectors for children to wear. It is not possible to quantify exactly how much the wearing of such materials impacts on casualties. But together with other good practice, it undoubtedly makes our children more visible when walking in the dark and thus safer on the roads. The Nationwide initiative is an excellent example of how the private sector can help us to meet national casualty reduction targets.

Road Accidents

Mr. Geoffrey Robinson: To ask the Secretary of State for Transport how many *(a)* deaths of and *(b)* injuries to (i) vehicle drivers, (ii) vehicle passengers and (iii) pedestrians occurred as a result of road accidents involving (A) converted-van or multi-purpose vehicle taxis and (B) purpose-built taxis in (1) the United Kingdom and (2) London in each of the last five years for which figures are available. [137682]

Mr. Jamieson: The available information relates to the number of deaths and injuries to (i) vehicle drivers/riders, (ii) vehicle passengers and (iii) pedestrians as a result of road accidents involving taxis (hackney carriages) in (1) Great Britain and (2) Greater London in each of the last five years. This information is shown in the following table. Information is not available on accidents involving converted van or multi-purpose vehicle taxis. Information for Northern Ireland is collected on a different basis and does not identify pedestrian injuries resulting from accidents involving taxis.

All casualties from accidents involving taxis[1,2] GB, Greater London: 1998–2002

Casualties

Severity	*1998*	*1999*	*2000*	*2001*	*2002*
Great Britain					
Drivers/riders					
Killed	2	3	6	4	0
Injured	1,388	1,314	1,297	1,272	1,210
Passengers					
Killed	1	3	6	4	4
Injured	1,120	995	1,111	961	863
Pedestrians					
Killed	7	6	7	4	3
Injured	414	377	395	404	376
Greater London					
Drivers/riders					
Killed	0	2	1	2	0
Injured	576	573	531	515	476

All casualties from accidents involving taxis[1,2] GB, Greater London: 1998–2002

Casualties

Severity	*1998*	*1999*	*2000*	*2001*	*2002*
Passengers					
Killed	1	1	2	0	3
Injured	320	269	270	277	219
Pedestrians					
Killed	0	1	1	1	1
Injured	168	174	161	188	142

[1] Body type taxi definition used in the DVLA, DVLI administrative records.

[2] Includes casualties other than taxi occupants.

Road Traffic Control

Mr. Key: To ask the Secretary of State for Transport what representations he has received on permitting civilians to direct vehicles on public highways; and if he will make a statement. [139945]

Mr. Jamieson: There are limited circumstances in which civilians can direct vehicles on public highways. I refer the hon. Member to the answer I have given today (ref. 139944). In developing its role as a network operator, as announced by the Secretary of State for Transport in his statement to the House on 20 June 2003, the need was identified for civilian traffic officers working on the trunk road network, around the clock to keep traffic flowing. This followed a review undertaken by the Agency, in partnership with the Association of Chief Police Officers, of both organisations roles and responsibilities for traffic management. This concluded that responsibility for a number of tasks associated with traffic management should transfer from the police to the Highways Agency. In order to develop its role the Highways Agency needs new, limited, traffic management powers and is preparing the necessary legislation.

The Highways Agency continues to work in partnership with the police and has held discussions with representatives of primary stakeholders, including constabularies, road contractors, County Surveyors Society, AA and RAC.

Mr. Key: To ask the Secretary of State for Transport whether the SPECS electronic signs on the M4 between junction 4 and junction 15 contain cameras which *(a)* read vehicle number plates, *(b)* compute vehicle speeds and *(c)* are used to issue speeding tickets; and if he will make a statement. [139948]

Mr. Jamieson: There is no camera equipment located on the M4 between junctions 4 and 15 that is capable of *(a)* reading vehicle number plates, *(b)* computing vehicle speeds in order to *(c)* issue speeding tickets.

Sleeping Drivers

Mr. Paul Marsden: To ask the Secretary of State for Transport how many road accidents caused by drivers falling asleep while driving there were in each year since 1997. [138938]

Mr. Jamieson: The information requested is not available. Research has estimated that tiredness is a principle factor in around 10 per cent. of car driver accidents and about 15–20 per cent. of all accidents on motorways and other similar roads.

Speed Partnerships

Mr. Liddell-Grainger: To ask the Secretary of State for Transport what plans he has for the future of speed partnerships. [138948]

Mr. Jamieson: At present 42 partnership areas are participating in the scheme. We plan to continue with the national roll out of this successful programme.

Mr. Liddell-Grainger: To ask the Secretary of State for Transport what guidelines there are for setting speed areas for speed partnerships. [138949]

Mr. Jamieson: Guidelines for the setting of speed limits are contained in Circular Roads 1/93.

Mr. Liddell-Grainger: To ask the Secretary of State for Transport what level of fine proceeds from mobile partnership speed vans was given to public authorities in the Avon and Somerset area in 2002–03. [139036]

Mr. Jamieson: Fines from speeding offences detected by mobile units are not separated for the purpose of Home Office statistics.

Mr. Liddell-Grainger: To ask the Secretary of State for Transport what guidelines he has published on partnership speed camera vans in the Somerset and Avon area. [139038]

Mr. Jamieson: Vehicles associated with mobile camera units need to be in a livery that makes clear the vehicles contain the speed enforcement cameras.

Transport Security

Mr. Paul Marsden: To ask the Secretary of State for Transport (1) what steps he is taking to minimise the security risk from terrorists using haulage vehicles to attack targets; [138357]

(2) what security checks are carried out on *(a)* individuals and *(b)* organisations seeking permits to transport hazardous materials. [138363]

Mr. Jamieson: The UK's existing transport security regimes are kept under review to ensure they continue to manage the assessed risk, although for obvious reasons it is not appropriate to set out the detail of the particular security measures.

Transport Staff

John Thurso: To ask the Secretary of State for Transport how many staff were employed by *(a)* the Office of the Rail Regulator, *(b)* the Strategic Rail Authority, *(c)* Her Majesty's Railway Inspectorate, *(d)* sections relating to railway matters within the Health and Safety Executive and Health and Safety Commission and *(e)* the (i) Rail Delivery Directorate and (ii) Railways Restructuring Directorates, or their equivalent, within his Department in each year since 1997. [139727]

Mr. McNulty: I refer the hon. Member to the answer given on 3 February 2003, *Official Report*, column 46W. As at 1 April 2003, 83 staff were employed in my Department's Rail Directorate.

Trunk Roads

Mrs. Lawrence: To ask the Secretary of State for Transport (1) what weight restrictions are in place on trunk roads; [139078]

(2) which trunk roads have weight restrictions placed on them. [139079]

Mr. Jamieson: I have asked the Acting Chief Executive of the Highways Agency, Mr. Stephen Hickey, to write to my hon. Friend.

Letter from Stephen Hickey to Mrs. Jackie Lawrence, dated 19 November 2003:

I have been asked by David Jamieson to reply to your recent Parliamentary Questions about weight restrictions on trunk roads.

The trunk road network in England, which is the responsibility of the Highways Agency, has very few permanent and temporary weight restrictions below the 40 tonne requirement in place, following a programme of strengthening work that has been carried out in recent years. The locations where restrictions are currently in place are listed in Table 1.

Weight restrictions below 40 tonnes

Trunk road structure	*Weight limit (tonnes)*	*Temporary/ permanent*
A282 Dartford Crossing (offside lane of east tunnel)	3	Permanent
A282 Dartford Crossing (offside lane of west tunnel)	7.5	Permanent
M5 Junctions 27–28	7.5	Temporary
M4 Junctions 16–18	7.5	Temporary

West Coast Main Line

Mr. Hancock: To ask the Secretary of State for Transport what the expected *(a)* cost and *(b)* completion date were of the renewal of the west coast main line when the contract was let; and what his latest estimates of *(a)* and *(b)* are. [137939]

Mr. McNulty: The West Coast Route Modernisation project was originally developed by Railtrack in the late 1990s, which claimed that it would be completed by 2005 at a cost of around £2.2 billion. A number of contracts were let with project managers and suppliers for its delivery. However, under Railtrack's management the projected costs eventually escalated to over £13 billion, and it became clear the committed outputs were undeliverable. The Strategic Rail Authority and Network Rail have now established a robust framework for delivering the project, based on the SRA's June 2003 'West Coast Main Line Strategy', which indicated that the costs would be kept within a cap of £9.9 billion. Further work is under way to explore the scope for reducing the costs further. The outputs are currently on course to be delivered by 2007–08.

Mr. Watts: To ask the Secretary of State for Transport whether the West Coast Main Line connection between Crewe and Liverpool Lime Street will be fully modernised by 2005. [139285]

Mr. McNulty: The West Coast Main line Strategy, published by the SRA in June 2003, shows that the upgrading of the line between Crewe–Weaver Junction and Liverpool for higher maximum line speeds is projected to be completed by 2005.

Mr. Watts: To ask the Secretary of State for Transport what the average speed of trains on the West Coast Main Line between Crewe and Liverpool Lime Street will be after the line has been fully modernised. [139286]

Mr. McNulty: Under current timetable proposals for fastest Crewe-Liverpool journey times of some 34 minutes by the end of 2004, average journey speed would be around 60mph, depending on the number of intermediate stops. Timetabling proposals for later years are not yet developed.

Mr. Watts: To ask the Secretary of State for Transport what effect the estimated increase in the costs of modernising will have on the Government's plans for the West Coast Main Line. [139287]

Mr. McNulty: The Strategic Rail Authority's 'West Coast Main Line Strategy', published in June 2003, established a robust framework for delivering the project. The Strategy indicated a project cost within a cap of £9.9 billion. Further work is under way to explore the scope for reducing costs. The project outputs are currently on course to be delivered fully by 2007–08.

Mr. Watts: To ask the Secretary of State for Transport what the estimated train journey time is for services between London and Liverpool using the West Coast Main Line after 2005. [139288]

Mr. McNulty: The Strategic Rail Authority's 'West Coast Main Line Strategy', published in June 2003, gave an indicative best journey time of 2 hours 12 minutes in 2005 for London to Liverpool services.

Mr. Watts: To ask the Secretary of State for Transport (1) whether the whole of the West Coast Main Line will be fully modernised by 2008; [139289]

(2) what the estimated journey time is for trains using the West Coast Main Line between London and Glasgow after 2008. [139290]

Mr. McNulty: The Strategic Rail Authority's "West Coast Main Line Strategy", published in June 2003, envisages that the modernisation of the line will be complete by 2008 when the fastest journey time from London to Glasgow is projected to fall to some four hours 18 minutes.

LEADER OF THE HOUSE

Official Residences

Mr. Flight: To ask the Leader of the House how much was spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in his Department in each year since 1997. [134695]

Mr. Hain: No expenditure of this sort has been incurred in respect of officials. Nor has such expenditure, in respect of Ministers, been incurred since

spring this year. The remaining information sought is not held centrally and could be obtained only at disproportionate cost.

Legislative Scrutiny

Mr. Jack: To ask the Leader of the House if he will list for each Bill with over 150 clauses considered in this session of Parliament, how much debate each clause received at *(a)* Committee Stage and *(b)* Report Stage. [138907]

Mr. Hain: Five Bills considered in this session of Parliament have over 150 clauses. How much time was spent debating each clause of these Bills is a matter of public record, obtainable from Hansard, but could be collated only at disproportionate cost.

September Sittings

Mr. Ben Chapman: To ask the Leader of the House pursuant to his answer of 6 November, *Official Report*, columns 773W, on September sittings, whether he has tabulated the representations for and against the September sitting of the House. [139384]

Mr. Hain: No.

Sitting Hours

Mr. Ben Chapman: To ask the Leader of the House pursuant to his answer of 6 November, *Official Report*, columns 773 4W, on sitting hours, whether he has tabulated the representations for and against the present sitting hours of the House. [139383]

Mr. Hain: No.

PRIME MINISTER

Gaia House

Q10. Mr. Steen: To ask the Prime Minister if he will make an official visit to Gaia house near Totnes. [139332]

The Prime Minister: I have no current plans to do so.

Guantanamo Bay

Mr. Oaten: To ask the Prime Minister if he will raise the issue of the *(a)* legality and *(b)* impartiality of the proposed military tribunals for the Guantanamo Bay detainees with President Bush when he visits the UK next week. [139471]

The Prime Minister: I refer the hon. Member to the answer I gave to the right. hon. Member for Ross, Skye and Inverness (Mr. Kennedy) at Prime Minister's Questions today.

Iraq

Mr. Win Griffiths: To ask the Prime Minister how many of the sources of information used in the compilation of Government publications referring to weapons of mass destruction in Iraq have been interviewed since May of this year to verify the information they provided. [139602]

The Prime Minister: Many of the sources of information used in the compilation of the Government's publications were intelligence sources. It has been the practice of successive Government not to comment on intelligence matters.

Kyoto/ICC

Mr. Colman: To ask the Prime Minister if he will raise with the US President the decision to secede from *(a)* the Kyoto agreement and *(b)* the International Criminal Court. [139903]

The Prime Minister: I expect to cover a range of issues of common interest with President Bush. My regular discussions with him include international issues and climate change.

Mark Henderson

Mrs. Iris Robinson: To ask the Prime Minister what steps he has taken towards securing the release of Mr. Mark Henderson, kidnapped by ELN, the national liberation army in Colombia, on 12 September 2003. [139873]

The Prime Minister: The Government have been in regular touch with the Colombian Government about the kidnapping of Mark Henderson. The Foreign and Commonwealth Office, in conjunction with police experts in London and the British Embassy in Bogota, has been actively involved in this case from the outset.

We are liasing with the Colombian authorities at the highest level and with the Catholic Church in Colombia which is leading the negotiations with the ELN, also known as the National Liberation Army. We are supporting their efforts to obtain the release of Mark Henderson and the other hostages, emphasizing that the safety of the hostages is of paramount importance. The Foreign and Commonwealth Office is in regular contact with the Henderson family.

Ministerial Visits

Andrew Selous: To ask the Prime Minister pursuant to his Oral Answer to the hon. Member for South-West Bedfordshire of 12 November 2003, *Official Report*, column. 284, what action he has taken to pass on the hon. Member's request to the Deputy Prime Minister to visit south Bedfordshire. [140071]

The Prime Minister: The Deputy Prime Minister has been made aware of the hon. Member's comments.

Performance Monitoring

Mr. Flight: To ask the Prime Minister what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137950]

The Prime Minister: Performance targets for my Office form part of the Cabinet Office performance targets and were agreed as part of Spending Review 2002. The monitoring and measurement of Public Service Agreement targets forms part of performance management throughout the Office. Performance management is an integral part of the day to day

running of my Office, and as such it is not possible to separate the specific costs out. The monitoring of progress towards, and performance against, the Public Service Agreement targets is undertaken by a wide variety of staff at all levels of the organisation.

Mr. Flight: To ask the Prime Minister if he will list the performance targets that *(a)* his Office is required to meet; and if he will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137966]

The Prime Minister: Key performance targets for my Office form part of the Cabinet Office performance targets and are agreed as part of the Spending Review and the latest set were published in Spending Review 2002: Public Service Agreements 2003–06 (Cm 5571). We monitor progress towards the target along with HM Treasury and progress is reported regularly.

State Visit (Protests)

Mr. Colman: To ask the Prime Minister if he will take steps to ensure that peaceful protest against the visit of the President of the United States is facilitated. [139902]

The Prime Minister: The Metropolitan Police will facilitate peaceful protest during the visit of the President of the United States.

Work-related Stress

Dr. Cable: To ask the Prime Minister how many cases of work-related stress have been reported in his office in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136840]

The Prime Minister: I refer the hon. Member to the answer the Minister for the Cabinet Office (Mr. Alexander) gave to him today.

CULTURE, MEDIA AND SPORT

BBC Governor Elections

Tony Wright: To ask the Secretary of State for Culture, Media and Sport if she will put mechanisms in place for the election of a number of BBC governors by viewers and listeners. [139239]

Tessa Jowell: The Queen currently appoints the BBC Governors, on recommendation of the Prime Minister following advice from the Secretary of State for Culture Media and Sport. Candidates are identified through an open and transparent process that is regulated by the Commissioner for Public Appointments.

There are no current plans to change the appointments mechanism, although the Commissioner regularly reviews her Code. However, the forthcoming review of the BBC's Royal Charter will provide an opportunity to examine all aspects of the Corporation's role and function, including the appointment of Governors.

Childhood Obesity

Mr. Pike: To ask the Secretary of State for Culture, Media and Sport what recent discussions she has had with sports and leisure representatives on the role of her Department in tackling obesity among children; and if she will make a statement. [139449]

Estelle Morris: The Department for Culture, Media and Sport has a key role to play in addressing child obesity. The cross-Departmental Activity Co-ordination Team, which is co-chaired by my right hon. Friend the Minister for Sport and Tourism, is currently preparing a national physical activity strategy. The Team is consulting widely across the sports, leisure and fitness sectors. Representatives from these sectors will be attending a stakeholders' meeting facilitated by ACT and Sport England on 19 November. Measures for addressing obesity among children will be discussed at that meeting.

Film Locations

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport what action her Department is taking to promote sites in *(a)* the North East and *(b)* England as film locations. [139398]

Estelle Morris: The UK Film Council, the Government's strategic adviser for film, has established a network of nine Regional Screen Agencies (receiving £7.5 million per year), to help create a sustainable film and moving image industry throughout England and to work together to promote England as a film location. Each Regional Screen Agency provides a locations service, to promote locations and offer practical assistance for television companies and filmmakers wishing to work in their region.

Northern Film and Media (NFM) is the regional screen agency for the North East. NFM encourages both inward investment and indigenous production and promotes the use of locations, crews and facilities in the North East.

Licensing Laws

Mr. Win Griffiths: To ask the Secretary of State for Culture, Media and Sport what advice has been given to local authorities on the administration of the new licensing laws for premises selling alcohol. [139059]

Estelle Morris: The Licensing Act 2003 provides that the Secretary of State must issue guidance to licensing authorities on the discharge of their functions under the Act and she expects to present this to both Houses for approval shortly. In the meantime the Department is working with the Local Government Association and the Local Authorities Coordinating Office on Regulatory Services in advising licensing authorities on their forthcoming functions under the Act.

Lottery Funds (Orkney and Shetland)

Mr. Carmichael: To ask the Secretary of State for Culture, Media and Sport what the total value was of applications for Lottery money made by groups in *(a)* Orkney and *(b)* Shetland in each of the past five years for which figures are available. [139489]

Estelle Morris: The Department does not collect this information.

Mr. Carmichael: To ask the Secretary of State for Culture, Media and Sport what the total value was of Lottery grants made to groups from *(a)* Orkney and *(b)* Shetland in each of the past five years for which figures are available. [139490]

Estelle Morris: The total value of Lottery awards made to the constituency of Orkney and Shetland in the past five years has been:

Calendar Year	*£*
1998	1,690,757
1999	1,647,985
2000	1,346,536
2001	1,898,912
2002	8,247,946
January 2003 to date	2,989,411

We are not able to disaggregate the Lottery funding that has gone to the islands individually without disproportionate cost.

This information is derived from the Department's Awards Database and is based on information supplied by the distributing bodies.

Olympic Games

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport how many of the Olympic facilities in London announced in November will be permanently available for sports use. [139754]

Tessa Jowell: In line with guidance from the International Olympic Committee (IOC), London 2012 Ltd are working with Sport England and local government to ensure that the sporting legacy of the Olympics will be sustainable. This work is ongoing and an initial assessment will be sent to the IOC on 15 January as a part of the candidature acceptance procedure.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what steps will be taken to improve hotel and tourist facilities outside London in the event of a successful Olympic bid for 2012. [135844]

Tessa Jowell: For tourism, as with other sectors, it is important to realise the full range of opportunities that hosting the Olympics would offer and ensure that the whole country is in a position to capture these benefits fully if the Bid is successful. We have already briefed the Regional Development Agencies (RDAs) on the Bid and the opportunities the Games would create and Visit Britain is looking further at the potential tourism benefits with the tourism industry. London 2012 will also be taking forward further work on the regional benefits in discussion with the RDAs.

Tourism Revenue

Mr. Geoffrey Robinson: To ask the Secretary of State for Culture, Media and Sport what estimate she has made of the tourist revenue generated in 2002 from visits to *(a)* the Palace of Westminster, *(b)* Buckingham Palace, *(c)* the London Eye and *(d)* the Tower of London; and if she will set out the methodology she uses to calculate such figures. [137680]

Estelle Morris: We have not made an estimate of the tourism revenue generated by visits to these places. However, this Department is responsible for the maintenance and presentation of the Tower of London through its contract with Historic Royal Palaces, which relies on revenue generated by the palaces. Buckingham Palace is one of the Occupied Royal Palaces: the Royal Household receives Grant-in-Aid to meet property and service costs. We have obtained the following figures from the bodies responsible concerning tourist revenues:

The Tower of London: gross revenue in 2002 from admissions, retail and concessions was £23,319,000.

Buckingham Palace: the State Rooms were open during August, September and part of October 2002. Gross total revenue from visitors was £5,491,000, comprising £2,993,000 for admissions, and £2,498,000 for shop sales.

Palace of Westminster: House of Commons Officials have advised that, according to unaudited accounts, gross revenue from tickets and merchandise for tours of the Palace in 2002 was £605,000.

The London Eye: is a commercial attraction and we do not have its revenue figures.

Velodrome

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport whether the proposed velodrome will be a permanent facility for cycling; and whether it will be built in the event of an unsuccessful bid for the 2012 Olympics. [139755]

Tessa Jowell: London 2012 Ltd, the company tasked with preparation of the Olympic bid, is in discussion with key stakeholders, including the British Cycling Federation, Lea Valley Regional Park Authority and Sport England, about possible non-Olympic use of the Velodrome, both before and after a 2012 London games. Those discussions encompass the question of whether the building of the velodrome is dependent on a successful London bid.

Women's Sport

Angela Eagle: To ask the Secretary of State for Culture, Media and Sport what proportion of the New Community Development Fund sports budget will be available to women and girls who do not participate in traditional mainstream sports. [139567]

Tessa Jowell: The £60 million Community Club Development Programme will run from 2003–04 to 2005–06, and is designed to effect improvements in facility provision at amateur sports clubs. In selecting the sports which will benefit, the Government considered participation rates and the abilities of governing bodies to deliver improvement quickly. As a result, the programme will be delivered by established sports with significant numbers of participants.

Funding is being made available to governing bodies as follows:

The Rugby Football Union, the Football Association, the England and Wales Cricket Board, and the Lawn Tennis Association have been allocated £9.4 million each. The following governing bodies have been allocated £20 million between them over these three years:

the Badminton Association of England,
England Basketball,
the British Canoe Union,
British Cycling,
British Gymnastics,
the English Hockey Federation,
the British Judo Association,
the All England Netball Association,
the Amateur Rowing Association,
the Rugby Football League,
the Amateur Swimming Association, and
the English Table Tennis Association.

This funding is not targeted at the development of facilities for women and girls, or at any particular geographical or socio-economic group. It is for the governing bodies which have joined the programme to decide what proportions of funding should be made available for facilities specifically targeted at women's and girls' participation, against their national development plans.

Angela Eagle: To ask the Secretary of State for Culture, Media and Sport what steps are being taken by her Department to encourage girls to participate in sport. [139569]

Tessa Jowell: The Government is committed to ensuring that everyone is given the opportunity to participate in sport. Sport England Lottery funding to governing bodies is now provided only where those bodies have acceptable equity policies in place as parts of their development plans. In addition, Sport England provides £200,000 a year to the Women's Sports Foundation to support the involvement of women and girls in sport.

World Heritage Status

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport how many United Kingdom sites have World Heritage Site status, broken down by government office of the region area; and what steps she is taking to gain recognition for other sites. [139396]

Estelle Morris: The UK has 25 World Heritage Sites of which 22 are located within the UK mainland. A break down of these sites by regional Government Office is in the table.

In 1999, the Government produced a Tentative List of 25 sites that might be nominated for World Heritage Site status over the next 5–10 years. To date, seven sites on this List have been inscribed onto the World Heritage List and a number of other sites are preparing for nomination. Since 2002, only one nomination may be made each year.

Government Office	*World Heritage Site*
North East	Durham Cathedral and Castle
	Hadrian's Wall
North West	Hadrian's Wall
Yorkshire and the Humber	Fountains Abbey, St. Mary's Church and Studley Royal Park
	Saltaire
East Midlands	Derwent Valley Mills
West Midlands	Ironbridge Gorge
London	Royal Botanic Gardens, Kew
	Maritime Greenwich
	Palace of Westminster, St. Margaret's Church and Westminster Abbey
	The Tower of London
South East	Blenheim Palace and Park
	Canterbury Cathedral (with St. Augustine's Abbey and St. Martin's Church)
South West	City of Bath
	Dorset and East Devon Coast
	Stonehenge, Avebury and associated sites
Other Administrations	
Northern Ireland	Giant's Causeway and Causeway Coast
Scotland	Edinburgh Old and new Towns
	New Lanark
	Hearth of Neolithic Orkney
	St. Kilda
Wales	Blaenavon Industrial Landscape
	Castle and Town Walls of Edward I in Gwynedd

INTERNATIONAL DEVELOPMENT

Palestinian Negotiation Support Unit

Mr. Clappison: To ask the Secretary of State for International Development how much funding is given by the Government to the Palestinian Negotiation Support Unit; and what conditions are attached to the use of the funding. [139388]

Hilary Benn: DFID has committed a total of £9.2 million to support the Palestinian Negotiation Support Unit (NSU). This funding covers the period 1999 to 2006. To date £5.25 million has been disbursed.

The purpose of this project is to provide professional legal, technical, policy and communications advice to the Palestinian authorities in preparation for, and during, permanent status negotiations with Israel. Following the collapse of formal negotiations the NSU has broadened its role by seeking to encourage the resumption of permanent status negotiations by contributing to a variety of diplomatic peace initiatives. The project supports those in the Palestinian Authority who are committed to peace.

The project is managed on behalf of the Palestinian authorities by the Adam Smith Institute. There are no specific conditions attached, but it is subject to DFID's usual checks and balances to ensure funds are disbursed in accordance with the agreed objectives. In addition four other governments, Norway, Sweden, Netherlands and Denmark provide complementary funding. We are currently establishing with these partners, and with the NSU, a framework for the overall management of the project.

Afghanistan

Mr. Hepburn: To ask the Secretary of State for International Development what proportion of United Kingdom aid to Afghanistan since 2001 has been used to combat the production of opium. [138728]

Hilary Benn: Tackling opium production in Afghanistan requires action in many areas: to improve the ability of the government to enforce the law and implement a coherent counter-narcotics strategy and to improve the conditions for legal private sector economic growth to offer people involved in poppy cultivation the chance of a licit alternative livelihood.

DFID's assistance to Afghanistan contributes to all of these areas. Since October 2001, DFID has disbursed £157 million of aid to Afghanistan. This has included humanitarian support which prevents people from sliding into the marginalised criminal economy, £35 million of financial assistance to the Afghan Government, and over £5 million in assistance to develop the capacity of the Afghan Government.

DFID has already provided £2.5 million for specific sustainable livelihoods programmes and has projects being implemented worth nearly £10 million. DFID has recently doubled its budget for sustainable livelihoods programme to £20 million over three years. This represents over 10 per cent. of total DFID assistance over the next three years and over 20 per cent. of the budget for programmes excluding financial assistance.

The Government have allocated £70 million over three years specifically to combat the production of opium in Afghanistan. This includes a £5.4 million contribution from DFID's £20 million livelihoods budget. In total, this represents some 30 per cent. of planned UK assistance to Afghanistan over the next three years.

Departmental Staff

Mr. Bercow: To ask the Secretary of State for International Development how many staff were employed in his Department on 31 December *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000, *(e)* 2001 and *(f)* 2002; and how many are employed there now. [139543]

Hilary Benn: Staff numbers for DFID permanent and pensionable Home Civil Service (HCS) staff, for each year from 1997 to 2002 inclusive, published in our annual Departmental Reports from 1998, are set out as follows.

Details of the available figures are contained in the following table:

	HCS staff in UK headquarters	*HCS staff overseas*	*Total*
1997	1,007	170	1,177
1998	1,200	180	1,380
1999	1,279	195	1,474
2000	1,292	209	1,501
2001	1,374	224	1,598
2002	1,433	241	1,674

Total HCS staff numbers (headquarters and overseas) at 1 October 2003 was 1,744.

We do not hold annual staff numbers for locally appointed staff in our Overseas offices (SAIC). However, we can say that the number of SAIC in post in March 2003 was 914.

Mr. Bercow: To ask the Secretary of State for International Development how many staff were employed in his Department when the 2002 spending review was completed; and how many he expects to be in post at the end of financial year 2005–06. [139544]

Hilary Benn: Details of DFID staffing figures for 2002 are taken from our published Departmental Report for 2003.

The numbers of permanent and pensionable Home Civil Service (HCS) staff in post at that time, are as detailed in the following table:

2000

	Number
HCS staff in UK headquarters	1,433
HCS staff overseas	241
Total	1,674

By the end of the Financial Year 2005–06, we forecast that these numbers will have risen to 1,774.

The number of locally appointed In-Country staff (SAIC) was 914 in March 2003. At this stage, we cannot say what future impact our reduced effort in middle income countries will have on these figures.

Ethiopia

Mr. Battle: To ask the Secretary of State for International Development if he will make a statement on his plans to provide aid to Ethiopia in response to predicted food shortages next year. [139346]

Hilary Benn: Since the beginning of 2002 we have provided over £50 million in humanitarian support to Ethiopia.

The Ethiopian Government's Disaster Preparedness and Prevention Commission (DPPC) and UN agencies are currently undertaking crop assessments. Official estimates of food shortages for 2004 will therefore not be available until the DPPC/UN appeal, which should be issued on 10 December.

We will then take these estimates into account, along with nutritional information and other indicators of the humanitarian crisis, when making our decisions about the provision of humanitarian assistance during 2004.

Infant Mortality

Ms Drown: To ask the Secretary of State for International Development what progress has been made against the target of reducing the number of child deaths under the fourth millennium development goal; and what assessment his Department has made of whether the target will be met. [138904]

Hilary Benn: Globally child mortality is declining, and between 1990 and 2000 the under-five mortality rate was reduced from 92 to 82 deaths per 1,000 live births. On

current trends, however, the Millennium Development Goal target of reducing under-five mortality by two-thirds between 1990 and 2015 will not be met.

DFID works with international partners to monitor global trends in progress towards the Millennium Development Goals and their associated targets. Latest United Nations reports suggest considerable regional variation in the rates of progress being made towards the under-five mortality target. Latin America is expected to meet the target, but there has been much slower progress in South Asia, and virtually no progress in sub-Saharan Africa, which accounts for over half of all under-five deaths.

DFID has put the achievement of the MDGs at the heart of its work, and is working with its partners to accelerate progress towards the MDG targets. The targets for both child and maternal mortality in Africa and Asia form part of DFID's Public Service Agreement. Supporting progress in sub- Saharan Africa is a particular priority for DFID.

An assessment of progress towards all of the MDGs is provided in the UN Secretary General's 2003 report on the implementation of the Millennium Declaration: http://ods-dds- ny.un.org/doc/UNDOC/GEN/N03/481/57/PDF/N0348157. pdf?OpenElement.

Mr. Bercow: To ask the Secretary of State for International Development (1) if he will list the mortality rates of children under five for *(a)* girls and *(b)* boys in Asia in each of the last 10 years; [139540]

(2) what the mortality rates of children under five for *(a)* girls and *(b)* boys were in sub-Saharan Africa in each of the last 10 years. [139542]

Hilary Benn: Estimates for under-five mortality by region are published by the UN Statistics Division on the Millennium Development Goals database. This provides information for 1990 and 2000 but not for intervening years. A gender disaggregation is not available. Details are as follows:

Under-five mortality rates (deaths per 1,000 live births)

	1990	*2000*
Sub-Saharan Africa	176	172
Eastern Asia	44	36
South-central Asia	125	95
South-eastern Asia	77	51
Western Asia	70	62

These figures were published in the report of the Secretary-General on the MDGs to the UN General Assembly in September 2003 and can be accessed via: http://millenniumindicators.un.org/unsd/mi/pdf/a_58_323e.pdf .

Mr. Bercow: To ask the Secretary of State for International Development if he will make a statement on child mortality in developing countries in *(a)* 1980, *(b)* 1990 and *(c)* 200([139622]

Hilary Benn: Globally, child mortality was significantly reduced in the late twentieth century. The number of child deaths fell from over 13 million in 1980 to an estimated 10.8million in 2000. The following table gives the United Nations estimates of under-five mortality rates (the probability of a child dying before his or her fifth birthday expressed per 1,000 live births) over this period globally and in developing countries:

	Under-five mortality: the world	*Under-five mortality: developing regions*
(a) 1980	117	132
(b) 1990	92	102
(c) 2000	82	90

While this decline in child deaths is encouraging, current progress towards the Millennium Development Goal (MDG) target of reducing under-five mortality by two-thirds between 1990 and 2015 is too slow and uneven across regions. A significant challenge remains, particularly in sub-Saharan Africa and South Asia.

DFID has put the achievement of the MDGs at the heart of its work, and is working with its partners to accelerate progress towards the MDG targets. The targets for both child and maternal mortality in Africa and Asia form part of DFID's Public Service Agreement.

Iraq

Mr. Gardiner: To ask the Secretary of State for International Development what steps coalition forces in Iraq are taking to set up a humanitarian traffic lane on the Iraqi side of the Iraqi-Jordanian border. [138619]

Hilary Benn: We are not aware that coalition forces are planning the setting up of a humanitarian traffic lane on the Iraq side of the border with Jordan.

Lynne Jones: To ask the Secretary of State for International Development what proportion of Iraq's demand for domestically consumed fuels was met through imports in the last month. [138877]

Hilary Benn: It is estimated that, in October 2003, between one-quarter and one-third of the national supply of gasoline, diesel and kerosene was met by imports. Imports also provided almost two-thirds of the demand for LPG. Iraq is likely to depend on imports of these fuels until the early spring.

Tom Brake: To ask the Secretary of State for International Development if he will identify the roles and responsibilities of *(a)* the 18 members of staff in his Department and *(b)* the seconded consultants working in Iraq. [138890]

Hilary Benn: The information is as follows:

(a) The Iraq Directorate within DFID consists of a range of programme management and professional advisory staff who cover development subjects relevant to the needs of the reconstruction effort, e.g. social development, health, economics and infrastructure.

(b) Most of the seconded consultants are working for the Coalition Provisional Authority (CPA) in Baghdad and Basrah in an advisory capacity in various sectors, including economics, education, refugees/returns and infrastructure and urban development. There are eight DFID-funded contractors working as project officers and facilities managers in various Governorate Team Offices throughout Iraq. There are also three DFID members of staff seconded to CPA whose job titles are Assistant to Chief of Operations, Press Officer and Senior Engineering Adviser.

Mr. Challen: To ask the Secretary of State for International Development (1) what assessment his Department has made of the need for environmental improvements in Iraq; [139008]

(2) what support his Department is giving to the Minister for the Environment in Iraq. [139007]

Hilary Benn: DFID is exploring options for support to the environment, including work with the Minister for the Environment, in the context of other priorities for our future assistance to Iraq. DFID and Defra officials are planning to undertake an assessment visit to Iraq shortly. DFID has meanwhile agreed to part-finance a survey to be carried out in Iraq by the Post-Conflict Assessment Unit of the United Nations Environment Programme (UNEP).

Mr. Challen: To ask the Secretary of State for International Development what advisers have been appointed by Coalition members to support the work of the Minister for the Environment in Iraq. [139009]

Hilary Benn: Coalition members have provided a number of staff for the Coalition Provisional Authority with environmental expertise who work alongside the Iraqi Environment Ministry. These include the Senior Adviser to the Ministry of Health, which previously contained Iraq's Environmental Protection and Improvement Directorate, and the Senior Adviser to the Ministry of Water Resources. As part of the UK contribution to the reconstruction effort, we have agreed to fund half of UNEP's environmental field assessment, which is likely to commence in spring 2004, and will include work on institutional and capacity building focusing particularly on the Environment Ministry.

Richard Younger-Ross: To ask the Secretary of State for International Development what resources provided by *(a)* Her Majesty's Government and *(b)* NGOs are available in Iraq for mine clearance. [125702]

Hilary Benn: The UK has made the following resources available for mine/UXO clearance in Iraq in the current financial year.

Organisation	*Purpose*	*Amount (£)*
UNMAS	Mine/UXO clearance	4,000,000
UNMAS	Plastic explosive for disposal of mines/UXO	357,378
Mines Advisory Group (MAG)	Preparedness	80,883
Mines Advisory Group (MAG)	Integrated mine action	781,639

Life Expectancy

Mr. Bercow: To ask the Secretary of State for International Development if he will make a statement on life expectancy in developing countries in *(a)* 1980, *(b)* 1990 and *(c)* 2000. [139641]

Hilary Benn: The figures for life expectancy in developing countries are as follows:

	Number
1980	60
1990	63
2001	64

Life expectancy in developing countries is therefore improving steadily, but not dramatically. However, the HIV/AIDS epidemic is dramatically reducing life expectancy in the worst affected countries. By 2010, life expectancy in many African countries will fall to around 30 years of age, levels not seen since the end of the nineteenth century. The demographic impact outside Africa will be less severe but still significant.

Maternal Health

Mr. Bercow: To ask the Secretary of State for International Development how many mothers *(a)* died and *(b)* suffered injury or disability through childbirth in each developing country in the last year for which figures are available. [139532]

Hilary Benn: Maternal mortality is difficult to measure. As a result, WHO, UNICEF and UNFPA have developed an approach to estimating maternal mortality that generates estimates for countries with no data and corrects available data for underreporting and misclassification. They estimate that there were 527,000 maternal deaths in the year 2000 in developing countries, where 99.6 per cent. of all maternal deaths occur. The latest country estimates for the year 2000 have been placed in the Libraries of the House under the title "Maternal Mortality Estimates in 2000". The number of maternal deaths is listed in the fourth column.

Measuring and classifying the numbers of women who suffer injury or disability as a result of pregnancy and childbirth is even more challenging. Estimates from WHO, UNICEF and UNFPA for 1995 suggest that 300 million women worldwide (including 25 per cent. of the developing world's adult women) suffer from ill health and disability as a result of complications of pregnancy. WHO is currently conducting a review of published and unpublished studies in an attempt to provide a comprehensive tabulation of available data on the prevalence and incidence of global maternal morbidity.

DFID is also working with partners to develop and use improved ways of measuring the extent of maternal mortality.

A copy of the report and latest estimates of maternal mortality developed by WHO, UNICEF and UNFPA is available at: http://www.who.int/reproductive-health/publications/maternal_mortality_2000/maternal_mortality_2000.pdf

Mr. Bercow: To ask the Secretary of State for International Development what proportion of births were assisted by skilled births assistants in sub-Saharan Africa in each of the last 10 years. [139619]

Hilary Benn: The proportion of women in Sub-Saharan Africa who gave birth with the assistance of a skilled health worker (the internationally agreed maternal mortality indicator) increased slightly from 40 per cent. in 1990 to 42 per cent. by 2000.

Annual figures for sub-Saharan Africa as a whole are not available.

More information and individual country data can be found by accessing UNICEF's statistical database at http://www.childinfo.org/index2.htm.

Millennium Development Goals

Ms Drown: To ask the Secretary of State for International Development whether his Department estimates that Tanzania will achieve the millennium development goals. [138905]

Hilary Benn: Recent reports indicate that Tanzania has the potential to meet the millennium development goals on poverty, HIV/AIDS, and environmental resources. Progress has been disappointing on the maternal and child health goals. There is insufficient data to indicate progress on access to safe water, but there are encouraging signs of progress. In the past two years, there has been significant progress towards the education target, with hugely increased numbers of children entering the first grade of Primary School. The supportive environment in Tanzania is improving.

Mr. Bercow: To ask the Secretary of State for International Development if he will list his estimated expenditure on pursuit of the millennium development goals in *(a)* 2001–02, *(b)* 2002–03, *(c)* 2003–04, *(d)* 2004–05 and *(e)* 2005–06. [139620]

Hilary Benn: DFID's aim is to eliminate poverty and achieve the Millennium Development Goals. With the exception of funds voted to DFID to fulfil its legal commitments to provide pensions to former expatriate colonial civil and public servants, we use all of our resources for eliminating poverty in poorer countries and for preventing and reducing conflict. The information in the table updates the figures published in DFID's Annual Report 2003, where a further breakdown is available:

DFID Resource Budget

£ million

	Eliminating poverty in poorer countries	*Overseas superannuation*	*Total resource budget*
2001–02 outturn	3,174	59	3,233
2002–03 outturn	3,614	56	3,671
2003–04 plans	3,756	60	3,816
2004–05 plans	3,780	57	3,837
2005–06 plans	4,533	54	4,587

Poverty

Mr. Bercow: To ask the Secretary of State for International Development if he will list the countries in which some people live on $1 per day or less. [139618]

Hilary Benn: A comprehensive list of such countries has not been published as for many there is insufficient information to make robust estimates. However most if not all low and middle income countries can be expected to have some people living on less than $1 a day. Where country estimates exist the details are set out in table 1.1 of the annual publication 'Statistics on International Development' a copy of which is in the House of Commons Library.

Primary Education

Mr. Bercow: To ask the Secretary of State for International Development what proportion of children in each developing country receive no education. [139534]

Hilary Benn: The most recent Education For All Global Monitoring Report, published by UNESCO in November this year, estimated that 104 million children of primary school age were not enrolled in school in 2000, 96 per cent. in developing countries. Most of the out-of-school children are concentrated in the countries of sub-Saharan Africa and south and west Asia.

I have placed in the Library lists of the primary net enrolment ratio and the corresponding percentage of primary school-age children not enrolled in school in 2000. The list is called "Education Enrolment in Developing Countries, 2000", and has figures for each country where comparable data are available. The table shows that for developing countries as a whole, 17.9 per cent. of primary school-age children were not enrolled in school in 2000.

The Education For All Global Monitoring Report 2003–04, containing these data, is available at: http://www.efareport.unesco.org

Mr. Bercow: To ask the Secretary of State for International Development what percentage of primary age children enrolled in primary school in sub-Saharan Africa in each of the last 10 years. [139539]

Hilary Benn: Due to the difficulties of collecting reliable and comparable data consistently across the whole of sub-Saharan Africa there are not internationally agreed figures for primary school enrolment for each of the last 10 years. However the most recent Education For All Global Monitoring Report published by UNESCO in November this year has a comparison of the Net Enrolment Ratio (NER) for most countries in sub-Saharan Africa between 1990 and 2000.

These figures show that in sub-Saharan Africa enrolment has improved but only slightly. In 1990, 55 per cent. of primary school age children were enrolled; in 2000 58 per cent. were enrolled. Within these figures there is wide variation by regions from 89 per cent. in South Africa to 30 per cent. in Niger in the year 2000.

The Education For All Global Monitoring Report 2003–04, containing these data, is available at http://www.efareport.unesco.org

Mr. Bercow: To ask the Secretary of State for International Development what the ratio of girls to boys enrolled in primary school in sub-Saharan Africa was in 2003–04; and what it is expected to be in 2005–06. [139613]

Hilary Benn: Due to the difficulties of collecting reliable and comparable data consistently across the whole of sub-Saharan Africa the most recent internationally agreed figures for gender parity are for 2000. These are in the most recent Education For All Global Monitoring Report published by UNESCO in November this year.

In 2000, there were 88 girls to every 100 boys in primary school classrooms in sub-Saharan Africa. This figure is the number of children of any age enrolled in primary school (the gross enrolment ratio).

There is no predicted ratio of boys to girls for 2005–06. However the Global Monitoring report estimates that of 128 countries for which data are available, 35 countries are not likely to meet the 2005 goal of gender parity in primary education. 19 of these are in sub-Saharan Africa.

The Education For All Global Monitoring Report 2003 04, containing this data, is available at http://www.efareport.unesco.org.

Sanitation/Water

Mr. Bercow: To ask the Secretary of State for International Development what proportion of families in each developing country are without access to water supplies or basic sanitation. [139533]

Hilary Benn: Information on the percentage of the population without access to an improved water supply and improved sanitation is set out in the 2003 World Development Indicators Book, published by the World Bank. I have placed a table called "Improved Water and Sanitation" in the Libraries of the Houses.

NORTHERN IRELAND

Moylinn Medical Centre (Security)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what steps he will take to respond to attacks on medical staff at the out-of-hours GP co-operative based at Moylinn, Craigavon; and what plans he has to relocate the co-operative. [138972]

Angela Smith: The Southern Health and Social Services Board (SHSSB) and the Association of Southern Areas Doctors On Call (ASADOC), which runs the Moylinn Medical Centre, are collaborating to improve security at the centre. Fencing around the centre has already been improved and both CCTV and alarm systems have been installed. Meetings have also been held with the local police with a view to improving security and local representatives have been asked to do all they can to minimise attacks in the future.

The SHSSB and ASADOC are currently considering several options to relocate the centre and final decisions are expected in the near future.

British-Irish Interparliamentary Conference

Llew Smith: To ask the Secretary of State for Northern Ireland if he will make a statement on the *(a)* matters discussed and *(b)* decisions taken at the 27th British-Irish Interparliamentary conference; and if he will place in the Library the report on Sellafield discussed at the conference. [134410]

Mr. Spellar: The British-Irish Interparliamentary Body (BIIPB) held its 27th Plenary session between 19 21 October this year. As an Interparliamentary Body, the BIIPB is independent of Government and, as such, it would not be appropriate for me to offer a statement on the matters discussed nor on the decisions taken. The minutes and a full verbatim account of the open sessions will, I understand, be posted on the body's website in due course. A copy of the report on Sellafield has been placed in the Library.

Carpets International

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what his policy is on the use of the land occupied by Carpets International (UK) Ltd. in Donaghadee, should it be unsuccessful in attracting a buyer. [132463]

Angela Smith: In considering the current use of this site, the need to provide an appropriate level of employment opportunity in Donaghadee, and the lack of readily available alternatives, the Department of the Environment proposed that the land should be retained for industrial use. This is reflected in the recently published Draft Ards and Down Area Plan 2015.

Coagulometers

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland pursuant to the answer of 20 October 2003, *Official Report*, column 420W, on anti-coagulants, what effect the results of the home use trial of coagulometers by Roche Ltd. will have on current practice. [139262]

Angela Smith: Further work is being undertaken nationally to assess the effectiveness of self-testing and to develop clinical guidelines on the appropriate selection of patients suitable to undertake self-management. The Department will not be issuing guidance about the further development of self-monitoring until this work has been completed.

Decommissioning

Mr. Hancock: To ask the Secretary of State for Northern Ireland what recent *(a)* meetings and *(b)* discussions he has had with (i) Unionist politicians and (ii) others on decommissioning of arms held by Loyalist terrorists; and if he will make a statement. [137344]

Mr. Spellar: We have talked about the issue of decommissioning by paramilitary organisations at a large number of meetings and discussions regarding the political process in Northern Ireland over recent weeks. Individual meetings and discussions are confidential, but we have consistently made clear our view that all paramilitary groups should engage with the Independent International Commission on Decommissioning with a view to putting arms beyond use in a manner which is conducive to creating public confidence.

Devolved Government

Miss McIntosh: To ask the Secretary of State for Northern Ireland if he will make a statement on recent discussions with the Prime Minister of the Republic of Ireland on the restoration of devolved government in Northern Ireland. [134844]

Mr. Spellar: I refer the hon. Member to the remarks my right hon. Friend the Secretary of State for Northern Ireland made on this subject at Northern Ireland oral questions in the House on 29 October.

Employment Tribunals

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how much has been awarded since 1 November 2002 in Northern Ireland in costs as the result of employment tribunals; and what the average sum awarded was. [138982]

Jane Kennedy: The equivalents of Employment Tribunals in Northern Ireland are the Industrial Tribunals and the Fair Employment Tribunal. Costs may be awarded against any party if a tribunal decides that the party has acted scandalously, frivolously, vexatiously, abusively, disruptively or otherwise unreasonably.

The information requested is not readily available and could be compiled only at disproportionate cost. Costs are awarded infrequently by the tribunals and they have normally been in the range £50 to £500.

Equality Commission

Mr. McGrady: To ask the Secretary of State for Northern Ireland what discussions the Equality Commission has had with the Northern Ireland Office on the legality of the exclusion of Irish nationals from reserved posts. [132213]

Mr. Pearson: There has been contact at official level between the Northern Ireland Office and the Equality Commission concerning the progress of the Crown Employment (Nationality) Bill, which was introduced on 28 January 2003.

EU Fisheries Council

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will ensure that the Minister of State with responsibility for Agriculture and Rural Development will be present throughout the negotiations at the EU Fisheries Council meeting. [137526]

Mr. Pearson: I propose to attend the whole of the December Agriculture and Fisheries Council Meeting, although I should much prefer Northern Ireland's interests to be represented by a locally elected Minister.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what lines of communication will be provided between the Minister of State for Agriculture and Rural Development and representatives of the Northern Ireland fishing industry during the negotiations at the EU Fisheries Council. [137527]

Mr. Pearson: If a locally elected Minister cannot represent Northern Ireland at the December Agriculture and Fisheries Council, my senior officials and I will make every effort to keep local fishing industry representatives informed of developments throughout the proceedings.

General Practitioners

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to encourage trainee general practitioners to develop special interests. [138987]

Angela Smith: My Department has received a proposal to extend the GP Vocational Training programme by one year, to enable trainee GPs to develop special interests. The practicalities and funding implications of this proposal are currently being considered.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to encourage trainee general practitioners in Northern Ireland to develop an interest in the area of family planning. [138988]

Angela Smith: My Department has received a proposal to extend the GP Vocational Training programme by one year, to enable trainee GPs to develop special interests, including family planning. The practicalities and funding implications of this proposal are currently being considered.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what steps he is taking to encourage experienced senior house officers in hospitals in the Province to remain in Northern Ireland to complete their GP registrar year. [138990]

Angela Smith: Vocational Training for General Practice consists of three years, made up of two years in approved Senior House Officer posts in hospitals followed by one year in a GP Registrar post.

The Department currently funds 40 GP Registrar posts per year, all of which, from this year, will be allocated to doctors participating in a three year integrated training programme. This means that there will be no new GP Registrar posts available for other Senior House Officers who are not in the three-year scheme and no arrangements are in place for such posts.

At present there is no shortage of GPs in Northern Ireland and the numbers in training meet current demands. However, the number of GP Registrar posts available will be kept under review as part of the Department's workforce planning process.

Loyalist Terrorists

Mr. Hancock: To ask the Secretary of State for Northern Ireland what assessment he has made of Loyalist terrorists' capacity to carry out *(a)* targeting, *(b)* intimidation and *(c)* racketeering activities in Northern Ireland; and if he will make a statement. [134963]

Jane Kennedy: This information is only available from intelligence sources and it would be inappropriate for the Government to comment. We now call on all paramilitary organisations to bring a complete and permanent end to paramilitary activity in all its forms.

North/South Ministerial Council

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many times the North/South Ministerial Council has met as indicated in the 1998 Belfast Agreement *(a)* in Plenary format, *(b)* in specific sectoral formats, represented by the individual Ministers and *(c)* to consider cross-sectoral matters. [132091]

Mr. Paul Murphy: The North/South Ministerial Council, since its establishment in 1999, has met four times in Plenary format, once in Institutional format to consider cross-sectoral matters and 60 times in specific sectoral format.

A breakdown of specific sectoral meetings is provided as follows:

Specific sectoral area	*Number of meetings*
Agriculture	7
Education	4
Environment	6
Aquaculture and Marine	8
Health and Food Safety	5
Language	4
Special EU Programmes	7
Tourism	5
Trade and Business Development	7
Transport	2
Inland Waterways	5
Total	60

Prisons

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the breakdown is of prison custody visitors by *(a)* perceived community origin and *(b)* sex. [138706]

Jane Kennedy: There are currently a total of 50 Board of Visitors/Visiting Committee members in post. The breakdowns are as follows:

	Breakdown
Perceived community origin	
Protestant	29
Roman Catholic	15
Not known	6
Sex	
Male	26
Female	24

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the cost of the prison custody visitors scheme was in 2002; and what proportion of this comprises *(a)* remuneration, *(b)* travel and *(c)* other expenses incurred by the visitors. [138707]

Jane Kennedy: The total expenditure for the Board of Visitors/Visiting Committee in Northern Ireland for the financial year 2002–03 was £51,751.00. Of this, £39,000 was for travel and subsistence. Members are volunteers and do not receive remuneration.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what administrative support is available to teams of prison custody visitors. [138708]

Jane Kennedy: Each Board/Committee is supported by a part-time Clerk at local level. There is also a small team at Prison Service Headquarters who provide administrative support for all three boards.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the procedural mechanisms are for addressing *(a)* general matters of prison administration and *(b)* expressions of concern about individual prisoners; and what mechanisms are available to monitor (i) responses and (ii) implementation. [138709]

Jane Kennedy: Concerns regarding both general matters of prison administration and concerns regarding individual prisoners can be raised with staff informally, or formally with the Governor at the monthly meeting. If possible, the Governor responds at the meeting, or the query is recorded and the response provided at the next monthly meeting, or before then if urgent. All queries are formally recorded in the minutes of the meeting.

If members are not satisfied with the response they receive, or the action taken by the Governor, they can raise the matter with Prison Service Headquarters or ultimately the Secretary of State.

The Boards submit an annual report to the Secretary of State each year. In the interests of openness and transparency, this report is now made available to the general public.

Salmon

David Burnside: To ask the Secretary of State for Northern Ireland if he will make a statement on the impact on wild salmon stocks of salmon fish farms in Northern Ireland. [135445]

Angela Smith: The occurrence of escaped farmed salmon in Northern Ireland's commercial salmon catches is examined annually. The largest occurrence was in 2001, when 9.1 per cent. of the commercial catch was farmed fish. The 10-year average, excluding the year 2001, is 1.4 per cent.

Occurrences of escaped farmed salmon in freshwater are also monitored at the trap on the River Bush, where the 10-year average of farmed salmon as a total of trapped fish is 0.7 per cent.

The only detailed information available on the genetic impact of farmed salmon on wild salmon stocks has been undertaken in two surveys of the Glenarm River in 1990–91 and in 1997. The surveys showed that the genetic status of the wild population was significantly changed indicating that cross breeding with farmed salmon had taken place.

Further scientific studies have commenced on the River Bush catchment on the potential consequences of genetic change in the wild population caused by interbreeding with farmed salmon in terms of long-term productivity. No results are yet available and such studies are likely to be case specific.

Mr. Donaldson: To ask the Secretary of State for Northern Ireland whether the number of salmon spawning in each river in the Foyle system has reached the numbers recommended by P. F. Elson and A. L. W. Tuomi in their report of 1975, the Foyle Fisheries, New Basis for Rational Management. [136068]

Mr. Pearson: The target numbers of salmon spawning in each river in the Foyle System recommended by Elson and Tuomi in their 1975 report have been met. A comparison of these numbers together with the number of salmon passing through the relevant fish counters in the years 2000–02 is set out in the following table.

Foyle rivers

River system	Elson and Tuomi spawning targets	Number of salmon passing through fish counter (year) 2000	2001	2002
Faughan and tributaries upstream of fish counter	590	2,551	1,518	4,228
Roe and tributaries upstream of fish counter	1,222	1,433	3,265	5,459
Mourne and tributaries upstream of fish counter	4,276	4,690	6,250	12,991

Social Housing

Mr. Andrew Turner: To ask the Secretary of State for Northern Ireland how many units of social housing properties were vacant in each of the last five years in each local government area. [139708]

Mr. Spellar: The following table details the number of vacant Northern Ireland Housing Executive properties by District Council Area over the five-year period 1998–99 to 2002–03.

Statistics for housing association vacant properties are not held in the form requested. However, the total number of vacant housing association properties over the same five-year period was:

31 March 1999: 917
31 March 2000: 1,157
31 March 2001: 1,002
31 March 2002: 1,076
31 March 2003: 1,208

Housing Executive vacant properties

District council	31 March 1999	31 March 2000	31 March 2001	31 March 2002	31 March 2003
Belfast	1,872	2,000	2,179	1,835	2,146
North Down	104	108	151	207	162
Ards	94	78	121	156	153
Castlereagh	198	228	286	350	323
Lisburn	223	290	322	249	354
Down	108	163	59	61	73
Banbridge	74	46	63	54	61
Newry and Mourne	74	109	109	137	167
Armagh	90	98	113	124	121
Craigavon	485	580	523	496	472
Dungannon	69	80	118	136	159
Fermanagh	21	22	19	43	38
Ballymena	275	366	329	270	262
Antrim	107	187	193	147	184
Newtownabbey	306	343	240	277	340
Carrick	138	235	279	304	225
Larne	117	168	255	341	227
Moyle	10	19	15	13	17
Ballymoney	59	44	31	36	29
Coleraine	122	202	240	203	270
Derry	129	191	211	205	176
Limavady	24	15	20	16	29
Magherafelt	6	24	30	31	29
Strabane	13	21	25	40	35
Omagh	60	121	86	146	159
Cookstown	40	32	46	55	57
Total	4,818	5,770	6,063	5,932	6,268

Strategic Investment Body

Mr. Hume: To ask the Secretary of State for Northern Ireland if he will make a statement on the progress to date of the Strategic Investment Body (SIB) in improving the profile and performance of the capital expenditure programme across the Northern Ireland Civil Service; and what assessment he has made of whether the departments are working effectively with the SIB on *(a)* an individual and *(b)* a collaborative basis. [133009]

Mr. Pearson: Since its inception in April 2003, the SIB has made considerable progress in improving the profile and performance of Northern Ireland's capital expenditure programme. By April 2004, SIB expects to have two to three times the value of PPP projects out to market than had been signed in the previous eleven years in Northern Ireland. An early priority project, a new Invest NI Headquarters, is expected to be signed by June 2004, following a fast procurement period at the top end of HM Treasury performance averages. With the assistance of SIB, the Department of Finance and Personnel has created a new and strong incentive scheme designed to encourage departments to be more active in managing their asset bases. In its first six months of operation, therefore, the SIB has already developed effective working relationships with a number of departments and I am sure that its impact will continue to grow as we work to improve Northern Ireland's infrastructure.

University Capital Expenditure

Mr. Hume: To ask the Secretary of State for Northern Ireland what Government capital expenditure on buildings used for teaching and research, not including expenditure on science and business parks and incubators, was for each year since 1992 on each of the campuses of *(a)* the University of Ulster and *(b)* Queen's University Belfast. [133007]

Jane Kennedy: Bearing in mind the range of sources for government or government-derived funding not all of which are within Northern Ireland, it would not be possible to provide an answer without incurring disproportionate cost.

Urology Consultants

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many urology consultants are employed by the Northern Ireland Health Service; and what the average waiting time to see a urology consultant is in each health trust. [137665]

Angela Smith: The number of urology consultants employed by Health and Social Services Trusts are given in the following table.

Table 1: Number of urology consultants employed by Health and Social Services Trusts, as at 6 November 2003

HSS[1] Trust	Headcount	WTE[2]
Altnagelvin Group HSS Trust	2	1.91
Armagh and Dungannon HSS Trust	0	0.00
Belfast City Hospital HSS Trust	6	4.82
Causeway HSS Trust	[3]0	0.00
Craigavon and Banbridge Community HSS Trust	0	0.00
Craigavon Area Hospital Group HSS Trust	2	2.00
Down Lisburn HSS Trust	[4]1	n/a
Foyle Community HSS Trust	0	0.00
Green Park Healthcare HSS Trust	0	0.00
Homefirst Community HSS Trust	0	0.00
Mater Infirmorum Hospital HSS Trust	1	1.00
Newry and Mourne HSS Trust	0	0.00
North and West Belfast HSS Trust	0	0.00
Royal Group of Hospitals HSS Trust	[5]0	0.00
South and East Belfast HSS Trust	0	0.00
Sperrin Lakeland HSS Trust	0	0.00
Ulster Community and Hospitals Group HSS Trust	2	1.40
United Hospitals Group HSS Trust	[6]3	n/a
Total	17	n/a

[1] Health and Social Services.
[2] Whole-time Equivalent.
[3] Causeway HSS Trust has a urology service level agreement with Belfast City Hospital—the consultant who works in Causeway HSS Trust is employed by Belfast City Hospital Trust..
[4] Within Down Lisburn HSS Trust the consultant within General Surgery performs operations within Urology—the whole-time equivalent cannot be defined as it varies.
[5] There are no consultants employed in the area of urology by Royal Group of Hospitals HSS Trust—0.45 WTE is provided to the Royal Group of Hospitals HSS Trust by Belfast City Hospital HSS Trust.
[6] United Hospitals Group HSS Trust—There are three general surgery consultants who provide some sessional commitment in the area of urology—any activity is recorded under general surgery and not urology.

Note:
Information on waiting lists and waiting times is collected on the basis of time bands. It is not possible to derive an average from this information.

Source:
Human Resource Management System

Table 2: Percentage of patients waiting for a first out-patient appointment with a urology consultant in Northern Ireland, at 30 June 2003

	Time waiting (Months) (Percentage)					
Provider Trust	0–2	3–11	12–17	18–23	24+	Total
The Royal Group of Hospitals HSS Trust	50.0	50.0	0.0	0.0	0.0	92
Belfast City Hospital HSS Trust	40.2	56.0	3.1	0.6	0.1	1,264
Ulster Community and Hospitals HSS Trust	91.7	8.3	0.0	0.0	0.0	144
Down and Lisburn HSS Trust	16.4	14.2	33.2	31.0	5.2	232
Mater Infirmorum HSS Trust	30.9	63.5	3.6	1.4	0.6	644
Causeway HSS Trust	18.0	30.9	17.8	10.5	22.8	916
Craigavon Area Hospital HSS Trust	17.1	31.6	16.6	10.2	24.6	1,182
Altnagelvin Area Hospitals HSS Trust	25.3	53.0	15.2	5.6	0.9	1,091
Northern Ireland	28.1	43.9	11.9	6.6	9.5	5,565

Source:
CH3

DEFENCE

First World War (Passchendaele)

Miss McIntosh: To ask the Secretary of State for Defence what representations he has received on repatriating remains of soldiers fallen in the First World War near the trenches found at the site of the new Passchendaele motorway near Ypres. [138779]

Mr. Caplin: I am not aware of any representations.

Armed Forces

Mr. Keetch: To ask the Secretary of State for Defence when last questioned, how many *(a)* RAF, *(b)* Army and *(c)* Navy personnel said that overstretch was causing problems in their working; what question was asked; how many responded to each option; what percentage of those asked to respond this represents; and if he will make a statement. [137517]

Mr. Caplin *[holding answer 13 November 2003]:* All three Services conduct continuous attitude surveys (CASs) of serving personnel to ascertain attitudes towards a range of Service conditions.

In the Naval Service CAS there are currently no questions specifically mentioning or using the term 'overstretch'.

The last survey of Army serving personnel was sent out in December 2002 and the RAF CASs results in July 2003.

I intend to write to the hon. Member shortly with the results and a copy will be placed in the Library of the House.

Alan Simpson: To ask the Secretary of State for Defence what assessment he has made of the effect of increased rates of childhood obesity on the ability of the armed forces to recruit sufficient numbers of young people in the past 10 years. [139124]

Mr. Caplin: In Financial Year 2002–03, the total armed forces intake from civilian life exceeded the recruiting target. Consequently, the apparent increase in the rates of childhood obesity in recent years has had no marked impact to date on the armed forces ability to recruit sufficient numbers of capable young people.

Mr. McNamara: To ask the Secretary of State for Defence on what statistical information analysis of recruitment patterns for each of HM Armed Forces is based. [137503]

Mr. Caplin: Armed Forces personnel data are compiled from pay and personnel records held by the Armed Forces Pay Administration Agency (AFPAA). These records are supplemented from other sources to improve the quality of the data on, for example, the ethnic origin of new recruits.

Information on potential recruits is compiled from data collected during the application process. This is held on each Service's Training Administration and Financial Management System (TAFMIS). Records are updated with more information at each stage of the recruitment process, from enquiry through to selection.

Asbestos-related Diseases

Mr. Breed: To ask the Secretary of State for Defence how many ex-servicemen and women have presented with asbestos-related diseases (ARDs); how many more the Government forecasts will present with ARDs; and if he will make a statement. [117370]

Mr. Caplin *[holding answer 10 June 2003]*: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Congo

Dr. Tonge: To ask the Secretary of State for Defence what contribution will be made by the UK to the multi-national rapid reaction force to the Democratic Republic of Congo. [116411]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Defence Agencies

Mr. Llwyd: To ask the Secretary of State for Defence (1) if he will list the location of each of the defence agencies headquarters; how many staff each employs; what the annual expenditure of each was in the last year for which figures are available; and how much was spent in Wales; [137307]

(2) what the expenditure was of each defence agency *(a)* in total and *(b)* in Scotland in the last available year; and how many staff were employed by each agency (i) in total and (ii) in Wales in that year. [137309]

Mr. Caplin: The location of defence agency headquarters, the total number of staff employed by each agency as at 1 April 2003 and agency net operating costs for financial year 2002–03 are available in a supplementary document to the Ministry of Defence's Annual Report and Accounts 2002–03. This is available at www.mod.uk/linked_files/publications/pdr2002_2003/agencies03.pdf.

Figures for civilian personnel employed by Defence agencies in Wales are provided in the table below. Information on agency expenditure in Wales and Scotland, and the number of Service personnel employed by agencies in Wales, is not held centrally and can only be provided at disproportionate cost.

The number of staff employed in Wales (full-time equivalent figures for industrial and non-industrial permanent staff, excluding Royal Fleet Auxiliaries and those on career breaks, long term sick leave, secondments etc), by executive agencies as at 1 April 2003:

Civilian Staff employed as at 1 April 2003	
Army Personnel Centre	—
Army Training and Recruiting Agency	140
British Forces Post Office	10
Defence Communication Services Agency	10
Defence Dental Agency	—
Defence Estates	20
Defence Housing Executive	10
Defence Procurement Agency	—
Defence Storage and Distribution Agency	190
Ministry of Defence Police	—
Naval Recruiting and Training Agency	10
RAF Training Group Defence Agency	140
Veterans Agency	10
Trading Funds	
ABRO	20
Defence Aviation Repair Agency	2,770
Defence Science and Technology Laboratory	—
Meteorological Office	40

Those agencies and Trading Funds that are not referred to do not have staff employed in Wales. Data have been rounded to the nearest 10 to preserve confidentiality and those with fewer than five staff are recorded as —.

Defence Dental Agency

Mr. Gerald Howarth: To ask the Secretary of State for Defence if he will place in the Library a copy of the unpublished 1997–98 annual report and accounts for the Defence Dental Agency. [139691]

Mr. Caplin: The 1997–98 annual report and accounts was never published as a stand-alone document, in fact, it was included in the 1999 annual report and accounts, which covered the period from 1 April 1997 to 31 March 1999. The reason that there was this two-year report was that HM Treasury had withdrawn the Defence Dental Agency's Accounts Direction for 1997–98.

A copy of the 1997–99 annual report and accounts was placed in the Library but I am arranging for a further copy to be provided.

Defence Personnel (Scotland)

Mr. David Marshall: To ask the Secretary of State for Defence how many defence-related jobs there are in each constituency in Scotland. [136188]

Mr. Ingram: United Kingdom Defence Statistics 2003 contains the numbers of service and Ministry of Defence civilian personnel in Scotland at 1 July 2000. Tri-Service Publication 10, produced by the Defence Analytical Services Agency, contains data on service personnel by local authority region. Both publications are available in the Library of the House.

The exact number of defence related jobs in each constituency in Scotland, including those related to defence expenditure by MOD on goods and services and defence export contracts in Scotland, is not held centrally and could only be provided at disproportionate cost.

Departmental Staff

Angus Robertson: To ask the Secretary of State for Defence pursuant to his answer of 20 October 2003, *Official Report*, columns 373–74W, on departmental staff, what function previously performed in the Deputy Chief of Defence Staff Commitments (P&P) area was transferred to the private sector; what the procedure was *(a)* leading up to the decision for the transfer to be undertaken and *(b)* from the time of the decision for the transfer to be undertaken to the handover to the private sector; what companies participated in the process; what commitments in relation to job maintenance in Scotland were (i) sought and (ii) given as part of the transfer; and if he will make a statement. [138569]

Mr. Caplin: Personnel, Pay and Pensions Administration (PPPA) functions within the Army Personnel Centre, Kentigern House, Glasgow were transferred to Electronic Data Systems (EDS) under a partnering arrangement with the Armed Forces Personnel Administration Agency (AFPAA).

PPPA functions for the Royal Navy and the Royal Air Force have been undertaken by EDS since 1998, the negotiations for which included an agreement that the same functions would subsequently be provided for the Army. As such, no other commercial companies participated in the process of the Army transfer. The contract with EDS was awarded following a competitive selection in which a number of companies took part.

Ministry of Defence personnel transferred to EDS under the terms of the Transfer of Undertaking (Protection of Employment) (TUPE) Regulations 1981, and formal consultation with the MOD Trade Unions took place. Personnel affected continue to carry out the functions transferred at Kentigern House, Glasgow.

Maintenance Projects

Angus Robertson: To ask the Secretary of State for Defence how many equipment *(a)* maintenance, *(b)* repair and *(c)* refit projects were (i) planned for and (ii) undertaken in each month of the current year in each of the branches of the armed forces in *(A)* England, *(B)* Wales, *(C)* Northern Ireland and *(D)* each of the bases in Scotland; and if he will make a statement. [136236]

Mr. Ingram: I will write to my hon. Member and a copy of my letter will be placed in the Library of the House.

Angus Robertson: To ask the Secretary of State for Defence how much was spent at each of the military bases in Scotland in each month in 2003 on equipment *(a)* maintenance, *(b)* repair and *(c)* refit; what percentage this represents of each base's maintenance and repair budget; and if he will make a statement. [136237]

Mr. Ingram: This information is not held centrally in the form requested and could only be provided at disproportionate cost.

Ex-service Personnel

Mr. Bercow: To ask the Secretary of State for Defence what provisions he will make for the welfare of ex-service personnel after the Gulf conflict. [111873]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Global Security

Mr. Breed: To ask the Secretary of State for Defence what assessment he has made of the potential overlap between European future research programmes on global security and UK national defence programmes; and if he will make a statement. [120505]

Mr. Ingram *[holding answer 23 June 2003]:* I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Illicit Arms Purchases

Mr. Gardiner: To ask the Secretary of State for Defence what assessment he has made of the proportion of *(a)* injuries and *(b)* fatalities caused to United Kingdom forces from illicitly purchased arms in the last five years. [131122]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Iraq

Tony Wright: To ask the Secretary of State for Defence what proportion of the Territorial Army strength has been mobilised for deployment in Iraq since the beginning of the conflict. [139806]

Mr. Ingram: As at 17 November 2003, approximately 17 per cent. of the Territorial Army have been mobilised for deployment in Iraq since the beginning of the conflict.

Norman Lamb: To ask the Secretary of State for Defence what discussions there have been with the US Government regarding the use of *(a)* anti-personnel mines and *(b)* cluster munitions in a possible conflict with Iraq. [102354]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Keetch: To ask the Secretary of State for Defence what the components were of British manufacture in the two vehicles found in Iraq and suspected of being involved in the production of weapons of mass destruction; which companies produced them; and if he will make a statement. [131485]

Mr. Ingram: *[holding answer 14 October 2003]:* I am withholding details of components and companies under Exemption 1 b and 1 c of the Code of Practice on Access to Government Information, which relate to international relations and information received in confidence from foreign Governments.

Dr. Tonge: To ask the Secretary of State for Defence what contingency plans the UK has, in conjunction with the international community, to limit Iraqi civilian casualties in the event of the use of *(a)* chemical and *(b)* biological weapons in the event of war. [97483]

Mr. Hoon: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Norman Baker: To ask the Secretary of State for Defence if he will list those categories of weapons held by UK forces which will not be permitted for use in the event of a war involving UK forces and Iraq. [99285]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Jenkin: To ask the Secretary of State for Defence what financial resources are available to the UK armed forces for the administration of the British sector of Iraq. [124361]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Paul Marsden: To ask the Secretary of State for Defence if he will make a statement on the use of experimental weapons by the US forces in the war in Iraq. [125085]

Mr. Hoon: This is a matter for the US Department of Defence.

Mr. Paul Marsden: To ask the Secretary of State for Defence what experimental weapons systems were tested in the war in Iraq. [125087]

Mr. Hoon: United Kingdom Armed Forces did not specifically test any experimental weapons during military operations in Iraq. However, a number of weapons systems were used by UK Armed Forces for the first time including:

Storm Shadow—an air launched conventionally armed precision stand off weapon.

Maverick—an air launched anti armour precision guided weapon.

Lynne Jones: To ask the Secretary of State for Defence whether UK personnel in Iraq have received special training on the protection and rights of women and girls in armed conflict situations in line with the commitments in United Nations Security Council Resolution 1325; and what discussions he has had with his US counterpart about their implementation of these commitments. [112159]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

KPMG

Mr. Kilfoyle: To ask the Secretary of State for Defence how many contracts his Department has awarded to KPMG since 1997. [113681]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Letter of Intent Framework

Mr. Jenkin: To ask the Secretary of State for Defence when he expects the working groups set up under the Letter of Intent framework to report; and if he will make a statement. [117500]

Mr. Hoon: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Low Flying

Mr. Drew: To ask the Secretary of State for Defence if he will publish the latest advice to RAF pilots undertaking low-flying training in the Gloucester and Severn Valley area. [136013]

Mr. Caplin: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Market Research

Matthew Taylor: To ask the Secretary of State for Defence if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137010]

Mr. Caplin: I refer the hon. Member to the previous answer given on 28 April 2003, *Official Report*, columns 57–58W by my hon. friend the Member for Kirkcaldy (Dr Moonie).

The central corporate communications division carries out public opinion research relating to the Ministry of Defence as a whole and the main findings of the most recent research were included in the MOD's Annual Report, HC1125–Page 38; a copy of the Report is available in the Library of the House.

Married Couples' Rights

Mr. Hoban: To ask the Secretary of State for Defence what rights only married couples have in *(a)* housing on military bases, *(b)* pensions and other employment-related benefits, *(c)* notification when a spouse has died or has been injured in military action, *(d)* war pensions and other benefits and *(e)* war graves. [132414]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Medical Discharges

Mr. Keetch: To ask the Secretary of State for Defence how many medical discharges there were from each of the three services in each year since 1997; and if he will make a statement. [139272]

Mr. Caplin: The numbers of medical discharges from the armed forces (both trained and untrained United Kingdom regular personnel) between 1997 and 2002 are as follows:

Medical discharges in the armed forces: 1997–2002

Year	*Navy*	*Army*	*RAF*	*Total*
1997	354	1,067	223	1,644
1998	448	1,060	155	1,663
1999	456	1,100	189	1,745
2000	484	1,024	201	1,709
2001	413	1,004	195	1,612
2002[1]	391	1,008	145	1,544

[1] Figures for 2002 have not yet been finalised and may be subject to alteration.

Medical discharges in the services reflect the different fitness levels required by each service, and the employment policy of each service. Because of these factors medical discharges should not be taken as absolute indicators of the health status of service personnel. Similarly, because of the different requirements of the three services, inter-service comparisons may not be valid.

Ministerial Visits

David Davis: To ask the Secretary of State for Defence if he will list the *(a)* foreign and *(b)* UK visits he has made since 1 April; what the cost was to public funds of each trip; who he met; and what gifts he has received. [126984]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

MOD Police

Mr. Hancock: To ask the Secretary of State for Defence when the work on surge capacity referred to in the consultative document issued in response to the Ministry of Defence Police Quinquennial Review First Stage Report will be completed; and what the reasons are for the delay in completing the work. [139363]

Mr. Caplin: Work on surge capacity has been completed. Recommendations to deliver an increase in capability have been made and the additional funding needed for this enhanced capability is being considered as one of the bids in the Department's current planning and resource allocation round. The outcome of this will not be known before the end of the year.

National Minimum Wage

Mr. Bercow: To ask the Secretary of State for Defence what the estimated cost is in 2003–04 to his Department, agencies and the non-departmental public bodies for which he is responsible of the increase in the national minimum wage from £4.20 per hour to £4.50 per hour. [110447]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Naval Ships

Dr. Julian Lewis: To ask the Secretary of State for Defence what quantities of *(a)* oil, *(b)* oily ballast water, *(c)* asbestos, *(d)* polychlorinated biphenyl, *(e)* biohazards, *(f)* ozone-depleting substances, *(g)* mercury, *(h)* cadmium and *(i)* chromium and lead-based paints are present on Her Majesty's ships (i) Fearless, (ii) Intrepid, (iii) Brave, (iv) Boxer, *(v)* Rame Head and (vi) RFA Sir Geraint; and if he will make a statement. [139161]

Mr. Ingram: Information is not held in the format requested for all of the vessels. However, the following substances have been identified on Intrepid in preparation for her sale:

(a) Residual diesel fuel in pipes and systems—estimated 4,000 litres. Residual mineral oil in sumps and pipework—estimated 2,000 litres;

(b) Oily ballast water—all tanks cleaned and flushed with water;

(c) Asbestos—up to an estimated 40 tons;

(d) Polychlorinated biphenyl/triphenyl (PCB/PCT)—trace; no liquid PCB;

(e) Biohazards—none identified;

(f) Ozone-depleting substances—all main refrigerant gases removed; balance to be removed before disposal;

(g) Mercury—none known;

(h) Cadmium—minimal (plating on fastenings);

(i) Chromium and lead-based paints—not known.

HMS Fearless is the sister-ship to HMS Intrepid and she is similar in every respect.

HMS Boxer and HMS Brave have been designated as target ships for a Cincfleet High Seas Firing and have already been stripped of much of their equipment. As part of the preparatory planning work for the firing, an Environmental Impact Assessment is being undertaken to provide the necessary environmental assurances. These rigorous preparatory steps will ensure that we are able to comply with the international conventions that regulate protection of the marine environment, and we will be required to demonstrate before the exercise takes place that those materials subject to regulation have been removed from the ships.

Ramehead and RFA Sir Geraint remain in operational service. Ramehead is used as a static training vessel. Sir Geraint is held in a reduced readiness state, has been defuelled and there is no oily ballast water on board. Both vessels have been the subject of extensive asbestos surveys and some asbestos has been removed in accordance with Health & Safety Executive directives. The surveys indicate the type of asbestos and where it is fitted, but not the quantities. Three years ago, the outer bottom of Ramehead was pressure-blasted back to bare metal and re-coated using commercial paint products. Similar products have been used throughout the life of Sir Geraint.

Prior to the disposal of Sir Geraint and Ramehead, as part of the preparations for sale, further surveys will be undertaken to identify any remaining hazardous materials and a waste statement will be produced.

Dr. Julian Lewis: To ask the Secretary of State for Defence what *(a)* Royal Navy ships and *(b)* Royal Fleet Auxiliaries have been sold for scrapping overseas in each year since 1997; in which countries they were scrapped; and what toxic materials were present on these vessels. [139162]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Nuclear Test Veterans

Mr. Weir: To ask the Secretary of State for Defence how many ex-service personnel have been awarded pensions within the last year as a result of health problems resulting from their service on *(a)* Christmas Island and *(b)* other nuclear test sites. [138235]

Mr. Caplin: From the information held within the Veterans Agency, it is only possible to distinguish two groups. The first is for service on Christmas/Maiden Island (South Pacific). The second is for other nuclear site tests.

Pensions are awarded if disablement is assessed at 20 per cent. or more; if less than 20 per cent. a single gratuity payment is awarded. Over the last year (April—March 2003) there were no cases awarded for 20 per cent. and above for Christmas Island/Maiden Island and two cases were awarded for less than 20 per cent. Over the same period for the second category, five cases were awarded 20 per cent. and above and none were awarded for under 20 per cent.

Nuclear Weapons

Alan Simpson: To ask the Secretary of State for Defence under what sections of the 1970 Non-Proliferation Treaty the collaborative work between AWE and weapons laboratories in the United States is being undertaken. [119075]

Mr. Caplin: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Operation Telic

Mr. Jenkin: To ask the Secretary of State for Defence whether morphine, and antidotes to provide post attack therapy against nerve agents, were available to all front line personnel serving on Operation Telic. [126095]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Overseas Deployments

Jim Knight: To ask the Secretary of State for Defence how many British troops are deployed in *(a)* East Timor, *(b)* the Democratic Republic of the Congo and *(c)* Kuwait. [132270]

Mr. Ingram: The UK currently has no service personnel deployed in East Timor. Five service personnel are deployed in the Democratic Republic of Congo and around 260 personnel are deployed in Kuwait.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Defence what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137972]

Mr. Caplin: Performance targets for the department were agreed as part of Spending Review 2002. The monitoring and measurement of PSA targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the Department, and covers a wide range of data for internal management purposes in addition to that required for PSA monitoring. Monitoring and measuring performance is therefore undertaken by a wide variety of staff at all levels of the organisation, and it is not possible to separate out discrete costs. The Department's top level performance management system, including reports against PSA targets, is co-ordinated by a dedicated section of five civilian and military personnel within the Directorate of Performance and Analysis in the Ministry of Defence Head Office.

Personal Injuries Scheme

Mr. Bercow: To ask the Secretary of State for Defence what representations he has received about the Personal Injuries (Civilians) Amendment Scheme. [107782]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Service Accommodation

Mr. Hancock: To ask the Secretary of State for Defence how much money has been spent upgrading and building accommodation for the junior ranks of the *(a)* Army, *(b)* Royal Navy and *(c)* Royal Air Force in each of the last three years; what is to be provided in the forward programme; and if he will make a statement. [136520]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Social Conduct Code

Mr. McNamara: To ask the Secretary of State for Defence what guidance has been issued by the Director General of Service Personnel Policy based on the reviewed Code of Social Conduct; and if he will place a copy in the Library. [112621]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Submarines

Dr. Julian Lewis: To ask the Secretary of State for Defence how many SSNs would be capable of continuous deployment in cycles based on an SSN fleet of *(a)* four, *(b)* five and *(c)* six such boats. [139595]

Mr. Ingram: The number of Royal Navy attack submarines required to maintain a continuous deployment depends on the nature of the deployment and the operational circumstances pertaining at the time. In the future, the new Astute class will bring improved capability and increased availability for Royal Navy SSN deployments.

Surplus Arms Stores (Developing Countries)

Mr. Gardiner: To ask the Secretary of State for Defence what assessment he has made of the effects on the security of British soldiers deployed overseas of measures to reduce surplus arms stores in developing countries. [131129]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Sustainable Development

Mr. Roger Williams: To ask the Secretary of State for Defence what remit relating to sustainable development is required by his Department's *(a)* executive agencies, *(b)* advisory non-departmental bodies, *(c)* executive non-departmental bodies, *(d)* tribunals, *(e)* public corporations and *(f)* other bodies. [116673]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Horam: To ask the Secretary of State for Defence which United Kingdom commitments arising from the World Summit on Sustainable Development *(a)* have been incorporated into the Department's existing delivery plan for Service Delivery Agreements and *(b)* will be incorporated in its delivery plan for Service Delivery Agreements in advance of the 2004 Spending Review. [113881]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Territorial Army

Mr. Liddell-Grainger: To ask the Secretary of State for Defence how many Territorial Army soldiers are *(a)* in the Gulf and *(b)* overseas; and how many are preparing for deployment in the Gulf. [138952]

Mr. Caplin: As at 13 November 2003, 1,780 members of the Territorial Army (TA) are currently serving in the Gulf, with a further 295 serving elsewhere overseas. 580 members of the TA are currently preparing to deploy to the Gulf, although many of these individuals will not arrive in theatre until after the Christmas period.

Training Establishments

Mr. McNamara: To ask the Secretary of State for Defence what estimate has been made by principal personnel officers of the resources needed to bring medical facilities at training establishments up to required minimum standards; and how many and what percentage of establishments fall below those standards. [112628]

Mr. Caplin: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Transport Aircraft

Mr. Liddell-Grainger: To ask the Secretary of State for Defence how many transport aircraft, and of what type, are used by the armed forces. [98294]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Liddell-Grainger: To ask the Secretary of State for Defence what his expenditure plans are for transport aircraft in the next five years. [98295]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Voluntary Organisations

Mr. Hendry: To ask the Secretary of State for Defence what funding programmes are operated by his Department to support voluntary organisations working with young people; and what the level of support has been over the last three years. [116490]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Vulcan Sky Trust

Mr. Hoyle: To ask the Secretary of State for Defence what support has been given to the Vulcan Sky Trust. [138836]

Mr. Ingram: None.

TRADE AND INDUSTRY

Bank Accounts (Post Offices)

Miss McIntosh: To ask the Secretary of State for Trade and Industry what proportion of basic bank accounts available are accessible at post offices; and of those, what proportion offer balance inquiries services at post offices. [140095]

Mr. Timms: These are matters that fall within the day-to-day responsibility of Post Office Ltd. and I have therefore asked the Chief Executive to reply direct to the hon. Member.

Alstom Transport UK

Mr. Terry Davis: To ask the Secretary of State for Trade and Industry how often and on what dates during the last year she has met Mr. Paul Barron, Vice President of Alstom Transport UK, to discuss the future of the Alstom factory at Crashwood Heath in Birmingham; and what the outcome of these discussions was. [139301]

Jacqui Smith *[holding answer 18 November 2003]:* My right hon. Friend the Secretary of State for Trade and Industry met Paul Barron on 6 May 2003 to discuss Alstom's general restructuring plans and their impact on the company's operations in the UK, including Washwood Heath. Details of discussions between Ministers and company representatives must, for commercial reasons, remain confidential under Exemption 13—Third Party's Commercial confidences, of the Code of Practice on Access to Government Information, but Mr. Barron stressed the need for the company to undertake global restructuring in order to address mounting debts and ensure a viable future. The Secretary of State has had discussions with Mr. Barron on a number of other occasions and these were detailed in her letter to you of 1 September 2003.

Animal Welfare

Mr. Wray: To ask the Secretary of State for Trade and Industry whether the number of experiments on animals has increased since 1997; what the average number of animals used has been in each year since 1997; and what plans she has to reduce the number of animals used in experimentation. [136143]

Caroline Flint: I have been asked to reply.

I will write to my hon Friend and place a copy of my letter in the Library.

Mr. Wray: To ask the Secretary of State for Trade and Industry how many companies in the UK provide animals for use in experimentation; whether they receive Government assistance; and what regulations control to whom they supply. [136145]

Caroline Flint: I have been asked to reply.

The breeding and supply of animals for use in experimental or other scientific procedures in the United Kingdom is regulated under section 7 of the Animals (Scientific Procedures) Act 1986. There are currently five commercial establishments licensed under the 1986 Act primarily concerned with the breeding and supply of animals for use in experimentation. In addition to these, 140 establishments designated under the 1986 Act also breed animals for use in experiments.

Breeding and supplying establishments are only licensed if the Secretary of State is satisfied that they provide appropriate standards of care and accommodation as set out in the Code of Practice for the Housing and Care of Animals in Designated Breeding and Supplying Establishments presented to Parliament in 1995 under section 21 of the 1986 Act. A supplement to the code of practice dealing with the housing and care of ferrets and gerbils was published separately in 2001.

None of the licensed breeding and supplying establishments, nor any other establishments licensed under the provisions of the 1986 Act, receive financial assistance from the Home Office nor, as far as available records show, from any other Government Department.

The 1986 Act does not regulate the sale of animals. However, unless specifically exempted by the Secretary of State, species listed in Schedule 2 of the Act, including mice, rats, cats, dogs and primates, may only be obtained from designated breeding and supplying establishments for use in programmes of work licensed under the 1986 Act.

Arms Exports

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what powers she has to enforce the conditions contained in end-user control certificates; and what action she can take in case of breach of those conditions. [138618]

Mr. MacShane: I have been asked to reply.

The Government refuses export licences where there is a clear risk that the goods will be used in contravention of the consolidated EU and national arms export licensing criteria.

The Government has no legal power to enforce conditions contained in end-user certificates. We would, however, take any misuse of equipment into account when assessing future export licence applications for the end-users in question. In addition, the Government has the power to revoke licences for exports to purchasers of concern, which would prevent any outstanding arms exports to that purchaser from leaving the United Kingdom. It could also cancel any open licences for exports to that destination country, obliging exporters to apply for individual licences for each export, or refuse to accept any assurances given by a country about the end-use of an export.

We may liase with the Government in the country concerned, encouraging them to control or sanction the purchasers in question. If the end-user were a Government, we would have a wide range of foreign policy tools at our disposal.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to her Department in each year since 1997.

stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if she will make a statement. [138063]

Ms Hewitt *[holding answer 12 November 2003]:* I have asked each of the Chief Executives of my Department to reply.

Letter from Claire Clancy to Malcolm Bruce, dated 19 November 2003:

I am responding to your recent Parliamentary Question to the Secretary of State for Trade and Industry on behalf of Companies House, which is an Executive Agency of the DTI.

I can confirm from our records that Companies House has not contracted any work to Bechtel since 1999. Our records for 1997–1998 have been archived, and to check this period would incur a disproportionate cost. Due to the nature of Bechtel's work, however, I am confident they were not contracted by Companies House to carry out any work during this period.

Letter from Martin Wyn Griffith to Malcolm Bruce, dated 19 November 2003:

I am replying on behalf of the Small Business Service (SBS), to the above question addressed to the Secretary of State for Trade and Industry. It concerns contracts for consultancy and other work carried out by Bechtel, in each year since 1977.

SBS only commenced operations as an Agency of the Department of Trade and Industry (DTI) on 1 April 2000. Since that date, SBS has not engaged the services of Bechtel.

Letter from Desmond Flynn to Malcolm Bruce, dated 19 November 2003:

The Secretary of State for Trade and Industry has asked me to reply to you directly on behalf of The Insolvency Service in of respect to your question (2002/4638) asking for a list of contracts for consultancy and other work carried out by Bechtel for agencies responsible to the Office in each year since 1997, stating in ease case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract.

I can confirm that The Insolvency Service has had no dealings with Bechtel during this time.

Letter from Iain MacGregor to Malcolm Bruce, dated 19 November 2003:

The Secretary of State for Trade and Industry has asked me to reply on behalf of the National Weights and Measures Laboratory (NWML) to your question asking her if she will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to her Department in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if she will make a statement.

Bechtel has not carried out any contracts for consultancy or other work for National Weights and Measures Laboratory.

Letter from Kevin Woodrow to Malcolm Bruce, dated 19 November 2003:

In the absence of Alison Brimelow, Chief Executive, I am replying to this parliamentary question, tabled on 7 November 2003, about contracts for consultancy and other work carried out by Bechtel for each year since 1997.

The Patent Office has had no contracts for consultancy or other work with Bechtel during this period.

Letter from Roger Heathcote to Malcolm Bruce, dated 19 November 2003:

You asked the Secretary of State for Trade and Industry to list contracts for consultancy and other work carried out by Bechtel for agencies responsible to her Department in each year since 1997. I have been asked to reply on behalf of the Employment Tribunals Service (ETS), which is an Agency of the DTI.

I can confirm that the ETS has had no contracts with Bechtel over the period in question.

Letter from David Smith to Malcolm Bruce, dated 19 November 2003:

The Secretary of State for Trade and Industry has asked me to reply on behalf of the Radiocommunications Agency to your Parliamentary Question about contracts with Bechtel.

The Agency has no record of contracting with Bechtel since 1997.

Broadband

Mr. Davidson: To ask the Secretary of State for Trade and Industry what steps the Government is taking to ensure that broadband is available throughout the Glasgow, Pollok constituency at the earliest possible date. [139407]

Mr. Timms: BT has recently informed the Department that ADSL has been enabled to all exchanges throughout the Glasgow, Pollok constituency. They are currently reviewing areas where not everybody will be able to receive an ADSL service, as they may live too far from the exchange and these will be published on their website shortly. BT announced on 17 November 2003 that they have set trigger levels for 2,300 more exchanges, (http://www.bt.com/broadband/). Broadband services are increasingly being made available via a range of alternative technologies across Scotland, for example, cable, one-way and two-way broadband satellite, fixed wireless and local wireless networks. The Scottish Executive is committed to extension of broadband to every area in Scotland. They offer a Broadband Business Incentive grant to encourage broadband take-up and information is available from Scottish Enterprise's website: http://www.scottish-enterprise.com/sedotcom_home/services-to-business/broadband.htm

Climate Change

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what assessment she has made of the contribution of the Carbon Trust to progress on meeting climate change targets. [134948]

Mr. Morley: I have been asked to reply.

The Carbon Trust was launched in 2001 as part of the Climate Change Programme. A formal review of the Climate Change Programme is planned for 2004 that will include an assessment of the contribution of the Carbon Trust towards climate change targets.

The Carbon Trust has undertaken an impact assessment of their programmes as part of their annual review which is available via their website www.thecarbontrust.co.uk.

Coal Miners' Compensation

John Mann: To ask the Secretary of State for Trade and Industry what steps her Department is taking to ensure that all eligible compensation claims for those suffering from coal-related diseases are submitted before March 2004. [140046]

Nigel Griffiths: Following Lord Justice Turner's agreement to a cut-off date of 31 March 2003 for submitting respiratory disease claims under the Claims Handling Agreement, the Department implemented a

comprehensive communication plan to ensure that the date was communicated as widely and expeditiously as possible.

We have written to all widows who receive pensions under the Mineworkers Pension Scheme.

Under the plan we have carried out two comprehensive newspaper advertising campaigns and will carry out a further two such campaigns before the cut-off date. The Department's advert has also been carried in a number of coal industry publications and the Department's own "Compensation for Miners" newsletter.

The budget for this is £100,583.

References to the cut-off date are also carried on both of the Department's websites—www.dti.gov.uk/coalhealth and www.coalclaims.com.

Coal Mining

John Mann: To ask the Secretary of State for Trade and Industry if she will make a statement on the future of the coal mining industry in the UK. [140047]

Mr. Timms: The coal mining industry continues to make an important contribution to the economy, supplying around 50 per cent. of the country's total coal needs and some 60 per cent. of its coal-fired electricity generation feedstock. The Government are working to secure a future for viable deep and opencast mines. In June 2003, they launched Coal Investment Aid, which has a budget of up to £60 million for allocation of over the next three years to provide up to 30 per cent. support for eligible mining investment projects. An announcement about awards in response to first period applications for Coal Investment Aid is expected soon.

Electricity

Mr. Beard: To ask the Secretary of State for Trade and Industry what the average balance between supply and demand of electricity was at *(a)* peak and *(b)* off-peak times last winter; what she estimates the balance is likely to be in (i) five years time and (ii) 10 years time; and what her forecasts are of (A) demand and (B) the projected investment plans of the industry over those periods. [138875]

Mr. Timms: According to figures published in the DTI Digest of UK Energy Statistics, the maximum simultaneous electricity load met during the winter of 2002–03 was 61,717 MW. This represented 87.6 per cent. of the generating capacity owned by major power producers in the UK, although this figure would fall to 85.2 per cent. if the interconnector with France were included. Average load across the whole winter period (October to March) was approximately 49,000 MW.

Provisional estimates arising from work to update the DTI energy projections in Energy Paper 68 indicate that electricity demand is likely to grow by around 1.25 per cent. per annum over the next decade. On this basis, demand in five years time would be around 6 per cent. above current levels and demand in 10 years around 13 per cent. above current levels.

Future investment by the industry, and hence the future balance between supply and demand, is a commercial matter for electricity market participants. The UK market provides strong financial incentives for electricity suppliers to contract for sufficient power to meet their customers' needs and for generators to deliver the power they have contracted to provide.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how much electricity generating capacity was available in the United Kingdom in each year since 1997, listing the contribution made by *(a)* coal, *(b)* gas, *(c)* nuclear power, *(d)* oil, *(e)* imports and *(f)* others; and what projections she has made of available generating capacity from each of these in the United Kingdom in each year to 2020. [139816]

Mr. Timms: Figures for the electricity generating capacity available in the United Kingdom in each year since 1997 are published in Table 5.7, Plant Capacity, of the Digest of United Kingdom Energy Statistics 2002–03. Copies of this publication are available in the Library of the House.

The latest full published projections of available generating capacity in the United Kingdom up to 2020 are published in Annex G, ESI Capacity, of Energy Projections for the UK, Energy Paper 68. This publication is also available in the Library of the House. Work to update these projections is currently underway for completion around March 2004. The latest projections, representing work in progress, are available on the DTI web site (www.dti.gov.uk/energy/sepn/projections.pdf).

Miss McIntosh: To ask the Secretary of State for Trade and Industry what recent assessment she has made of the benefits of transmitting energy underground. [134127]

Mr. Timms: None. It is recognised that compared with overhead lines, there are potential benefits of underground transmission. However, benefits must always be weighed against cost, which at 400,000 volts in particular, is significantly higher per kilometre than an overhead line.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how much spare generating capacity there is in the United Kingdom; and how much spare capacity her Department deems to be a sufficient safety net to safeguard electricity supplies for winter 2003–04. [139814]

Mr. Timms: The October 2003 Update to the National Grid Company (NGC) Seven Year Statement projects a plant margin of 19.3 per cent. for England and Wales for the winter 2003–04. By way of comparison, the projected plant margin for the winter of 2002–03 in NGC's October 2002 Update was 17.4 per cent. NGC project that peak demand under average cold spell (ACS) conditions this winter would be 55,900 MW and that the registered capacity of generating stations, including interconnectors with France and Scotland, would be 66,697 MW. The figures do not include additional reserves that NGC has recently contracted for and nor do they allow for any further return of mothballed plant.

The electricity market provides electricity suppliers and generators with strong financial incentives to deliver the power they have contracted to provide. It is not the Government's role to specify how market participants should meet their contracted obligations.

The Department of Trade and Industry, together with Ofgem, monitors the security of gas and electricity supplies through the Joint Energy Security of Supply Working Group (JESS). The latest report from JESS was published on the Department's web site (www.dti.gov.uk/energy/jess/jessreport3.pdf) on 12 November and copies will be placed in the library of the House when available.

Employment Rights

Mr. Ben Chapman: To ask the Secretary of State for Trade and Industry when she will make an announcement regarding section 23 of the Employment Relations Act 1999 in relation to employment rights for clergy. [139856]

Mr. Sutcliffe: The Government hopes to publish a response to the DTI Review of Employment Status in relation to statutory employment rights around the turn of the year.

Mr. Edwards: To ask the Secretary of State for Trade and Industry when she expects to announce the results of her Department's consultation on employment rights for atypical workers, with special reference to clergy. [139939]

Mr. Sutcliffe: The Government hope to publish a response to the DTI Review of Employment Status in relation to statutory employment rights around the turn of the year.

Estate Agents

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many claims against estate agents have been taken to the civil courts; how many have been upheld; and how much financial compensation has been awarded in each year since 1997. [139671]

Mr. Sutcliffe: This information is not collected by the Department.

EU Committees

Angus Robertson: To ask the Secretary of State for Trade and Industry if she will list the dates of meetings of the *(a)* EU Committee for the implementation of the multiannual community programme to stimulate the establishment of the information society in Europe and *(b)* EU Advisory Committee on the development and reconversion of regions during the Danish and Greek presidencies; what items were on each agenda; which representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if she will make a statement. [132762]

Ms Hewitt: The information is as follows:

(a) There were no meetings of this Committee during the Danish and Greek presidencies. The programme was discussed at the Information Society working group during co-decision negotiations with the European Parliament.

(b) The Committee for the Development and Conversion of Regions (CDCR) is chaired by DG REGIO the Directorate General for the Regions, and meets 10 times a year. All of its activities are a matter of record and are available on DG REGIO's "circa" website: http://forum.europa.eu.int

The Committee discusses matters relating to the implementation of structural funds in the EU. Much of its work during the Danish presidency was concentrated on the simplification, clarification, coordination and flexibility of the structural policies. During the Greek presidency, the CDCR discussed a wide range of issues, including the Commission's revised indicative guidelines on the structural funds and their coordination with the Cohesion Fund.

The CDCR has met four times since the answer I gave to the hon. Member for Buckingham on 13 May 2003, *Official Report*, columns 169–70W. Its structure and remit are unchanged.

There was no representative from the Scottish Executive at these meetings. The UK is represented by officials from the Department of Trade and Industry who represent all of the UK.

With regard to preparatory meetings, under "Exemption 2: internal discussion and advice, of the Code of Practice on Access to Government Information", the Government do not release details of such meetings.

Angus Robertson: To ask the Secretary of State for Trade and Industry if she will list the dates of meetings of the *(a)* EU Committee for the adaptation to technical progress of directives on the removal of technical barriers to trade in the sector of protective equipment and systems for use in explosive atmospheres and *(b)* EU Committee on implementation of the multiannual programme for enterprise and entrepreneurship, in particular for small and medium-sized enterprises during the Danish and Greek presidencies; what items were on each agenda; which representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if she will make a statement. [132763]

Ms Hewitt: The information is as follows:

(a) I believe that the hon. Member is referring to the Standing Committee set up in Article 6 of Council Directive 94/9/EC Of 23 March 1994 on the approximation of laws of the member states concerning Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres (the "ATEX" Directive).

The meeting scheduled for 11 December, during the Danish presidency was postponed until 6 and 7 February 2003, during the Greek Presidency. Agenda items for the February meeting were categorised under; questions of scope; questions of conformity assessment; questions of transition (1.7.2003); questions on the ATEX guidelines;

reports from CEN standardisation committees; cooperation between EU notified bodies; progress in candidate countries concerning the implementation of the ATEX Directive, and, report from DG Enterprise concerning the ATEX "Workplace" Directive 1999/192/EC.

The next meeting of the Standing Committee is scheduled for 4 December 2003. The UK is represented by officials from the Department of Trade and Industry (DTI) and the Health and Safety Executive (HSE) who represent all of the UK.

(b) The Enterprise Programme Management Committee met in Brussels on 17 October 2002 and on 13 March 2003. The main business of the former meeting was to discuss and approve multi-annual programme (MAP) activity for 2003, amendments to approved MAP activity for 2002 and proposals to take forward particular projects. The main purpose of the latter meeting was to consider the report on MAP implementation during 2002, amendments to the approved 2002 and 2003 activities and an evaluation of the 2001–05 MAP.

UK officials consult widely and ensure that the views of the devolved administrations, including the Scottish Executive are fully reflected at committee meetings.

With regard to preparatory meetings, under Exemption2: Internal discussion and advice, of the Code of Practice on Access to Government Information, the Government does not release details of such meetings.

Angus Robertson: To ask the Secretary of State for Trade and Industry if she will list the dates of meetings of the *(a)* EU Committee for the implementation of the multiannual community action plan on promoting the safe use of the internet and *(b)* EU committee for management of generalised preferences during the Danish and Greek presidencies; what items were on each agenda; which representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if she will make a statement. [132764]

Ms Hewitt: The information is as follows:

(a) The Common Commercial Policy is not devolved to the Scottish Executive. The GSP is part of the EU's Common Commercial Policy on which the Community have competence.

The Committee met on 7 November 2002 and agenda items included the Implementation of Article 12 of Regulation No. 2501/2001, with respect to graduation, the request of Ukraine for the special incentive arrangements for the protection of labour rights, Information on other requests for the special incentive arrangements and information on judgment concerning case T?113/00 (DuPont Teijin Films Luxembourg SA; Mitsubishi Polyester Film GmbH; Toray Plastics Europe SA *v.* Commission).

On 29 November 2002 and 13 December 2002, the Committee discussed the implementation of Article 12 of Regulation No. 2501/2001, with respect to graduation.

On 25 March 2003, items discussed included a request according to Articles 26 to 28 of the Regulation No. 2501/2001 concerning Belarus, request of Sri Lanka for the special incentive arrangements for the protection of labour rights (for exchange of views), information on other requests for the special incentive arrangements and information on India's complaint in WTO.

The GSP Working Party met on 6 November 2002 and on 5 March 2003 to discuss the SPG Regulation, on 27 February 2003 to discuss the application of a generalised tariff preference schemes from 1 January 2002 to 31 December 2004.

(b) The IAPPC (Safer Internet Action Plan Committee) met on 28 October 2002 and 16 May 2003. The October 2002 agenda included: progress on the implementation of projects selected in 2002, report on activities of hotlines co-funded by the Action Plan, procedure for selecting contractor for final evaluation of programme, update on recent events (Racism Workshop, Police and hotlines workshop, extension of IAPCODE contract, discussions with candidate countries), proposal for a two-year extension of the programme, discussion paper on eSafe Work Programme 2003–04 and recent developments from member states. The May 2003 agenda included: the adoption of the Council Decision for the extension of the Work Programme to year 2003–04, a final evaluation of the programme, the criteria and content of the call for proposals, rules of procedure and national events, progress and particular issues related to illegal and/or harmful content on the internet. The Commission also organised a consultation day for committee members and the public on 12 September 2003 on the forthcoming programme (2005–08).

UK officials consult widely and ensure that the views of the Devolved Administrations, including the Scottish Executive, are fully reflected at Committee meetings.

With regard to preparatory meetings, under "Exemption 2: internal discussion and advice, of the Code of Practice on Access to Government Information", the Government do not release details of such meetings.

Angus Robertson: To ask the Secretary of State for Trade and Industry if she will list the dates of meetings of the *(a)* EU Committee for the harmonisation of national legislation relating to recreational craft, *(b)* EU Standing Committee on the approximation of the laws of the member states relating to machinery and *(c)* EU Committee for the adaptation to technical progress of directives on the removal of technical barriers to trade in the sector of cosmetics during the Danish and Greek Presidencies; what items were on each agenda; which representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if she will make a statement. [132765]

Ms Hewitt: The information is as follows:

(a) I believe that the hon. Member is referring to the Standing Committee set up under Article 6 of Directive 94/25/EC on the approximation of the laws, regulations and administrative provisions of member states relating to recreational craft. The last meeting was held on 27 January 2003 in Brussels. The items on the Agenda

included a discussion concerning the updated rules of procedure of the Standing Committee; an update on the guide to the application of the Directive; a review of the Recreational Craft Sectoral Group's recommendation for use sheets; an exchange of views on administrative co-operation between member states and a discussion. There was no representative of the Scottish Executive at this meeting; the UK is represented by two officials from the Department of Trade and Industry (DTI) who represent all of the UK.

(b) The Standing Committee set up under Article 6.2 of Directive 98/37/EC on the approximation of the laws of the member states relating to machinery has met twice during the period of the Danish and Greek Presidencies.

On 28 March, the agenda items discussed were: co-ordination of notified bodies; progress on standardisation; electric hoists on lift car tops; safety belts on industrial trucks; standards on portable hand-held machines; tipping equipment for fitting to road lorries; and mobile transport platforms.

On October 23 and 24, the agenda items discussed were: mobile transport platforms; press brakes; annex ZA of harmonised standards, co-ordination of notified bodies; duration of type examination certificates; recommendations for use; progress on standardization; machines that use gas as fuel; Pr EN 13683 (garden equipment); Karting; prototypes; translation issues; EN 14122-4 (fixed ladders); climbing frames; automatic dough dividers; steam boilers; agricultural spray equipment; and, visibility from vehicles.

There was no representative from the Scottish Executive at these meetings. The UK is represented by officials from the Department of Trade and Industry who represent all of the UK. They are supported by a technical expert from the Health and Safety Executive

(c) The Committee for the Adaptation to Technical Progress (CATP) of Directive 76/768 on Cosmetic Products met twice during the Danish Presidency (on 22 July and 30 September 2002) and twice during the Greek Presidency (on 4 February and 29 April 2003). Under the Danish Presidency, discussions took place on the draft 27th and 28th Amendments to the Cosmetic Directive and these amendments were also adopted in this period. During the Greek Presidency, the 29th and 30th Amendments to the Cosmetics Directive were considered and adopted. The amendments all involved technical amendments (relating to substances allowed/ restricted for use in cosmetics) to the annexes that form part of the Cosmetics Directive.

There was no representative from the Scottish Executive at these meetings. The UK is represented by officials from the Department of Trade and Industry who represent all of the UK. When technical amendments to the Cosmetics Directive are proposed, which usually relate to toxicological issues, the views of Department of Health and chemical advisers are sought.

With regard to preparatory meetings, under "Exemption 2: internal discussion and advice, of the Code of Practice on Access to Government Information", the Government do not release details of such meetings.

Angus Robertson: To ask the Secretary of State for Trade and Industry if she will list the dates of meetings of the *(a)* EU Advisory Committee on restrictive practices and dominant positions, *(b)* EU Advisory Committee on concentrations between undertakings and *(c)* EU Committee for implementation of the action programme to tackle discrimination during the Danish and Greek presidencies; what items were on each agenda; which representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if she will make a statement. [132766]

Ms Hewitt: Competition is a reserved matter under the Scotland Act.

(a) The Advisory Committee on Restrictive Practices and Dominant Positions is the body through which the European Commission carries out its duty to consult member states on decisions and amendments to EC competition law that it proposes to adopt. Office of Fair Trading officials represent the UK at these meetings, but may be accompanied by officials from Government Departments and other regulators where they have a particular interest.

The Committee met in October, November and December 2002 and in March and May 2003, and discussed a number of anti-trust cases including those involving video games, auction houses, reinforcing steel bars, speciality graphites, beef and veal, food flavour enhancers, network sharing agreements for mobile phones and high-speed internet services.

(b) The Advisory Committee on concentrations between undertakings meets to discuss all cases subject to detailed examination under the EC Merger Regulation and the Office of Fair Trading represents the United Kingdom with Ministers playing no role.

The Committee also meets to discuss draft Commission guidance associated with EC Merger Regulation and broader policy issues raised by the European merger regime. The Committee met three times in July 2002; twice in October 2002; once in November 2002, December 2002 and March 2003; twice in April 2003; and once in June 2003.

(c) In the relevant period there has been one meeting of the Committee for the Community Action programme to combat discrimination, on 6 December 2002. Among the items discussed were the draft Work Programme 2003, the Presentation of 2003 disability specific initiatives (European Year of People with Disabilities), Part financing the Platform of European Social NGOs- Awareness raising measures, the Results of Eurobarometer survey on the perceptions of discrimination, and the Evaluation of the European Monitoring Centre on Racism and Xenophobia.

When appropriate UK officials consult widely and ensure that the views of the devolved Administrations, including the Scottish Executive are fully reflected at Committee meetings.

With regard to preparatory meetings, under Exemption2: Internal discussion and advice, of the Code of Practice on Access to Government Information, the Government do not release details of such meetings.

Angus Robertson: To ask the Secretary of State for Trade and Industry if she will list the dates of meetings of the *(a)* EU Accounting Directives Contact Committee, *(b)* EU Advisory Committee on opening up public contracts and *(c)* EU Committee on the directives on names and labelling of textile products during the Danish and Greek presidencies; what items were on each agenda; which representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if she will make a statement. [132767]

Ms Hewitt: The information is as follows:

(a) The last three meetings of the EU Accounting Directives Contact Committee took place on 12–13 December 2001, 14 October 2002 and 27 March 2003. The Contact Committee discussed the Accounting Directives, including the Modernisation of the Accounting Directives, the Fair Value Directive and the interaction of national law and the European Regulation on International Accounting Standards.

(b) During the Danish presidency there was a meeting of the Advisory Committee on Public Procurement in Brussels on 9 December 2002.

The (substantive) items on the agenda were: the adoption of new rules of procedure, recent case law, public private partnerships, local public services, statistics and the related subject of indicators, forthcoming negotiations on coverage under the WTO GPA review and the establishment of a Working Group on e-procurement.

During the Greek presidency there were two meetings of the Advisory Committee on Public Procurement in Brussels on 11 March and 18 June 2003.

On 11 March the (substantive) agenda items were: public private partnerships, exchange of views on the review of the remedies directives, recent case law, presentation of and discussion of SOLVIT and the Public Procurement Network (PPN), qualification of construction firms, statistics and indicators, WTO procurement developments, the Community Procurement Vocabulary (CPV) and standard forms.

On 18 June the (substantive) agenda items were: information on the Internal Market Strategy, discussion on the replies to a questionnaire on the review of the remedies directives, progress on the legislative package, information on the PPN, presentation and discussion of an ongoing Commission study on SME access to public procurement contracts, public procurement in the field of defence, WTO procurement developments, proposal for a CPV amending regulation, standard forms and statistics.

(c) No meeting of the EU Committee on Directives relating to Textile Names and labelling took place during the Danish and Greek presidencies.

There was no representative from the Scottish Executive at these meetings. The UK is represented by officials from the Department of Trade and Industry who represent all of the UK.

With regard to preparatory meetings, under "Exemption 2: Internal discussion and advice, of the Code of Practice on Access to Government Information", the Government do not release details of such meetings.

Angus Robertson: To ask the Secretary of State for Trade and Industry whether the *(a)* EU Committee for the harmonisation of credit insurance provisions for transactions with medium and long-term cover, *(b)* EU Advisory Committee on standardisation in the field of information technology, *(c)* EU Committee on general authorisations and individual licences in the field of telecommunications services and *(d)* the EU Advisory Committee on restrictive practices and dominant positions in the transport industry met during the Danish and Greek presidencies; and if she will make a statement. [132768]

Ms Hewitt: The information is as follows:

(a) There were no meetings of the EU Committee for the harmonisation of credit insurance provisions for transactions with medium and long terms cover in 2002–03, during the period corresponding to the Danish and Greek presidencies of the council.

This Committee would only be involved in the case of an unresolved disagreement as to the status of a debtor.

There were no such disagreements in 2002–03 so the committee was not convened.

(b) I believe that the hon. Member is referring to the Senior Officials Group on Information Technology Standardisation, which has not met since 1999.

(c) The EU Committee on general authorisations and individual licences in the field of telecommunications services (Licensing Committee) did not meet during the period in question. Its work was taken over in October 2002 by the Communications Committee (COCOM), which met seven times during the period in question. Agenda items included progress towards implementation of the new regulatory package; measures to encourage new market entrants, to promote the deployment of broadband and to discourage unsolicited commercial e-mail; adoption of common technical standards; the appointment of a registry to run the new "EU" top level domain internet address.

(d) The Advisory Committee on restrictive practices and dominant positions in the transport industry is the body through which the European Commission carries out its duty to consult member states on decisions and amendments to EC competition law in the field of transport which it proposes to adopt. The Committee met once in Brussels in the period in question: in September 2002, it discussed a revision to the Trans-Atlantic Conference Agreement on liner shipping conferences.

When appropriate UK officials consult widely and ensure that the views of the devolved administrations, including the Scottish Parliament are fully reflected at Committee meetings.

With regard to preparatory meetings, under "Exemption 2: Internal discussion and advice, of the Code of Practice on Access to Government Information", the Government does not release details of such meetings.

Angus Robertson: To ask the Secretary of State for Trade and Industry whether the *(a)* EU Committee for the adaptation to technical progress of directives on the removal of technical barriers to trade in the sector of electric materials used in an explosive atmosphere, *(b)* EU Committee on the directives on names and labelling of textile products, *(c)* EU Committee for the adaptation to technical progress of directives on the removal of technical barriers to trade in the sector of measuring instruments and methods of metrological control, *(d)* EU Advisory Committee on telecommunications procurement and *(e)* EU Committee on the implementation of open network provision met during the Danish and Greek presidencies; and if she will make a statement. [132770]

Ms Hewitt: The information is as follows:

(a) I believe that the hon. Member is referring to Committees set up under "Old Approach" Directives 79/196/EEC, and 82/130/EEC.Adaptation to technical progress could only be made to these directives by amending directives incorporating updated harmonised standards. Directives 94/26/EC and 97/53/EC amended Directive 79/196/EEC and Directive 98/9/EC amended Directive 82/130 EEC.

All these Directives were repealed on 30 June 2003 and superseded by "New Approach" Directive, 94/9/EC on the approximation of laws of the member states concerning Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres, (ATEX). This Directive is concerned with a wider range of ignition risks arising from electrical and mechanical equipment and dusts. It is my belief that there have been no meetings in respect of adapting to technical progress directives , since 1998.

(b) No meeting of the EU Committee on Directives relating to Textile Names and labelling took place during the Danish and Greek presidencies.

(c) No such EU Committee is currently active (which was also the position during both the Danish and Greek presidencies).

(d) This Committee did not meet under the Danish or Greek presidencies.

(e) The EU Committee on the implementation of open network provision (ONP) met once during the period in question, on 10 July 2002. Its work was taken over in October 2002 by the Communications Committee (COCOM), which met seven times during the period in question. Agenda items included progress towards implementation of the new regulatory package; measures to encourage new market entrants, to promote the deployment of broadband and to discourage unsolicited commercial e-mail; adoption of common technical standards; the appointment of a registry to run the new ".eu" top level domain internet address.

UK officials consult widely and ensure that the views of the devolved Administrations, including the Scottish Executive are fully reflected at Committee meetings.

With regard to preparatory meetings, under "Exemption 2: Internal discussion and advice, of the Code of Practice on Access to Government Information", the Government do not release details of such meetings

Angus Robertson: To ask the Secretary of State for Trade and Industry if she will list the dates of meetings of *(a)* the EU Committee on the specific programme for research, technological development and demonstration on promotion of innovation and participation of SMEs and *(b)* the EU Coordination Group to promote uniformity of application of the general system for the recognition of higher education diplomas (first general system) during the Danish and Greek presidencies; what items were on each agenda; which representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if she will make a statement. [132797]

Ms Hewitt: The information is as follows:

(a) With the advent of the Sixth Framework Programme (FP6), which was launched in December 2002, the committee system was restructured to reflect the format of the new programme. Innovation issues are now considered by the Research and Innovation committee and SME issues are covered by the horizontal committees on structuring the European Research Area and integrating and strengthening the European Research Area.

The FP5 Innovation & SMEs committee met on two occasions during the Danish Presidency, on 10 July and 17 October 2002.

During these meetings, the opinion of the committee was sought on the first batch of innovation projects accepted for funding and on the second batch of proposals for supporting the setting up and development of innovative firms. There was also discussion on a range of other issues including:

tender for the CORDIS database contract and the future of the service;

the results of an analysis of Technology Transfer and Validation projects under Framework Programmes four;

the Innovation Trend chart;

2001 Innovation and SME Monitoring report; and

the contracts for two Innovation Relay Centres.

The FP6 Research and Innovation Committee met on three occasions during the Danish Presidency: on 29 October, 19 November and 4 December 2002.

During these meetings, there was discussion on:

introduction to the Work Programmes of the Specific Programme 'Structuring the European Research Area';

common criteria for evaluating proposals and common rules of procedure for the sub-programme committees; and

the draft Work Programme for the Research and Innovation sub-programme.

There were no meetings of this committee under the Greek Presidency. Each member state is permitted to send no more than one delegate to the committee. However, UK officials consult widely to ensure that the views of the Devolved Administrations, including the Scottish Executive, are fully reflected at committee meetings.

The horizontal committees on structuring the European Research Area and integrating and strengthening the European Research Area met on three

occasions during the Greek Presidency: on 4 March, 21 May and 9 July 2003. These covered the following SME issues:

information on the first call for collective research proposals;

information on SME participation in first calls of thematic priorities;

information on the results of the first deadline for co-operative research; and

information and discussion on the planning of co-operative research calls in 2004.

The European Commission's meetings of the SME and Innovation Programme Committee were attended by DTI officials. The agendas and minutes of these meetings are circulated to the Devolved Administrations, including the Scottish Executive, and any views expressed by them are reflected at committee meetings.

With regard to preparatory meetings, under Exemption2: internal discussion and advice, of the Code of Practice on Access to Government Information, the Government do not release details of such meetings.

(b) This Committee falls within the responsibility of my right hon. Friend the Secretary of State for Education and Skills.

Angus Robertson: To ask the Secretary of State for Trade and Industry if she will list the dates of meetings of *(a)* the EU Telematics between Administrations Committee (TAC), *(b)* the EU Advisory Committee on State Aid for the application of Articles 92 and 93 of the EC Treaty to certain categories of horizontal State Aid (exemption) and *(c)* the EU Advisory Committee on State Aid on the arrangements for applying Article 93 of the EC Treaty (procedure) during the Danish and Greek presidencies; what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if she will make a statement. [132822]

Ms Hewitt: The information is as follows:

(a) There were three TAC meetings under the Danish presidency. Agenda items included included discussion on the IDA 2002 Work Programme; the future of IDA and eEurope; and IDA II mid-term evaluation, and the IDA Work Programmes for 2002 and 2003.

There were five TAC meetings under the Greek presidency. Agenda items included the strategy for implementing the portal of the EU administration, the IDA Work Programme and eEurope, the 2003 IDA Work Programme, a Communication on Interoperability and Global Implementation Plans and Preparatory Reports for a number of projects.

(b) The EU Advisory Committee on State Aid for the application of Article 92 and 93 of the EC Treaty to certain categories of horizontal State Aid (exemption) met once during the Danish and Greek presidencies. The meeting was held on 24 July 2002 and the sole item on the agenda was discussion of Commission proposals for a Block Exemption for State aid for employment.

The EU Advisory Committee on State Aid on the arrangements for applying Article 93 of the EC Treaty (procedure) met twice during the Danish and Greek presidencies. The meetings were held on 17 December 2002 when the sole item on the agenda was discussion of informal Commission proposals on reform of State aid procedures and on 18 December 2002 when the sole item on the agenda was discussion of Commission proposals on Services of General Economic Interest.

The Department consults widely on the topics for discussion at these meetings and the views of the devolved Administrations, including the Scottish Executive are fully reflected at Committee meetings.

With regard to preparatory meetings, under "Exemption 2: Internal advice and discussion, of the Code of Practice on Access to Government Information", the Government do not release details of such meetings.

Export Controls

Paul Farrelly: To ask the Secretary of State for Trade and Industry if she will discuss with *(a)* the Foreign Secretary, *(b)* the Secretary of State for International Development, *(c)* the Secretary of State for Defence and *(d)* the European Commission the allegations made by the hon. Member for Newcastle-under-Lyme in the (i) debate on Export Controls on 6 November and (ii) debate on the Export Control Bill on 8 November 2001 in relation to arms supplies to Zimbabwe and the Democratic Republic of Congo; and if she will take steps to investigate the allegations. [138668]

Nigel Griffiths: Investigations into alleged breaches of arms embargoes and Sanctions regimes is a matter for HM Customs and Excise.

Paul Farrelly: To ask the Secretary of State for Trade and Industry (1) pursuant to the answer of 28 April 2003, *Official Report*, columns 104–05W, on the Export Control Act 2002, what *(a)* controls and *(b)* sanctions would apply under (A) orders made under the Export Control Act 2002 coming into force on 1 May 2004 and (B) European Union measures to an individual with United Kingdom residence rights and business interests but joint Zimbabwean and Dutch nationality who supplied arms or military supplies to Zimbabwe through (i) United Kingdom incorporated companies and (ii) Zimbabwe incorporated companies, which are associated with or controlled by her; [138696]

(2) in what circumstances an individual dealing in arms who has United Kingdom residence rights but who does not hold a United Kingdom passport would be subject to the controls and sanctions of the orders due to come into force on 1 May 2004 under the Export Control Act 2002; [138697]

(3) in what circumstances United Kingdom companies *(a)* controlled by and *(b)* associated with an individual with United Kingdom residence rights but joint Zimbabwean and Dutch nationality which are dealing in arms to Zimbabwe would be subject to restrictions and sanctions contained in the orders coming into force on 1st May 2004 under the Export Control Act 2002; [138698]

(4) in what circumstances an individual dealing in arms to Zimbabwe who has United Kingdom residence rights but holds joint Zimbabwean and Dutch nationality would be subject to the controls contained in the orders which will come into force on 1 May 2004 under the Export Control Act 2002; [138699]

(5) whether the Export Control Act 2002 and the orders due to come into force on 1 May 2004 will apply to the activities of UK-based arms dealers who have UK residence rights but are not UK passport holders and who supply arms to Zimbabwe through companies incorporated and based overseas. [138700]

Nigel Griffiths: The Trade in Goods (Control) Order prohibits trade in specified military equipment between countries outside the UK unless the Secretary of State grants a licence. In the case of long-range missiles, specially designed components and equipment used in torture, the controls will apply to any trading activities done in the UK and also to the activities of UK persons anywhere in the world. For trade in any other equipment on the UK Military List to non-embargoed destinations, the controls will apply where any part of the trading activity takes place in the UK. The maximum penalty under this Order, for trading without a licence, is a fine for any amount or imprisonment for a term not exceeding 10 years, or both.

A "UK person" is defined as a UK national, a Scottish Partnership, or a body incorporated under the law of any part of the UK. Controls on trade from a country outside the UK to an embargoed destination will be introduced by a separate Order to be made under Section 4 of the Export Control Act 2002. Trade activities carried out in the UK or by a UK person anywhere in the world are prohibited without a licence. The relevant embargoed destinations will be those subject to non-binding United Nations Sanctions, and European Union, Organisation for Security and Co-operation in Europe (OSCE), and UK national, embargoes. The maximum penalty under these Orders, for promoting the supply or delivery of any relevant goods to the embargoed destination without a licence, will be a fine for any amount or imprisonment for a term not exceeding 10 years, or both.

Zimbabwe is subject to both EU and national embargoes. On 18 February 2002 the Council of the European Union agreed a range of targeted sanctions against Zimbabwe (Council Common Position 2002/145/CFSP), including an embargo on the sale or supply of arms by nationals of member states and from the territory of member states, a ban on the supply of training or assistance related to the provision, manufacture, maintenance or use of arms, and a ban on the sale or supply of certain equipment which might be used for internal repression. The European Council subsequently adopted Council Regulation (EC) 310/2002 implementing certain measures of the Common Position, including the ban on the sale or supply of equipment for internal repression and technical assistance related to arms.

The Zimbabwe (Sale, Supply, Export and Shipment of Equipment) (Penalties and Licences) Regulation 2002 (SI 2002/868) gives effect to EU Regulation 310/2002. The maximum penalty under the UK Regulation, for promoting the sale, supply or shipment of equipment which might be used for internal repression or the provision of relevant technical assistance to Zimbabwe without a licence, is a fine, imprisonment for a term not exceeding two years, or both. Presently, under the Export of Goods (Control) Order 1994, the maximum penalty for the export of controlled goods from the UK to Zimbabwe without a valid export licence is a fine or imprisonment for a term not exceeding seven years, or both. This is to be increased to 10 years imprisonment from 1 May 2004 under the Trade in Good (Control) Order.

A licence would be required under the new trade controls by a UK person anywhere in the world or any person acting in the UK who negotiated or arranged a contract with an overseas partner which he or she knew or had reason to believe would result in the movement of controlled goods from an overseas country to an embargoed destination. This would include trade to a third country where he or she knew or had reason to suppose that the goods were ultimately destined for an embargoed destination. The controls would apply to trading activity done from the UK regardless of whether it was undertaken through UK or foreign registered companies.

Fair Trade

John Barrett: To ask the Secretary of State for Trade and Industry what action her Department is taking to promote fair trade accreditation at UK universities. [138387]

Nigel Griffiths: I refer to the answer given by my right hon. Friend the Secretary of State for Education and Skills on 18 November 2003, *Official Report*, columns 544–45W.

Fireworks

Mr. Lyons: To ask the Secretary of State for Trade and Industry what action she is taking to prevent misuse of fireworks. [117395]

Ms Blears: I have been asked to reply.

I apologise for the delay in replying.

The Police and Criminal Justice Act 2001 introduced fixed penalty notices for disorder—letting-off of fireworks in a public place is one of the offences covered by the scheme. In addition the Department for Trade and Industry introduced a voluntary agreement with the firework industry from January 2003 preventing the supply of airbombs. The Government also supported the Private Member's Bill introduced by my hon. Friend the Member for Hamilton, South (Mr. Tynan), which received royal assent on the 18 September and which will allow more effective controls on fireworks.

Insolvency

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many *(a)* company insolvencies and *(b)* individual insolvencies there were in each quarter since 1997. [139815]

Mr. Sutcliffe: The figures requested are supplied in the following table.

Figures on individual and company insolvencies are available from the DTI's quarterly insolvency press release. This can also be found on the website at www.dti.gov.uk/sd/insolv

Year/quarter	*Company insolvencies*[1]	*Individual insolvencies*[1]
1997		
Q1	3,017	6,021
Q2	3,183	6,421
Q3	3,196	6,093
Q4	3,214	5,906
1998		
Q1	3,123	5,746
Q2	3,291	5,776
Q3	3,373	6,306
Q4	3,416	6,721
1999		
Q1	3,741	6,785
Q2	3,653	7,042
Q3	3,428	7,503
Q4	3,458	7,476
2000		
Q1	3,522	7,612
Q2	3,431	7,440
Q3	3,775	7,200
Q4	3,589	7,276
2001		
Q1	3,825	7,473
Q2	3,765	7,591
Q3	3,692	7,324
Q4	3,690	7,387
2002		
Q1	4,014	7,244
Q2	4,130	7,596
Q3	3,882	7,779
Q4	4,280	7,967
2003		
Q1	3,672	8,146
Q2[2]	3,825	8,738
Q3[3]	3,398	9,094

[1] Seasonally adjusted
[2] Revised
[3] Provisional

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how much revenue has been generated from fees charged by the Insolvency Service in respect of *(a)* company winding-up petitions, *(b)* creditors' petitions and *(c)* debtor's petitions in each year since 1997. [139819]

Mr. Sutcliffe: Due to the nature of the current Insolvency Fees structure it is not possible to disaggregate the amount of fees recovered between *(a)* company winding-up petitions, *(b)* creditors' petitions and *(c)* debtor's petitions.

Total fees recovered for each year since 1997 for Insolvency fee earning activities were:

	Amount (£000)
1997–98	35,155
1998–99	37,892
1999–2000	38,197
2000–01	41,777
2001–02	44,859
2002–03	52,589

Manufacturing Advisory Service

Hugh Bayley: To ask the Secretary of State for Trade and Industry (1) how many inquiries about the Manufacturing Advisory Service have been made by firms in *(a)* York unitary authority and *(b)* Yorkshire; [135939]

(2) how many firms in *(a)* York unitary authority and *(b)* Yorkshire have taken up services offered by the Manufacturing Advisory Service; [135940]

(3) how many training events have been held by the Manufacturing Advisory Service in Yorkshire. [135941]

Jacqui Smith: The Manufacturing Advisory Service (Yorkshire and Humber) has, since its launch in May 2002 to 17 November 2003, dealt with *(a)* 110 inquiries from firms in the York unitary authority area; and, *(b)* 2,563 inquiries from firms in Yorkshire and The Humber.

In total, services offered by Manufacturing Advisory Service (Yorkshire and Humber) have been taken up by *(a)* 23 firms from the York unitary authority area; and *(b)* 547 firms in Yorkshire and The Humber.

The Manufacturing Advisory Service (Yorkshire and Humber) has held 16 training events.

Overall, the Manufacturing Advisory Service (Yorkshire and Humber) has so far delivered a total added value of 4.5 £million to firms in the region.

Market Research

Dr. Cable: To ask the Secretary of State for Trade and Industry how much her Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if she will make a statement. [139983]

Ms Hewitt: The department does not centrally collect the information sought at the required level of detail and to provide it would entail disproportionate cost.

Statistical surveys to businesses and local authorities conducted by the Department and its agencies are monitored centrally to facilitate control of compliance costs to business and departmental expenditure on survey activity. It is not possible, however, to determine with any degree of accuracy which surveys fall into the categories of market and opinion research, or which contain an element of these. The answer would incur disproportionate cost because of the need to ask all Directorates in DTI to attempt to provide details of each survey and piece of research commissioned.

Mobile Phone Masts

Virginia Bottomley: To ask the Secretary of State for Trade and Industry what estimate she has made of the number of third generation mobile telephone masts that will be required in Surrey. [136281]

Mr. Timms: It is not possible to give a reliable estimate of the number of new masts that will be needed to fulfil the obligations of the 3G licensees, whether in total or by area. The number of masts required in an area will be affected by the level of consumer demand for 3G services, by commercial decisions related to the design of the networks, by the physical topography and by the requirements of planning authorities.

Mobile Phones

Mr. Gardiner: To ask the Secretary of State for Trade and Industry if she will issue guidance to mobile phone companies urging them to cancel mobile phone SIM cards when customers cancel contracts. [138609]

Mr. Timms: This is a matter for the mobile phone operating companies and should involve no liability for customers.

Mr. Fallon: To ask the Secretary of State for Trade and Industry what representations she has received regarding *(a)* fraud and *(b)* market abuse in the pre-paid mobile telephone card market; and what action she is taking. [140019]

Mr. Timms: No representations have been received regarding either fraud or market abuse in the pre-paid mobile phone card market.

There are no plans to take any action with regard to the pre-paid mobile telephone card market.

NTL Complaints

Keith Vaz: To ask the Secretary of State for Trade and Industry how many complaints Oftel received about NTL in the last 12 months; what action Oftel has taken in response to complaints; and when she next plans to meet the Chief Executive of NTL. [139805]

Mr. Timms: Between 1 November 2002 and 17 November 2003 Oftel received 5,202 complaints about NTL. In line with Oftel's policy of allowing telecommunications companies the opportunity to resolve complaints in the first instance, about 80 per cent. of the complaints were devolved to NTL to resolve. The remainder were handled by Oftel. My right hon. Friend the Secretary of State for Trade and Industry has no immediate plans to meet the Chief Executive of NTL.

Oil and Gas Industry

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact on the control of the UK's oil and gas industries of the draft European Constitution; and if she will make a statement. [139420]

Mr. Timms: My Department has made an assessment of the potential impact of the draft Constitution on the Department's powers to regulate recovery of hydrocarbons from the UK Continental Shelf. This assessment notes that Article III-157 of the draft EU Constitutional Treaty would give the EU competence in energy matters, including natural resources, with voting by qualified majority. Also that Article III-130(2)(c) provides for unanimity on "measures significantly affecting a Member State's choice between different energy sources and the general structure of its energy supply". Under the Treaty establishing the European Community, there is already Union activity in energy matters and we believe there is a strong case for making the legal base for policy in this area more transparent. However, the UK Government would not agree to any proposal that was inconsistent with UK energy interests.

Post Office Closures

Annabelle Ewing: To ask the Secretary of State for Trade and Industry how many urban post offices in Scotland have been *(a)* proposed and *(b)* approved for closure since the inception of the Network Reinvention Scheme. [139024]

Mr. Timms *[holding answer 17 November 2003]:* I understand that since March 2000 the company has recorded details of post office closures, including those under the urban reinvention programme, which commenced in late 2002, on the basis of Government Region and country. It does not record details of proposals on this basis. In Scotland, there have been 28 closures under the urban reinvention programme to the end of September 2003, the latest quarter for which figures are currently available.

Post Offices (Benefit Payments)

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what the volume of transactions across post office counters was *(a)* in total, *(b)* for child benefit payments, *(c)* for pensions payments, *(d)* for Veterans Agency pensions and *(e)* for Jobcentre Plus in the last year for which figures are available. [139672]

Mr. Timms: These are matters that fall within the day-to-day responsibility of Post Office Ltd. I have therefore asked the Chief Executive to reply direct to the hon. Member.

Printer Cartridges

Norman Baker: To ask the Secretary of State for Trade and Industry if she will place in the Library copies of correspondence between her Department and the European Commission concerning the status of printer cartridges within the Waste Electrical and Electronic Equipment (WEEE) Directive. [139197]

Mr. Timms: There has been no written correspondence on this subject between the Government and the Commission.

Radio Frequency Identifier Devices

Mr. Watson: To ask the Secretary of State for Trade and Industry what discussions she has had with retailers about the use of radio frequency identifier devices. [140030]

Mr. Timms: My right hon. Friend the Secretary of State for Trade and Industry has not met with retailers specifically to discuss the use of radio frequency identification (RFID) devices.

DTI supports wider and innovative use of RFID as a business technology that can bring significant productivity improvements, reduce the opportunity for crime and enhance customer service. Demonstrator projects have been funded under the Basic Technologies and Next Wave programmes investigating RFID applications in retail, supply chain, construction and transport sectors.

DTI also seeks to identify and spread best practice, and better inform consideration of, RFID technologies by working with the Auto-Identification Manufacturers trade association (AIM UK) and sector specific fora such

as the British Retail Consortium, the Buildings Research Establishment and the Institute of Logistics and Transport.

Red Tape

Mr. Colman: To ask the Secretary of State for Trade and Industry what measures she is taking to reduce the administrative burden on small businesses. [139901]

Nigel Griffiths: I can confirm today that the small company audit exemption threshold will be raised to the EU maximum of £5.6 million. This will mean 69,000 companies will be added to the 822,000 already able to make their own decision about whether to have their accounts audited. This is expected to save companies at least £94 million a year.

The recent OECD review of EU countries shows the UK has almost the lowest administration cost and few regulations for entrepreneurs than any other EU country.

We are seeking further improvements through Regulatory Impact Assessments, 'Think Small First' and 'Small business Europe', which promotes better regulation.

Royal Mail Group

Mr. Connarty: To ask the Secretary of State for Trade and Industry if she will list foreign acquisitions by the Royal Mail Group since May 1997; what the cost of the acquisition was in each case; what their contribution to the Royal Mail Group's profit and loss account was in the most recent period for which figures are available; which acquisitions have since been divested from Royal Mail; and what the net contribution to the Royal Mail Group was in such cases. [139854]

Mr. Timms: Royal Mail's overseas investments are the responsibility of the Royal Mail Board. I have therefore asked the Deputy Chairman to reply direct to my hon. Friend.

Small Business Council

Dr. Kumar: To ask the Secretary of State for Trade and Industry what the *(a)* cost and *(b)* remit of the Small Business Council was in 2002–03; what use has been made of the council by businesses in Middlesbrough, South and East Cleveland; and if she will make a statement. [139570]

Nigel Griffiths: The cost of the Service in 2002–03 in millions was £349 million, which includes programme budgets.

Information about the use of the service in the Middlesbrough, South and Cleveland, East constituency is not collected separately. In the Middlesbrough area the Tees Valley Business Link has helped 465 businesses to start up and has provided advice and guidance to 1,151 businesses during 2002–03. Further information is available from Tees Valley Business Link.

The remit of the Small Business Service is to help build an enterprise society in which small firms of all kinds thrive and achieve their potential, with an increase in the number of people considering going into business, an improvement in the overall productivity of small firms, and more enterprise in disadvantaged communities.

The SBS Annual Report (HC 807) placed in the Libraries of the House on 14 July 2003 gives an overview of national progress, costs and impact.

Small Loans Guarantee Fund

Sir Archy Kirkwood: To ask the Secretary of State for Trade and Industry how many *(a)* applications have been received and *(b)* awards have been granted by the Small Loans Guarantee Fund in the last six years for which figures are available within (i) the Scottish Borders, (ii) Scotland and (iii) the UK. [139484]

Nigel Griffiths: Since 1997, 29,205 UK businesses have received loan guarantees through this scheme.

The total number of loans guaranteed for the Scottish Borders, Scotland and the UK over the last six years are shown in the following table.

	Borders	*Scotland*	*UK*
2003–04 (April to September) Guaranteed	4	401	2,866
2002–03 Guaranteed	10	558	3,916
2001–02 Guaranteed	16	698	4,269
2000–01 Guaranteed	19	621	4,312
1999–2000 Guaranteed	23	526	4,279
1998–99 Guaranteed	16	408	4,482
1997–98 Guaranteed	16	440	5,081
Total	104	3,652	29,205

There is no figure for the number of loan applications made to banks and other lenders.

Training

Mr. Pike: To ask the Secretary of State for Trade and Industry what recent discussions she has had with *(a)* the Department for Education and Skills, *(b)* the Learning Skills Council, *(c)* voluntary sector train[illegible] providers and *(d)* other interested parties regarding training and re-training in manufacturing and industry; and if she will make a statement. [139426]

Jacqui Smith: My right hon. Friend the Secretary of State for Trade and Industry, works closely with my right hon. Friend the Secretary of State for Education and Skills, meeting regularly to discuss areas of joint interest. They jointly lead and chair the Skills Alliance, which brings Government together with key Social and Economic partners, and delivery agencies, including the LSC and SSDA, to drive the implementation of the Government's Skills Strategy.

The Skills Strategy, published in July 2003, aims to ensure that employers have the right skills to support the success of their businesses and organisations, and individuals have the skills they need to be both employable and personally fulfilled.

Through the Government's Manufacturing Strategy we are working closely with industry and other stakeholders to ensure that UK manufacturing has the skills it needs as it increasingly moves to high value, knowledge intensive operations.

EDUCATION AND SKILLS

Higher Education White Paper

Lynne Jones: To ask the Secretary of State for Education and Skills what his estimate is of the additional cost of implementing the proposals in the higher education White Paper in the first three years that they come into effect] [139752]

Alan Johnson: We plan to publish a Regulatory Impact Assessment before the end of the year which will set out the impact of this change alongside the financial implications of the other policies announced in the Higher Education White Paper.

Paul Farrelly: To ask the Secretary of State for Education and Skills pursuant to his Answer of 12 November, *Official Report*, columns. 354–5W, on the Higher Education White Paper, how many responses to the consultation on the White Paper on Higher Education were received from honourable Members; how many were included in the total in the Government's response to the consultation; and how many other responses received by *(a)* his Department and *(b)* other Government Departments and agencies within the time limit for the consultation were not included in the total in the Government's response. [139453]

Alan Johnson: Seven hon. Members responded to the invitation to comment on the White Paper and were included in the total in the Government's commentary of responses.

All other responses similarly were included in the total in the commentary of responses which was published on 28 July 2003.

Non-EU Students

Mr. Jon Owen Jones: To ask the Secretary of State for Education and Skills if he will list the 50 *(a)* universities and *(b)* further education colleges with the highest numbers of non-European Union students registered for courses, giving the number of non-European Union students registered at each institution for the last year for which figures are available. [131724]

Alan Johnson: The latest available figures are given in the table.

Non EU overseas students studying in English institutions, 2001–02

	Number
HE Institutions[1]	
Middlesex University	3571
London School of Economics and Political Science	3425
The University of Oxford	3265
The University of Cambridge	3065
The University of Nottingham	3042
The University of Warwick	3038
University College London	2933
The London Institute	2911
The University of Leeds	2855
The University of Birmingham	2827
The Victoria University of Manchester	2795
The University of Sheffield	2440
The University of Westminster	2104
Imperial College of Science, Technology and Medicine	2014
City University	1872
King's College London	1869
Oxford Brookes University	1825
University of Luton	1759
The University of Leicester	1710
The University of North London	1678
The University of Northumbria at Newcastle	1618
The University of Central Lancashire	1582
University of Hertfordshire	1567
The University of Bristol	1565
The University of Liverpool	1544
The University of Newcastle-upon-Tyne	1539
The University of Hull	1533
The University of Essex	1521
The University of Salford	1509
The University of Reading	1466
The University of Manchester Institute of Science and Technology	1459
Anglia Polytechnic University	1457
The University of Greenwich	1453
The University of Lancaster	1383
The University of Portsmouth	1381
The University of Bath	1348
Coventry University	1344
Leeds Metropolitan University	1328
South Bank University	1308
The University of Surrey	1302
The University of East London	1299
The University of Wolverhampton	1295
De Montfort University	1233
Queen Mary and Westfield College	1183
The University of Southampton	1147
Loughborough University	1134
The University of Bradford	1108
The University of East Anglia	1100
The University of Kent at Canterbury	1081
London Guildhall University	1072
Further Education Colleges[2]	
City College, Birmingham	810
Brooklands College	747
Bradford College	731
Liverpool Community College	704
Guildford College of Further and Higher Education	656
Richmond Adult and Community College	603
South Tyneside College	591
Kingston College	581
Bournville College of Further Education	538
Crawley College	500
Oxford College Of Further Education	483
Lambeth College	477
Solihull College	398
City College, Manchester	392
Newham College of Further Education	380
Birmingham College of Food, Tourism and Creative Studies	379
Chichester College	376
West Herts College	376
Reading College and School of Arts and Design	360
Barnet College	351
Manchester College of Arts and Technology	338
Croydon College	317
Dudley College of Technology	317
Leicester College	313

Non EU overseas students studying in English institutions, 2001–02

	Number
Harrow College	304
Lewes Tertiary College	302
South Thames College	298
Oaklands College	295
New College, Nottingham	281
Gloucestershire College of Arts and Technology	279
East Berkshire College	276
Blackpool and The Fylde College	271
Bournemouth and Poole College	265
Northampton College	247
Swindon College	243
Wigan and Leigh College	235
City of Bath College	217
Southgate College	216
Park Lane College	214
Thomas Danby College	213
Southampton City College	206
Stratford upon Avon College	205
Barnfield College	206
Northbrook College, Sussex	203
Bracknell and Wokingham College	201
Broxtowe College, Nottingham	194
The Henley College	190
Suffolk College	185
Walsall College of Arts and Technology	179
Havering College of Further and Higher Education	178

[1] HE figures cover Non-EU overseas students studying HE and FE in English HEIs including the OU, based on a census count as at 1 December.
[2] FE data cover Non-EU overseas students studying HE and FE in English FECs, based on a census count as at 1 November.
Source: Higher Education Statistics Agency (HESA) and Learning Skills Council (LSC).

Mr. Jon Owen Jones: To ask the Secretary of State for Education and Skills (1) what percentage of non-European Union students at *(a)* further education colleges and *(b)* universities successfully completed their courses for each of the last five years for which figures are available; [131725]

(2) if he will list the 50 universities with the lowest percentage of non-European Union students successfully completing their courses, giving the percentage for each institution in the last year for which figures are available. [131726]

Alan Johnson: The information requested is not held centrally.

For universities and other HE sector institutions, the available information on non-completion rates is published by the Higher Education Funding Council for England (HEFCE) in "Performance Indicators in Higher Education in the UK", but this information covers UK domiciled students only.

For the FE sector, the Learning and Skills Council (LSC) only publish success, retention and achievement rates for those learners funded by the council in further education colleges and external institutions in England. However, the majority of learners from countries outside of the European Union are not funded by the LSC—so figures are not available. Furthermore, the LSC do not publish further education institution success, retention and achievement rates based on less than 500 learners as they can be misleading. In 2001/02, less than 15 further education institutions in England had more than 500 LSC funded non-European Union students.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Education and Skills if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department and its predecessor in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137880]

Mr. Stephen Twigg: My Department has not awarded any contracts to Bechtel during this period.

Capital Projects

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills (1) what the Government guidelines are for bids in relation to capital projects for schools; and how counties will apply for funds; [138874]

(2) when the bids for capital projects to build new schools were sent out to counties. [138873]

Mr. Miliband: There are currently two main bidding rounds through which local education authorities (LEAs) are able to apply for capital funding for their school estates, Building Schools for the Future (BSF) and Targeted Capital Fund (TCF).

The guidelines for the BSF programme were set out in guidance sent to all LEAs on 17 July 2003. The TCF guidance was issued to LEAs on 21 July. Both sets of guidance have been deposited in the House of Commons Library.

In both cases authorities were invited to prepare proposals based on the guidance, and to submit their proposals by 31 October 2003. We hope to announce successful projects for the first phase of BSF (due to start in 2005–06) in early January 2004, and successful TCF projects (due to start in 2004–05) will be announced at the end of January.

Expressions of interest for later years BSF funding are due to be submitted by LEAs by 19 December 2003. A further phase of successful BSF projects will subsequently be announced at the end of March.

Childhood Obesity

Alan Simpson: To ask the Secretary of State for Education and Skills how he intends to measure the impact of the Travelling to School action plan on childhood obesity. [138745]

Mr. Stephen Twigg: "Travelling to School: an action plan" describes how we are encouraging every school to draw up a School Travel Plan in consultation with parents, pupils, local authorities and other partners. School Travel Plans will help schools, local education and transport authorities identify what needs to be done to make it safe and practical for more children to walk, cycle and take the bus to school. The School Travel Planning process includes regular checks on the way pupils travel from home to school, indicating how many children are taking regular exercise which will improve their health and reduce the risk of obesity.

Official Residences

Mr. Flight: To ask the Secretary of State for Education and Skills how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134688]

Mr. Ivan Lewis: My Department has not had any costs relating to Government owned official residences since 1997.

Education Villages

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills (1) what discussions and consultations education authorities were required to carry out on education villages; [138879]

(2) how many schools have bid for capital funding for education villages in the South West; [138953]

(3) what the estimated total cost for education village bids is for the next two financial years; [138954]

(4) how many bids have been received for village education centres; [139043]

(5) whether the bids for *(a)* capital projects, *(b)* education improvements and *(c)* education villages are publicly available. [138872]

Mr. Miliband: Although we are unfamiliar with the term education village, we understand that this expression has been used at some local meetings in Somerset when discussing the local education authority's (LEA) proposal for Building Schools for the Future (BSF).

My written statements of 26 February and 26 June 2003 explain the aims of BSF, which is a programme of rebuilding and renewal to ensure that secondary education in every part of England has facilities of 21st century standard within 10 to 15 years (subject to future spending decisions), from 2005–06, when over £2 billion will be made available for investment.

We asked LEAs to consult widely on their proposals for BSF, as set out in guidance for LEAs, a copy of which I have placed in the House of Commons Library. The closing date for submission of proposals for the first wave was 31 October.

The Department does not make capital bids publicly available, because the bidding processes involve an exchange of information which is given in confidence. Whilst we are not aware of a bidding programme specifically aimed at education improvements, all capital investment is designed to raise educational standards in schools.

Although Somerset is the only LEA to be using the term education village in this context, we have received 53 BSF proposals (including the one for Somerset) for consideration for the first wave of investment. Three of these are from the South West.

Foundation Degrees

Mr. Willis: To ask the Secretary of State for Education and Skills what estimate he has made of the number of students who will be studying foundation degrees in 2010; and how many he expects to study locally. [139085]

Alan Johnson: The estimated number of full-time equivalent places on foundation degree courses in English universities from 2002–03 to 2005–06 are given below. Projections by whether the student is living at home while studying are not available.

Full-time equivalent student places on foundation degree courses (academic year)

2002/03	9,500
2003/04	12,000
2004/05	30,000
2005/06	50,000

Note:
These numbers include HND places being replaced by foundation degrees.

It should be noted that the total number of students in 2010 would depend on a number of factors, including demographic trends and rate of growth in participation towards the end of the decade. It is not possible therefore to make an estimate for 2010.

GCSEs

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what proportion of fifth-form pupils in *(a)* England, *(b)* comprehensive schools, *(c)* grammar schools, *(d)* secondary modern schools and *(e)* grammar and secondary modern schools taken together have achieved (i) five or more A* GCSEs, (ii) five or more A* or A GCSEs and (iii) five or more A*-C GCSEs in each year since 1997. [139029]

Mr. Miliband: The information requested is given in the tables:

(a) England

Percentages

Academic Year	*(i) 15 year olds achieving five or more A* grades at GCSEs*	*(ii) 15 year olds achieving five or more grades A*-A at GCSEs*	*(iii) five or more A*-C GCSEs in each year since 1997*
2003[1]	2.9	12.3	52.6
2002	3.0	12.2	51.6
2001	2.8	12.1	50.0
2000	2.6	11.7	49.2
1999	2.4	11.2	47.9
1998	2.1	10.6	46.3
1997	1.7	9.8	45.1

[1] Provisional

(b) Comprehensive schools

Percentages

Academic Year	*(i) 15 year olds achieving five or more A* grades at GCSEs*	*(ii) 15 year olds achieving five or more grades A*-A at GCSEs*	*(iii) 15 year olds achieving five or more grades A*-C at GCSE/GNVQ*
2003[1]	1.5	8.7	50.1
2002	1.5	8.6	48.8
2001	1.5	8.5	47.1
2000	1.4	8.3	46.4
1999	1.2	7.8	45.0
1998	1.1	7.4	43.1
1997	0.9	6.8	41.8

[1] Provisional

(c) Grammar schools

Percentages

Academic Year	*(i) 15 year olds achieving five or more A* grades at GCSEs*	*(ii) 15 year olds achieving five or more grades A*-A at GCSEs*	*(iii) 15 year olds achieving five or more grades A*-C at GCSE/GNVQ*
2003[1]	15.0	51.5	97.4
2002	14.9	50.8	97.5
2001	13.5	49.7	97.5
2000	12.5	47.9	97.3
1999	11.3	45.1	96.4
1998	9.3	42.0	95.4
1997	7.1	37.6	94.1

[1] Provisional

(d) Secondary modern school

Percentages

Academic Year	*(i) 15 year olds achieving five or more A* grades at GCSEs*	*(ii) 15 year olds achieving five or more grades A*-A at GCSEs*	*(iii) 15 year olds achieving five or more grades A*-C at GCSE/GNVQ*
2003[1]	0.2	2.7	40.8
2002	0.3	2.6	38.8
2001	0.2	2.5	36.8
2000	0.2	2.1	34.6
1999	0.1	2.0	32.8
1998	0.1	1.5	31.1
1997	0.0	1.3	29.0

[1] Provisional

(e) Grammar and secondary modern schools

Percentages

Academic Year	*(i) 15 year olds achieving five or more A* grades at GCSEs*	*(ii) 15 year olds achieving five or more grades A*-A at GCSEs*	*(iii) 15 year olds achieving five or more grades A*-C at GCSE/GNVQ*
2003[1]	7.1	25.4	67.2
2002	7.0	24.9	66.0
2001	6.3	24.2	64.7
2000	5.9	23.4	63.8
1999	5.6	23.3	64.2
1998	4.6	21.5	62.8
1997	3.5	19.3	61.3

[1] Provisional

Graduate Tax

Paul Farrelly: To ask the Secretary of State for Education and Skills if he will publish side-by-side comparative analyses of the cashflow profiles, showing projected expenditure and receipts of *(a)* the graduate payback scheme proposed in the White Paper on Higher Education and *(b)* the principal variants of a graduate tax which his Department has considered. [139342]

Alan Johnson: I refer my hon. Friend to the two letters to my hon. Friend from my right hon. Friend, the Secretary of State for Education and Skills, dated 1 April 2003 and 3 June 2003. Copies of both letters are in the House Library. I also refer my hon. Friend to the Government response to the Education and Skills Select Committee's report on the Higher Education White paper, published on 28 July, and to a letter to my hon. Friend from my right hon. Friend the Secretary of State for Education and Skills, dated 12 November 2003.

Paul Farrelly: To ask the Secretary of State for Education and Skills if he will place in the Library copies of focus group research which his Department has carried out into *(a)* higher education funding and *(b)* possible graduate contribution schemes. [139364]

Alan Johnson: Copies of "Student funding: findings from a two-stage programme of qualitative research on the funding of higher education" were placed in the Library and posted on the Department's Internet site on 28 March 2003.

Graduates

Paul Farrelly: To ask the Secretary of State for Education and Skills what recent reports he has received from Barclays Bank in respect of changes to the time it is taking for graduates to find a permanent employed position after leaving university. [139628]

Alan Johnson: The Department has not received any recent reports from Barclays Bank on the changing patterns of graduate employment.

Paul Farrelly: To ask the Secretary of State for Education and Skills what recent reports he has received from Barclays Bank regarding recent levels of average graduate salaries. [139639]

Alan Johnson: The Department has not received any recent reports from Barclays Bank on average graduate salaries.

Higher Education

Mr. Damian Green: To ask the Secretary of State for Education and Skills how much has been spent on widening participation in higher education in each year since 1997; on what schemes; and how much will be spent in each of the next five years. [137203]

Alan Johnson: Excluding student support, the relevant schemes and initiatives are as follows:

Aimhigher (previously called Excellence Challenge) provides grants mainly to schools and colleges to raise the aspirations and attainment levels of young people. The Higher Education Funding Council for England's (HEFCE) Partnerships for Progression provides funds to universities for outreach. The White Paper *The future of higher education* announced that these two initiatives would be merged to form a new Aimhigher programme. Between 1998 and 2003, HEFCE established regionally based widening participation projects. Expenditure on these schemes and initiatives to 2005–06 are given in the following tables.

In addition, HEFCE uses part of its teaching grant to provide a widening participation premium to universities to assist them with the additional costs of recruiting and retaining students from non-traditional backgrounds. The amount for this is £255 million in 2003–04, which includes £10 million from the Department's Aimhigher/Excellence challenge budget. HEFCE's disability allocation (£10 million in 2003–04) provides additional funding to universities to support recruitment and retention of disabled students.

Plans for expenditure after 2005–06 will be determined during the next spending review.

£ million

	1998–99	1999–20	2000–01	2001–02	2002–03	2003–04	2004–05 [1]	2005–06 [1]
Excellence Challenge/higher	—	—	—	50	69.5	100	—	—
Partnerships for Progression	—	—	—	—	—	20	—	—
The new Aimhigher	—	—	—	—	—	—	126	128
HEFCE's Regional projects	1.5	5	5	5	5	—	—	—
Total non-student support	1.5	5	5	55	74.5	120	126	128

Paul Farrelly: To ask the Secretary of State for Education and Skills what models of higher education funding his Department has assessed based on increases to *(a)* basic rate income tax, *(b)* basic rate national insurance payable by individuals and businesses, *(c)* income tax paid by higher rate taxpayers only and *(d)* national insurance payable by individuals and businesses in respect of higher rate taxpayers only. [139163]

Alan Johnson: I refer my hon. Friend to the two letters to my hon. Friend from my right hon. Friend, the Secretary of State for Education and Skills, dated 11 April 2003 and 3 June 2003. Copies of both letters are in the House Library. I also refer my hon. Friend to the Government response to the Education and Skills Select Committee's report on the Higher Education White paper, published on 28 July, and to a letter to my hon. Friend from my right hon. Friend the Secretary of State for Education and Skills, dated 12 November 2003.

Household Incomes

Paul Farrelly: To ask the Secretary of State for Education and Skills if he will publish the latest research he has commissioned on average household incomes by *(a)* parliamentary constituency and *(b)* local education authority in (i) England and Wales, (ii) Scotland and (iii) Northern Ireland. [139634]

Ruth Kelly: The information requested falls within the responsibility of the National statistician. I have asked him to reply.

Letter from Len Cook to Mr. Farrelly dated 19 November 2003:

As National Statistician I have been asked to reply to your recent question relating to research commissioned on average household incomes by *(a)* parliamentary constituency and *(b)* local education authority in (i) England and Wales, (ii) Scotland and (iii) Northern Ireland.

The Office for National Statistics (ONS) has not commissioned any research on average household incomes by parliamentary constituencies or by local education authorities. However, estimates of average household income and household disposable income are available at regional, sub-regional and local area levels (NUTS levels 1, 2 and 3 respectively), and were published in a news release on 26 March 2002, available on the National Statistics website at: http://www.statistics.gov.uk/pdfdir/reg0302.pdf.

In most cases, NUTS level 3 areas are groups of administrative areas that are also local education authorities, but this is not the case throughout the UK.

ONS has also conducted work to develop estimates of average incomes at the ward level, and the results should be published within the next three months. However, these estimates cannot simply be aggregated to parliamentary constituencies or local education authorities. These results will be the best estimates at the ward level, and to produce the best estimates for parliamentary constituencies or local education authorities, different methodologies are likely to be more appropriate.

I understand that there is work carried out by the devolved administrations in Scotland and Northern Ireland on household incomes at various geographic levels.

Key Stage 3

Mr. Flook: To ask the Secretary of State for Education and Skills what proportion of children in *(a)* Wiltshire, *(b)* Dorset and *(c)* Devon gained level 5 or above in the Key Stage 3 tests in (i) English and (ii) mathematics in each year since 1997. [138963]

Mr. Miliband *[holding answer 17 November 2003]*: The percentage of pupils achieving Level 5 or above at Key Stage 3 in *(a)* Wiltshire *(b)* Dorset and *(c)* Devon in (i) English and (ii) mathematics from 1997 onwards are:

Percentages

	(a) Wiltshire LEA		(b) Dorset LEA		(c) Devon LEA [1]		England	
	English	Maths	English	Maths	English	Maths	English	Maths
2003 [2]	74	77	75	77	70	73	68	70
2002	70	73	72	73	71	71	67	67
2001	69	72	70	73	65	70	65	66
2000	70	71	70	72	63	67	64	65
1999	71	69	67	69	66	66	64	62
1998	71	66	68	65	68	64	65	59
1997	63	67	62	68	60	63	57	60

[1] For 1997, Devon LEA included schools in Torbay and Plymouth. Following the local government reorganisation in 1998, Torbay and Plymouth schools are excluded from the Devon figures.

[2] The 2003 information is based on provisional data.

Licensed Qualifications

Mr. Martlew: To ask the Secretary of State for Education and Skills what plans he has to introduce a licensed qualification for *(a)* bricklayers and *(b)* hairdressers; and if he will make a statement. [138960]

Mr. Ivan Lewis: We have no plans to introduce licensed qualifications for either bricklayers or hairdressers. While a statutory approach, such as a licence to practice or operate, may suit some industries, we believe that collaborative voluntary action will be the appropriate route for most sectors.

We have an excellent example of such an employer led initiative in the Construction Skills Certification Scheme (CSCS). Major contractors have made a commitment to improve performance by requiring members of their workforce to hold an industry record card—normally the CSCS.

In the skills strategy we stated our determination to put employers' needs centre stage; it is for employers, not Government, to determine through their Sector Skills Council, whether this kind of agreement for collaborative action should be pursued.

Local Education Authorities

Mr. Cousins: To ask the Secretary of State for Education and Skills what the total targeted transitional grant is that he expects to give to local education authorities; and whether this sum is additional to the total DFES support grant available for local education authorities. [139093]

Mr. Miliband: Indicative allocations of targeted transitional grant for 2004–05 were published on 29 October: these totalled £120 million. Allocations for 2004–05 will be confirmed later this month. I expect to make around half the 2004–05 level of grant available nationally in 2005–06: details will be confirmed in due course. The transitional grant is additional to the funding for local education authorities which was announced following the Spending Review 2002.

In addition, if any local education authority is able to put forward a compelling case that additional, transitional funds are needed in the short term—above and beyond those already available to the LEA—my right hon. Friend the Secretary of State will be prepared to consider bringing forward grant payments from my department, so that the LEA will have funds available in 2004–05 for this purpose, with the expectation of a consequential reduction to what they will receive in future years. The maximum amount that might be made available to each LEA in this way would be 300,000 per authority, or 0.2 per cent. of the authority's total education resources in 2004–05, if that is higher.

Modern Apprenticeships

Mr. Pike: To ask the Secretary of State for Education and Skills what recent discussions he has had on modern apprenticeships; what plans he has to expand Government aided apprenticeships; and if he will make a statement. [139444]

Mr. Ivan Lewis: My right hon. Friend the Secretary of State and his ministerial colleagues have regular meetings with numerous organisations and agencies to discuss modern apprenticeship developments. The Secretary of State has agreed to take part in a panel discussion at the Confederation of British Industry conference to address skills issues including modern apprenticeships. There are plans for Sir Roy Gardner, Chair of the Modern Apprenticeship Task Force, to feed back the task force's interim findings to the Secretary of State and myself.

The Government are wholly behind modern apprenticeships as a high quality work-based learning option for young people. We are fully committed to implementing the reforms recommended by the Modern Apprenticeships Advisory Committee under Sir John Cassels, and more recent skills strategy announcements. We have adopted a PSA target for 2004 of 28 per cent. of young people entering a modern apprenticeship before the age of 22. We have made sufficient resources available to ensure that we meet this target and are on course to achieve it.

Office of Fair Access

Mr. Clappison: To ask the Secretary of State for Education and Skills what estimate he has made of the *(a)* capital expenditure and *(b)* running costs likely to arise as a result of the establishing of the Office of Fair Access. [137474]

Alan Johnson: This matter will be addressed in the explanatory notes which will be published when legislative proposals are presented to the House. We have proposed, in "Widening Participation in Higher Education" that OFFA will be separate from but supported by HEFCE. We do not expect any significant capital expenditure.

Primary Schools (Essex)

Mr. Francois: To ask the Secretary of State for Education and Skills what the vacancy figure for primary school teachers in Essex was on 1 September 2003. [139523]

Mr. Miliband: Vacancy information is collected in January of each year. Information for January 2003 is shown in table 17 of the Schools Workforce in England statistical first release (SFR) of 9 September 2003. A copy of this SFR has been placed in the Library. The table is also available on the statistics section of the DfES website at: http://www.dfes.gov.uk/rsgatewav/DB/SFR/s000411/index.shtml

School Performance Tables

Mr. Willis: To ask the Secretary of State for Education and Skills what the total cost of publishing stand-alone school performance tables for Key Stage 3 was. [139087]

Mr. Miliband: I refer the hon. Member to the reply given on 4 July 2003, *Official Report*, column. 680W. The Key Stage 3, GCSE/GNVQ and post-16 performance tables are managed as one exercise so there are no separate costings.

Schwarz Review

Mr. Clappison: To ask the Secretary of State for Education and Skills what process he followed in appointing Mr. Steven Schwarz to lead a review into admissions to higher education; what *(a)* exchanges and *(b)* representations took place between himself and Mr. Schwarz regarding the independence of such a review; and what guidelines there are regarding independence of reviews carried out at his request. [139123]

Alan Johnson: The Secretary of State for Education and Skills appointed Professor Steven Schwartz following discussion with organisations in the higher education sector. This included contact with the Higher Education Funding Council for England (HEFCE), and Universities UK (UUK).

The Secretary of State for Education and Skills has drawn up clear terms of reference for the Admissions to Higher Education Steering Group which are set out in its recent consultation paper, "Consultation On Key Issues Relating To Fair Admissions To Higher Education", available from www.admissions-review.org.uk.

The Admissions to Higher Education Review adheres to good practice in preserving the independence of such reviews. This is demonstrated by the following:

Professor Schwartz, vice-chancellor of Brunel University, has been chosen as an independent chair from the HE sector.

Professor Schwartz has a Steering Group whose members represent a wide range of interests and views.

The secretariat support to the Steering Group is led by consultants seconded from universities, rather than permanent civil servants.

Any services commissioned by the Steering Group where resources or facilities are provided by the DfES have been subject to service level agreements.

An independent press agency has been used for all matters relating to the review.

Statistical Bulletin

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if he will place in the Library statistics for the most recent available year consistent with those on which DFES statistical bulletin 13–84 was based. [139028]

Mr. Miliband: The Department does not produce figures in the form of bulletin 13–84 and to produce an update in that form would involve disproportionate cost.

Student Drop-outs

Mr. Boswell: To ask the Secretary of State for Education and Skills what evidence he has collated on the differences in student drop-out rates between institutions, correlated with the socio-economic class of those dropping out. [135780]

Alan Johnson: The available information on non-completion rates by institution is contained in the Higher Education Funding Council for England (HEFCE) publication 'Performance indicators in higher education in the UK ', a copy of which is in the house Library. The figures cover full-time first degree courses only and show the proportion of entrants who failed to complete their course for each individual HE institution in the UK. This data is not disaggregated by social class. However, the publication does show the proportion of young full time first degree entrants from the 'lower' social class categories for each institution.

However, a number of research studies have explored the factors associated with students dropping out of higher education. The evidence shows that non-completion is a complex process that cannot normally be explained by a single factor. Other important factors (many of which are inter-related) include:

Incompatibility between the student and their course or institution;

lack of preparation for higher education;

lack of commitment to the course;

level of prior attainment;

financial hardship;

poor academic progress;

health and other personal reason;

age;

gender; and

whether or not the individual applied through clearing.

Studies in this area include:

(i) 'Right Choice? A follow up to "Making the Right Choice"' by Connor H, Pearson R, Pollard E, Tyers C, Willison R. Universities UK 2001, available from http://www.employment-studies.co.uk/pubs/report.php?id = 1427uuk

(ii) 'Effects of in-class variation and student rank on the probability of withdrawal: cross-section and time-series analysis for UK university students', by Arulampalam W, Naylor R A and Smith J. presented at the Royal Economic Society Conference at the University of Warwick in March 2002. It can be downloaded from http://www2.warwick.ac.uk/fac/economics/staff/faculty/naylor/publications/

(iii) 'Dropping Out: A study of early leavers from Higher Education' by Rhys Davies and Peter Elias, DfES Research Report 386 available from http://www.dfes.gov.uk/research/

(iv) 'Higher Education: Student Retention' a report made by the Higher Education Funding Council for England (HEFCE) to the House of Commons Education and Employment Committee, found at http://www.parliament.the-stationery-office.co.uk/pa/cm200001/cmselect/cmeduemp/124/12402.htm.

Paul Farrelly: To ask the Secretary of State for Education and Skills what research his Department has *(a)* conducted or *(b)* received into the relationship between a student's financial position and their propensity to drop out of higher education; and what conclusions he has drawn. [139626]

Alan Johnson: A number of research studies have explored the factors associated with dropping out of higher education. These include:

Improving student achievement in the English higher education sector HC 486, Parliamentary Session 2001/2002;

"Dropping Out: A study of early leavers from Higher Education" (2003) Rhys Davies and Peter Elias, DfES Research Report 386; and

Yorke, M (1997) "Undergraduate Non-completion in Higher Education in England" Bristol HEFCE;

Arulampalam, W., Naylor, R. A. and Smith, J., "Effects of in-class variation and student rank on the probability of withdrawal: cross-section and time-series analysis for UK university students," presented at the Royal Economic Society Conference, University of Warwick, March, 2002;

"Right Choice? A follow-up to 'Making the Right Choice'", Connor H. Pearson R. Pollard E. Tyers C. Willison R. Universities UK 2001;

"Losing out: socio-economic disadvantage and experience in further and higher education" May 2003 Joseph Rowntree Foundation Smith J. and R. A. Naylor, "Dropping out of University: a statistical analysis of the probability of withdrawal for UK university students," Journal of the Royal Statistical Society, 2001, vol. 164, pp. 389–405;

The evidence shows that non-completion is a complex process that cannot normally be explained by any single factor. Incompatibility between the student and their course or institution and a lack of preparation for higher education are the most commonly cited reasons for dropping out of higher education. Other reasons, which are often inter-related, include:

lack of commitment to the course;

financial hardship;

poor academic progress; and

health or other personal reasons.

Research also shows that students with lower prior attainment and those who apply through clearing are more likely to drop-out of higher education other things being equal.

Student Loans

Mr. Damian Green: To ask the Secretary of State for Education and Skills what assessment he has made of the effect on costs to his Department of raising the repayment thresholds on student loans to £15,000 a year. [137574]

Alan Johnson: We plan to publish a Regulatory Impact Assessment before the end of the year which will set out the impact of this change alongside the financial implications of the other policies announced in the Higher Education White Paper.

Mr. Cousins: To ask the Secretary of State for Education and Skills what estimate he has made of *(a)* the total outstanding size of student loan debt with the Government and its agencies in each year since 2001 and *(b)* the total Government payment for full or partial remission of tuition fees since 2001; and if he will list the planning assumptions for the size of each for the next three years. [139022]

Alan Johnson: On *(a)* the outstanding size of student loan debt for England and Wales at the end of financial year 2001–02, i.e. at 31 March 2002 was £7,203,199,000. A figure for student loan debt as at 31 March 2003 will be available when the DfES Resource Accounts for 2002–03 are published which is planned for December 2003. Planning assumptions are based around an increase of approximately £2 billion per annum in student loan debt for England and Wales. The Department does not hold figures for Scotland and Northern Ireland.

On *(b)* the cost to the Government of the public contribution to existing tuition fee remission arrangements for English and Welsh domiciled students studying in the United Kingdom is £382 million for 2001/02 academic year. Projections of fee income to English HEIs from home and EU domiciled students will be available at the end of November.

Paul Farrelly: To ask the Secretary of State for Education and Skills what recent research his Department has undertaken to establish whether students differentiate between debt and income-contingent loans. [139636]

Alan Johnson: The Department has not undertaken research to establish whether students differentiate between debt and income-contingent loans.

Paul Farrelly: To ask the Secretary of State for Education and Skills what the average level of debt for a student leaving university was in each academic year since 1993–94. [139642]

Alan Johnson: The table shows the average student loan debt at the point at which they entered repayment status for borrowers who became liable to repay their loans in financial years 1999–2000 to 2002–03. Data for earlier years are not available.

£

	Average student loan debt on entering repayment status[1]		
Financial year entered repayment status[2]	*Mortgage style loans*[3]	*Income contingent loans*[4]	*Part-time loans*[5]
1999–2000	3,530	[6]—	[6]—
2000–01	4,090	2,300	[6]—
2001–02	4,490	3,410	450
2002–03	5,150	5,980	520

[1] Data rounded to nearest 10. Includes interest accrued up to the point of entering repayment status. Excludes any early voluntary repayments which may have been made before borrowers enter repayment status. Debt of borrowers with more than one loan type has been split between types.

[2] Borrowers enter repayment status in the April following their graduation or otherwise leaving their course. Borrowers may have accounts in more than one cohort year of entering repayment.

[3] Loans made to students who entered higher education up to 1997/98 or who entered in 1998/99 under existing arrangements. Includes loans repayable to the private sector following the sale of two tranches of student loans.

[4] Loans, repayable on an income contingent basis, available to students who entered higher education from academic year 1998/99. These loans were subject to a repayment holiday until April 2000. Includes hardship loans.

[5] Fixed-rate loans made to eligible part-time students, introduced in September 2000.

[6] Not applicable.

Source:

Student Loans Company.

The first cohort of students on a three-year degree course who entered higher education under the new student support arrangements became liable for repayment in April 2002. That, and earlier, cohorts includes a disproportionate number of students on shorter courses as well as those who have left higher education before completing their courses. Therefore the average level of debt will not be representative of the average debt experienced by those who complete their courses.

Borrowers are liable to repay their loans from the April following graduation or otherwise leaving their course. Most borrowers who started their course from the 1998/99 academic year will repay income contingent loans. Loans for those who started their course before 1998/99 are repayable on a mortgage style basis.

The Department does not have annual data for HE students' total debt on graduation (including bank loans, overdrafts, credit cards, and informal debts to family and friends). The Student Income and Expenditure Survey (SIES), which collects this information is undertaken every three to four years. Findings from the last survey in 1998/99 showed that the average total anticipated debt of all full-time students graduating in 1998/99 was £3,462. The Department has conducted a SIES for the 2002/3 academic year which will be published shortly.

Students

Paul Farrelly: To ask the Secretary of State for Education and Skills what recent reports he has received on the percentage of students attending university whose parents were graduates; and what trends they demonstrate. [139638]

Alan Johnson: In 2002 36 per cent. of 18 year olds in higher education had at least one parent with a degree (Youth Cohort Study Cohort 10 sweep three). The table shows that the trend over time appears to be reasonably flat.

18 year olds in higher education with at least one parent with a degree

Percentage

Year	*1994*	*1998*	*2000*	*2002*
18 year olds in HE with graduate parent(s)	35	37	38	36

Source:
Youth Cohort Study cohorts 6, 8, 9 and 10

Teacher Training

Mr. Martlew: To ask the Secretary of State for Education and Skills what plans he has to improve teacher training for further education college staff; and if he will make a statement. [138957]

Alan Johnson: In "Success for All" the Government set out its aim to enable six million learners to reach their potential. This depends on quality of teaching, which in turn depends on quality of teacher training. On 11 November we launched a consultation "The Future of Initial Teacher Education for the Learning and Skills Sector—An Agenda for Reform": http://www.dfes.gov.uk/consultations2/30 .

We want all our partners in the learning and skills sector including the Inspectorates, funding bodies, employers and unions to join us in developing this agenda for change. This will support our ambition for more successful and satisfying careers for current and future generations of teachers, to the lasting benefit of learners.

Top-up Fees

Mr. Pike: To ask the Secretary of State for Education and Skills what representations he has received on top-up fees for university students; what assessment he has made of the effect of top-up fees on decisions by students from low-income families to pursue further and higher education; what steps he will take to encourage students from low-income families to enter further and higher education; and if he will make a statement. [139439]

Alan Johnson: I refer the hon. Member to my answer of 11 September 2003, *Official Report*, column 464W, in which I described the numerous representations which my right hon. Friend the Secretary of State has received regarding variable fees. With respect to the impact of variable fees on students from low income backgrounds, I refer the hon. Member to my answer to the hon. Member for Newcastle-Under-Lyme (Paul Farrelly) of 12 November 2003, *Official Report*, column 354W, in which I set out the Government's proposed measures for safeguarding access to higher education for those from low income backgrounds.

Our AimHigher campaign provides a focus for the many and varied widening participation activities going on at an institutional, local and regional level. To date, it has reached 1,223 schools and sixth form colleges and a total of 129,130 pupils, and the evidence shows that it is working: applications for entry into higher education in 2003 are up 4.2 per cent. in AimHigher areas compared to 1.6 per cent. in non-AimHigher areas.

The introduction of variable fees will not impact directly on those in further education. However, we aim to increase participation in further education through a range of actions set out in our 14–19 Skills for Life, Skills and Success for All strategies which will ensure that students from low income families have access to high quality opportunities which meet their individual needs and that they are encouraged to fulfil their potential.

Tuition Fees

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) what assessment he has made of the possible impact of tuition fees at universities in England on salaries for teaching and research staff at universities in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland; [139002]

(2) what steps he is taking to ensure, under the proposals in the White Paper on Higher Education, equality of opportunity for English students seeking to go to universities in *(a)* Wales, *(b)* Scotland and *(c)* Northern Ireland; [139164]

(3) what assessment has been made of the impact so far of the different systems of student funding in the UK on cross-border flows of students from *(a)* England and Wales to Scotland and *(b)* Scotland to England and Wales; [139128]

(4) what assessment he has made of the possible impact of tuition fees at universities in England on *(a)* research and *(b)* teaching at universities in (i) Wales, (ii) Scotland and (iii) Northern Ireland; [139003]

(5) what assessment he has made of the possible impact of tuition fees in England on cross-border flows of students from *(a)* Wales, *(b)* Scotland and *(c)* Northern Ireland to universities in England; [139004]

(6) what assessment he has made of the possible impact of tuition fees at English universities on the overall competitiveness of universities in *(a)* Wales, *(b)* Scotland and *(c)* Northern Ireland; [139129]

(7) what assessment he has made of the possible impact of tuition fees at universities in England on cross-border flows of academic staff to England from universities in *(a)* Wales, *(b)* Scotland and *(c)* Northern Ireland. [139130]

(8) what assessment he has made of the possible impact of tuition fees in England on cross-border flows of English students to universities in *(a)* Wales, *(b)* Scotland and *(c)* Northern Ireland. [139005]

(9) how, under the proposals in the White Paper on higher education, he will ensure equality of opportunity for *(a)* Welsh, *(b)* Scottish and *(c)* Northern Irish students to go to universities in (i) Wales, (ii) England, (iii) Scotland and (iv) Northern Ireland; [139105]

(10) what assessment has been made of the overall impact of the implementation in England of the proposals in the White Paper on Higher Education on universities in *(a)* Wales, *(b)* Scotland and *(c)* Northern Ireland. [139175]

Alan Johnson: We are involved in regular discussion with the devolved administrations on these issues.

Funding decisions on higher education relating to Wales, Scotland and Northern Ireland are a matter for the devolved administrations. Matters relating to student support are also devolved in Scotland and Northern Ireland. The Government propose, subject to Parliamentary approval, to transfer student support to the National Assembly for Wales.

After legislation to give effect to the transfer is in place, Professor Teresa Rees will start an independent review of student support and tuition fees in Wales. This will include the key question of future policy on variable fees and will advise the Assembly on what it might do with its new student support powers. The Third Stage Higher Education Review in Scotland is currently assessing the impact of the proposals emanating from the White Paper The Future of Higher Education (Cm 5735).

Subject to any provisions in their access agreements, it will be for individual institutions to determine how they spend income raised from variable tuition fees.

Mr. Cousins: To ask the Secretary of State for Education and Skills what the residual income requirements are for full or partial remission of university tuition fees; and what the proposed residual income levels will be above which student grants will not be *(a)* fully and *(b)* partly paid from 2004. [139097]

Alan Johnson: For the present residual income requirements for full or partial fee remission, I refer the hon. Member to the answer given on 20 October, *Official Report*, column 438W.

The income thresholds for 2004–05 have not yet been finalised. From 2004 academic year, new students from a household with an income of £15,200 or less will qualify for a full HE Grant of 1,000. Those from a household with income between £15, 201 and £21,185 will qualify for a partial grant of between £50 and £1,000. We expect to announce the rates for the remaining thresholds within the next few weeks.

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) what fee remissions he proposes for *(a)* students from more modest backgrounds and *(b)* students taking up (i) medicine or (ii) teaching; [139627]

(2) what further measures in respect of *(a)* maintenance grants and *(b)* student loans he intends to bring forward; and if he will make a statement. [139629]

Alan Johnson: The Government's policy on maintenance grants, student loans and tuition fee remission grant is set out in the White Paper "The future of higher education" (Cm 5735) published on 22 January 2003. I also refer to my written statement of 16 July 2003 to the House of Commons on raising the income threshold, for receipt of the full £1,000 Higher Education Grant, to £15,200.

Universities

Paul Farrelly: To ask the Secretary of State for Education and Skills what representations he has sought from businesses on their preferred methods of contributing to more funding for *(a)* teaching and *(b)* research in universities in the United Kingdom. [139174]

Alan Johnson: I have not specifically invited representations from business in relation to the funding of teaching in universities. As to research, a consultation on funding for research in Higher Education Institutions, The sustainability of University Research', was published by the Office for Science and Technology at the end of May. It closed for consultation on 30 September. Over 162 formal responses were received, including 11 from industry. These responses, and contributions from meetings with a range of organisations, are receiving careful consideration. The government anticipates an announcement on the outcomes of the consultation early in 2004.

HOME DEPARTMENT

Animal Welfare

Mr. Hancock: To ask the Secretary of State for the Home Department what research he has *(a)* commissioned and *(b)* evaluated on the feasibility of implementing the recommendations in the report of July 2002 by the House of Lords Select Committee on the use of animals in scientific procedures; and if he will make a statement. [140045]

Caroline Flint: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department, what plans there are to establish national research on the replacement of animals in basic medical research. [133349]

Caroline Flint *[holding answer 22 October 2003]:* I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what action his Department is taking to enhance the status of alternative research to replace animal experiments. [133350]

Caroline Flint *[holding answer 22 October 2003]*: The use of alternatives is widely encouraged and the use of animals in regulated procedures is prohibited by the Animals (Scientific Procedures) Act 1986 in cases where a scientifically valid non-animal alternative is available.

Much importance is already attached to alternatives research, both by Government (including public service research funding bodies) and the scientific research community. The latter has considerable incentive to develop replacements for the use of animals, and has an impressive track record in doing so. Responsibility for further progress continues to rest primarily with the researchers themselves, as they try to overcome the technical limitations of those systems and methodologies still dependent upon animal use. The Government will continue their efforts to support that, with the added focus and impetus provided by the various related recommendations of the House of Lords Select Committee on Animals in Scientific Procedures, the Government response to which has been well reported.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what research he has commissioned into the levels of financial support other EU member states have given to alternatives to animal research; and what conclusions he has drawn. [133351]

Caroline Flint *[holding answer 22 October 2003]*: The Government have not commissioned any research into the levels of financial support other EU member states have given to alternatives to animal research and has no current plans to do so. However, we have not ruled out such research, should it become relevant to our consideration of the need for a United Kingdom centre for research into the alternatives.

Mr. Dhanda: To ask the Secretary of State for the Home Department what action he is taking to encourage alternatives to animal testing for medical research. [133541]

Caroline Flint: The use of alternatives is widely encouraged and the use of animals in regulated procedures is prohibited by the Animals (Scientific Procedures) Act 1986 in cases where a scientifically valid non-animal alternative is available. Every year the Home Office makes available to the Animal Procedures Committee (APC) a budget aimed at developing or promoting the use of alternatives which replace animal use, reduce the number of animals used, or refine the procedures involved to minimise suffering (the 3Rs). Work aimed at improving the environmental conditions in which laboratory animals are kept and transported has also been sponsored. The amount made available to the Committee for 2003–04 for this specific purpose is £280,000.

This is not the only money spent by the Government on alternatives, other Departments also fund such work. It is estimated that the total spent by the United Kingdom Government is between £2 million and £10 million each year. Industry also spends many millions of pounds each year on the search for and development of alternatives.

We also support international initiatives, including the work of the European Centre for the Validation of Alternative Methods (ECVAM). The Chief Inspector of the Animals (Scientific Procedures) Inspectorate is now the United Kingdom representative on the ECVAM Scientific Advisory Committee and is contributing to discussions about the future direction of ECVAM's work. The Chief Inspector and other members of the Inspectorate also participated last year in the Fourth World Congress on alternatives and Animal Use in the Life Sciences, in New Orleans, which the Home Office co-sponsored.

Alcohol (Public Places)

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department (1) in what circumstances he would advise a local authority to introduce a city-wide drinking ban using the model Home Office bye-law rather than a designated public places order; [136603]

(2) if he will make a statement on the circumstances under which a designated public places order for a city-wide drinking ban may be used to address aggressive begging; [136599]

(3) what the average length of time taken to implement a designated public places order has been from the day on which the local authority made a decision. [137239]

Ms Blears: Section 12–16 of the Criminal Justice and Police Act 2001 (CJPA) came into force on 1 September 2001. The provisions in the Act allow local authorities to designate areas to restrict public drinking where there is evidence that nuisance is alcohol related. In such designated areas the police may use their discretionary powers to confiscate all alcohol where they reasonably believe that continued drinking in that place will lead to further disorder or nuisance. The CJPA provides the police with a more consistent set of powers including the power of arrest, which was not available in the previous bye-laws. Any relevant local authority drinking bye-law will lapse after five years commencing on 1 September 2001.

The powers contained in the CJPA were never intended to be used to introduce a blanket restriction on public drinking. The powers were intended to be used to stop the immediate problems caused by anti-social drinking in designated areas and to allow the police to confiscate alcohol in those areas. Section 13 of the CJPA could permit the designation of an entire local authority area should that area be experiencing problems with nuisance that is alcohol related.

The time it takes for a local authority to introduce an order will vary from the size of the area to be designated and also with regard to the time it takes to carry out the procedures required under the Local Authorities (Alcohol Consumption in Designated Places) Regulations 2001.

The objective of the CJPA powers is to tackle anti-social street drinking, rather than begging. Begging is an offence under Section 3 of the Vagrancy Act 1824. It will be made a recordable offence from 1 December 2003.

Anonymity

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) what informed and

strengthened guidance has been given to the police and media on anonymity for those accused of historical child abuse; and where and to whom it is available; [138279]

(2) which Ministers are discussing with media representatives how intrusive and unhelpful reporting in cases with suspects of historical child abuse can be avoided. [138282]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Child Abuse

Mr. Pickthall: To ask the Secretary of State for the Home Department if he will remove the right to buy from a council tenant any of whose family resident in the family home are subject of an antisocial behaviour order for neighbour nuisance. [138798]

Ms Blears: Under the Anti-Social Behaviour Bill we have made a number of improvements to anti-social behaviour orders. However, we are also aware that anti-social tenants can sometimes evade eviction by buying their homes under the right to buy. We are actively considering what steps we can take to prevent this and thus to protect communities.

Asylum Seekers

Miss McIntosh: To ask the Secretary of State for the Home Department if he will make a statement on his provision of taxis for asylum seekers for visiting friends and family; out of which budget they are paid for; what criteria are used to assess whether or not an asylum seeker might be able to make use of such arrangements; and whether provision of taxis is a temporary measure. [134130]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many asylum seekers in each of the last six years have received *(a)* a criminal record and *(b)* been sentenced to prison. [135872]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Woodward: To ask the Secretary of State for the Home Department (1) how many female asylum seekers that have been settled in the United Kingdom requested that their husband not be granted asylum so as to protect them from domestic violence in *(a)* 2001, *(b)* 2002 and *(c)* 2003; [138172]

(2) how many female asylum seekers arrived in the UK seeking protection from an abusive husband or partner in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [138173]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many asylum seekers whose claims have been certified as clearly unfounded under section 94 of the Nationality, Immigration and Asylum Act 2002 have lodged appeals from abroad; and how many of those appeals have been successful. [139232]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Andy King: To ask the Secretary of State for the Home Department what estimate the Department has made of the number of asylum seekers given on committing fraud by unqualified legal advisers in the last year for which figures are available. [138691]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Bus Lanes (Policing Costs)

Mr. Geoffrey Robinson: To ask the Secretary of State for the Home Department how much policing bus lanes in England cost in each of the last five years for which figures are available. [137684]

Ms Blears: The information is not held centrally.

Citizenship Applications

Keith Vaz: To ask the Secretary of State for the Home Department, how long on average it has taken to deal with British Overseas Citizens' applications in the last year for which figures are available. [133482]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Civil Service Bodies

Simon Hughes: To ask the Secretary of State for the Home Department if he will list the *(a)* criminal justice and *(b)* other civil service bodies accountable to his Department which are not required to produce an annual report. [131163]

Fiona Mactaggart: I will write to the hon. Member and place a copy of my letter in the Library.

Community Justice

Dr. Kumar: To ask the Secretary of State for the Home Department if he will make a statement on his plans to introduce community courts; and how these courts will work in practice. [137532]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department when he expects there to be a community justice centre in every area. [138364]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Community Policy Directorate

Mr. Laws: To ask the Secretary of State for the Home Department what the purpose is of the Community Policy Directorate of his Department; what its estimated costs were for each year from 1990–91 to 2003–04 (planned); and if he will make a statement. [99805]

Fiona Mactaggart: I will write to the hon. Member and place a copy of my letter in the Library.

Corporate Killing

Dr. Cable: To ask the Secretary of State for the Home Department what discussions he has had with ministerial colleagues on the introduction of health and safety legislation to deal with corporate killing; and if he will make a statement. [136864]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Correspondence

David Winnick: To ask the Secretary of State for the Home Department, when he will reply to the letter of 11 September from the hon. Member for Walsall, North regarding a constituent, reference: PO 13626/3 + K454708. [133067]

Fiona Mactaggart: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Kaufman: To ask the Secretary of State for the Home Department if he will meet the right hon. Member for Manchester, Gorton to discuss the letter to him dated 18 September 2003, with regard to Mr. M. J. Sattler. [138459]

Mr. Blunkett: A letter was sent to my right hon. Friend on 22 September explaining that his letter had been transferred to the Office for National Statistics.

Dr. Iddon: To ask the Secretary of State for the Home Department, when the hon. Member for Bolton, South East will receive a response to his letters of *(a)* 25 April, *(b)* 18 June, *(c)* 29 July, *(d)* 3 September and *(e)* 8 October regarding Mr.Dana Kamal, (HO Ref.K1119164). [138771]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Lidington: To ask the Secretary of State for the Home Department, when he will reply to the letter of 24 July 2003 from the hon. Member for Aylesbury on behalf of Mrs. M. Else of Allonby Way, Aylesbury. [139303]

Fiona Mactaggart *[holding answer 18 November 2003]:* I will write to the hon. Member and place a copy of my letter in the Library.

Clare Short: To ask the Secretary of State for the Home Department when he will reply to the letter from the right hon. Member for Birmingham, Ladywood of 4 September 2003 regarding Weston Clark, date of birth 26 February 1975, ref MEV339443. [139577]

Beverley Hughes: I will write to my right hon. Friend and place a copy of my letter in the Library.

Crime Statistics (Northumbria)

Mr. Hepburn: To ask the Secretary of State for the Home Department what the recorded crime figures were for Northumbria in each year since 1997. [137470]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Criminal Cases Review Commission

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the reasons for the change in the number of applications to the Criminal Cases Review Commission in 2002–03; and how he estimates this will affect its means of estimating application rates in the future. [138240]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Claire Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how he intends to *(a)* decrease the rate of case review manager turnover and *(b)* increase the rate of recruitment in the Criminal Cases Review Commission; [138241]

(2) what measures are being taken to ensure that the number of case review managers is not affected by *(a)* staff turnover and *(b)* recruitment levels. [138295]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the relationship between his Department and the Criminal Cases Review Commission. [138242]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the level of accountability of the Criminal Cases Review Commission. [138243]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the work of the Criminal Cases Review Commission in its responsibility to consider and report to the Secretary of State on whether to recommend exercise of Her Majesty's prerogative of mercy in relation to a conviction. [138246]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department in how many and what percentage of cases reviewed by the Criminal Cases Review Commission an investigating officer was appointed from another public body; and what percentage of these cases was referred to a court of appeal in each year since the inception of the service. [138247]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many and what percentage of cases reviewed by the Criminal Cases Review Commission have been referred to a court of appeal in each year since inception of the service. [138248]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what action he is taking to promote public understanding of the role of the Criminal Cases Review Commission. [138249]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many cases referred to the Criminal Cases Review Commission have arisen from each region in the United Kingdom in each year since its inception. [138250]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of public confidence in the criminal justice system since the establishment of the Criminal Cases Review Commission. [138251]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the level of co-operation by *(a)* health authorities and *(b)* social services departments with the investigations of the Criminal Cases Review Commission, with particular reference to (i) the preservation of documents and (ii) access to them. [138252]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment the Criminal Cases Review Commission has made of *(a)* its dealings with non-public bodies and *(b)* its helpfulness in investigations. [138253]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many cases referred to the Criminal Cases Review Commission were referred by *(a)* an independent solicitor and *(b)* legal partnerships in 2002–03. [138254]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether the Criminal Cases Review Commission has a duty to analyse the causes of miscarriages of justice and suggest ways to reduce their incidence. [138255]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) what assessment the Criminal Cases Review Commission has made of applicants and their views on the openness and transparency of the review process at the various stages; [138256]

(2) what measures are in place to assess the satisfaction levels of applicants to the Criminal Cases Review Commission and the work and investigation that is done on their behalf. [138257]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how many and what percentage of initial inquiries and communications to the Criminal Cases Review Commission were responded to within three working days in each year since the inception of the service; [138258]

(2) how many and what percentage of correspondence at stage two of the Criminal Cases Review Commission have been responded to within 10 working days in each year since the inception of the service; [138265]

(3) how much and what percentage of correspondence at stage two of the Criminal Cases Review Commission was responded to within 10 working days in each year since the inception of the service; [138261]

(4) how much and what percentage of correspondence to the Criminal Cases Review Commission at stage one was responded to within 10 working days in each year since the inception of the service. [138259]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how many and what percentage of reviews at stage one of the Criminal Cases Review Commission have been completed within 30 working days in each year since the inception of the service; [138260]

(2) how many and what percentage of reviews at stage two screen of the Criminal Cases Review Commission have been completed within 30 working days in each year since the inception of the service. [138262]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many and what percentage of provisional non-referrals at stage two screen of the Criminal Cases Review Commission involved the applicant making further representations within 20 working days; and what percentage of these cases went on to *(a)* stage two and *(b)* referral to Court of Appeal, in each year since the inception of the service. [138263]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department on reaching tray two in the Criminal Cases Review Commission, how long on average cases have waited in each year since the inception of the commission before being assigned a caseworker. [138264]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department in how many and what percentage of cases the Criminal Cases Review Commission investigated issues by *(a)* using its own resources, *(b)* appointing an expert to carry out an investigation or prepare a report, *(c)* requesting police

to carry out work and *(d)* the formal appointment of an investigating officer, in each year since the inception of the service. [138266]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how many and what percentage of provisional non-referrals at stage two of the Criminal Cases Review Commission involved the applicant making further representations; and what percentage of these cases went on to *(a)* stage three and *(b)* referral to Court of Appeal, in each year since the inception of the service. [138267]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department in how many and what percentage of cases convictions have been quashed as a result of legislation that has been passed since the original case was heard, in each year since the inception of the service. [138268]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) in how many and what percentage of cases the Criminal Cases Review Commission exercised its section 17 powers in 2003; [138288]

(2) what the outcome was of discussions between the Criminal Cases Review Commission and his Department concerning possible improvements to the powers of the Commission. [138301]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department in how many and what percentage of referrals non-disclosure has been a determining factor in the decision to refer in 2003. [138289]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department for what period of time on average cases were classed as non-priority by the Criminal Cases Review Commission in each year since the inception of the service. [138290]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) what the outcome was of the Process Improvement Project; [138291]

(2) how many internal process improvement groups have been convened by the Chair of the Criminal Cases Review Commission; and how many process improvement projects have been set up as a result in each year since the inception of the service. [138292]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how long the Criminal Cases Review Commission estimates it will take to complete the review of case files that have been stored for five years following completion of reviews. [138293]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what targets the Criminal Cases Review Commission is working towards in the effort to minimise case accumulation; and when it estimates that this will be achieved. [138294]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) in what ways the Criminal Cases Review Commission's accommodation in the Alpha Tower has been designed to encourage communication and openness; [138297]

(2) how many training sessions and external courses were held by the Criminal Cases Review Commission in 2002–03; and what percentage of staff attended. [138296]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how much funding was allocated to the Criminal Cases Review Commission under the Invest to Save initiative; and how this money was used. [138298]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how many cases were referred to the court of appeal in each year from 1990 until the Criminal Cases Review Commission was established; and of these cases, how many *(a)* appeals were rejected and *(b)* convictions were quashed; [138321]

(2) what the results were of the quarterly surveys conducted by the Criminal Cases Review Commission to determine *(a)* how applicants became aware of the Commission's existence, *(b)* whether or not they found Commission staff helpful and *(c)* how they believe communications could have been improved; [138300]

(3) what the results were of the proof-of-concept trials by the Criminal Cases Review Commission on a knowledge management package in May and June. [138299]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department, how many applications were received by the Criminal Cases Review Commission in each year from 31 March 1997 and 31 March 2003. [139623]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Criminal Justice Bill

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what plans he has for making appropriate treatment more widely available for the purposes of clause 16 of the Criminal Justice Bill. [128629]

Caroline Flint: I will write to my hon. Friend and place a copy of my letter in the Library.

Criminal Justice Boards

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department, if he will make a statement on the *(a)* work and *(b)* efficiency of the criminal justice boards; and what recent changes have occurred in the way cases are handled at local level. [137826]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Criminal Justice Royal Commission

Mr. McNamara: To ask the Secretary of State for the Home Department what the total cost was of the Royal Commission on Criminal Justice that reported in June 1996; what the main budgetary items of expenditure were; for how many days the Commission sat in public; how many witnesses gave evidence; and how many copies of the final report were distributed. [137501]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Criminal Justice System

Mr. Hancock: To ask the Secretary of State for the Home Department what steps he is taking to improve the representation of victims' interests in the criminal justice system. [137346]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department what the timescale is for the Government's review of inspection arrangements within the criminal justice system. [139255]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Criminal Records Bureau

Ms Shipley: To ask the Secretary of State for the Home Department (1) if he will make a statement on the Criminal Records Bureau's Overseas Information Service; [127768]

(2) what measures he takes to ensure that other Departments are made aware of the Criminal Records Bureau's Overseas Information Service; [127769]

(3) what measures he has taken to publicise to voluntary sector organisations the service offered by the Criminal Records Bureau's Overseas Information Service. [127770]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Pickthall: To ask the Secretary of State for the Home Department whether applicants for disclosures through the Criminal Records Bureau are required to have their fingerprints taken. [137388]

Paul Goggins [*holding answer 11 November 2003*]: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Connarty: To ask the Secretary of State for the Home Department, if he will make a statement on the outsourcing of Criminal Records Bureau data processing to a company whose employees are based in India. [138838]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Cumbria Crime Squad

David Maclean: To ask the Secretary of State for the Home Department (1) if he will make a statement on *(a)* the total cost, *(b)* the cost in terms of the wages of the officers under investigation of the inquiry into the Cumbria Force Crime Squad and *(c)* the cost in terms of public money; [94025]

(2) what reasons underlie the length of time taken by the inquiry into the Cumbria Force Crime Squad. [94026]

Ms Blears: I will write to the right hon. Member and place a copy of my letter in the Library.

Deaths in Custody

Chris Ruane: To ask the Secretary of State for the Home Department, how many deaths of under-18s held in custody in descending order by institution, there were in the past 20 years. [133050]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Chris Ruane: To ask the Secretary of State for the Home Department, how many incidents of *(a)* suicide and *(b)* attempted suicide by under 18s held in custody there have been in each of the last 20 years. [133052]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Domestic Violence

Sandra Gidley: To ask the Secretary of State for the Home Department what action *(a)* has been and *(b)* will be taken by his Department regarding the recommendations of the 1998 report, Policing Domestic Violence: Effective Organisational Structures. [81091]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Woodward: To ask the Secretary of State for Education and Skills what research he has commissioned on how many children who grow up in homes with domestic violence are *(a)* abused by a partner or husband and *(b)* abuse a partner or husband later in adulthood. [138169]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Drugs

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what estimate he has made of the proportion of property crime attributable to the misuse of Class A drugs. [128628]

Caroline Flint: I will write to my hon. Friend and place a copy of my letter in the Library.

Simon Hughes: To ask the Secretary of State for the Home Department how many drug dealers were convicted in London in each of the last six years. [139266]

Caroline Flint *[holding answer 17 November 2003]:* The table contains data from the Home Office Court Appearances and Cautions Drugs Database showing the number of drug dealers in the City of London and Metropolitan Police force area cautioned and convicted in the years 1996 to 2000 (the latest year available). "Dealing" has been taken to mean drug trafficking, that is: to include possession with intent to supply, unlawful supply, unlawful production and unlawful import/export.

Drug dealers[1] convicted or cautioned for drug offences in London, 1995–2000

	Number of persons
1995	2,360
1996	1,980
1997	2,130
1998	2,350
1999	2,040
2000	2,320

[1] The phrase "drug dealer" has been taken to mean trafficking in drugs controlled under the Misuse of Drugs Act 1971. That is: to include possession with intent to supply, unlawful supply, unlawful production and unlawful import/export.

Source:
Drug offender statistics databases.

These data are taken from the annual Home Office Statistical Bulletin, "Drug Seizure and Offender Statistics, UK". Copies of the bulletin, area and supplementary tables and are available on the RDS website and in the Library (http://www.homeoffice.gov.uk/rds/pdfs2/hosb402.pdf)

Mr. Oaten: To ask the Secretary of State for the Home Department what estimate his Department has made of the street prices of illegal drugs in the last two years. [139229]

Caroline Flint: I will write to the hon. Member and place a copy of my letter in the Library.

Dungavel

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what the average length of stay at Dungavel Immigration Removal Centre for *(a)* adults and *(b)* children has been over the last 12 months. [131558]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Prisoner Education

Mr. Hendry: To ask the Secretary of State for the Home Department what proportion of prisoners at each *(a)* prison and *(b)* young offenders institution have received formal education within those institutions in 2003. [131754]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Hendry: To ask the Secretary of State for the Home Department how many prison staff in each *(a)* prison and *(b)* young offenders institution are employed to provide educational services; and what proportion these figures represent of the total staff employed in each institution. [131755]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Hendry: To ask the Secretary of State for the Home Department how many prison staff are employed in *(a)* prisons and *(b)* young offenders institutions to provide educational services for each of the past 10 years. [131756]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Hendry: To ask the Secretary of State for the Home Department what the budget has been for *(a)* literacy and *(b)* numeracy courses in (i) prisons and (ii) young offenders institutions in each of the past five years. [131757]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Enforced Migration

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what work he is doing with the Department for International Development to tackle the root causes of enforced migration, with particular reference to *(a)* human rights abuses and *(b)* inequality. [138271]

Mr. Rammell: I have been asked to reply.

Enforced migration deriving from human rights abuse and inequality starts with discrimination and marginalisation. Both the Foreign and Commonwealth Office (FCO) and the Department for International Development (DFID) address these root causes in their work to promote human rights abroad. This year the FCO will fund over £12 million worth of grass roots human rights projects in more than 60 countries. Full details of the FCO's work to promote human rights can be found in the Annual Report on Human Rights, a copy of which was sent to all Members of the House. An electronic version is available at: www.fco.gov.uk/humanrightsreport2003DFID is dedicated to the elimination of poverty through realisation of the human rights of the poorest people of the world. In 2002–03, spending related to human rights and empowerment totalled £112 million. DFID seeks to ensure that poor people are consulted on policies and decisions that affect them and are aware of their rights. This approach aims to promote social justice, including tackling human rights abuse. In October 2000, DFID published its strategy for achieving this goal, entitled "Realising Human Rights for Poor People". A copy was placed in the Library of the House.

Ethnic Monitoring

Mr. Oaten: To ask the Secretary of State for the Home Department (1) how many staff were employed by the National Probation Service in England and Wales as *(a)* chief officers, *(b)* assistant chief officers, *(c)* senior probation officers, *(d)* probation officers, *(e)* Probation Service officers and *(f)* administrative and clerical grades on the latest date for which figures are available; and how many in each category were (i) black and (ii) Asian; [138398]

(2) how many staff were appointed during 2002 by the National Probation Service in England and Wales as *(a)* chief officers, *(b)* assistant chief officers, *(c)* senior probation officers, *(d)* probation officers, *(e)* Probation Service officers and *(f)* administrative, clerical and secretarial grades; and how many in each category were (i) black and (ii) Asian. [138399]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many people left *(a)* the police service in England and Wales, *(b)* the prison service in England and Wales and *(c)* the probation service in England and Wales during 2001–02 and 2002–03; and how many of those who left were (i) black and (ii) Asian in each case. [138497]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Evidence (Audio-recording)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department for what reason all interviews between the prosecution and defence witnesses in advance of trial cannot be audio-recorded. [138285]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Female Prisoners

Paul Flynn: To ask the Secretary of State for the Home Department how much it costs per annum for each female detained in prison in the UK. [132319]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Female Rape

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what steps his Department is taking to reduce female rape. [136242]

Caroline Flint: I will write to my hon. Friend and place a copy of my letter in the Library.

Firearms Legislation

Simon Hughes: To ask the Secretary of State for the Home Department what his timetable is for the review of firearms legislation announced on 30 April 2003. [131653]

Caroline Flint: I will write to the hon. Member and place a copy of my letter in the Library.

Fireworks

Ross Cranston: To ask the Secretary of State for the Home Department pursuant to his answers of 16 December 2002, *Official Report*, column 640W, on fireworks, and 28 January 2003, *Official Report*, column 754W, on crime reduction, when he expects to place the findings of the exercise on crime and disorder reduction partnerships and their implications for nuisance and noise associated with fireworks in the Library; and if he will make a statement. [127181]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Grants (Administrative Costs)

Mr. McLoughlin: To ask the Secretary of State for the Home Department what the administrative costs were of *(a)* Active Community Unit grants, *(b)* Race Equality grants and *(c)* Refugee Integration Unit grants in the last financial year. [101493]

Fiona Mactaggart: I will write to the hon. Member and place a copy of my letter in the Library.

Gurpal Virdi

Peter Bottomley: To ask the Secretary of State for the Home Department, if he will request a copy of the investigation report by south Wales Police for the Metropolitan Police on the handling of the case of Gurpal Virdi. [139528]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Identity Cards

Mr. McNamara: To ask the Secretary of State for the Home Department if he will make a statement on the implications of the proposed identity cards for *(a)* Irish citizens living in Great Britain and *(b)* persons living in Northern Ireland who under the Good Friday Agreement may define themselves as Irish citizens; and what discussions he has had with the Government of the Republic of Ireland on the issue. [139120]

Beverley Hughes: The identity cards scheme will enable residents of the United Kingdom, whatever their nationality, to obtain secure evidence of their identity. Irish citizens resident in any part of the United Kingdom, including persons born in Northern Ireland, who identify themselves as Irish will be able to apply for an identity card as soon as the scheme is in place.

We have already alerted the Irish authorities to our plans and will discuss these with them in more detail once the work on implementation of the scheme is further advanced.

Sir Archy Kirkwood: To ask the Secretary of State for the Home Department pursuant to his statement on Identity Cards on 11 November 2003, *Official Report*, columns. 171–87, what the evidential basis was of his estimate of £100 million a year in savings on benefit and related systems from introducing an identity card. [139799]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Identity Theft

Paul Flynn: To ask the Secretary of State for the Home Department what plans he has to propose legislation to make identity theft a criminal offence. [132506]

Caroline Flint: I will write to my hon. Friend and place a copy of my letter in the Library.

Immigration

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department when he will reply to the letter from the hon. Member for Crosby on delays in releasing persons subject to immigration control from Her Majesty's Prison Liverpool at the end of criminal sentences. [124475]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many arrests were made by *(a)* police and *(b)* immigration officers for offences under the Immigration Act 1971 in each year since 1997. [138505]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Dr. Jack Cunningham: To ask the Secretary of State for the Home Department when he will make a decision on the case of Mr.William Michael Moore Rigg and Mrs.Marilyn Rigg, reference number R355557; and if he will make a statement. [138395]

Beverley Hughes *[holding answer 17 November 2003]:* The Immigration and Nationality Directorate made a decision on Mrs. Marilyn Rigg's case on 12 November 2003. A letter was sent informing them of the decision on Friday 14 November. Further documentation will be sent shortly.

Independent Monitoring Board

Mr. Oaten: To ask the Secretary of State for the Home Department how many Independent Monitoring Board annual reports he has received in each year since 1997. [139256]

Fiona Mactaggart: I will write to the hon. Member and place a copy of my letter in the Library.

Jamaican Prisoners

Paul Flynn: To ask the Secretary of State for the Home Department what percentage of female Jamaican nationals in prison in the UK have *(a)* attempted suicide and *(b)* committed suicide in each of the last five years. [132318]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Justice and Home Affairs Council

Mr. Hood: To ask the Secretary of State for the Home Department, what the outcome was of the Justice and Home Affairs Council held on 6 November; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [139090]

Caroline Flint: I will write to my hon. Friend and place a copy of my letter in the Library.

Market Research

Matthew Taylor: To ask the Secretary of State for the Home Department if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137016]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Missing Persons

Mr. Paul Marsden: To ask the Secretary of State for the Home Department what proportion of children who ran away from home since 1997 had *(a)* alcohol and *(b)* drug abuse problems. [88192]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

National Alcohol Strategy

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on his Department's contribution to the development of a national alcohol strategy; and what assessment he has made of its effectiveness. [130490]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

National Probation Service

Mr. Oaten: To ask the Secretary of State for the Home Department, how many probation areas have suffered a financial penalty this financial year for failing to meet their targets; and what penalty was imposed in each case. [136001]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Ombudsmen

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department how many cases were considered by the *(a)* Police Ombudsman and *(b)* Prison and Probation Ombudsman in the last year for which figures are available; how many cases were (i) upheld or (ii) rejected; what the average time taken was to consider cases; and what the average cost per case was. [137196]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Overseas Pupils

Mr. Brady: To ask the Secretary of State for the Home Department, what estimate he has made of the total amount of visa charges that will be levied on overseas pupils attending boarding schools in the United Kingdom in this financial year. [133937]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Parliamentary Questions

Mr. Malins: To ask the Secretary of State for the Home Department when he will reply to the questions tabled by the hon. Member for Woking on 23 October 2003, references *(a)* 134049, *(b)* 135434, *(c)* 135433, *(d)* 135431, *(e)* 135429 and *(f)* 135430. [139809]

Beverley Hughes: I replied to all the hon. Member's questions on 17 November 2003.

Passports

Mr. Terry Davis: To ask the Secretary of State for the Home Department what the target period of time is for the passport service to deal with applications for passports; and what their performance was in the most recent period for which this information is available. [139297]

Beverley Hughes: I will write to the right hon. Member and place a copy of my letter in the Library.

Mr. Goodman: To ask the Secretary of State for the Home Department what consultations he carried out before introducing fees for *(a)* applications for variation of leave and *(b)* endorsing passports. [136963]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Hancock: To ask the Secretary of State for the Home Department if he will make a statement on the progress his Department is making in dealing with *(a)* passport fraud and *(b)* duplicate or false national insurance numbers. [137345]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Ribble Valley (Mr. Evans), *Official Report*, 30 October 2003, column 321W, what the projected administrative expenditure on passports is in *(a)* 2003–04, *(b)* 2004–05 and *(c)* 2005–06. [138529]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Payroll Contracts

Mr. Davey: To ask the Secretary of State for the Home Department, pursuant to his answer of 30 June 2003, *Official Report*, column 14W, on payroll contracts, what period the £13.94 million contract relates to; and what estimate he has made of the amount of the reduction in the price paid in each year. [139561]

Mr. Blunkett: I will write to the hon. Member and place a copy of my letter in the Library.

Penal System

Mr. Oaten: To ask the Secretary of State for the Home Department pursuant to his answer of 1 May 2003, *Official Report*, column 527W, on the penal system, if he will make a statement on the conclusions and recommendations of the second phase of the review of correctional services led by Patrick Carter; and if he will place a copy in the Library. [138477]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Police

Dr. Kumar: To ask the Secretary of State for the Home Department how many police officers have taken early retirement *(a)* prior to and *(b)* during investigation for misconduct or other work-related offences in each of the past five years for which figures are available, broken down by (i) grade and (ii) force. [139572]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Simmonds: To ask the Secretary of State for the Home Department how much funding per head of population Lincolnshire Police received in each year since 1995 from the Government. [138229]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Simmonds: To ask the Secretary of State for the Home Department how much funding per head of population each police authority in England and Wales received in 2002–03. [138230]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Tyrie: To ask the Secretary of State for the Home Department if he will make it his policy to guarantee compensation payments to police officers for illnesses caused by continuous long-term low level occupational exposure to radio frequency radiation. [132515]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Prisons

Simon Hughes: To ask the Secretary of State for the Home Department what plans he has to combine the prison and probation services into a single correctional service; and if he will make a statement. [125418]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will list the prisons which offer paid employment and the nature of the employment; which prisons have contracts with the *(a)* private and *(b)* public sector; what services and products are produced; and whether the services are profitable. [131242]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Gibb: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 September, references 128559 and 129219, on prisons, for what reason he chose scenario C as the basis for the projection; and if he will provide similar projections on the basis of scenarios *(a)* A, *(b)* B and *(c)* D. [132218]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Blunt: To ask the Secretary of State for the Home Department how many members of staff at *(a)* High Down and *(b)* Downview Prisons are not receiving the pay to which they are entitled within one month; and what proportion of staff this represents. [133264]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Gibb: To ask the Secretary of State for the Home Department pursuant to his answer of 6 March 2003, *Official Report*, column 1244W, on prisons, on which *(a)* assumptions about future sentencing trends and *(b)* new policy initiatives with an agreed timetable the forecast average prison population for 2003 to 2006 is based. [128559]

Paul Goggins: The projected prison population for 2003–06 in the answer given by the Secretary of State for International Development, the right hon. Member for Leeds, Central (Hilary Benn) on 6 March 2003, *Official Report*, column 1244W, was scenario C published in Home Office Statistical Bulletin 14/02 in December 2002. It assumes that custody rates increase by 1.25 per cent. per year for males and 2.5 per cent. for females to 2005, with the increase halving thereafter.

The legislative and other changes that are included in the projection are given as follows:

'Narrowing the Justice Gap'—one of the delivery targets for the Criminal Justice System.

Crime (Sentences) Act 1997—automatic life sentences for serious repeat offenders; minimum custodial sentences of three years for third-time domestic burglars.

Crime and Disorder Act 1998—the recall of short sentence prisoners released on licence; the extension of secure remands.

Early release from Detention and Training Orders (DTOs).

Intensive Supervision and Surveillance Programmes (ISSPs).

Added days—effect of a decision by the European Court of Human Rights.

The number of Immigration Act detainees.

Extension of Home Detention Curfew (HDC)—the maximum period of HDC to be increased to 90 days for those prisoners eligible from 16 December 2002.

An updated set of prison population projections was released on Tuesday 9 September in the April 2003 monthly brief. The projections take into account recent policy changes, such as the extension to HDC in July, and sentencing trends.

Mrs. Brooke: To ask the Secretary of State for the Home Department how many juvenile girls being held in prison are pregnant. [132160]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Gibb: To ask the Secretary of State for the Home Department, pursuant to his answer of 24 February 2003, Official Report, column 116W, what his assessment is of the change in *(a)* criminal convictions and *(b)* the custodial population between 1980 and 2000. [99962]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many prisoners in each of the last 15 years tested positive for *(a)* heroin and *(b)* crack cocaine; what proportion of the total prison population these represented; and if he will make a statement. [133905]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department whether it is necessary for the Chief Inspector of Prisons to seek the permission of the Home Secretary to enter prison at any time; and what plans he has to change the rules governing the Chief Inspector's access to prisons. [137075]

Caroline Flint: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Hancock: To ask the Secretary of State for the Home Department if he will make a statement about his strategy for dealing with changes in the prison population. [137551]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will list the populations of each *(a)* prison and *(b)* young offenders institute; whether each institution is overcrowded, giving (i) the definition of overcrowding used, (ii) by how much and (iii) for how long the institution has been overcrowded; and for each institution, how many prisoners (A) in absolute terms and (B) as a percentage of the total population (1) are serving 0 to three months, (2) are serving three to six months, (3) are serving six to nine months, (4) are serving nine to 12 months, (5) are serving 12 to 24 months, (6) are young offenders, (7) are elderly, (8) have mental health problems, (9) have learning difficulties and (10) are illiterate. [131351]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department which prisons offer rehabilitation programmes, giving the nature of the programmes; how many prisoners participated in rehabilitation programmes in *(a)* absolute terms and *(b)* as a percentage of total population in 2003; and how many hours they spent on average in rehabilitation programmes on a weekly basis. [131352]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

David Davis: To ask the Secretary of State for the Home Department what the population of each prison in Haltemprice and Howden was in the last quarter for which figures are available; and what the figures were for the preceding four quarters. [132328]

Paul Goggins: I will write to the right hon. Member and place a copy of my letter in the Library.

Probation Services

Mr. Oaten: To ask the Secretary of State for the Home Department pursuant to his answer to the hon. Member for Southwark, North and Bermondsey (Simon Hughes), of 20 October 2003, *Official Report*,

column 416W, on probation services, what steps he is taking to avoid an overspend in the probation budget. [138531]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Profiting from Crime

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department what plans he has to amend the law so that current and former criminals cannot profit from their crimes by *(a)* selling recorded or written material relating to their crimes and *(b)* engaging in speaking events regarding their crime. [136929]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Pupil Visa Charges

Mr. Lansley: To ask the Secretary of State for the Home Department, what form of consultation was undertaken by his Department on the planned introduction of visa charges for overseas school pupils attending United Kingdom schools. [133073]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Racial Crime

Lady Hermon: To ask the Secretary of State for the Home Department what percentage of crimes committed in *(a)* England and *(b)* Wales in each year since 1997 were racially motivated; what steps he is taking to reduce these figures; and if he will make a statement. [133187]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Rap Music

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what recent meetings he has held with producers of rap music records; and what the outcome was of those meetings. [136247]

Ms Blears: I will write to my right hon. Friend and place a copy of my letter in the Library.

Rape

Vera Baird: To ask the Secretary of State for the Home Department how many drug rapes were reported in *(a)* 2001, *(b)* 2002 and *(c)* the first half of 2003, broken down by sex of victim. [129670]

Caroline Flint: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Woodward: To ask the Secretary of State for the Home Department how many women reported rape by their husband or partner in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [138175]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Recorded Crime

Mr. Bercow: To ask the Secretary of State for the Home Department, for what reasons the number and proportion of recorded crimes for which an offender was brought to justice changed in 2001–02. [130485]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Sex Offenders Register

Chris Ruane: To ask the Secretary of State for the Home Department, if he will set out in descending order how many *(a)* registered sex offenders and *(b)* registered sex offenders per 100,000 population there were in each local authority. [133051]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Sir Paul Beresford: To ask the Secretary of State for the Home Department, what plans he has to provide further assistance to police in *(a)* checking details of individuals on the Register of Sexual Offenders and *(b)* undertaking risk assessments of those individuals; and if he will make a statement. [138047]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department what proportion of those on the sex offenders register have been convicted of a further offence following registration. [139257]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Offender Rehabilitation

Mr. Oaten: To ask the Secretary of State for the Home Department when he plans to introduce legislation to amend the Rehabilitation of Offenders Act 1974. [138480]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Released Prisoners (London)

Mr. Oaten: To ask the Secretary of State for the Home Department how many prisoners were released from prison in London in the last 12 months; and how many are estimated to have *(a)* mental health and *(b)* drug or alcohol problems. [139233]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Road Safety

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department to what standard of accuracy speed cameras work. [138947]

Caroline Flint: Until July 2003, the standard to which speed cameras were required to operate was a positive error of no more than 3mph up to 100mph, and 3 per cent. above 100mph. The negative error was not greater than 5mph or 10 per cent. above 50mph. From July 2003, in line with European standards, new speed cameras will be required to be accurate to ± 2mph up to

66mph and ± 3 per cent. above 66mph. This has not yet been implemented for existing cameras, but we consider that all cameras are in fact already accurate to this level.

Mr. Liddell-Grainger: To ask the Secretary of State for the Home Department what help he gives to chief constables to publish speed messages. [139037]

Caroline Flint: Publicity on this issue is a matter for my right hon. Friend the Secretary of State for Transport. We recognise that speeding contributes to accidents and that encouraging drivers to slow down can help effect a reduction in the number of accidents. We have made clear in the National Policing Plan our conviction that the National Safety Camera Scheme is effective in reducing speed-related death and injury and our encouragement for all police forces to support it.

Schools (Violence)

Keith Vaz: To ask the Secretary of State for the Home Department what action the Government are taking to support teachers and school staff in their work to prevent *(a)* violence and *(b)* crime in schools. [138749]

Mr. Ivan Lewis: The great majority of schools are orderly places and serious violence is rare. However, we are determined to raise standards of behaviour and security further. We are therefore investing an average of £156 million annually over the next three years in a wide-ranging programme to improve behaviour and attendance in schools. This includes better training for school staff in managing pupil behaviour; support for pupils at risk of becoming involved in crime; and closer working between police and schools, with some officers based in schools in over 50 local education authority areas. We are currently running conferences to help schools combat bullying. We are also making schools more secure; we have legislated against offensive weapons and trespass and published a legal toolkit for dealing with aggressive intruders; we have supported security measures through the Standards Fund and Capital Modernisation Fund, and we are giving school security priority in credit approvals for local authority capital investment.

Sentencing

Mr. Paul Marsden: To ask the Secretary of State for the Home Department if he will make a statement on the sentences available to judges following a conviction for throwing missiles from bridges over motorways and trunk roads. [138881]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department what steps he is taking to improve public understanding of *(a)* sentencing policy and practice and *(b)* community service. [139230]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Sexual Offences

Vera Baird: To ask the Secretary of State for the Home Department what the most recent rates of *(a)* prosecution and *(b)* conviction are for rape and sexual assault in police areas which (i) have and (ii) do not have sexual assault referral centres. [110722]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department what estimate he has made of the number of offenders likely to be caught under the internet grooming provision of the Sexual Offences Bill. [139219]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many people have been *(a)* arrested, *(b)* charged, *(c)* convicted and *(d)* sentenced to immediate custody in the course of Operation Ore; how many cases are being investigated; and if he will make a statement. [139220]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Liz Blackman: To ask the Secretary of State for the Home Department, whether a code of practice will accompany the Sexual Offences Bill. [137813]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mrs. Brooke: To ask the Secretary of State for the Home Department, when he will publish guidelines for the Sexual Offences Bill; and what plans he has to consult on these guidelines. [137841]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Lynne Jones: To ask the Secretary of State for the Home Department if he will list the NGOs to whom the parliamentary under secretary expressed appreciation for the work they had done on the issue of consensual sexual activity short of penetrative sex between under 16s; and whether these NGOs will be directly involved in compiling the Crown Prosecution Service guidance on this issue. [138206]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Student Visas

Mr. Jon Owen Jones: To ask the Secretary of State for the Home Department, what recent estimate he has made of the percentage of those on student visas who complete their courses; and what estimate he has made of the number of those on student visas who remain in this country after their visa has expired. [132922]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Sustainable Development

Sue Doughty: To ask the Secretary of State for the Home Department what the sustainability strategy is for his Department; and if he will make a statement on how it has changed since the World Summit on Sustainable Development in Johannesburg. [83502]

Fiona Mactaggart: I will write to the hon. Member and place a copy of my letter in the Library.

"Think First" Programmes

Mr. Oaten: To ask the Secretary of State for the Home Department, if he will publish his research on the completion rates of offenders attending pilot accredited programmes, known as "Think First", in England and Wales. [135997]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Victim Support

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what *(a)* number and *(b)* percentage of complainants (i) were offered victim support services and (ii) accepted the help of victim support services, at an early stage in the investigation of child abuse cases in the last five years. [138284]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Vulnerable People (Transport)

Dr. Iddon: To ask the Secretary of State for the Home Department what advice he has given to local authorities to help them determine the suitability of licensed *(a)* taxi and *(b)* private hire drivers to escort vulnerable people, including children, in the absence of an enhanced check. [133945]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Waterloo Immigration Office

Mr. Oaten: To ask the Secretary of State for the Home Department what impact he estimates the proposed closure of the Waterloo Immigration Office will have on border control at this point of entry. [138210]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department what he estimates the cost will be of relocating the Immigration Office at Waterloo to France. [138211]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department for what reason *(a)* French officers at the Waterloo Immigration Office carry guns and *(b)* British officers there do not. [138212]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Wetherby Young Offenders Institution

Miss McIntosh: To ask the Secretary of State for the Home Department how many *(a)* assaults and *(b)* incidents of criminal damage there were in Her Majesty's Young Offenders Institution Wetherby in each of the past five years. [131974]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Miss McIntosh: To ask the Secretary of State for the Home Department how many sick days have been taken off by staff at Her Majesty's Young Offenders Institution Wetherby in each of the past five years. [132254]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Miss McIntosh: To ask the Secretary of State for the Home Department how many times staff at Her Majesty's Young Offenders Institution Wetherby had to use control and restraint in each of the past five years. [132255]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Miss McIntosh: To ask the Secretary of State for the Home Department what the grounds are for *(a)* the removal of staff batons and *(b)* the proposed replacement of staff uniforms at Her Majesty's Young Offenders Institution Wetherby. [132256]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Young Offenders

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how many young offenders found guilty of criminal damage have undertaken reparation under the *(a)* Reparation Order, *(b)* Action Plan, *(c)* Referral Order and *(d)* Supervision Order since their introduction; [138273]

(2) how many young offenders he estimates will undertake reparation under the *(a)* Reparation Order, *(b)* Action Plan, *(c)* Referral Order and *(d)* Supervision Order over the next two years; [138274]

(3) if he will make a statement on the forms of reparative activities that have been undertaken through the *(a)* Reparation Order, *(b)* Action Plan, *(c)* Referral Order and *(d)* Supervision Order; [138275]

(4) if he will make a statement on the re-offending rate of young offenders found guilty of criminal damage who took part in reparation schemes in 2002–03. [138276]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the results of the ISSP schemes; what the completion rate of young offenders guilty of criminal damage on the ISSP schemes has been; and what the re-offending rate of the young people responsible for criminal damage on the ISSP scheme has been. [138277]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Brooke: To ask the Secretary of State for the Home Department, how many juveniles failed to make contact with the youth offending team on release from prison in the last year for which figures are available. [139000]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mrs. Brooke: To ask the Secretary of State for the Home Department, how many girls aged *(a)* 16, *(b)* 17 and *(c)* 18 years are serving sentences in women's prisons. [139135]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Youth Violence

Keith Vaz: To ask the Secretary of State for the Home Department what measures the Government are taking to reduce youth violence. [138[illegible]]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Zahid Mubarek

Mr. Gerrard: To ask the Secretary of State for the Home Department, if he will set up a public inquiry into the circumstances surrounding the death of Zahid Mubarek following the judgment of the House of Lords on 16 October in the case of Regina v Secretary of State for the Home Department ex parte Amin. [137141]

Paul Goggins *[holding answer 10 November 2003]:* I will write to my hon. Friend and place a copy of my letter in the Library.

FOREIGN AND COMMONWEALTH AFFAIRS

Georgia

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to ensure that *(a)* proper democratic processes are being followed and *(b)* that fair elections are taking place in the Republic of Georgia. [139049]

Mr. Rammell: The United Kingdom has taken every opportunity, both in our bi-lateral contacts and through our membership of international fora, to impress upon the Georgians the importance of the parliamentary elections being free and fair. Our Embassy in Tbilisi has maintained close and regular contact with government, opposition leaders and the Central Electoral Commission in the run up to, and the aftermath of the elections. We contributed a large number of observers to the OSCE monitoring mission. The UK also helped fund a Georgian NGO, the International Society for Fair Elections, to conduct a media campaign raising awareness of the democratic process.

The UK has endorsed the findings of the International Election Observation Mission on the conduct of the electoral process and encouraged all sides to come to a peaceful, negotiated settlement. The international community, including the UK, has impressed upon the Georgian authorities the need for perceived weaknesses in the electoral system to be resolved before the Presidential elections in 2005. Together with our EU partners, we made a statement on 13 November to this effect. The UK Special Representative to the South Caucasus also raised the matter with government and opposition politicians during his visit to Tbilisi last week.

We will consider how we can best help the Georgian Electoral Commission to bring about the required improvements in the electoral system.

Lady Hermon: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Georgia. [139281]

Mr. Rammell: I refer the hon. Lady to the answer I gave the hon. Member for Romford (Andrew Rosindell) today (UIN139049).

Afghanistan

Mr. Hepburn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent progress has been made in improving Afghanistan's drug law enforcement capacity. [138430]

Mr. Rammell: As lead nation for counter narcotics activity in Afghanistan, the UK supports the Afghan National Drug Control Strategy which was adopted by President Karzai in May 2003. The strategy proposes activities in four key areas: improved drugs law enforcement; alternative livelihoods for poppy farmers; capacity building for Afghan drugs institutions; and public awareness campaigns/treatment programmes to help reduce demand. The UK is committing £70 million over the next three years and additional British Embassy drugs personnel to drive forward implementation of the strategy.

In the area of improved drugs law enforcement, the UK is working with the United Nations Office on Drugs and Crime on a basic law enforcement training programme to develop the investigation, detection, interdiction and intelligence capabilities of Afghanistan's principal drug enforcement agency, the Counter Narcotics Police. The UK has trained over 100 officers of the Counter Narcotics Police to date, including two female officers, and has involved trainers from Pakistan, Turkey and Iran in the counter-narcotics training package.

The UK plans to build upon this training by seconding international experts to mentor officers in Kabul and the regions. Progress in reforming Afghanistan's drug enforcement capacity, as in other areas of the drugs strategy, is dependent upon wider improvements in security and governance.

Mr. Hepburn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent estimate he has made of the percentage of the UK's heroin supply coming from Afghanistan. [138431]

Mr. Rammell: On the basis of forensic analysis of heroin seizures, it is estimated that at least 95 per cent. of the heroin used in the UK is produced from opium grown in Afghanistan.

Mr. Hepburn: To ask the Secretary of State for Foreign and Commonwealth Affairs what the size of the poppy harvest was in Afghanistan in each year since 2000. [138476]

Mr. Rammell: The United Nations Office on Drugs and Crime (UNODC) conducts an annual survey into the level of opium cultivation and production in Afghanistan. Their figures since 2000 are as follows:

	Hectares	*Tonnes*
2000	82,000	3,300
2001	8,000	185
2002	74,000	3,400
2003	80,000	3,600

The low level of cultivation and low production figure in 2001 reflect the Taliban ban on opium cultivation; the ban did not however address the underlying causes of poppy cultivation in Afghanistan and was enforced with mix of threat and bribery.

Azerbaijan

Mr. Edwards: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on bilateral relations with Azerbaijan. [139127]

Mr. Rammell: The UK has a good bilateral relationship with Azerbaijan. The most recent ministerial visit was by my right hon. Friend the then Minister for Energy in May this year, to attend the Caspian Oil and Gas Show in Baku. Ilham Aliev, now President, visited the UK in June when he called on the Minister of State at the Foreign and Commonwealth Office, my hon. Friend the Member for North Warwickshire (Mike O'Brien), and the then Secretary of State for International Development my noble Friend Baroness Amos.

In January 2003, we extended the mandate of Sir Brian Fall the UK Special Representative to cover the whole of the South Caucasus underlining the commitment of the Government to play an active part in the efforts of the international community to help resolve the Nagorno Karabakh conflict.

UK investment in Azerbaijan totals $US 2 billion. The vast majority of this is BP's investment in the oil and gas sector, which has contributed much to the development of the oil and gas industry in Azerbaijan. BP is the largest foreign investor, operating four offshore oil and gas exploration and development contracts. BP is leading the Baku-Tbilisi-Ceyhan (ETC) pipeline project. The BTC pipeline will provide an export route for oil (and subsequently gas) from Azerbaijan's Caspian oil fields to Europe.

Burma

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British American Tobacco's decision to stop its cigarette making operation in Burma. [138824]

Mr. Mike O'Brien: I welcome that BAT, the largest remaining UK investor in Burma, has responded to the Government's request that they leave the country. BAT's decision reinforces our long held policy of not encouraging trade, investment or tourism in Burma. As my right hon. Friend the Prime Minister stated in June, trade and investment with Burma is not appropriate while the military regime continues to suppress the basic rights of its people. This will remain our policy until we see concrete evidence of genuine political will by the regime to work towards national reconciliation, democracy, and respect for human rights in Burma.

Colombia

Mr. Allan: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department is taking to ensure compliance by the Colombian Government with recommendations by the UN on human rights. [138944]

Mr. Rammell: The issue of the implementation of UN recommendations was discussed at the London Meeting on International Support for Colombia which the UK hosted on 10 July this year. The Colombian Government pledged to implement these recommendations promptly and take effective action against impunity and collusion especially with the paramilitary groups. In my meeting with the Colombian Foreign Minister in New York in September, I underlined the importance we attached to this commitment. A working group of representatives of the governments who attended the London Meeting has been set up in Bogota to monitor and evaluate progress on implementation.

Mr. Allan: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his officials have held with the Colombian Government on rates of voter abstention in *(a)* the Colombian referendum and *(b)* the municipal and departmental elections of 25 and 26 October. [138946]

Mr. Rammell: We hold regular discussions with the Colombian authorities and others on a wide range of topics, including the outcomes of the recent referendum and the municipal and departmental elections.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) when he will reply to the letter to him dated 7 October from the right hon. Member for Manchester, Gorton with regard to Mrs. R. F. Nayeem; [138455]

(2) when he will reply to the letter to him dated 6 October from the right hon. Member for Manchester, Gorton with regard to Mrs. F. Begum; [138457]

(3) when he will reply to the letter to him dated 2 October from the right hon. Member for Manchester, Gorton with regard to Mr. Tufail Choudhary. [138458]

Mr. Mullin: I can confirm that as a result of an administrative error, no replies were sent to my right hon. Friend's letters of 2, 6, 7 October to my right hon. Friend the Foreign Secretary about Mr. Tufail Choudhary, Mrs. F. Begum and Mrs. Ruzi Farzana Nayeem.

It would appear that a package containing a number of my right hon. Friend's letters was lost while in transit between my right hon. Friend the Foreign Secretary's office and UKvisas, the department responsible for entry clearance matters arising overseas. The letters that were lost have now been identified and copies have been sent to UKvisas. I can assure my right hon. Friend that my right hon. Friend the Foreign Secretary will write to him in the next few days on this case.

Democratic Republic of the Congo

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the levels of *(a)* United Kingdom and *(b)* UN troops in the Democratic Republic of the Congo. [137618]

Mr. Straw *[holding answer 18 November 2003]*: I refer the right hon. and learned Member to the answer given by my hon. Friend the Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office to the hon. Member for Twickenham (Dr. Cable) on 12 November 2003, *Official Report*, column 314W.

Departmental Costs

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost was to his Department for *(a)* ministerial cars and drivers, *(b)* taxis, *(c)* train travel, *(d)* the use of helicopters, *(e)* airline tickets and *(f)* chartered aeroplanes in each year since 1997. [123075]

Mr. Rammell: Under the terms of the Framework Document, the responsibility for the provision of ministerial cars and drivers is delegated to the Government Care Despatch Agency. I refer the hon. Member to the answer given to him by my hon. Friend the Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster on 13 November 2003, *Official Report*, column 397W.

Expenditure in the UK under the Foreign and Commonwealth Office (FCO) taxi contracts for each year since 1997 was as follows:

£

Year	*Expenditure*
1997–98	152, 442.64
1998–99	226,736.15
1999–2000	329,903.63
2000–01	380,830.36
2001–02	525,026.69
2002–03	499,164.22

These figures do not include details of any taxi journeys undertaken by staff outside the scope of the FCO's taxi contracts and for which reimbursement is made through the Department's travel claim system. Expenditure on taxis will also have been incurred by our Missions overseas. Neither of these costs are recorded separately, and it would involve disproportionate cost to identify them.

The FCO purchases tickets for rail and air travel through a contract with American Express. Figures for this expenditure are immediately available for the 2001–02 and 2002–03 financial years only, and are as follows:

£

Year	*Rail*	*Air*
2001–02	752,364	15,730,892
2002–03	699,569	15,269,677

I will write to the hon. Member with the figures for 1997–98 to 2000–01 as soon as they are provided by American Express. However, this data do not include the cost of rail or air journeys booked direct by members of staff and reimbursed through the Department's travel claim system. Direct expenditure on air travel will also have been incurred by our Missions overseas. These costs are not recorded separately, and again it would involve disproportionate cost to identify them.

Details of the types of aircraft used by FCO travellers, (i.e. helicopters), are not recorded. Neither does the Department or its contractor centrally maintain information on whether FCO personnel travel by scheduled or chartered flights.

European Court of Human Rights

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy *(a)* to oppose the introduction of new admissibility criteria for individual petitioners to the European Court of Human Rights and *(b)* to urge all member states to consult on the matter with (i) the legal community and (ii) civil society; and if he will make a statement. [138795]

Mr. MacShane: The Government supports the introduction of the new admissibility criteria for individual petitioners to the European Court of Human Rights. The new admissibility criteria are not designed to restrict the right of individual application. But if the Court is not given discretion to apply the new criteria, that right could be put at risk by the ever-increasing volume of applications which prevents the Court from dealing with any applications in a reasonable time.

The Government endorses paragraph 14 of the Council of Europe's Committee of Ministers' Declaration of 15 May, which encourages the Governments of member states to share information on this matter with civil society. Civil society representatives and independent experts will have the opportunity to raise questions at a Symposium at the Council of Europe on 17 November, with a further symposium proposed for early 2004.

European Constitution

Mr. Nicholas Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs what shared competence exists on energy policy within the EU; and what impact he estimates the proposed Energy Chapter will have on the United Kingdom. [137739]

Mr. MacShane: I refer my right hon. Friend to the answer I gave him on 11 November 2003, *Official Report*, column 204W.

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the areas of policy, legislation, administration and decision on objectives to be attained which *(a)* are and *(b)* will be the exclusive responsibility of the European Union, and the Articles of the proposed Constitution in which these are set out. [137941]

Mr. MacShane: Article 12 (1) of Part I of the Convention on the Future of Europe's draft Constitutional Treaty states that the EU would have exclusive competence in the following areas: competition rules necessary for the functioning of the internal market: monetary policy for member states who

have adopted the Euro; common commercial policy: customs union: and the conservation of marine biological resources under the common fisheries policy.

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Gibraltar Government in negotiations with the Spanish Government on the future of Gibraltar. [133529]

Mr. MacShane: My right hon. Friend the Foreign Secretary has had no recent discussions with the Government of Gibraltar on this subject. When I visited Gibraltar on 4 July, my discussions with the Chief Minister covered, among many other issues, the subject of negotiations with Spain.

Guantanamo Bay

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the decision by the United States Supreme Court to reassess the legality of holding prisoners in Guantanamo military base as it affects British prisoners held there. [139032]

Mr. Mullin: On 10 November, the Supreme Court granted certiorari in the case Al Odah v. United States, which concerns detainees held in Guantanamo Bay. The question that the Court has agreed to hear is "Whether United States courts lack jurisdiction to consider challenges to the legality of the detention of foreign nationals captured abroad in connection with hostilities and incarcerated at the Guantanamo Bay Naval Base, Cuba."

The Government will of course consider the Supreme Court's judgement on this question once it has been issued.

Indonesia

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with the Government of Indonesia on *(a)* suppressing the rebels' uprising and *(b)* humanitarian assistance in Aceh. [138825]

Mr. Mike O'Brien: The Government has regularly urged the Indonesian Government and the Free Aceh Movement (GAM) to return to negotiations for a peaceful solution to the conflict in Aceh.

Together with other members of the Tokyo Group (the EU, US, Japan and World Bank) we have recently called for improved access to Aceh for international agencies and NGOs, and for the impact on the people of Aceh to be minimised. The UK continues to work through NGOs and the UN to provide assistance to the people of Aceh. We continue to discuss Aceh with political contacts in Indonesia and the Indonesian Ambassador to the UK.

International Atomic Energy Agency

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to make additional resources available to the International Atomic Energy Agency to support its increased safeguards burden in Iran following the agreement concluded in Tehran on 21 October. [134572]

Mr. MacShane: The United Kingdom supported a successful call for additional resources for the IAEA's activities at the board of Governors' meeting earlier this year. We believe that, with these additional resources, the IAEA will be able to undertake all of the safeguards tasks with which they are mandated, including work in Iran.

Iran

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to prevent the Islamic Republic of Iran from obtaining and developing the capabilities to *(a)* produce and *(b)* employ nuclear weapons. [136765]

Mr. Rammell: Together with our partners from France and German, we have been engaged in intensive discussion with the Iranian Government to persuade them to suspend activities associated with the development of a nuclear weapons capability.

Iran has announced that it will suspend the enrichment of uranium and activities associated with the reprocessing of nuclear fuels. We will continue to monitor closely Iran's implementation of this course of action.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on Iran's enrichment of uranium. [137999]

Mr. MacShane: Together with our French and German partners, we have made clear to Iran that it must suspend all uranium enrichment activities.

Iraq

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what the evidential basis is for the statements made on page 34 and 35 of the Iraq dossier of 24 September on inspections by UNSCOM of the presidential sites. [135348]

Mr. Rammell: Only one team of inspectors (UNSCOM 243) was allowed to visit Presidential Sites under a special arrangement facilitated by the UN Secretary-General. Their report of their visit to the sites makes clear that they were not able to carry out full inspections at any of the sites. They were never allowed to return.

The full report of UNSCOM 243 can be found on the UNSCOM internet website at: www.un.org/Depts/unscom/s98-326.htm.

Rev. Martin Smyth: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's contribution to the provision of a civil police service in Iraq. [137777]

Mr. Rammell: There are currently a total of 10 UK police officers in Iraq; three in Basra and seven in Baghdad. Our focus is on recruiting, training and deploying more Iraqi police officers. We plan to deploy a further 24 UK officers to Basra in the near future and

up to a further 75 UK police officers towards a multinational effort to train new Iraqi recruits at a training facility in Jordan. The first nine of these 75 police officers are already in Jordan and another 27 are planning to depart on 23 November.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Iraqi *(a)* civilians, *(b)* police officers and *(c)* military police he estimates have been killed in terrorist attacks in Iraq since 1 May. [137995]

Mr. Rammell: There are no reliable statistics available for the number of civilian casualties. I expect to have further information shortly on the Iraqi police killed, and I will write to my hon. Friend.

Although the first battalion of the Iraqi Army completed training on 4 October, there are no Iraqi military police at present.

Mr. Pike: To ask the Secretary of State for Foreign and Commonwealth Affairs what efforts are being made in Iraq to re-employ the Iraqis who are unemployed; what discussions he has on assisting these people while unemployed; and if he will make a statement. [138702]

Mr. Rammell: The Coalition and Iraqi ministries have placed very significant emphasis on the need to sustain and stimulate employment in Iraq. The payment in full of public sector wages has returned rewards for work to many crucial employees. A micro-finance programme has been created for small businesses and rules on foreign direct investment and tariff holidays have also been introduced to promote the Iraqi private sector, protecting existing jobs and creating new ones.

As a result of the publication of the Iraqi Budgets for 2003 and 2004, for the first time in decades the revenue from Iraqi oil sales is being spent on meeting the needs of the Iraqi people. In combination with the many billions of dollars of international reconstruction funding being channelled into Iraq this public expenditure is stimulating demand for labour.

With the exception of senior Ba'athists, former members of the military who lost their job as a result of disbanding the Iraqi army have been paid a stipend. Many are also undergoing retraining to join the new Iraqi security forces.

Islamabad High Commission

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current status of the high commission in Islamabad; and when he expects it to be fully operational. [137832]

Mr. Mullin: As a result of the security situation in Pakistan our high commission in Islamabad operated for a substantial period with severely reduced staff. This reduced our visa section's capacity to provide a full service. In recent months service levels have increased significantly. Islamabad has handled over 81,000 entry clearance applications so far this year.

My right hon. Friend the Foreign Secretary is committed to restoring a full visa operation in Pakistan as soon as is practical. The high commission in Islamabad announced on 17 November that it would be expanding the service it offers to include visitors who have travelled to the UK, Canada, Australia, New Zealand and the United States of America within the last ten years. fiancé(e)s applying to settle in the UK, EU dependants and those applying for family reunion.

The Foreign Secretary will be writing to all members shortly to set out these changes and the way forward in more detail.

Israel/Palestine

Dr. Jenny Tonge To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons the UK representative on the UN Security Council abstained in the vote on 14 October on the resolution declaring illegal the Israeli construction of a security wall in the occupied territories of Palestine. [138664]

Mr. Rammell: We did not consider the resolution put to the Security Council on Israel's construction of a fence or wall in the West Bank reflected accurately the situation on the ground. It did not condemn suicide bombings and therefore did not acknowledge Israel's real security concerns. As my right hon. Friend the Foreign Secretary said in the House on 14 October 2003, *Official Report*, column 3–4, we regard the building of the wall on Palestinian land as unlawful and we have serious concerns about its impact. But we judged that the text before the Security Council would not help implementation of the roadmap, and so we abstained.

The resolution subsequently put to an Emergency Special Session of the UN General Assembly realistically focused on the fence's negative impact on the peace process and local population. European Union proposals for a more balanced text were accepted in General Assembly negotiations and the UK, with our EU Partners, voted for that resolution.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Israeli Government concerning the status of Palestinians living between the Green Line and the new security fence in the Occupied Territories. [138673]

Mr. Rammell: My noble Friend the Baroness Symons of Vernham Dean raised our concerns about the "Closed Zone" between the fence and the Green Line on 22 October with the Israeli Ambassador, and on 29 October with the Israeli Minister for National Infrastructure.

The implementation of this order will have grave consequences for Palestinians who live between the fence and the 1967 border, and those who farm land in this area. We are in close touch with the US and other allies to ensure that Israel understands the opposition of the wider international community to the route of the fence.

Japan

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the

Government of Japan about its refusal to subscribe to the Hague Convention on International Child Abduction; and if he will make a statement. [137846]

Mr. Straw *[holding answer 18 November 2003]:* The Foreign and Commonwealth Office encourages all countries with whom the UK has comity of law to join the Hague Convention on International Child Abduction (1980). We believe this comity of law exists between Japan and the UK and are committed to working with the Hague Secretariat to provide the Japanese Government with the information it needs to come to a decision on membership.

We are working with our partners in the EU to put the case for joining the Hague Convention to Japan. In recent exchanges between the EU and Japan on human right and consular issues, the EU has raised Japanese accession to the Hague Convention on International Child Abduction.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to make representations on behalf of individual citizens of the United Kingdom to the Government of Japan when allegations of child abduction from the United Kingdom to Japan arise; and if he will make a statement. [137847]

Mr Straw *[holding answer 18 November 2003]:* In cases of child abduction to countries that are not states party to the Hague Convention on International Child Abduction 1980. such as Japan, we advise parents to resolve custody and access issues through the domestic courts in the country concerned, or through mediation.

We would not make representations on behalf of British nationals to the foreign governments concerned as a matter of course, but would consider doing so in exceptional circumstances, for example once the court process has finished, in order properly to enforce the outcome.

Legislative Council of St. Helena

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will arrange to meet the members of the Legislative Council of St. Helena when he is on Ascension Island at the beginning of December. [139119]

Mr. Rammell: I refer the hon. Member to the answer I gave him on 17 November 2003 (UIN:139102).

Middle East

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Israeli Government on the destruction of *(a)* wells and *(b)* other infrastructure in Gaza by the Israeli army. [137431]

Mr. Rammell: We deplore the destruction of Palestinian infrastructure and we have asked Israel to cease such activity. We have not recently raised the destruction of wells in Gaza. Nonetheless, my noble Friend the Baroness Symons of Vernham Dean called in Israel's ambassador, Mr. Zvi Shtauber, on 22 October to raise our serious concerns about recent Israeli actions in Gaza. Our embassy in Tel Aviv has also raised our concerns with its Israeli interlocutors.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on the exchange of Israeli and Palestinian/Lebanese prisoners. [139052]

Mr. Rammell: We are pleased to hear that the Israeli Cabinet has approved a deal on the exchange of Israeli, Palestinian and Lebanese prisoners. We hope that Hizbollah will follow suit, and that this matter is resolved soon.

Nuclear Non-proliferation Treaty

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent initiatives have been taken by the United Kingdom to strengthen the provisions of the nuclear non-proliferation treaty; and what actions have been taken by the United Kingdom pursuant to obligations under Article 6 of the NPT. [133308]

Mr. MacShane: The United Kingdom believes that the Nuclear Non-Proliferation Treaty (NPT) is the cornerstone of the nuclear non-proliferation regime. We welcome the increased emphasis on the crucial non-proliferation aspects of the NPT that was in evidence at the Second Session of the Preparatory Committee (PrepCom) earlier this year and intend to work with other NPT members to strengthen the effectiveness of measures against nuclear proliferation.

We continue to stress the utmost importance of compliance with the Treaty. For example, we urge the DPRK to dismantle its nuclear weapons programme and return to compliance with the NPT. We strongly believe in the need for the universalisation of the treaty, and we regularly call on those states that have not yet acceded to do so whenever we have the opportunity.

The UK also continues to play a full part in the NPT Review process, including most recently in the PrepCom in April and May this year. The UK issued a working paper at the PrepCom on its research into verification of nuclear disarmament and presented the conclusions of this interim study at a seminar during the PrepCom. We anticipate publishing a further paper for the 2004 session of the PrepCom and a consolidated paper at the Review Conference in 2005.

Pakistan

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs if *(a)* he and *(b)* officials from his Department will meet Christian groups in the UK to discuss rights for Christians in Pakistan. [138568]

Mr. Mike O'Brien: Foreign and Commonwealth Office officials have regular contact with a range of UK-based NGOs, including those who campaign for the rights of Christians and other religious minorities in Pakistan. Officials will be meeting representatives of groups interested in the position of Christians in Pakistan within the next month.

Science and Technology Network

Dr. Kumar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the *(a)* funding, *(b)* remit and *(c)* functions of the science and technology network. [137535]

Mr. Rammell: Following a review in 2000 the FCO has established a new network of S & T (science and technology) attachés to help capitalise on and enhance the UK science base, to help companies access overseas innovation and technology, to facilitate high-tech trade and attract foreign investment and to use S & T as a vehicle to maximise the UK's impact abroad.

£3 million of funding was provided through SR2000. A further £750,000 of programme and staffing resource was made available through SR2002. By 2005 there will be a dedicated FCO S & T officer in 34 of our overseas posts in 22 countries. Several other posts have also joined the network and make use of S & T to further bilateral relations. The network reports to a wide customer base and works with a number of UK organisations with an interest in S & T overseas. These include Government Departments, parliamentary and devolved institutions, public sector bodies, universities, research and trade organisations and industry.

The FCO works in close partnership on international S & T issues, with the Office of Science and Technology (OST), the Department of Trade and Industry (DTI) (especially its team of International Technology Promoters), UK Trade & Investment, the British Council and the Research Councils (RCUK). The FCO's S & T network adds value to the UK by addressing the following objectives:

To inform UK science policy development, benchmarking UK S & T performance against other nations and using S & T to secure UK influence in international negotiations.

To promote the UK as the international partner of choice in S & T collaboration, and attract overseas expertise, in areas which match or complement existing or potential UK strengths.

To enhance wealth creation by using S & T to facilitate trade and inward investment, with development of the UK knowledge economy through commercially edged high technology collaboration.

To use S & T for public diplomacy to project the UK as a creative, dynamic, technologically advanced nation.

The network is co-ordinated by the S & T unit within the Global Issues Directorate of the FCO. The work of the network and profiles of the new generation of S & T officers are presented in the FCO's S & T annual report, available on the FCO website: www.fco.gov.uk/policy/global-issues/science-and-technology.

The new network provides informed insight into S & T activity in the host country and an assessment of opportunities and risks for the UK. Through developing networks of opinion formers and key contacts the attachés are well placed to stimulate bilateral interactions. The integrated approach of the S & T attachés with their commercial and public diplomacy colleagues means projection of the UK as a world leading science base and development of a technologically innovative, knowledge based, economy.

Secondment

Dr. Iddon: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people from science and technology backgrounds have been seconded into the Civil Service in his Department in each of the last five years for which data are available. [138623]

Mr. Rammell: In line with the 2001 Government Cross Cutting Review of Science and Research and the 2000 Foreign and Commonwealth Office (FCO) review of science and technology (S&T) work, the FCO has increased the use of S&T expertise in its work. The FCO has established a new S&T network and recruited a new and diverse generation of high calibre S&T officers, both UK appointed and locally engaged. As well as scientific and technical expertise, many have experience in business, management consultancy and policymaking, as well as skills in diplomacy and international relations. For UK appointees, in each of the last five years the following numbers of people with a science and technology background have been recruited into the S&T network either on Fixed Term contract, loan from Other Government Departments or on secondment from outside the Civil Service:

	Number
1999	2
2000	2
2001	7
2002	2
2003	3

Sri Lanka

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment his Department has made of the conflict between the government of Sri Lanka and the Liberation Tigers of Tamil Eelam; when this assessment was made; and if he will make a statement. [131830]

Mr. Mike O'Brien: I refer the hon. Member to the answer I gave him on 15 October 2003, *Official Report*, column 266–67W.

Turkey

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of developments in the human rights situation in Turkey; what representations have been made to him; and if he will make a statement. [131444]

Mr. MacShane: We welcome Turkey's progress in the protection of human rights and the constitutional and legislative changes that it has made since October 2001. The recent 6th and 7th EU-related reform packages were particularly far reaching. Consistent and effective implementation of these is now crucial, so we are encouraged by the Turkish Government's increasing emphasis on the practical application of new laws, and its creation of a committee, under Foreign Minister Abdullah Gul, to monitor progress.

The Foreign and Commonwealth Office monitor the human rights situation in Turkey closely. We maintain a strong network of contacts in both our missions in Ankara and Istanbul, and in London. We regularly meet local and multinational NGOs, European and International bodies which monitor Turkey's human rights performance and members of the government. We also attend human rights trials wherever possible and liaise with EU partners to maintain an EU presence at key events throughout the country. We conduct an

on-going bilateral dialogue with Turkey on human rights, the most recent round of which took place in Ankara on 23 October.

For a full assessment of the human rights situation in Turkey I refer the hon. Member to the Foreign and Commonwealth Office Annual Human Rights Report 2003, which is available on the Foreign and Commonwealth Office website: www.fco.gov.uk/policy/global-issues/humanrights/reports.

United States

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs when the New York Consul General relocated from the residence at 4 East 66th Street; what use has been made of the apartment since; when and at what price the apartment was first listed for sale; what the actual *(a)* out of pocket costs and *(b)* annual resource costs of owning the apartment have been since the Consul General left; whether the apartment is still for sale; and at what price it is listed. [138139]

Mr. Rammell *[holding answer 11 November 2003]:* The Consul General in New York relocated from the residence at 4 East 66th Street in August 2002. Since then the property has remained vacant. The property was first listed for sale in January 2002 at an initial asking price of US$22 million. It remains on the market, listed at US$14 million. We cannot divulge details of prices and costs as these are commercially sensitive.

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs when the New York Consul General moved into the new residence; what the total capital cost of this residence, including all fixtures, fittings and furnishings, professional and other fees, moving and relocation costs was; and what the residence's *(a)* open market and *(b)* existing use (i) value and (ii) annual resource cost are. [138140]

Mr. Rammell *[holding answer 11 November 2003]:* The Consul General in New York moved into the new residence in August 2002. We cannot divulge further details of costs because these are commercially sensitive.

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs when and at what price the former residence of the San Francisco Consul General was sold; what net proceeds the Department expects will be from this sale after deduction of all costs of the transaction; when the San Francisco Consul General moved into the new residence; what the total capital cost of this residence including post-acquisition costs are expected to be; and what the residence's *(a)* open market and *(b)* existing use (i) value and (ii) annual resource cost are. [138141]

Mr. Rammell *[holding answer 11 November 2003]:* The sale of the Consul General's former residence in San Francisco was completed on 31 October 2003. The Consul General moved into the new residence in the middle of October 2003.

We cannot divulge further details of prices and costs because these are commercially sensitive.

Website

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the content and design of his Department's website. [139367]

Mr Mullin: The Foreign and Commonwealth Office (FCO) website (www.fco.gov.uk) is kept under constant review. The site was significantly re-designed and re-structured when it was re-launched in May 2002. A leading web design agency developed the new site, after consulting widely with FCO stakeholders. Usability testing on the new site was conducted in August 2002 by a specialist company using members of the public. The recommendations of their report were implemented and the findings informed a further re-design of the homepage which went live in January 2003. In July, a specialist IT consultancy, assessed the website as part of an overall review of FCO electronic information. Their recommendations are in the process of being implemented. Customer feedback is constantly monitored and assessed.

Zimbabwe

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the UK will take to support Zimbabwean refugees in South Africa forced to return to Zimbabwe. [138750]

Mr. Mullin: The issue of Zimbabwean refugees in South Africa is a matter for the South African authorities and the United Nations High Commissioner for Refugees.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent action the Government has taken to ensure that Zimbabwe has *(a)* legitimate and *(b)* democratic government. [138751]

Mr. Mullin: We continue to work with our EU, Commonwealth and other international partners to bring about a return to legitimate and democratic government in Zimbabwe, which respects the rule of law and human rights.

We have consistently condemned the Mugabe government's harassment of the opposition, independent media and civil society. We will continue to support all those working peacefully for a return to a democratically elected government.

CONSTITUTIONAL AFFAIRS

Appointments Commission

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Department for Constitutional Affairs if the Secretary of State will direct the House of Lords Appointments Commission to disqualify applicants for a people's peerage who are *(a)* knights, *(b)* dames and *(c)* other holders of a peerage. [138511]

Mr. Leslie: The Secretary of State for Constitutional Affairs has no power to direct the current House of Lords Appointments Commission which is an independent non-departmental public body sponsored by the Cabinet Office.

Any British, Irish or Commonwealth citizen over the age of 21 is eligible to be nominated for membership of the House of Lords, and the Appointments Commission assesses all nominations it receives against the criteria which are published on its web-site at www.houseoflords appointmentscommission.gov.uk

Asylum Seekers

Andy King: To ask the Parliamentary Secretary, Department for Constitutional Affairs what estimate he has made of the number of unqualified legal advisers who represented asylum seekers in the last year for which figures are available. [138690]

Beverley Hughes: I have been asked to reply.

I will write to my hon. Friend and place a copy of my letter in the Library.

Bankruptcy

Malcolm Bruce: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many *(a)* company winding-up petitions, *(b)* creditors' petitions and *(c)* debtors' petitions were issued in each quarter since the third quarter of 2002. [139817]

Mr. Leslie: Figures showing the number of insolvency and bankruptcy petitions issued in the county courts of England and Wales for the period set out above are provided in the following table.

Quarter	*Company winding-up petitions issued*	*Creditors bankruptcy petitions issued*	*Debtors bankruptcy petitions issued*
Q4 2002	3,257	4,601	4,174
Q1 2003	2,650	4,366	4,357
Q2 2003	2,577	4,271	4,776
Q3 2003	2,385	4,243	4,755

Fines

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the total value was of fines imposed at magistrates courts in London in 2002–03; what the default rate was; and what the value of arrears is. [139243]

Mr. Leslie: The amount imposed by Greater London Magistrates Courts Association (GLMCA) for the financial year 2002–03 was £64,793,641. The payment rate for the same period was 40 per cent. The value of arrears was £72,288,339. DCA officials from the Targeted Intervention Project are now working with GLMCA to drive up performance on fine enforcement

House of Lords Reform

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many staff are employed on the House of Lords reform programme; and at what cost in the last year for which figures are available. [139244]

Mr. Leslie: Since August 2003, five officials have been working on the House of Lords reform programme. It is estimated that the final cost for this year will be around £227,000.

The cost of the unit for the last full financial year was £181,000 (although at that time fewer officials were working on House of Lords reform and they were also engaged on other duties within the Department).

Judicial Appointments

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many *(a)* high court judges, *(b)* circuit judges, *(c)* district judges, *(d)* recorders and *(e)* assistant recorders there were in the last month for which figures are available; and how many were (i) black and (ii) Asian. [138764]

Mr. Leslie: Figures for October 2003 show that there were *(a)* 108 high court judges of whom (i) none were black and (ii) none were Asian; *(b)* 609 circuit judges of whom (i) 1 was black and (ii) 3 were Asian; *(c)* in total there were 535 district judges broken down as follows: 429 district judges (civil) of whom (i) 1 was black and (ii) 8 were Asian; 106 district judges (magistrates' courts) of whom (i) none were black and (ii) 2 were Asian; in addition there were a total of 987 deputy district judges broken down as follows: 761 deputy district judges (civil) of whom (i) 4 were black and (ii) 7 were Asian; 176 deputy district judges (magistrates' courts) of whom (i) 4 were black and (ii) 5 were Asian, *(d)* 1367 recorders of whom (i) 19 were black and (ii) 18 were Asian; *(e)* the post of assistant recorder was abolished on 12 April 2000.

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many *(a)* high court judges, *(b)* circuit judges, *(c)* district judges, *(d)* recorders and *(e)* assistant recorders were appointed in 2002; and how many were (i) black and (ii) Asian. [138765]

Mr. Leslie: The 2001–2002 Judicial Appointments Annual Report gives the following figures for appointments made between 1 April 2001 and 31 March 2002: *(a)* 9 high court judges were appointed, of these (i) none were black and (ii) none were Asian; *(b)* 20 circuit judges were appointed, of these (i) none were black and (ii) none were Asian; *(c)* in total 12 district judges were appointed, broken down as follows: 4 district judges (civil) of whom (i) none were black and (ii) 1 was Asian; 8 district judges (magistrates' courts) of whom (i) none were black and (ii) none were Asian. In addition a total of 40 deputy district judges (civil) were appointed of whom (i) none were black and (ii) none were Asian; no deputy district judges (magistrates' courts) were appointed during this period; *(d)* 98 recorders were appointed, of whom (i) none were black and (ii) 1 was Asian; *(e)* the post of assistant recorder was abolished on 12 April 2000 and subsequent appointments were made direct to the office of recorder.

The 2002–2003 Judicial Appointments Annual Report gives the following figures for appointments made between 1 April 2002 and 31 March 2003: *(a)* 6 high court judges were appointed, of these (i) none were black and (ii) none were Asian; *(b)* during this period no new general circuit judge competitions were held; *(c)* in total 15 district judges (civil) were approved for appointment, of whom (i) none were black and (ii) none were Asian; there was no new general competition for appointment as district judges (magistrates' courts), in addition a total of 69 deputy district judges were

appointed broken down as follows: 42 deputy district judges (civil) of whom (i) 1 was black and (ii) 2 were Asian; 27 deputy district judges (magistrates' courts) of which (i) 1 was black and (ii) 2 were Asian, *(d)* 93 recorders were appointed of whom (i) 2 were black and (ii) 2 were Asian; *(e)* the post of assistant recorder was abolished on 12 April 2000 and subsequent appointments were made direct to the office of recorder.

Copies of both reports are available in the Libraries of both Houses.

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many magistrates in England and Wales were in post in the last month for which figures are available; and how many were (i) black and (ii) Asian. [138766]

Mr. Leslie: There were 28,344 active magistrates in England and Wales on 1 April 2003. Of that number, 609 classified themselves as of Black origin and 845 Asian.

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many magistrates were appointed in England and Wales in 2002; and how many were (i) black and (ii) Asian. [138767]

Mr. Leslie: 1,474 new magistrates were appointed in England and Wales in 2002. Of these 40 classified themselves as of Black origin and 66 Asian.

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many *(a)* justices' clerks, *(b)* deputy clerks, *(c)* ushers and *(d)* administrative clerical and secretarial staff were in post in magistrates' courts in England and Wales in the last month for which figures are available; and how many were (i) black and (ii) Asian. [138768]

Mr. Leslie: The following table, using the current job titles, provides the information requested. The figures provided are drawn from the latest survey, which was conducted for magistrates' courts staff in post in England and Wales as at 31 March 2003.

Magistrates' courts staff in post

Figures as at 31 March 2003

Post	[1]*Total*	*Black*	*Asian*	*Other*	*Mixed*	*Not known*
Justices clerks	97	—	—	—	1	—
Senior legal manager	374	9	8	3	4	11
Senior admin manager	168	1	1	1	1	5
Court clerk	1,408	28	51	14	10	34
Principal administrative division	934	34	13	3	8	27
Administrative grades	6,342	198	190	45	40	212
Clerical	1,347	15	19	1	4	29
Total	10,669	285	281	67	68	318

[1] These are full time equivalent figures

Justices of the Peace

Bob Russell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what action the Lord Chancellor will take in respect of declarations by justices of the peace of their intention not to uphold the law; and if he will make a statement. [137853]

Mr. Leslie: On appointment, magistrates take the judicial oath and sign a written undertaking to administer justice according to the law and to resign from the Commission of the Peace if they are unable to perform their duties. If it appears to the Lord Chancellor, having considered advice from the local Advisory Committee, that a magistrate has failed to carry out his or her duties, he has powers under Section 5 of the Justices of the Peace Act 1997 to counsel, caution, admonish, suspend or remove that person from office.

Witness Suites

Mr. Allen: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will take steps to move the witness suite at Nottingham Crown Court from proximity to the main entrance used by defendants. [139279]

Mr. Leslie: Using funds made available from the Government's Street Crime Initiative, the Witness Suite on the Ground Floor was created in the summer of last year. The location of the suite was determined after consultation with the Witness Support Service and local Court Managers.

The new Witness Suite has been well received by the Witness Support Service. The facilities are a significant improvement on those previously provided. There are no current plans to change further the provisions for witnesses at the Crown Court in Nottingham.

WORK AND PENSIONS

Bechtel

Malcolm Bruce: To ask the Secretary of State for Work and Pensions (1) if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department and its predecessor in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement; [137889]

(2) if he will list the contracts for consultancy and other work carried out by Bechtel in each year after 1997 by the Department of Social Security, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137735]

Maria Eagle: Neither the Department for Work and Pensions (formed in June 2001) nor its predecessors has had any contracts with Bechtel in each year since 1997.

Benefits

Mr. Lazarowicz: To ask the Secretary of State for Work and Pensions what steps he will take to help *(a)* housebound and *(b)* disabled people access new systems for receiving benefits and tax credits. [139150]

Mr. Pond: The Department is committed to ensure that all people have access to their benefits and pensions; indeed, many housebound and disabled customers have been paid by Direct Payment for some time.

All customers, including housebound and disabled people, are being provided with information on all of the account options suitable for Direct Payment. It is for customers themselves to decide which type of account they wish to have their money paid into. Once customers contact the Department they are able to talk to an advisor who can help them understand the options open to them.

Third party access will continue to be available under Direct Payment for those customers who may need someone to collect their benefit or pension for them.

However, we have always recognised that there will be a small group of people who we cannot pay directly into an account. We are developing an exceptions method of payment to pay this group.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Work and Pensions when he intends to reply to the letter to him dated 4 June from the right hon. Member for Manchester, Gorton with regard to Mrs. Howarth (Fallows). [127746]

Mr. Blunkett: I have been asked to reply.

A response was sent to my right hon. Friend on 16 July 2003.

Disability Discrimination

Mr. Pike: To ask the Secretary of State for Work and Pensions what *(a)* representations and *(b)* discussions he has had in the last 12 months on the viability of extending the Disability Discrimination Act 1995 to protect people who have progressive illnesses with particular reference to cancer, multiple sclerosis and HIV/AIDS; and if he will make a statement. [139447]

Maria Eagle: In their legislative review published in April 2003 The Disability Rights Commission (DRC) reiterated our proposals in "Towards Inclusion" to extend the definition of disability to cover more people with HIV and cancer and recommended a further change that would benefit more people with multiple sclerosis. Since then officials have been involved in a number of discussions with the DRC about the proposals.

Officials have received a range of other representations regarding the definition of disability from disabled people, civil rights groups and organisations that represent disabled people, urging change and supportive of the proposals in "Towards Inclusion". The majority of these have come from people concerned about HIV infection. This included a letter campaign earlier this year supporting the case for extending the DDA to cover HIV from point of diagnosis.

Disabled People

Linda Perham: To ask the Secretary of State for Work and Pensions what measures have been taken by the Government since 1997 to advance civil rights legislation for disabled people. [139291]

Maria Eagle: Since 1997, we have introduced a wide range of significant measures to improve and broaden civil rights for disabled people, including:

	Measures
December 1997	Set up the Disability Rights Task Force to consider how best to secure our 1997 Manifesto commitment to look at comprehensive and enforceable civil rights for disabled people
December 1998	Employment provisions of Disability Discrimination Act extended to employers with 15 or more employees (previously 20 or more)
January 1999	All new rail vehicles to comply with Rail Vehicle Accessibility Regulations
July 1999 Assent.	Disability Rights Commission Act 1999 gains Royal Commission opens in April 2000
October 1999	Further DDA rights of access to goods and services came into force, meaning service providers have to alter a policy, practice or procedure which prevents a disabled person accessing a service, or to provide an auxiliary aid or service, or provide a service by a reasonably alternative means
October 2000	Government agrees the EU Article 13 Employment Directive to combat discrimination in employment and vocational training on grounds of disability, age, religion/belief, sexual orientation
December 2000	All new full size single deck buses over 7.5 tonnes and double deck buses to be fully accessible to disabled people, including wheelchair users; new buses up to 7.5 tonnes and coaches to have improved access for ambulant and sensory impaired passengers
May 2001	Special Educational Needs and Disability Act 2001 (SENDA) gains Royal Assent. The Act brings within scope of the DDA's discrimination provisions disabled pupils and students
September 2002	First duties of SENDA come into force in September 2002
March 2003	Regulations introduced to require taxi drivers to accept assistance dogs and to carry them free of charge
April 2003	The Disability Discrimination (Blind and Partially Sighted Persons) Regulations 2003 came into force. People who are certified as blind or partially sighted, or registered as blind or partially sighted by a local authority, automatically deemed disabled for DDA purposes
July 2003	DDA 1995 (Amendment) Regulations 2003 approved by Parliament. These include significant measures that will bring over 1 million additional employers, and a further 7 million jobs, within the scope of the DDA. Measures come into effect in October 2004. They implement disability provisions of the Article 13 Employment Directive
November 2003	Began public consultation on setting an end date for rail vehicle accessibility and for refurbishment of rail vehicles
November 2003	Laid Regulations to give effect to the Article 13 Directive's requirements as they affect occupational pension schemes for disabled employees. Measures come into effect in October 2004

Since 1997, we have also announced the following future measures to improve and broaden civil rights for disabled people.

	Measures
October 2004	Final rights of access to goods and services in DDA come into effect, which mean that service providers have to, where reasonable, remove, alter or avoid physical features which act as barriers to disabled people accessing their services
September 2005	SENDA duty to remove or alter physical features in post-16 education sector comes into force
January 2005	New buses up to 7.5 tonnes and coaches will have improved access for wheelchair users
January 2015	All buses up to 7.5 tonnes will be fully accessible
January 2016	All full size single deck buses over 7.5 tonnes will be fully accessible
January 2017	All double deck buses will be fully accessible
January 2020	All coaches will be fully accessible

In addition, we will publish later this year a draft Disability Bill which will include measures to further extend disabled people's civil rights in respect of the public sector, transport, premises, private clubs, and the definition of disability.

Housing Benefit

Mr. Gordon Marsden: To ask the Secretary of State for Work and Pensions (1) what assessment he has made of the effects of the Local Housing Allowance Pathfinder scheme in Blackpool; [139583]

(2) if he will make a statement on the Housing Benefit Pathfinder schemes; [139584]

(3) what estimate he has made of the number of housing benefit recipients who will be affected by the introduction of the Local Housing Allowance Pathfinder scheme in Blackpool; [139585]

(4) what guidance his Department has given to local authorities on consultation with local landlords during the operation of the Housing Benefit Pathfinder schemes. [139586]

Mr. Pond: The Local Housing Allowance (LHA) was launched in Blackpool on 17 November. Blackpool is the first of nine local authority Pathfinders that will operate the Local Housing Allowance over the next two years; the remaining eight authorities will go live between December and February.

For de-regulated private rented sector tenants in Pathfinder areas, benefit will no longer depend on individual rents but will be based on a standard amount for the area and size of household. This will allow tenants to trade between the quality and price of their accommodation.

The LHA will also provide a more transparent, efficient and fairer system. Most tenants will take responsibility for receiving their benefit and paying an appropriate amount of it as rent to their landlord. No claimant will be worse off when the LHA is introduced, and we estimate that in Blackpool around one in three Housing Benefit claimants in the de-regulated private rented sector will benefit financially.

Pathfinder authorities have been encouraged to work closely with landlords and they have all held meetings with local landlords to explain how the LHA will work and the safeguards that have been put in place; however, we have not issued any specific guidance on consultation.

There will be a comprehensive evaluation of LHA Pathfinders, which will include interviews with claimants, landlords, local authority staff and stakeholder organisations, as well as an analysis of administrative data. This is already under way.

Local Reference Rents

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions what instructions he has issued to the Chief Rent Officer in London on the localities used in the determination of housing benefit local reference rents since the Rent Officers (Housing Benefit Functions) (Amendment) Order 2001. [139107]

Yvette Cooper: I have been asked to reply.

The post of "Chief Rent Officer" no longer exists, and both localities and local reference rents are a matter for the Rent Service, which is an Executive Agency of the Office of the Deputy Prime Minister. No instructions have been issued to the Rent Service on localities used in the determination of local reference rents since the laying of the 2001 Order.

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions how many localities were being used in the determination of housing benefit local reference rents in London in November *(a)* 2001, *(b)* 2002 and *(c)* 2003. [139108]

Yvette Cooper: I have been asked to reply.

There is no record of the numbers of localities used in the determination of local reference rents in these years. Localities are decided by the Rent Officer using definitions in the Rent Officers (Housing Benefit Functions) Order. Localities are influenced by residential property markets, which are fluid. Therefore, any statistical publication will only ever be able to provide a 'snap shot' at any given time.

The Rent Service intends to begin publishing information about local reference rents for England in the late spring of 2004.

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions what recent reports he has received on housing benefit shortfalls experienced by claimants arising from local reference rent restrictions in London. [139111]

Mr. Pond: The principle of rent restrictions in Housing Benefit is now well established. It ensures that claimants are able to afford reasonably priced rental

accommodation in the locality that they choose to live in, whilst ensuring that the cost to the taxpayer is kept at a reasonable level.

We have not received recently any formal reports on this matter.

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions how many localities are currently being used by the Rent Service in England to determine local reference rents. [139112]

Yvette Cooper: I have been asked to reply.

There is no on-going record of the numbers of local reference rent localities in England. Localities are influenced by residential properties markets that are fluid. Any statistical publication will only ever be able to give a 'snap shot' at any given time.

However, the Rent Service intends to publish information about local reference rents for England in the late spring of 2004.

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions pursuant to his answer of 15 May 2003, *Official Report*, column 373W, to the hon. Member for Waveney (Mr. Blizzard), when the Rent Service will begin to publish information about local reference rents for different parts of the country. [139113]

Yvette Cooper: I have been asked to reply.

The Rent Service intends to publish information about local reference rents for England in the late spring of 2004.

Occupational Pension Schemes

Annabelle Ewing: To ask the Secretary of State for Work and Pensions what estimates his Department has made of *(a)* the number of occupational pension schemes which have failed to meet their full obligations to employees since May 1997 and *(b)* the number of employees and pensioners who have been affected. [137580]

Malcolm Wicks: The information requested is not available.

Pension Credit

Mr. Ben Chapman: To ask the Secretary of State for Work and Pensions if he will make a statement on uptake of the pension credit in Wirral South. [139722]

Malcolm Wicks: As at 17 October, 2003 the number of people receiving Pension Credit in the Wirral, South constituency was 2,110. 1.97 million households in Great Britain (around 2.3 million individuals) are already receiving Pension Credit with 1.2 million households, (around 1.4 million individuals) receiving more money than they did before. The average award is £47.10 per week.

Source:
IAD Information Centre, 100 per cent sample
Notes:
1. Figures have been rounded to the nearest five.
2. Figures are based on 100 per cent Generalised Matching Service (CMS) data.
3. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Pension Funds

Mr. Best: To ask the Secretary of State for Work and Pensions what steps he is taking to protect the assets in the pension funds of former nationalised industries. [138373]

Malcolm Wicks: I refer the hon. member to the written answer I gave him on 17 November 2003, *Official Report*, Vol. 413, column 48W.

Pensions

Mr. Pike: To ask the Secretary of State for Work and Pensions what *(a)* representations and *(b)* discussions he has had in the last 12 months on encouraging (i) employers and (ii) employees to contribute to stakeholder pensions; and if he will make a statement. [139442]

Malcolm Wicks: Ministers have received correspondence from, or had meetings with, a variety of interests including hon. Members, employer, employee and pension industry representatives about encouraging employers and employees to contribute to stakeholder pensions.

The Employer Task Force, set up as a result of the Government's Green Paper on Pensions has recently discussed this important issue. The Task Force will be considering it further as part of its ongoing work to increase and extend occupational and private pension provision.

Mr. Pike: To ask the Secretary of State for Work and Pensions what *(a)* representations and *(b)* discussions he has had in the last 12 months on the take-up of occupational pensions by part-time workers; and if he will make a statement. [139443]

Malcolm Wicks: The issue of lower occupational pension coverage by part-time compared to full-time workers was brought up for discussion during the Green Paper Consultation events by various different employers, women's lobby groups and other organisations with an interest in the Women and Pensions Agenda.

The Government is seeking to address this inequality through the Informed Choice Programme. One example is the employer-based pilots we propose to introduce in spring next year. These pilots are aimed at those employers who do not contribute at least 3 per cent to a private pension for their employees and will require the employer to offer information or advice within the workplace to help employees make their own private pension arrangements.

Making sure that all employees, including part-time workers, fully appreciate the value of employer contributions if these are offered, will also be an integral part of the Informed Choice programme.

Mr. Caton: To ask the Secretary of State for Work and Pensions (1) what assessment he has made of the effect on low income households of delaying commencement of paying state retirement pension until the beginning of the week following the birthday that brings entitlement to that pension; [139485]

(2) to commence entitlement to state pension from the actual date of the *(a)* 65th birthday for men and *(b)* 60th birthday, for women. [139486]

Malcolm Wicks: There are no plans to change the date from which entitlement to State Pension commences.

The rule that entitlement begins on the payday on or following the day on which a man reaches his 65th birthday, or a woman her 60th birthday, derives from the fact that State Pension is paid in advance. In practice any effect upon low income households is beneficial as the following chart shows. In the case of bereavement benefits, which are also paid in advance, there is no change upon reaching pension age, since the same payday is maintained.

Date	*Payment in Advance*	*Payment in Arrears*
Thursday 4 December 2003	Man becomes 65 years/woman becomes 60 years.	
Monday 8 December 2003	Entitled to standard rate State Pension. Receives £77.45 full week's payment for the coming week	Would receive £44.28 (4/7ths of £77.45) for the period 4.12.03 to 7.12.03

Notes:
In respect of the period up to Wednesday 3 December 2003 the individual from a low income household would typically receive one or more of the following, paid around this time:
final earnings, monthly or weekly in arrears, with holiday pay, week in hand etc.
incapacity benefit/jobseeker's allowance—paid fortnightly in arrears
income support—paid weekly or at another period, in arrears

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Work and Pensions what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137944]

Maria Eagle: Performance targets for the department were agreed as part of Spending Review 2002. The monitoring and measurement of PSA targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the department, and as such it is not possible to separate the specific costs out. The monitoring of progress towards, and performance against, the department's PSA targets is undertaken by a wide variety of staff at all levels of the organisation.

Mr. Flight: To ask the Secretary of State for Work and Pensions if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if he will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137960]

Maria Eagle: Key performance targets for the Department for Work and Pensions are agreed as part of the Spending Review and the latest set were published in Spending Review 2002: Public Service Agreements 2003–2006 (Cm 5571). The department monitors progress towards the targets along with HM Treasury and progress is reported regularly.

The department has four agencies:

Jobcentre Plus

The Pension Service

The Child Support Agency

The Appeals Service.

The department also sponsors twelve non-departmental public bodies:

Executive bodies:

Health and Safety Commission

Health and Safety Executive

Disability Rights Commission

Occupational Pensions Regulatory Authority

Pensions Compensation Board

Remploy Ltd

Tribunal body:

Office of the Pensions Ombudsman

Advisory bodies:

Disability Living Allowance Advisory Board

Industrial Injuries Advisory Council

Social Security Advisory Committee

National Employment Panel

Disability Employment Advisory Committee.

Agency performance targets are set by the Secretary of State and are set out in the Business Plans of our Agencies and, where appropriate, in the Business Plans and Annual Performance Agreements of the Non Departmental Public Bodies. They are available in the Library.

Achievement against the targets is monitored as part of the department's performance management, which is an integral part of the day to day running of the department. Monitoring of progress towards, and performance against, the targets is undertaken by a wide variety of staff at all levels of the organisation, and includes meetings between Ministers and Chief Executives or equivalent.

Post Office Card Accounts

Mr. Alan Reid: To ask the Secretary of State for Work and Pensions how many pensioners receive their state pension by means of *(a)* direct payment into a bank or building society account, *(b)* direct payment into a Post Office card account and *(c)* a pension book. [114677]

Mr. Pond: The information has been complied form data available on 6 September 2003.

The number of live accounts in payment of State Pension (RP) at 6 September 2003 paid by:

(a) Direct Payment into a Bank or Building Society Account:	4,860,832
(b) Direct Payment into a Post Office card account:	10,476
(c) a pension Book:	4,327,440
(d) Other (Payable Order, GIRO):	49,630

The above table does not include Retirement Pension paid with another benefit, for which an analysis of the method of payment is not available.

The numbers being paid by direct payment are expected to grow rapidly in the coming months as 20 week order books begin to expire and customers begin to receive payment into their chosen bank, building society and post office card accounts.

Public Employees (Essex)

Mr. Francois: To ask the Secretary of State for Work and Pensions how many full-time workers were employed by the Pensions Agency in Essex on 1 September. [139516]

Maria Eagle: At 1 September, 224 full time staff (permanent and temporary staff) were employed by The Pension Service in Essex.

Social Exclusion

Paul Holmes: To ask the Secretary of State for Work and Pensions what research his Department has conducted into the effect of benefit sanctions on claimants with reference to social exclusion; and if he will make a statement. [138754]

Mr. Pond: No research has been conducted by the Department into the effect of benefit sanctions on claimants with specific reference to social exclusion. Research on the effect of sanctions, though not specifically related to social exclusion, was carried out and published in 2001 under the title "The Impact of the 26 Sanctioning Regime" (Report number ESR100). A copy of this is available in the Library. Basic quarterly statistical reports on sanctions are available in the Library.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Work and Pensions how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136846]

Maria Eagle: Information is available only for 2002–03. In addition, where individuals indicate on their medical certificate that 'stress' is the reason for sickness absence, generally this will not differentiate between workplace stress and stress that might have been caused by other factors, for example domestic issues.

For 2002–03, there were 7,576 reported cases of stress. (This will include individuals who might have had several periods of stress-related sickness absence.) That led to 162,814 working days being lost at a cost of around £8.5 million. We do not collect information on the amount of compensation (if appropriate) that might have been paid to individuals. This could only be provided at a disproportionate cost.

The DWP takes seriously its obligation to provide a supportive working environment for its staff. One way in which this is discharged is through our Employee Assistance provider, a confidential service which staff can call on 24 hours a day where the need arises. In addition, we will do all we reasonably can to address any workplace issues that might contribute to a person's stress levels. The Department is a key stakeholder in the Government's 'Revitalising Health and Safety' initiative and has signed up to the principle of the 'Government Setting an Example' agenda. The DWP is also participating in the HSE Management Standards pilot in five areas. The pilot is designed to combat workplace stress. If successful, we will look to introduce the Management Standards across the organisation.

DEPUTY PRIME MINISTER

Permitted Development Rights

7. **Mrs. Calton:** To ask the Deputy Prime Minister if he will make a statement on progress with the review of permitted development rights. [139313]

Keith Hill: As part of the planning reform agenda the Office of the Deputy Prime Minister undertook to review the permitted development rights granted by the Town and Country Planning (Permitted Development Rights) Order 1995. As a first step, a research report commissioned from Nathaniel Lichfield & Partners Ltd was published on 10 September.

No decisions have been made about any changes to permitted development rights. Full public consultation will take place before any changes are made.

Allotments

8. **Mr. Ben Chapman:** To ask the Deputy Prime Minister what steps his Department is taking to promote the wider *(a)* use and *(b)* provision of allotments. [139314]

Yvette Cooper: The Office of the Deputy Prime Minister supports the development of green spaces, including allotments, parks, city farms and playgrounds. We have introduced higher restrictions on the disposal of allotments and distributed guidance on allotment management.

Coalfield Regeneration Trust

9. **Jeff Ennis:** To ask the Deputy Prime Minister what assessment he has made of the impact of the Coalfield Regeneration Trust on the former coalfield areas. [139315]

Phil Hope: The Office of the Deputy Prime Minister, has been pleased with the positive response of the coalfield communities to the work carried out by Coalfields Regeneration Trust since its launch in 1999. I am aware that the Trust is currently undertaking an independent evaluation of its work and I look forward to seeing the results of this shortly.

Local Government Finance (Cheshire)

10. **Sir Nicholas Winterton:** To ask the Deputy Prime Minister what recent representations he has received about the impact on local councils in Cheshire of the formula funding arrangements. [139316]

Mr. Raynsford: Since the Office of the Deputy Prime Minister published proposals for formula grant in 2003–04, we have received 75 representations from the public, local MPs, councillors and local authorities, mostly about the impact on the education formula.

Planning Policy/Pollution

12. **Mrs. Brooke:** To ask the Deputy Prime Minister what recent representations he has received about local planning policies and light pollution. [139318]

Keith Hill: In the last few months the Office of the Deputy Prime Minister has received approximately one letter per week from hon. Members and members of the public on the subject of light pollution and nuisance lighting. None has specifically addressed local planning policies and light pollution. The Campaign to Protect Rural England has also submitted its *Night Blight* report.

Prefabricated Housing

13. **Dr. Naysmith:** To ask the Deputy Prime Minister what his policy is under his Department's Decent Homes guidance with regard to local authority decisions on whether to keep prefabricated housing. [139319]

Keith Hill: There are no types of building that are automatically considered to fail the decent homes standard just because of their construction. Prefabricated homes are as acceptable as other types of dwelling if they meet the requirements set out in the decent homes standard.

The guidance on implementing the standard makes it clear that investment decisions should be made in the context of the local housing market and on the future demand for the stock.

Neighbourhood Wardens

14. **Rob Marris:** To ask the Deputy Prime Minister what steps he is taking to ensure that achievements of Neighbourhood Warden schemes are recognised by means of awards. [139320]

Yvette Cooper: An award scheme is already in operation. I presented the 2003 achievement awards at the wardens' annual conference held in Harrogate, last Friday, which included an award for Community Safety for Wolverhampton. Details of the award winners are available in the Library of the House.

Arm's Length Management

Mr. Purchase: To ask the Deputy Prime Minister pursuant to his answer of 3 November 2003, *Official Report*, column 496W, on arm's length management, what percentage of the additional £2 billion announced in the Sustainable Communities Plan will be invested directly in local authority arm's length management organisation managed housing stock. [139141]

Keith Hill: The Office of the Deputy Prime Minister expects at least 95 per cent. of the £2 billion funding for arms length management organisations (ALMOs) announced in the Sustainable Communities Plan in February for the years 2003–04 to 2005–06 to be invested directly in bringing local authority housing stock up to the Decent Homes standard. ALMOs may devote up to 5 per cent. of their allocations to environmental or other works designed to enhance the sustainability of their investment in Decent Homes.

Asbestos

Dr. Cable: To ask the Deputy Prime Minister how much has been spent by his Department and its agencies on *(a)* asbestos surveys and *(b)* the management and removal of asbestos since 1 January 2001; and what budget is available to (i) commission asbestos surveys and (ii) manage and remove asbestos from buildings in (A) 2003 and (B) 2004. [130915]

Yvette Cooper: The Office of the Deputy Prime Minister came into existence in May 2002. The spend to date within those properties now under control of the Office of the Deputy Prime Minister is as follows:

a. Asbestos surveys : £53,916.88

b. Management and Removal of Asbestos : £149,496.72

The budget available:

(i) For commissioning asbestos surveys in 2003 is included in the figure at *(a)* above. Budgets for asbestos surveys in 2004 are being developed.

(ii) For management and removal of asbestos in 2003 is £130,000 and in 2004 is £800,000.

Dr. Cable: To ask the Deputy Prime Minister pursuant to his answer of 15 July 2003, *Official Report*, column 287W, on asbestos, if he will list the buildings identified as containing asbestos. [130940]

Yvette Cooper: Asbestos surveys undertaken in accordance with the Control of Asbestos at Work Regulations 2002 have revealed that the following Office of the Deputy Prime Minister's buildings contain asbestos-based materials:

Fire Service College—Moreton-in-Marsh, Gloucestershire;

Government Office for London—Riverwalk House, Westminster;

HQ Building—Ashdown House—Victoria Street, Westminster; and

Government Office for the North East—Wellbar House, Newcastle.

Borrowing Guidelines

Mr. Sheerman: To ask the Deputy Prime Minister (1) if he will make a statement on the new prudential borrowing guidelines for local government; [139700]

(2) what the estimated cost of repayments would be per million pounds borrowed and invested in capital schemes within the framework of the new prudential borrowing scheme. [139701]

Mr. Raynsford: The new capital finance system will start on 1 April 2004. The legislative framework is in the Local Government Act 2003. This is supplemented by a code of practice on prudential borrowing, published by the Chartered Institute of Public Finance and Accountancy, to which authorities are required by the Act to have regard.

It is not possible to estimate future borrowing costs, which will reflect prevailing interest rates and the terms of loan agreements. However, authorities can currently obtain loans repayable after thirty years at a fixed annual interest rate of about 5 per cent.

Council Reserves

Mr. Paul Marsden: To ask the Deputy Prime Minister what the financial value was of the reserves for *(a)* Shropshire County Council and *(b)* Shrewsbury and Atcham Borough Council in each year since 1997. [138884]

Mr. Raynsford: The reserves of Shropshire County Council and Shrewsbury and Atcham Borough Council at the beginning of each financial year since 1997–98 are tabled as follows:

£000

	Shrewsbury and Atcham	*Shropshire*
1997–98	5,969	8,852
1998–99	6,516	4,745
1999–2000	6,936	7,944
2000–01	6,367	8,490
2001–02	5,042	4,562
2002–03	5,509	n/a

Source:
1997–98 to 2002–03 Revenue Summary Returns.

Figures include schools' reserves, other earmarked reserves and unallocated reserves. The 2002–03 figure for Shropshire is not yet available.

Council Tax

Mr. Edward Davey: To ask the Deputy Prime Minister what estimate the Government has made of the average level of council tax for the next financial year; and if he will make a statement. [138150]

Mr. Raynsford: Decisions on council tax levels are for local authorities to take after consulting with their local electorates and taxpayers. The Government does make projections of the council tax yield in future years for the purposes of managing the public finances. These projections are based on a number of assumptions about changes in council tax levels, the tax base, the collection rate and council tax benefit payments. The level is assumed to rise in line with past trend, and does not represent a value judgment about what local authorities may choose to do in the future. These figures are not a Government view as to what constitutes an acceptable rise in council tax, and simply represent an assumption for public expenditure planning purposes. The Office of the Deputy Prime Minister also makes a technical assumption in relation to the assumed national council tax which is used for the purposes of the formula which we use to make the annual grant distribution to all local authorities.

Mr. Sanders: To ask the Deputy Prime Minister, what the *(a)* band D council tax and *(b)* average council tax paid in (i) Plymouth, (ii) Torbay, (iii) Torridge, (iv) West Devon, (v) south Hams, (vi) Exeter, (vii) Teignbridge, (viii) mid Devon, (ix) east Devon and (x) north Devon were in financial year 2003–04, including all precepts. [139914]

Mr. Raynsford: The information requested is published on the website of the Office of the Deputy Prime Minister at http://www.local.odpm.gov.uk/finance/ctax/ctax034.htm. The requested figures can be found there at columns 1 and 5 of Table 2, "2003–04 council taxes (average per dwelling and Band D for two adults): individual local authorities". The information is also available in the Library, in Table 2 that accompanied the Office of the Deputy Prime Minister "News Release 2003/0050: 25 March 2003".

Departmental Energy Use

Mr. Laurence Robertson: To ask the Deputy Prime Minister how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135045]

Yvette Cooper: For parts *(a)* and *(b)* of the answer I refer the hon. Member to the answer given by the Under-Secretary of State for Environment, Food and Rural Affairs on 3 November 2003, *Official Report*, column 404W.

The Office of the Deputy Prime Minister was created in May 2002 and published its Greening Operations Policy Statement in October 2002. In this it states an objective to meet the cross-Government target of an on-going 1 per cent. per annum reduction in greenhouse gas emissions against 1999–2000 levels (expressed in terms of carbon equivalent emissions).

The Office of the Deputy Prime Minister's Greening Operations Policy Statement also identifies plans to reduce energy usage that include best practice advice to managers and staff, purchase of energy efficient equipment, introduction of more energy-efficient technologies and where possible increasing the proportion of energy obtained from embedded sources.

Departmental Staff

Mr. Pickles: To ask the Deputy Prime Minister how many *(a)* staff expressed as a full-time equivalent and *(b)* press and public affairs staff were employed (i) in his Ministerial office, (ii) in other ministerial offices within his Department, (iii) by non-departmental bodies, (iv) by executive agencies and (v) by his Department in (A) 1996–97, (B) 1997–98 and (C) on the latest date for which figures are available; and if he will make a statement. [138127]

Yvette Cooper: The Office of the Deputy Prime Minister was created on 29 May 2002.

Data on staffing levels in the Civil Service is collected from departments and agencies twice yearly, in April and October. The latest figures, for 1 April 2003, were published on 16 October 2003. These are available on the World Wide Web at www.civil-service.gov.uk/statistics. Copies of these documents are also available in the Libraries of the House.

Cabinet Office publishes information on non-departmental public bodies in its annual publication 'Public Bodies'. The information includes details of the number of staff employed by each Non Departmental Public Bodies (NDPBs) at 31 March each year. "Public Bodies 2003" is available on the Cabinet Office website at www.cabinet-office.gov.uk/agencies-publicbodies

At 1 April 2003, six full-time equivalent staff were employed in the ministerial office of the Deputy Prime Minister. A further 22 staff were employed in other Office of the Deputy Prime Minister ministerial offices. The

press office provides a centralised media service on behalf of the Office as a whole. As at 1 April there were 21.8 full-time equivalent press officers. Information requested on the number of press office staff employed in the NDPBs and executive agencies is not held centrally, and could only be provided at disproportionate cost.

Disabled Children (Play Areas)

Mr. Jim Cunningham: To ask the Deputy Prime Minister, what steps his Department is taking to promote good practice on making play areas more accessible for disabled children. [139674]

Yvette Cooper: The Office of the Deputy Prime Minister published Developing "Accessible Play Space"—"A Good Practice Guide" on 12 November 2003. Copies of these are available in the Libraries of the House. "Developing Accessible Play Space"—"A Good Practice Guide" gives practical advice to play space providers on how to make outdoor play areas more accessible for disabled children. It will help play space providers to understand the issues that disabled children and their families face when using play spaces, and provides good practice examples of how to improve existing space as well as issues to consider when creating new ones.

Copies of the guide have been sent to all local authorities in England, as well as to housing associations and other play space providers. The guide is also available on the Office of the Deputy Prime Minister's website www.odpm.gov.uk

Emergency Night Shelters

Mr. Paul Marsden: To ask the Deputy Prime Minister, how many people in each local authority were turned away from emergency night shelter accommodation in each year since 1997. [138885]

Yvette Cooper: This information is not collected centrally and could only be provided at disproportionate cost.

Energy Performance

Norman Baker: To ask the Deputy Prime Minister if he will make a statement in respect of his policy on the labelling of buildings open to the public in terms of their energy performance. [139147]

Phil Hope: By January 2006, the Energy Performance of Buildings Directive requires the United Kingdom to oblige owners of larger buildings occupied by certain types of public authorities and institutions, to openly display energy performance labels. The Office of the Deputy Prime Minister is considering how best to implement these requirements in the next major revision of the Building Regulations.

Energy Policy

Mr. Yeo: To ask the Deputy Prime Minister, if he will make a statement, in relation to his Office, on *(a)* the amount of energy consumed, *(b)* spending on (i) energy and (ii) energy efficiency measures, *(c)* the amount saved through energy efficiency measures and *(d)* energy policy in each of the last five years. [108855]

Yvette Cooper: The Office of the Deputy Prime Minister was created in May 2002 and as such there have been no specific annual energy returns published to date. Energy figures for 2002–03 are being collected and will be published in due course.

The energy policy of the Office of the Deputy Prime Minister includes compliance with cross-government targets and is as contained within the departmental Greening Operations Policy Statement as published in October 2002.

Fire and Rescue Service

Mr. Francois: To ask the Deputy Prime Minister how many support staff were employed by the Essex Fire and Rescue Service on 1 September 2003. [139663]

Mr. Raynsford: As at 31 March 2003 (the latest figures available), there were 179 (full-time equivalent) support staff employed by Essex Fire and Rescue Service. The actual headcount number of support staff employed was 197.

Mr. Francois: To ask the Deputy Prime Minister, how many community education vans were retained by the Essex Fire and Rescue Service on 1 September. [139665]

Mr. Raynsford: There are four dedicated community education vans retained by Essex Fire and Rescue Service as at 1 September 2003.

Miss McIntosh: To ask the Deputy Prime Minister what impact he proposes regional assemblies will have on the structure of the Fire Service in North Yorkshire. [140168]

Mr. Raynsford: The Government made it clear in the White Paper "Our Fire and Rescue Service" (Cm 5808 June 2003) that in those parts of the country that choose to have an elected regional assembly one of its functions will be to oversee a regional fire and rescue service. This will mean fewer individual fire authorities. Day-to-day operational response, fire prevention and community fire safety work, however, will continue as now to be delivered at a local level.

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the reasons for introducing integrated personal development systems for the fire services in the South West Region. [140186]

Mr. Raynsford: Integrated Personal Development System (IPDS) is a national system which is being rolled out across the whole country. The reasons for introducing it are set out in the White Paper "Our Fire and Rescue Service" (June 2003).

Mr. Drew: To ask the Deputy Prime Minister what discussions he has had with individual fire authorities on integrated personal development systems. [140187]

Mr. Raynsford: I have had no such discussions. But fire and rescue authorities are represented by the Local Government Association on the project board taking forward the integrated personal development system (IDPS) within the Fire and Rescue Service Modernisation Programme.

Mr. Drew: To ask the Deputy Prime Minister what the estimated cost is of introducing integrated personal development systems for the fire service in the South West Region. [140188]

Mr. Raynsford: This is a matter for fire authorities in the South West.

Green Belt (Development)

Mr. Pickles: To ask the Deputy Prime Minister, how many applications have been received for development on green belt land since 1997; how many applications he approved for the development to proceed; and what the total size of the green belt area was on which he approved development. [138130]

Keith Hill: The information requested is not held centrally by the Office of the Deputy Prime Minister, and could only be provided at disproportionate cost.

Homelessness (Older People)

Linda Perham: To ask the Deputy Prime Minister, what plans he has to tackle homelessness among older people. [136656]

Yvette Cooper: The Government are determined to tackle all forms of homelessness including amongst older people and wants to prevent it occurring wherever possible. This was set out in the March 2002 report, "More than a roof, which focused on the problems homeless people face as much as on places where they live.

Under current legislation vulnerability due to old age is a priority need category. This ensures that vulnerable older people who become unintentionally homeless, or threatened with homelessness, must be provided with suitable accommodation by the local authority.

In addition, the Homelessness Act 2002 required each local authority in England to undertake a review of homelessness in their area and put a strategy in place by the end of July 2003 to ensure that accommodation and support is available within their districts for homeless people and those at risk of homelessness. The Homelessness Directorate within the Office of the Deputy Prime Minister has also issued good practice guidance to assist local authorities in the development of their strategies including information on addressing the needs of older people who are homeless or vulnerable to homelessness.

Houses in Multiple Occupation

Mr Clifton-Brown: To ask the Deputy Prime Minister how many houses are in multiple occupation; how many of them are registered; and how many local authorities have registration schemes. [136902]

Keith Hill: According to the English House Condition Survey 2001, there are 638,000 houses in multiple occupation (HMOs) in England, of which 338,140 are in the private rented sector (excluding those with resident landlords). According to the Housing Investment Programme Return 2003, 202 local authorities in England operate registration schemes and 14,902 HMOs are registered under them.

Housing

Mr. Drew: To ask the Deputy Prime Minister how much has been spent by each local authority on *(a)* arm's length management organisations, *(b)* private finance initiative and *(c)* stock retention in relation to ownership of housing. [138681]

Keith Hill: A table showing figures for 2002–03 the capital spend by each local authority, management and maintenance expenditure and the amount that is Arms Length Management Organisation (ALMO) funding is available in the Library of the House. The first ALMOs qualified to start spending in the final quarter of 2002–03, with actual expenditure for 2002–03 recorded at £55.9million.

It is not possible to provide information on spend for PFI schemes as the commercial position of schemes still in procurement must be protected. However, the Office of the Deputy Prime Minister has allocated a total of £760 million credits to 16 schemes. Two of those schemes are signed: Islington (£75million) and Manchester (£39 million). The other Pathfinders are Newham, Camden, NE Derbyshire, Sandwell, Leeds and Reading. The Round 2 schemes are Islington, Newham, Lewisham, NE Derbyshire, Manchester, Leeds, Oldham and Ashford.

11. **James Purnell:** To ask the Deputy Prime Minister if he will make a statement on investment in social housing. [139317]

Keith Hill: Under this Government, total housing investment has more than trebled, rising from £1.4 billion in 1997–98 to £4.9 billion in 2004–05. Amongst other positive developments, this investment has served to improve nearly one million social homes to the decent homes standard already, and we expect to bring another 500,000 social homes up to the standard by spring of next year. Meanwhile, we are investing £5 billion in more affordable housing over the next three years—that is double the level of investment we inherited in 1997.

15. **Andrew Selous**: To ask the Deputy Prime Minister what his policy is regarding owners of ex-local authority homes who wish to sell them back to the local authority. [139321]

Keith Hill: It is up to landlords to decide whether they wish to repurchase homes that they have previously sold, having regard to local housing needs. But we know that some people who have bought council homes, particularly flats, have subsequently found themselves in financial difficulties. So since April 1999 we have helped authorities to buy back such homes, by covering 35 per cent of the costs they incur if they spend £50,000 per year or more. The Office of the Deputy Prime Minister are ensuring that similar provisions continue to operate under the new local government capital finance system that starts on 1 April 2004.

IT Projects

Dr. Pugh: To ask the Deputy Prime Minister how much he spent on IT *(a)* licences, *(b)* maintenance, *(c)* software and *(d)* hardware in the last financial year. [125774]

Yvette Cooper: The Office of the Deputy Prime Minister was created on 29 May 2002. The information held by the Office of the Deputy Prime Minister and its agencies differs in detail due to the different vote and trading account practices and different IT service supply arrangements. Some of the information requested is subsumed in the Office of the Deputy Prime Minister's strategic investment in IT. To provide accurate figures for the period and with the degree of breakdown requested is not possible without incurring disproportionate cost.

Such information as is available indicates that in 2002–03 ODPM HQ, with DFT HQ, spent

£2,100,000 on hardware

£1,540,000 on software

£1,018,000 on maintenance and consumables

Large Scale Voluntary Transfers

Mr. Drew: To ask the Deputy Prime Minister on how many occasions the Audit Commission has raised with him issues relating to individual ballots for large scale voluntary transfer in the last three years. [140122]

Keith Hill: None.

Meeting Costs

Norman Lamb: To ask the Deputy Prime Minister how many times the *(a)* Urban Sounding Board, *(b)* Core Cities Working Group and *(c)* Arson Control Forum have met since they were established; how much each meeting cost; what the (i) annual budget since inception, (ii) projected budget for the next two years and (iii) current work programme of each body is; and if he will make a statement. [139783]

Keith Hill: *(a)* The Urban Sounding Board met 9 times between April 2001 and September 2002.

Members were invited to join the Board in a voluntary capacity and received no remuneration. The estimated average costs of refreshments and travel and subsistence claims for each meeting were £900.

(i) and (ii) There was no specific annual budget for the Urban Sounding Board. Meeting costs were paid for out of the Office of the Deputy Prime Minister Urban Policy Directorate's general running costs budget.

(iii) The Sounding Board is to be replaced with smaller ad hoc working groups of external advisors and officials with specific time-limited remits focusing on key issues of concern to the Department, such as obstacles to physical regeneration and skills. Membership of these groups will be voluntary and non-remunerative.

(b) The Core Cities Working Group has met 14 times since its inception in April 2002. Members of the Working Group, including officials from central government and the Regional Development Agencies and local government officers from the Core Cities, attend meetings as part of their normal duties. The estimated average cost of refreshments for each meeting has been around £70. No other meeting costs have been incurred.

(i) and ii) No annual budgets have been set for the Working Group as running costs are minimal. Organisations participating all bear their own costs.

(iii) The Working Group is currently contributing to the evidence base supporting the government's Public Service Agreement target for regional economic performance. It is seeking to understand how competitive cities can contribute to improvements in regional economic growth through four sub groups focusing on: skills, innovation, better connectivity between cities and regions, and Strategic leadership, with a particular focus on key issues likely to make a difference. The group's work will feed into policy measures to be agreed as part of the Spending Review 2004.

(c) Since it was set up in April 2001 the Arson Control Forum has met 5 times. The estimated average cost of the room, refreshments and travel and substance claims for each meeting was £650.

(i) and (ii) The annual Arson Control Forum budget since its formal launch is:

	£ million
2001–02	1.20
2002–03	1.36
2003–04	4.02 (projected)
2004–05	4.47 (projected)
2005–06	4.80 (projected)

(iii) The Arson Control Forum's main activities in its current work programme are the partial funding of local arson reduction projects in England & Wales, supported by a research programme into various aspects of the arson problem (e.g. the relationship between car arson and other car crimes), and the publication of best practice guides on arson prevention.

Pathfinders Programme

Mr. Jim Cunningham: To ask the Deputy Prime Minister what evaluation of the Pathfinders programme has taken place. [139675]

Keith Hill: Individual schemes will be assessed by the Office of the Deputy Prime Minister and scrutinised independently by the Audit Commission before resources from the Housing Market Renewal Fund are allocated.

The Office of the Deputy Prime Minister shall be establishing monitoring systems that will enable us to see the effects of Pathfinder projects on both their own and neighbouring areas. In addition, we shall be evaluating the overall effectiveness of individual Pathfinders' approaches and the programme as a whole.

An evaluation of the Housing PFI Pathfinder programme has begun. The first part identified a framework for the evaluation programme. This is now completed. Following on from this, work is now underway on a baseline evaluation—the first phase of which has been completed. The findings can be found on

the Office of the Deputy Prime Minister's website http://www.odpm.gov.uk/stellent/groups/odpm_housing/documents/page/odpm_house_609810.pdf.

Mr. Jim Cunningham: To ask the Deputy Prime Minister in what ways *(a)* the West Midlands and *(b)* Coventry have benefited from Pathfinders. [139676]

Keith Hill: Both the North Staffordshire and the Birmingham and Sandwell Market Renewal Pathfinders are situated in the West Midlands region. Both have currently received funding of £6.66 million. This money is being used to prepare the Pathfinder's scheme and to fund some early interventions. The two Pathfinders are now currently in the process of preparing their strategic schemes to bid for resources from the Housing Market Renewal fund.

Coventry does not benefit from Housing Market Renewal activity because it lies outside of any of the nine Housing Market Renewal intervention areas.

Performance Monitoring

Mr. Flight: To ask the Deputy Prime Minister what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137949]

Yvette Cooper: Performance targets for the Office of the Deputy Prime Minister were agreed as part of Spending Review 2002. The monitoring and measurement of PSA targets forms part of the Office of the Deputy Prime Minister's performance management systems. Performance management is an integral part of the day to day running of the Office of the Deputy Prime Minister and as such it is not possible to separate the specific costs out. The monitoring of progress towards and performance against the Office of the Deputy Prime Minister's PSA targets is undertaken by a wide variety of staff at all levels of the organisation.

Regional Assembly Elections

Mr. Gordon Prentice: To ask the Deputy Prime Minister, whether he plans to offer advice and guidance to local authorities in areas subject to regional assembly referendums on the extent to which they can publicise their own views on the recommendations of the Boundary Committee on the proposed new local government structure in their area. [139033]

Mr. Raynsford: No—the rules on such matters are clearly laid out in the Code of Practice on Local Authority Publicity.

The Boundary Committee will be giving its recommendations wide publicity. Its reports will explain the views of those that made submissions or representations, including those of the local authorities affected.

Local authorities may, within reason, make known their views on a preferred outcome in a referendum. These are matters for the judgement of the local authorities affected but the Office of the Deputy Prime Minister does not believe that it is either necessary or appropriate for them to spend council tax payers' money on further publicity.

Registered Social Housing

Mr. George Howarth: To ask the Deputy Prime Minister (1) what *(a)* guidance and *(b)* advice his Department published for tenants of registered social landlords, concerning (i) their rights in respect of consultation over demolition programmes and (ii) major policy changes; [139889]

(2) what *(a)* guidance and *(b)* advice his Department has published for registered social landlords concerning their responsibilities towards tenants, with particular reference to their responsibilities to inform tenants of their rights when properties become earmarked for demolition; [139890]

(3) what statutory procedures should be carried out by registered social housing landlords prior to determining demolition programmes. [139891]

Keith Hill: The Office of the Deputy Prime Minister has not published guidance and advice to registered social landlords (RSLs) or their tenants in respect of consultation about demolition programmes and major policy changes. Section 105 of the Housing Act 1985 requires landlords to "maintain such arrangements" as they consider appropriate for informing secure tenants about any proposals for changes in housing management which will affect them "substantially". These "matters" should include maintenance, improvement and demolition. The Housing Corporation is regulator of RSLs and its regulatory code and guidance (published in "The Way Forward: Our approach to regulation" in January 2002) include requirements that RSLs must seek and be responsive to residents' views and priorities. RSLs are required, amongst other things, to enable residents to be involved in decision making and to provide information about its activities to residents. The regulatory code and guidance apply to all types of legal occupier, including occupants with assured and secure tenancies.

RSLs do not require consent to demolish property. However, they do require the consent of the Housing Corporation under section 9 of the Housing Act 1996 if property is to be demolished and the land is to be disposed of. RSLs are required to consult the field offices of the Housing Corporation about the need for any grant payment or re-payment in these circumstances.

Mr. George Howarth: To ask the Deputy Prime Minister what resources in terms of *(a)* funding and *(b)* support are made available by the Government to registered social housing landlords to rectify housing stock in need of a major structural repair. [139892]

Keith Hill: The Housing Corporation has allocated £38.9 million in 2003–04 for works to Registered Social Landlords stock. This includes major repairs. The corporation, with the National Housing Federation, has issued guidance to associations covering all aspects of asset management, including how to deal with stock in need of major repair. They have also supported a number of seminars and other training events on this topic. Corporation regulators work with associations at risk of failing to meet the Decent Homes Standard on any of the criteria, including structural soundness, to ensure that all homes will meet the standard by 2010.

Mr. George Howarth: To ask the Deputy Prime Minister what the optimum size is of housing stock for stock transfers of local authority housing to a single trust or association. [139893]

Keith Hill: The Housing Transfer Manual 2003 makes clear that decisions on the number of dwellings transferring from a local authority to a new landlord will depend on local circumstances. A material consideration in deciding the number of dwellings transferring to a single landlord would be the number of dwellings remaining after any proposed demolitions. This supersedes the 12,000 dwelling guideline that existed previously.

Mr. George Howarth: To ask the Deputy Prime Minister what his policy is regarding housing trusts or associations created as a result of stock transfer ballots by tenants, in cases where they propose demolishing occupied properties without the consent of tenants. [139895]

Keith Hill: Tenants should be fully involved in all the stages of deciding how to deliver the decent home objective. This includes the option appraisal process, and, where transfer is the preferred option, the detailed development of the transfer proposal including the likely need for demolitions.

Mr. George Howarth: To ask the Deputy Prime Minister what his policy is regarding housing trusts or associations created as a result of stock transfer ballots, in cases where tenants demonstrate a desire to establish a new or alternative body to *(a)* manage, *(b)* own and *(c)* manage and own part of the trust's or association's housing stock. [139896]

Keith Hill: Increasing tenant participation is a priority for all housing transfers. The Office of the Deputy Prime Minister would expect any new landlord to be willing to consider any approach from its tenants to manage, own or own and manage their stock. However, in considering any request we would expect the landlord to consider the impact on other tenants, delivery of the transfer promises and the effect on the business plan.

Rural Housing

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the exception site planning principle for the provision of housing in villages. [140280]

Keith Hill: Current policy on providing for rural exception housing is set out in Planning Policy Guidance Note 3: *Housing*, Annex B. The policy allows local planning authorities to consider including a "rural exception policy" in their plans where there remains a lack of affordable housing to meet local needs. An exception policy enables a local planning authority to grant planning permission for small sites for affordable housing to meet local needs in perpetuity, within or adjoining existing villages, which may be subject to policies of restraint. The current policy advises that it is inappropriate for local planning authorities to allocate particular sites for affordable housing.

The Office of the Deputy Prime Minister's consultation document "Influencing the size, type and affordability of housing" proposes that the current policy on providing for rural exception housing is replaced by a policy that enables local planning authorities to identify sites solely for affordable housing, on land within or adjoining existing villages, which would not otherwise be released for housing. The consultation period officially closed on 31 October 2003, but responses after that date have been considered because of the postal dispute.

Mr. Drew: To ask the Deputy Prime Minister for what reasons the use of exception sites in rural areas is being replaced by a requirement for local authorities to provide a specified number of affordable units through application of planning gains. [140281]

Keith Hill: The Office of the Deputy Prime Minister's consultation document "Influencing the size, type and affordability of housing" proposes that the current policy on providing for rural exception housing set out in Annex B of Planning Policy Guidance Note 3: "Housing" is replaced by a policy that enables local planning authorities to identify sites solely for affordable housing, on land within or adjoining existing villages, which would not otherwise be released for housing.

The proposal seeks to address concerns that the securing of affordable housing through the current rural exception policy takes too long. The proposed policy will provide affordable housing in a more considered way through the plan-making process. It is anticipated that it will deliver affordable housing where it is needed more effectively and more quickly than the current policy.

Supermarkets (Planning)

Mr. Clifton-Brown: To ask the Deputy Prime Minister what investigations the Government have carried out into the extent to which existing planning applications for supermarkets have a condition stating the maximum retail floor space; and how many applications have had such conditions attached. [138746]

Keith Hill: The Office of the Deputy Prime Minister does not collect information on the amount of floor space granted in planning permissions or what conditions were attached, because to do so would be an excessive burden on local authorities. Our policy is to minimise the data demands we place on local planning authorities.

From the cases that my officials have seen, which are mainly the largest retail cases, and from advice they have sought, their assessment agreed with that of the hon. Member in Standing Committee that the vast majority of consents since 1996 have maximum floor space stipulated in conditions, whereas for those prior to 1996 it may have been less frequent.

Tenancy Deposit Scheme

Mr. Hancock: To ask the Deputy Prime Minister what evaluation his Department has made of the pilot Tenancy Deposit Scheme; and if he will make a statement. [140043]

Keith Hill: I refer the hon. Gentleman to the answer I gave on 10 November in reply to my hon. Friend the Member for Gower (Mr. Caton), *Official Report*, column 164W.

Mr. Hancock: To ask the Deputy Prime Minister what research he has *(a)* commissioned and *(b)* evaluated on the case for a statutory Tenancy Deposit Scheme; what plans he has to introduce legislation; and if he will make a statement. [140044]

Keith Hill: On the first part of the question I refer the hon. Gentleman to the answer I gave to my hon. Friend the Member for Gower (Mr. Caton) on 10 November 2003, *Official Report*, column 164W.

On the second part, the Office of the Deputy Prime Minister are currently considering the case for legislation in the context of the Law Commission's proposals for tenure reform.

Traffic Noise (PPG 24)

Mr. Heald: To ask the Deputy Prime Minister (1) if he will reduce the maximum noise thresholds in PPG 24 for aircraft noise to below those for other traffic noise sources; [139710]

(2) if he will set lower maximum traffic noise thresholds for rural areas than for urban areas in PPG 24 when assessing new development areas; [139711]

(3) if he will remove the two to three decibel allowance included in PPG 24 for aircraft noise; [139712]

(4) if he will amend PPG 24 to bring the maximum recommended traffic noise levels for assessing new development areas into line with the recommendations of the World Health Organisation. [139713]

Keith Hill: The Office of the Deputy Prime Minister is currently undertaking a comprehensive review of Planning Policy Guidance Note 24: "Planning and Noise". The review will include a re-assessment of the Noise Exposure Categories (NECs) in the light of the World Health Organisation's guidelines and other recommendations and research.

With regards to traffic noise thresholds for rural areas as compared with urban areas, the existing guidance already contains provision for local authorities, where appropriate, to vary the recommended levels contained in the NEC tables by up to three dB(A) (decibels of average weighted sound.

Urban Landscapes Project

Dr. Kumar: To ask the Deputy Prime Minister if he will make a statement on UK participation in the EU Sustainable and Accessible Urban Landscapes Project. [139424]

Yvette Cooper: SAUL(2) is a transnational project funded under the European INTERREG III initiative involving partners from the UK, Germany, Netherlands and Luxembourg.

It is led by the UK partner 'Groundwork UK'. Its aim is to improve the public realm and public open space through a collaborative planning and design approach. It involves a range of urban landscape demonstration projects; development of regional strategies; a transnational programme to promote learning, knowledge and experience transfer and planning for new urban landscapes.

Warrington Borough Council

Helen Jones: To ask the Deputy Prime Minister what estimate he has made of the rate of local income tax which would be necessary to fund services provided by Warrington Borough Council *(a)* if such a tax were levied on all those employed in Warrington and *(b)* if such a tax were levied on residents of Warrington. [140035]

Phil Hope: The Office of the Deputy Prime Minister has made no estimate of these matters. The Steering Group of the Balance of Funding Review, chaired by my rt. hon. Friend the member for Greenwich and Woolwich, has asked external organisations to give evidence on a number of issues put to it by consultees, which include the case for introducing some form of local income tax. We have made clear that the fact that the group is looking at the issues put to it does not mean that the Government endorses them.

Website

John Barrett: To ask the Deputy Prime Minister what recent assessment he has made of the content and design of his Department's website. [139370]

Yvette Cooper: The current Office of the Deputy Prime Minister's web site went on line in July this year. It's design and content is consistent with Cabinet Office guidelines and the development process included usability testing, online user research and extensive content evaluation.

The Office of the Deputy Prime Minister will be reviewing the content and design of the site on a regular basis.

Wilson Marriage Centre, Colchester

Bob Russell: To ask the Deputy Prime Minister pursuant to his answer of 6 October 2003, if he will call in public inquiry Application CC/COL/03/1437 by Essex County Council in respect of land it owns at the Wilson Marriage Centre, Barrack Streeet, Colchester. [138142]

Keith Hill: The planning application in question represents a departure from the local development plan. Essex County Council have confirmed that the application, should they be minded to approve it, will be submitted to my rt. hon. Friend the Deputy Prime Minister in due course, so that he can consider whether the proposals raise any issues which would warrant his intervention.

In considering whether his intervention may be justified, all representations received will be given very careful consideration.

TREASURY

Suicide

Mr. Burstow: To ask the Chancellor of the Exchequer how many suicides there were in each month in *(a)* England and *(b)* each region in each of the last six years. [139867]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Paul Burstow, dated 19 November 2003:

As National Statistician, I have been asked to reply to your recent question concerning how many suicides there were in each month in a) England and b) each region in each of the last six years. (139867)

The most recent available mortality data are for the calendar year 2002. I will arrange for figures for each year from 1997 to 2002, by month and Government Office Region, to be placed in the House of Commons Library.

Teenage Pregnancy

John Mann: To ask the Chancellor of the Exchequer how many teenage pregnancies there were in *(a)* the UK, *(b)* coalfield communities and *(c)* Bassetlaw in the last 12 months for which figures are available. [140052]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to John Mann, dated 19 November 2003:

As National Statistician I have been asked to reply to your recent question asking how many teenage pregnancies there were in a) UK, b) Coalfield communities and c) Bassetlaw, for the last 12 months for which figures are available. (140052) Figures for the United Kingdom are not available because conception statistics are not calculated for Northern Ireland, and those for Scotland are not produced on a comparable basis to England and Wales. The information available for England and Wales is shown in the table below.

The number of teenage pregnancies in England and Wales are compiled routinely by calendar years. The latest year for which figures are available is 2001*.

Number of pregnancies among women aged under 18 in England and Wales, Coalfield communities and Bassetlaw, 2001

	Number of pregnancies
England and Wales	40,966
Coalfield communities	5,534
Bassetlaw	80

* Provisional figures

Unemployment Rates

Mr. Andrew Turner: To ask the Chancellor of the Exchequer what the level of *(a)* unemployment, *(b)* seasonally adjusted unemployment and *(c)* long-term unemployment for the Isle of Wight was for each month since 2000. [139977]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Andrew Turner, dated 19 November 2003:

As National Statistician, I have been asked to reply to your recent parliamentary question asking for the level of *(a)* unemployment *(b)* seasonally adjusted unemployment and *(c)* long-term unemployment for the Isle of Wight each month since 2000. (139977)

The Office for National Statistics (ONS) compiles statistics of unemployment from the Labour Force Survey (LFS) following the internationally standard International Labour Organisation definition.

However, the LFS sample size is too small to give reliable estimates of long-term unemployment for the Isle of Wight, or Parliamentary Constituency estimates on a monthly basis.

ONS also compiles statistics of those claiming Jobseeker's Allowance (JSA) for local areas including Parliamentary Constituencies. The attached table gives the number of JSA claimants and long-term claimants, those who have been claiming for at least 12 months, in the Isle of Wight Parliamentary Constituency for the period January 2000 to October 2003. Claimant count figures are not seasonally adjusted at Parliamentary Constituency level.

Number of jobseeker's allowance claimants in the Isle of Wight parliamentary constituency from January 2000 to October 2003 (not seasonally adjusted)

	All claimants	*Claimants over 12 months*
2000		
January	3,729	906
February	3,596	885
March	3,279	840
April	2,892	775
May	2,616	753
June	2,433	725
July	2,403	722
August	2,325	683
September	2,249	679
October	2,347	673
November	2,660	662
December	2,945	653
2001		
January	3,305	646
February	3,189	633
March	2,876	610
April	2,419	598
May	2,228	594
June	2,039	565
July	1,970	544
August	1,940	532
September	1,911	513
October	2,059	497
November	2,332	488
December	2,622	482
2002		
January	3,008	481
February	2,867	478
March	2,587	452
April	2,359	442
May	2,220	439
June	1,973	412
July	1,915	379
August	1,874	346
September	1,887	331
October	1,927	329
November	2,198	309
December	2,451	322
2003		
January	2,785	325
February	2,741	308
March	2,438	298
April	2,125	296
May	1,939	291
June	1,775	282
July	1,714	282
August	1,662	260
September	1,689	279
October	1,709	273

Source:
Jobcentre Plus administrative system.

Advertising Costs

Dr. Cable: To ask the Chancellor of the Exchequer if he will list the cost of advertising by *(a)* HM Treasury, *(b)* the Inland Revenue, *(c)* Customs and Excise, *(d)* the Office of National Statistics, *(e)* National Savings and *(f)* the Royal Mint in each year since 1997; and if he will make a statement. [138802]

Ruth Kelly: For the years 1997 to 2002 in respect of HM Treasury, Inland Revenue, HM Customs and Excise and the Royal Mint, I refer the hon. Gentleman to the answer given to the hon. Member for Buckingham (Mr. Bercow) on 7 May 2002, *Official Report*, column 36W.

The information relating to subsequent years is as follows:

Inland Revenue

2002–04: £19.9 million

2003–04: £7.4 million

HM Customs and Excise

2002–03: £1,539,000

2003–04: £1,557,000

The figures for the Office for National Statistics and National Savings and Investments since 1997 are as follows:

Office for National Statistics

1997–2000: £3,000

2000–01: £1,272,000

2001–02: £1,770,000

2002–03: None

National Savings and Investments

1997–98: £3,893,000

1998–99: £1,532,000

1999–2000: £7,011,500

2000–01: £2,770,086

2001–02: £3,279,000

2002–03: £2,459,822

2003–04: £1,900,000

Child Tax Credit

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the number of pensioners with dependent children who are receiving Child Tax Credit. [135213]

Dawn Primarolo: I refer the hon. Member to the answer that the Minister for Pensions gave him on 3 November 2003, *Official Report*, column 467W. Most of those who were not already receiving Child Tax Credit (CTC), who were expected to still have dependent children at the introduction of Pension Credit (PC) and who were expected to qualify for PC at that date, were automatically transferred to tax credits. They are now receiving the CTC, if still entitled.

Council Tax

Mr. Dorrell: To ask the Chancellor of the Exchequer what proportion of general government revenue was accounted for by council tax in each tax year between 1992–93 and 2001–02. [132563]

Dawn Primarolo: The figures requested are given in the table:

Council tax[1] as percentage of general government total receipts

	Percentage
1992–93	3.8
1993–94	3.5
1994–95	3.4
1995–96	3.5
1996–97	3.6
1997–98	3.5
1998–99	3.6
1999–2000	3.7
2000–01	3.8
2001–02	4.0

[1] Community charge in 1992–93

Employment Statistics

Denzil Davies: To ask the Chancellor of the Exchequer what percentage of jobs in *(a)* England, *(b)* Scotland and *(c)* Wales were in the (i) public sector and (ii) voluntary sector in the last 12 months for which figures are available. [139943]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Denzil Davies, dated 19 November 2003:

As National Statistician, I have been asked to reply to your Parliamentary Question about jobs in the public and voluntary sectors. (139943)

Information about jobs in the public sector in the United Kingdom is compiled by ONS from returns made by public bodies. From this source, the latest estimate of jobs in the public sector in the UK is 5,298,000 in June 2002, representing 18.3 per cent. of all jobs in the UK. Comparable information is not available for England, Wales and Scotland, nor for the voluntary sector.

However, information about people in employment is collected in the Labour Force Survey (LFS), and is classified by sector according to the details of their work supplied by respondents to the survey. Employment data covers only the main job of those employed and therefore omits second and subsequent jobs. The LFS definition of the voluntary sector includes all institutions holding charitable status, which would include, for example, employees in many private schools.

The attached table shows the percentages of all people in employment that worked in the public and voluntary sectors in England, Scotland and Wales for the year to August 2003.

Percentages of all people in employment working in the public and voluntary sectors—12 months to August 2003

Percentage not seasonally adjusted

	Voluntary sector	*Public sector*
England	2.0	22.2
Scotland	2.4	27.4
Wales	2.0	28.5

Source:
Labour Force Survey.

Gold

Mr. Page: To ask the Chancellor of the Exchequer how many tonnes of gold from UK gold holdings were

sold in each year since 1997; at what price per ounce they were sold; and what the value of the sales per ounce was at the afternoon fix on 3 November. [139862]

Ruth Kelly: I refer the hon. Member to the answers given to the right hon. Member for Wokingham (Mr. Redwood) on 27 October 2003, *Official Report*, column 39W and to the hon. Members for Reigate (Mr. Blunt) on 3 November 2003, *Official Report*, column 457W, and for Rochford and Southend, East (Sir Teddy Taylor) on 20 May 2002, *Official Report*, column 87W; and to the table in the Treasury document "Review of the sale of part of the UK Gold Reserves", a copy of which is available in the Library of the House.

At the afternoon fix on 3 November 2003, the total proceeds from the sales of gold was US$4,867 million.

Household Wealth

Dr. Cable: To ask the Chancellor of the Exchequer if he will estimate the stock of household wealth, net of debt, in *(a)* 1990, *(b)* 1997 and *(c)* the latest period for which figures are available; and what the shares of (i) housing and (ii) securities in the stock were in each case. [139344]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Identity Cards

Mr. Webb: To ask the Chancellor of the Exchequer what estimate he has made of the savings that his Department will make through the introduction of a compulsory identity card. [138968]

Ruth Kelly: The Treasury has been involved in discussions on the benefits and costs of a national identity card scheme. The introduction of such a scheme is a long term undertaking, and my department will be involved with ongoing analysis of the benefits and costs. It is too early at present to attribute the scale of any savings to Treasury departments.

Income Tax

Mr. Cousins: To ask the Chancellor of the Exchequer what increase in income tax he estimates would be required to be levied on English taxpayers in order to generate an additional *(a)* £19 billion and *(b)* £22 billion. [139094]

Dawn Primarolo: There are a number of ways income tax could be increased to generate revenue. I refer my hon. Friend to table 1.6 "Direct effects of illustrative tax changes" on the Inland Revenue website www.inlandrevenue.gov.uk/stats/tax_expenditures/g_t06_1.htm, which provides a ready reckoner of the effects of changing the rates of income tax in the UK.

Ministerial Statements

Mr Heathcoat-Amory: To ask the Chancellor of the Exchequer, pursuant to his statement of 9 June 2003, *Official Report*, column 420, what evidential basis he used to support his statement that 3 million jobs in the UK were dependent on the European Union. [129218]

Ruth Kelly: The Treasury estimates that 3 million jobs in the UK are linked, directly and indirectly, to the export of goods and services to the European Union. This figure is based on the assumption that the share of total UK employment associated with UK exports to the EU is equal to the share of total UK value added (GVA) generated by UK exports to the EU.

Mobile Phone Contracts

Dr. Cable: To ask the Chancellor of the Exchequer how much the central mobile telecommunications contract managed by the Office of Government Commerce cost in each year since the scheme started, broken down by government department; how many mobile phone contracts are managed for each department under the contract; and if he will make a statement. [139553]

Mr. Boateng: The information is as follows:

£

Year	*Aggregated central civil government expenditure through the framework contract*	*Aggregated number of mobile phone contracts agreed through the framework*
2000–01	3,168,282	39,501
2001–02	5,504,891	62,614
2002–03	10,852,269	99,907

The GTM framework provides a vehicle for Central Civil Government departments and the wider public sector to purchase mobile telephony, data and wide area paging services.

The table shows the aggregated central civil government expenditure through the GTM framework contracts since the frameworks were available. A breakdown of expenditure by government department is not held centrally in the form requested and could only be obtained at disproportionate cost.

The table also shows the aggregated number of mobile phone contracts agreed through the framework, this equates to the number of individual handsets obtained.

National Insurance Fund

Paul Flynn: To ask the Chancellor of the Exchequer in which years the rate of Treasury supplement to the National Insurance Fund was 18 per cent.; and if he will estimate the amount of the supplement in the current year if it were paid at that rate. [139451]

Dawn Primarolo: The Treasury supplement was 18 per cent. for the years 1975–76 to 1980–81. It was abolished in 1988–89. If it still applied, and the rate was 18 per cent. it would amount to £12.4 billion for 2003–04.

Official Residences

Mr. Flight: To ask the Chancellor of the Exchequer how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134700]

Ruth Kelly: The details requested are set out as follows.

	Maintenance	*Renovation*	*Council tax*	*Running costs*[1]
1997–98	0	0	304	62,306
1998–99	0	0	325	149,598
1999–2000	0	0	350	166,841
2000–01	0	0	375	124,456
2001–02	0	0	410	139,814
2002–03	0	0	445	156,570

[1] These costs include the proportion of capital charge (rent), rates, service charges and utilities in respect of the No.10 flat.

The increase in rent/rates from 1997–98 to 1998–99 is due to the introduction of capital charging to replace Property Repayment Service assessed rents as the method of accounting for Crown Freehold properties.

Payroll Services

Mr. Edward Davey: To ask the Chancellor of the Exchequer what measures of performance and customer satisfaction were included in the framework agreement between Her Majesty's Treasury and CMG for the implementation and provision of payroll services; what assessment he has made of the outcomes against target in relation to this agreement to date; and if he will make a statement. [139562]

Ruth Kelly: The Principal Framework for the provision of payroll services was set up to enable HM Treasury or any other Department or Agency to enter into an individual service contract with the Supplier for payroll provision. The Framework Agreement lays down approved warranties, undertakings and representations for the Supplier.

The Framework Agreement also provides for the termination of the Agreement.

The Framework Agreement did not confer upon the Supplier any right to service the payroll requirements of HM Treasury or any Department or Agency other than as provided in any service contracts.

Personal Tax/Benefits

Mr. Flight: To ask the Chancellor of the Exchequer (1) pursuant to his statement of 13 November 2003, *Official Report*, column 403, on personal tax and benefit changes since 1997, if he will *(a)* list the personal tax and benefit changes since 1997 that have benefited householders and *(b)* state the net change in Government revenue resulting from each personal tax and benefit change for each applicable year since 1997; [140033]

(2) pursuant to his statement of 13 November 2003, *Official Report*, column 403, on personal tax and benefit changes since 1997, what definition he used of householders; and how many householders there were in each year since 1997; [140034]

(3) pursuant to his statement of 13 November 2003, *Official Report*, column 403, if he will *(a)* list the assumptions made and *(b)* set out the calculations used in coming to the conclusion on benefits to householders of personal tax and benefit changes since 1997. [140065]

John Healey: The Government have introduced a number of personal tax and benefit measures since 1997 that have benefited households. As I said in my answer of 13 November 2003, *Official Report*, column 403, householders are, on average, £775 a year better off. Full details of these measures and their effect on Exchequer revenues are set out in the relevant Financial Statement and Budget reports, copies of which are available in the Library of the House. These measures include cutting the basic rate of income tax to 22 per cent. the lowest rate for 70 years, introducing the 10p starting rate of income tax, over-indexing age-related personal allowances and introducing the working and child tax credits to support families and tackle child poverty.

The definition of a household can be found on page 173 of the 2002 edition of Family Spending a copy of which is available in the Library of the House. Table 1.1 of this publication gives an estimate of the number of households in 2001–02; figures for earlier years are given in previous editions.

An estimate of the average gain is calculated by comparing net household incomes after the operation of 2003–04 direct tax and benefit system with those after the operation of the 1997–98 direct tax and benefit system, uprating parameters to 2003–04 levels in line with changes in prices, and excluding the effect of the abolition of mortgage interest relief at source (MIRAS).

Private Schools

Mr. Foulkes: To ask the Chancellor of the Exchequer if he will estimate the effect on value added tax revenue of the charitable status of private schools in the last year for which figures are available. [139693]

John Healey: No such estimate can be made. VAT reliefs for charities are general and available data on expenditure by charities and non-profit making bodies do not identify different sectors.

Secondees

Dr. Cable: To ask the Chancellor of the Exchequer, pursuant to his answer of 4 November 2003, *Official Report*, column 620W, on secondees, which organisation is responsible for salaries and expenses of secondees out of the Treasury; and if he will make a statement. [139994]

Ruth Kelly: Of the 28 organisations mentioned in my earlier answer, the Treasury fully funds secondments to 6 of the organisations (with one of which we have a reciprocal arrangement). Secondments are partially funded by us to 6 other organisations, and the remaining 16 are fully funded by the organisation.

Stamp Duty

Mr. Laws: To ask the Chancellor of the Exchequer if he will estimate the revenue cost of restructuring stamp duty on residential property sales so as to charge marginal rates of *(a)* 0 per cent. on property sales of £100,000 or less, *(b)* 2 per cent. on sales revenue of between £100,000 and £199,999, *(c)* 3 per cent. on sales revenue of between £200,000 and £299,999, *(d)* 4 per cent. on sales revenue of £300,000 to £399,999, *(e)* 5 per cent. on sales revenue of

£400,000 to £499,999, *(f)* 6 per cent. on sales revenue of £500,000 to £749,999 and *(g)* 7 per cent. on sales revenue of £750,000 and above. [135308]

Ruth Kelly: The revenue cost of restructuring stamp duty on residential property sales according to the scheme described above is estimated to be £700 million in 2004–05. This does not include any allowance for behavioural changes.

Tax Credits (Overpayment)

Richard Burden: To ask the Chancellor of the Exchequer *(1) whether existing tax credit claimants will* be expected to make contact with the Inland Revenue to request a form or give information regarding their earnings for the last tax year in preparation for a reconciliation of their tax credit status in April 2004; [135413]

(2) what action he is taking to ensure that the Inland Revenue applies lessons learned from the first year of operation of the *(a)* working tax credit and *(b)* child tax credit to the administration of those credits in time for financial year 2004–05; [135414]

(3) whether existing tax credit claimants will automatically be sent forms to complete regarding their earnings for the last tax year in preparation for a reconciliation of their tax credit status in April 2004; [135415]

(4) when he expects existing tax credit claimants to provide information about their earnings over the last tax year in order to achieve a smooth reconciliation of individuals' entitlements in time for April 2004. [135416]

Dawn Primarolo: The Inland Revenue has reflected the lessons learned from the introduction of tax credits last April in the detailed design of the processes for finalising tax credits awards and renewing claims from April 2004.

The Inland Revenue will be writing to all tax credits claimants early next year to explain how the finalisation and renewals processes will work, and to let them know what they can expect to receive from the Revenue and how and when they would be expected to respond.

No claimant will need to initiate contact. The Inland Revenue will write to all tax credits claimants from April 2004 over a period of weeks explaining how they can finalise their award for 2003–04 and renew their claim for 2004–05, if appropriate.

Once contacted by the Inland Revenue, we expect two-thirds of claimants will need to provide details of their income for the previous tax year (2003–04) and confirm their circumstances over the period of their award.

The remaining third of claimants—families receiving only the family element of child tax credit—will not need to contact the Inland Revenue unless they have changes to report in their circumstances or income over the last tax year (2003–04). Because the level of their award would be affected only by a significant change in income, we expect that only a small minority of these claimants will need to report their 2003–04 income.

Claimants who need to provide information will have until 30 September 2004 in which to do so. During this renewal period, tax credits payments will continue. Once the information is provided, the Inland Revenue will finalise the previous tax year's award (2003–04) and, if appropriate, set up the award for 2004–05.

If they do not have details of their actual income for 2003–04 by the deadline, claimants can provide an estimate by 30 September 2004. They will then have until 31 January 2005 to provide the details of their actual income.

There will be a comprehensive publicity campaign throughout the period to ensure that claimants are fully aware of what they have to do.

The Inland Revenue is also expanding the capacity of the Tax Credits Helpline to support the finalisation and renewals processes, with the addition of two new contact centres.

As set out in my answers of 7 July 2003 to the hon. Members for Arundel and South Downs (Mr. Flight), *Official Report*, column 583W and for Yeovil (Mr. Laws), *Official Report*, column 584W, the Inland Revenue's compliance strategy for new tax credits has been placed in the Library of the House.

Sir Archy Kirkwood: To ask the Chancellor of the Exchequer how many complaints he has received about *(a)* child tax and *(b)* working tax credit; how much compensation has been paid for errors; and what the (i) range and (ii) average amount of compensation paid is. [135933]

Norman Lamb: To ask the Chancellor of the Exchequer (1) how many compensation awards have been made by the Inland Revenue in respect of complaints about *(a)* child and *(b)* working tax credit; [136151]

(2) how many complaints seeking compensation have been received in respect of *(a)* child and *(b)* working tax credit; [136152]

(3) what the total value is of compensation awards made by the Inland Revenue in respect of complaints about *(a)* child and *(b)* working tax credits. [136449]

Dawn Primarolo *[holding answer 4 November 2003]:* To the end of September approximately 1,600 claims had been paid out. This represents about one thirtieth of one per cent of all claims received for tax credit awards. The average payment was £30.

Taxation

Mr. Hoban: To ask the Chancellor of the Exchequer how much additional revenue would be raised from the residents of *(a)* each of the borough councils in Hampshire and *(b)* the Southampton and Portsmouth unitary authorities for every penny increase in the basic rate of tax. [139714]

Dawn Primarolo: The requested information is given in the table.

Additional full-year yield (£ million) of increasing the basic rate of tax by 1p in 2000–01

(a) Borough Councils in Hampshire	
Basingstoke and Deane	10.4
East Hampshire	6.8
Eastleigh	8.4
Fareham	6.9
Gosport	4.3
Hart	6.1
Havant	5.8
New Forest	9.0
Rushmoor	4.4
Test Valley	6.7
Winchester	8.2
(b) Portsmouth and Southampton unitary authorities	22.1

Estimates are based upon the 2000–01 Survey of Personal Incomes. The effects of the illustrative changes can be scaled up or down over a reasonably wide range. The results exclude any behavioural response to the tax change.

VAT Carousel Fraud

Norman Lamb: To ask the Chancellor of the Exchequer (1) what the value of VAT carousel fraud was in each year since 1997; and if he will make a statement; [139769]

(2) if he will make a statement on the progress of efforts to tackle VAT carousel fraud; [139770]

(3) how many prosecutions there were in respect of VAT carousel fraud *(a)* in 2000, *(b)* in 2001, *(c)* in 2002 and *(d)* since 9 April; [139771]

(4) how much money has been withheld in VAT repayments to companies trading in *(a)* mobile telephones and *(b)* computer chips in each of the last three years; how much was subsequently paid on to these companies; and if he will make a statement. [139773]

John Healey: There are no separate estimates for tax losses from the specific carousel variant of VAT Missing Trader Intra-Community (MTIC) fraud. However, estimates of revenue loss from all forms of MTIC fraud, which includes carousel fraud, for 1999–2000, 2000–01 and 2001–02 were published in "Measuring Indirect Tax Losses" at the time of the pre-Budget report in November 2002, a copy of which is available in the Library of the House. There are no estimates for earlier years.

Details of Customs strategy and progress in tackling VAT MTIC fraud were set out in "Tackling Indirect Tax Fraud" (November 2001), "Protecting Indirect Tax Revenues" (November 2002), and Customs' Spring Report (May 2003), copies of which are also available in the Library of the House.

Prosecution figures for VAT MTIC fraud for 2001–02 were published in Customs' Annual Report and Accounts 2001–02 in December 2002 (CM 5671). Figures for earlier years are not available.

Customs does not maintain information in the format requested and it could be produced only at disproportionate cost. The levels of VAT repayments being withheld by Customs in any given sector at any given time vary on a daily basis, and repayments may be made which are subsequently established to be wrongly paid, resulting in an assessment for VAT at a later date.

Estimates of tax losses and the number of prosecutions for 2002–03, and an update on progress in tackling the fraud, will be published later this year.

Norman Lamb: To ask the Chancellor of the Exchequer what representations he has made to the European Union in respect of its rules on cross-border trade and VAT carousel fraud; and if he will make a statement. [139772]

John Healey: The UK Government has regular dialogue with the European Commission and other member states of the EU about the most effective way to counter carousel VAT fraud, including simplifying and modernising the current rules on cross-border trade and strengthening the arrangements for administrative co-operation and information exchange between member states' tax administrations. The UK has supported initiatives in this area such as the proposal for a new VAT Administrative Co-operation Regulation, which will come into force on 1 January 2004.

HEALTH

Chlamydia

Mr. Brady: To ask the Secretary of State for Health under what powers the testing of 11 to 16-year-olds for chlamydia in schools is carried out; and what recent discussions he has had on the testing of school children for other sexually-transmitted diseases. [131806]

Miss Melanie Johnson: The power and decision to provide a school based health service, and the content of that service, is for the individual governing body of the school in consultation with pupils, parents and the school community.

GM Crops

Gregory Barker: To ask the Secretary of State for Health what research *(a)* has been undertaken and *(b)* is planned by the Government into the effects of consuming GM crops on human gut flora. [138805]

Miss Melanie Johnson: The Food Standards Agency has not undertaken, and is not planning, any research into the effects of consuming genetically modified crops on human gut flora. The Government's Science Review on genetic modification has concluded that there is no evidence that transgenic DNA per se behaves differently from any other DNA with respect to its fate following consumption in food.

Heroin Addicts

Mr. Battle: To ask the Secretary of State for Health, what estimate he has made of the number of heroin addicts in *(a)* Leeds and *(b)* the UK in each of the last 10 years. [139345]

Miss Melanie Johnson: We do not hold this information centrally.

A and E Services

Chris Grayling: To ask the Secretary of State for Health how many admissions to Accident and Emergency departments there were in each of the past 12 quarters, broken down by hospital. [133750]

Ms Rosie Winterton: Quarterly activity statistics for accident and emergency departments are available from April 2001 for each national health service trust on the Department of Health website at http://www.doh.gov.uk/hospitalactivity/. A copy of this information is also available in the Library. Information is not collected by individual hospital site.

Chris Grayling: To ask the Secretary of State for Health on what dates since 1 October 2002 changes were made to the criteria used by the NHS in collecting data about the four-hour accident and emergency waiting time target. [135419]

Ms Rosie Winterton: Since October 2002 there has been one clarification to the criteria used by the national health service in collecting total time data. In addition monitoring has been extended beyond major accident and emergency (A&E) units to include all A&E and minor injuries units (MIU) services during this period.

A clarification took effect from January 2003. This provided a definition of an inpatient ward type 2 and 3 A&Es (specialist A&Es, MIU and walk in centres) were included in total time monitoring on a voluntary basis from the same month. Monitoring of total time in type 2 and 3 A&Es became mandatory from April 2003.

Ambulances

Mr. Woodward: To ask the Secretary of State for Health (1) what the average length of time ambulances took to reach *(a)* the patient and *(b)* the hospital to which the patient needed to be taken in (i) the North West region, (ii) Merseyside and (iii) St. Helens in the last 12 months; [137989]

(2) in what proportion of 999 calls made to the Merseyside Ambulance Service in the most recently measured 12 months for which figures are available an ambulance was unnecessary. [138007]

Miss Melanie Johnson: The information is not available. The latest published performance data held by the Department is for 2002–03. This can be found on the Department's website at www.doh.gov.uk/public/sb0313.pdf. This includes response by category of call by national health service trust.

Information relating to inappropriate calls is not available.

Mr. Woodward: To ask the Secretary of State for Health how many *(a)* frontline ambulances, *(b)* patient transport vehicles, *(c)* fast response cars, *(d)* medical motorbikes, *(e)* medical cycles and *(f)* special baby care units were available in Merseyside in each year since 1997. [138009]

Miss Melanie Johnson: The information requested is shown in the table.

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Frontline ambulances in fleet (including spares)	109	109	109	112	112	112
Patient Transport Service vehicles in fleet (including spare)	172	172	178	178	178	178
Solo Rapid Response Cars in fleet (including spare)	0	0	12	13	13	18
Motorcycles	0	0	0	0	0	0
Cycles	0	0	0	0	0	0
Special Baby Care Unit	0	0	0	0	0	0

Source:
Mersey Regional Ambulance Service NHS Trust.

Bovine TB

Mr. Lidington: To ask the Secretary of State for Health what advice his Department has issued to those who have been in contact with animals infected with bovine tuberculosis. [132628]

Miss Melanie Johnson: Guidance on the management of the public health consequences of tuberculosis in cattle was issued to all consultants in Communicable Disease Control in June 2000.

BUPA

Dr. Fox: To ask the Secretary of State for Health what the cost to the NHS has been of *(a)* hip replacements, *(b)* knee replacements and *(c)* cataract operations carried out at the BUPA hospital in Redhill. [134950]

Ms Rosie Winterton: As the release of this information would entail disclosing a third party's commercial confidences, exemption 13 of the Code of Practice on Open Government applies.

Cannabis

Mr. Gordon Prentice: To ask the Secretary of State for Health what progress has been made in trialling cannabis for medicinal use; and if he will make a statement. [137563]

Miss Melanie Johnson: The Department supports the evaluation of the therapeutic use of cannabis by clinical trials, and is working with organisations able to conduct high quality clinical trials that will put this research onto a scientific footing. A Medical Research Council supported clinical trial to attempt to measure the therapeutic effects of cannabis extract in people with multiple sclerosis was recently completed by Dr. John Zajicek, a Consultant Neurologist at Derriford Hospital in Plymouth. Further information on the trial can be accessed at http://www.cannabis-trial.plymouth.ac.uk/

A programme to develop a medicine derived from cannabis has been ongoing in the United Kingdom. The work is led by Dr Guy of GW Pharmaceuticals Limited. Current details about the clinical trials being sponsored

by GW Pharmaceuticals Limited may be obtained from the Company's website at http://www.gwpharm.com/rese clin index.html.

If the benefits of a cannabis-based medicine are scientifically demonstrated, my right hon. Friend the Home Secretary will move to seek Parliament's agreement to any necessary changes to the misuse of drugs legislation. It would be premature to take such a step before the quality, safety and efficacy of the medicine have been fully established.

Consumers for Health Choice

Mrs. Curtis-Thomas: To ask the Secretary of State for Health what the outcome was of his discussions with the representative of Consumers for Health Choice on Tuesday 7 October. [138204]

Miss Melanie Johnson: On Tuesday 7 October, I met with representatives of Consumers for Health Choice, the Health Food Manufacturers' Association, the Proprietary Association of Great Britain and the National Association of Health Stores to hear these groups' concerns about the implications of the Food Supplements Directive.

I restated the Government's commitment to pressing for European Union maximum permitted limits of vitamins and minerals in food supplements to be set on a safety basis and to this end, using its influence in both scientific and political forums. I will raise this issue with Ministers in other member states as and when appropriate. I am also seeking to arrange a meeting with Commissioner David Byrne at the earliest practical opportunity.

Contaminated Blood

Mr. Hancock: To ask the Secretary of State for Health how many people suffering from haemophilia have *(a)* died and *(b)* suffered illness as a result of contaminated blood products from the NHS in each of the last five years; and if he will make a statement. [138790]

Miss Melanie Johnson: The number of haemophilia patients registered with the Macfarlane Trust who have died in the last five years, after infection with HIV from infected national health service blood products, is shown in the table.

	Number of deaths
1998	22
1999	19
2000	24
2001	13
2002	12

Information on the number of haemophilia patients with HIV who have suffered illness is not available.

The latest information from the United Kingdom Haemophilia Centre Doctors Organisation show 212 patients with haemophilia have died from liver disease. The number of haemophilia patients with hepatitis C who are demonstrating signs of serious liver disease is 2,645, from a total 2,829 patients who are living with hepatitis C, as at January 2000.

Mr. Hancock: To ask the Secretary of State for Health if he will make it his policy to compensate *(a)* the dependants of those who have died from hepatitis due to infected blood products and *(b)* those who contracted hepatitis by such means, but recovered after treatment. [138791]

Miss Melanie Johnson: The details of the hepatitis C ex gratia payment scheme are still being worked out. We expect to announce the scheme's eligibility criteria and payment structure shortly.

Mr. Hancock: To ask the Secretary of State for Health what research his Department *(a)* has commissioned and *(b)* is evaluating in order to determine the level of compensation for people infected with hepatitis C due to infected blood products; and if he will make a statement. [138792]

Miss Melanie Johnson: The following independent resources are being considered as part of the on-going deliberations to determine the level of payments made under the proposed hepatitis C ex gratia payment scheme:

the scheme of payments implemented by the Macfarlane Trust;

the scheme of payments implemented by the Eileen Trust;

the report of the Hepatitis C Working Party to the Haemophilia Society; and

the report of the Scottish Executive's Expert Group on Financial and Other Support chaired by Lord Ross.

Mr. Hancock: To ask the Secretary of State for Health if he will make a statement on the steps that he is taking to ensure that contaminants are not present in NHS blood products. [138793]

Miss Melanie Johnson: The safety of blood and blood products used in the national health service is of paramount importance. Every reasonable step has been taken to minimise any risks during blood transfusion. The current high levels of safety are achieved by screening out potential high risk donors and then further testing of every unit of donated blood for HIV, hepatitis B, hepatitis C and syphilis before it is released to hospitals.

As a precautionary measure against the theoretical risk that vCJD can be transmitted through blood, since 31 October 1999 all blood used for transfusion has had the white cells removed (a process called leucodepletion), and in 1998, we stopped using United Kingdom plasma in the manufacture of blood products.

New blood safety initiatives, including technologies to remove pathogens in blood, are kept under review by the National Blood Service's Blood and Tissue Safety Assurance Group and the Department's Advisory Committee on the Microbiological Safety of Blood and Tissues for Transplantation.

Coronary Disease

Mr. Burstow: To ask the Secretary of State for Health (1) whether his Department has met milestones one to four for primary care management of heart failure in the national service framework for coronary heart disease; whether he has plans to set further milestones; and if he will make a statement; [138188]

(2) whether his Department has met milestones one to three for hospitals admitting patients for the management of heart failure in the heart failure section of the national service framework for coronary heart disease; whether he has plans to set further milestones; and if he will make a statement. [138189]

Miss Melanie Johnson: The national health service has made good progress on meeting the heart failure milestones set out in the national service frameworks. This has been supported further this year through the publication of the National Institute for Clinical Excellence guideline on the management of heart failure. The Department has set a target for improved management of heart failure in the Planning and Priorities Framework for the next three years and has supported delivery of this target through publication of a toolkit of best practice for the NHS in October of this year.

The quality and outcome framework in the new general medical services contract will support further progress in this important area.

Dentistry

Mr. Evans: To ask the Secretary of State for Health how many national health service dentists there were in each year between 1997 and 2003. [135370]

Ms Rosie Winterton: The table shows the number of national health service dentists on a head count basis in England at September each year from 1997 to 2002. Information for 2003 is not yet available.

Information is not available on a whole time equivalent (wte) basis because dentists working in the general dental service dentists (CDS) are self employed dentists who are not required to work standard hours and who are free to vary their working time if they wish.

NHS dentists cover dentists working in the GDS, hospital dental service, community dental service, personal dental service (PDS) and salaried dentists working in the GDS. Dentists working in more than one dental service are included in each service, apart from dentists working in both the PDS and the GDS, who are counted in the GDS only.

NHS Dental Services: Number of dentists in England

September each year	*Number of dentists*
1997	20,393
1998	20,887
1999	21,435
2000	21,728
2001	22,321
2002	23,183

Mr. Drew: To ask the Secretary of State for Health, (1) what plans he has to increase spending on the provision of dentures; and what discussions he has had with the General Dental Council on the provision of dentures; [136753]

(2) what plans he has to prevent the illegal *(a)* production and *(b)* fitting of dentures; and what estimate he has made of the level of illegal (i) production and (ii) fitting of dentures. [136754]

(3) if he will introduce an agreed qualification in denturism to permit clinical dental technicians to deal directly with the public. [136755]

Ms Rosie Winterton: Dental appliances are manufactured to the prescription of a registered dentist, mostly in privately owned laboratories, which have to be registered with the Medicines and Healthcare products Regulation Agency (MHRA) under the Medical Devices Regulations 2002. We are working with the General Dental Council and the profession to provide for the registration of dental technicians including clinical dental technician (CDTs). As a result, members of both professions will need to be appropriately trained and qualified. The registration of CDTs will enable suitably qualified members of the profession to both supply and fit dental appliances thereby legalising the practice of denturism.

No prosecutions have been undertaken against dental laboratories which have failed to register under the Medical Devices Regulations. The vast majority of breaches of the Regulations are resolved with the co-operation of the manufacturer in line with the Government's Concordat on Enforcement without the need for prosecution. The MHRA investigates and resolves all potential breaches that are drawn to their attention. Information on the illegal fitting of dentures is not held centrally.

Mr. Burstow: To ask the Secretary of State for Health if he will state *(a)* the reasons for compulsory retirement in dentistry and *(b)* the age limit for this retirement. [138196]

Ms Rosie Winterton: The National Health Service (General Dental Services Supplementary List) and (General Dental Services) Amendment Regulations 2003 amend the National Health Service (General Dental Services) Regulations 1992 by changing the age at which a dentist must be removed from a dental list from 65 to 70 years of age. A dentist so removed may continue to assist in the provision of general dental services after the age of 70 years.

The NHS Pension Scheme's current normal retirement pension age is 60. Members may stay in the scheme until age 70 but from age 60 they may retire and take a pension voluntarily without reduction.

Any member still employed at age 70 may take their retirement pension and continue working in the NHS.

Dentists, along with all other NHS Pension Scheme members are able to retire with benefits from age 50 on a voluntary basis. The voluntary early retirement from age 50 is payable with actuarially reduced benefits.

Mr. Weir: To ask the Secretary of State for Health what recent discussions he has had with his counterparts in the European Union on regulations on services that may be provided by dental technicians within the European Union. [138221]

Ms Rosie Winterton: Working practices and any legislative controls for dental technicians vary across the countries of the European Union. We intend that the General Dental Council's proposals for registration should aid the development of common standards to assist freedom of movement within Europe.

Mr. Weir: To ask the Secretary of State for Health (1) what recent discussions he has had with representatives of dental technicians regarding regulations relating to their position in providing dental services; [138223]

(2) what recent discussions he has had with the *(a)* Scottish Executive and *(b)* Welsh Assembly regarding regulations on the provision of dental services within the UK by dental technicians; [138224]

(3) what recent discussions he has had with the General Dental Council on the role of dental technicians in providing dental services. [138225]

Ms Rosie Winterton: Dental technicians are key members of the dental team. All the Health Departments in the United Kingdom have indicated their support for the General Dental Council's proposals for the registration of dental technicians. This will ensure that they are properly trained and acquire registrable qualifications, which have been identified in consultation with the profession. We plan to put the necessary legislative changes in place during 2004 and intend that registration arrangements should give new impetus to the training and recruitment of dental technicians.

Mr. Beith: To ask the Secretary of State for Health what the average waiting time before dentists qualified overseas can take the qualifying examinations to practise in the UK has been over the last five years. [135917]

Ms Rosie Winterton *[holding answer 10 November 2003]:* The International Qualifying Examination (IQE), which is the General Dental Council's (GDC) statutory examination for the purpose of gaining admission to the United Kingdom dentists register, was introduced on 1 January 2001. Since then, the number of dentists applying to take the examination has increased from some 150 to nearly 200. Average waiting times for the three parts of the IQE since that date are shown in the table.

Months

	Part A	*Part B*	*Part C*
2001	2.75	4.5	7.4
2002	4.25	5.5	10
2003	5.75	7.5	10

The figures exclude candidates who have asked for the timing of the examination to be delayed. Information for the years prior to the introduction of the IQE is not available. The GDC has increased Part C capacity for 2004 and waiting times should be shortened significantly, with some candidates given only three months wait to sit Part C.

Diagnosis and Treatment Centres

Dr. Fox: To ask the Secretary of State for Health how much *(a)* has been and *(b)* is intended to be spent on capital costs in the new diagnosis and treatment centres. [134952]

Mr. Hutton: Independent sector treatment centres (IS-TCs) are being procured in accordance with strict Official Journal of the European Commission (OJEC) rules. The advertisements published in the OJEC in December 2002 were for the provision of health services only and not capital build. The IS-TC programme was design to ensure that additional capacity is available as soon as possible to treat National Health Service patients.

The 47 NHS treatment centre schemes have been allocated a total capital spend of over £370 million.

Mr. Amess: To ask the Secretary of State for Health, what the location will be of the diagnostics centre in Southend-on-Sea; and if he will make a statement. [139808]

Mr. Hutton: The proposed location of the treatment centre in Southend-on-Sea is expected to be at Fossetts Farm, on the outskirts of Southend-on-Sea. This is subject to receipt of planning permission.

Digital Hearing Aids

Mr. Ben Chapman: To ask the Secretary of State for Health, if he will make a statement on the availability of NHS digital hearing aids in Wirral South. [139546]

Miss Melanie Johnson: The Wirral Hospitals National Health Service Trust manages the provision of digital hearing aids across the Wirral, including Wirral South. Funding has been made available for the years 2003–04 and 2004–05 to ensure that a modernised service, providing digital hearing aids, will be available from all NHS hearing aids services in England by 2005.

Elective Admissions

Simon Hughes: To ask the Secretary of State for Health, how many patients have waited more than *(a)* three months, *(b)* six months and *(c)* 12 months for an elective finished in year admission in each of the last five years for which figures are available for each NHS Trust in London; and if he will make a statement. [135155]

Mr. Hutton: The information requested has been placed in the Library.

Epilepsy

Mr. Baron: To ask the Secretary of State for Health (1) what the national misdiagnosis rates for epilepsy were in *(a)* adults and *(b)* children in the last year for which figures are available; [139786]

(2) what percentage of patients with epilepsy are seizure free. [139787]

Dr. Ladyman: We do not collect information on the misdiagnosis rates for epilepsy. However, recent reports from the Clinical Standards Advisory Group, "Services for patients with epilepsy (2000)", and the Chief Medical Officer, "On the State of the Public Health (2001)", showed that around 20 per cent. of people referred to epilepsy clinics may be misdiagnosed and receive inappropriate and unnecessary treatment. In May 2002, the National Institute for Clinical Excellence (NICE) made its report of the National Clinical Audit of Epilepsy Related Death available to local national health service clinicians and organisations to help them establish or review policies for the management of epilepsy and epilepsy-related death. NICE is also developing a clinical guideline for the diagnosis,

management and treatment of epilepsy, which is currently due to be published in June 2004 and which will help address any shortfalls in current practice.

The new general medical services contract includes clinical quality standards for the management of epilepsy in primary care. Under the quality and outcomes framework being introduced from 1 April 2004 as part of the contract general practitioner practices will be rewarded for monitoring and managing people with epilepsy. This will include recording the percentage of patients aged 16 and over receiving drug treatment for epilepsy who have been seizure free for the last 12 months. The Joint Epilepsy Council's "National Statement of Good Practice" shows that around 70 per cent. of people with epilepsy have the potential to become seizure free.

Flu Vaccinations

Chris Grayling: To ask the Secretary of State for Health what estimate the NHS has made of potential savings derived from sending only one copy of the influenza vaccination reminder letter to a household, even if more than one resident in the household is affected. [132774]

Miss Melanie Johnson: Although no official cost effectiveness assessment has been carried out, general practitioner practices usually ask their primary care trust to write to patients on their behalf. It is thought that this approach is quicker, more cost effective than individual practices writing out and preserves patient confidentiality.

Fluoridation

Andrew George: To ask the Secretary of State for Health (1) what peer presented research his Department has examined in assessing the potential benefit in the proposed addition of fluoride to drinking water; [136406]

(2) what other countries' drinking water supply systems were *(a)* investigated and *(b)* visited by his Department when preparing proposals to add fluoride to drinking water. [136407]

Miss Melanie Johnson: In 1999, the Department commissioned the University of York to carry out an up to date expert scientific review of fluoride and health. "A Systematic Review of Water Fluoridation" published in September 2000, reported that fluoridating water reduces the number of children with tooth decay by 15 per cent. The review identified 3,246 research studies from 30 different countries, but was critical of the quality of the research available. Accordingly, the Department asked the Medical Research Council (MRC) how the evidence base could be strengthened and the Chief Medical Officer and Chief Dental Officer are advising Ministers on the implementation of the MRCs recommendations. We have already commissioned a study on the absorption of fluoride, which has now been completed and is subject to peer review.

Food Advertising

Mr. Drew: To ask the Secretary of State for Health, what discussions he has had with other Ministers on extending regulations on food advertising aimed at children. [139624]

Miss Melanie Johnson: The Government is concerned about the levels of childhood obesity and is taking and considering a number of actions to tackle the problem. The Food Standards Agency (FSA) has recently published a discussion paper on possible options for action on the promotion and advertising of foods that could improve children's diets and health, and is expected to advise Ministers of its analysis of these options early next year. It would not be appropriate to discuss specific options before receiving the FSA's advice.

Food Labelling

Mrs. Calton: To ask the Secretary of State for Health what steps are being taken to ensure that recommended daily amounts for nutrients are carried on food labels. [139481]

Miss Melanie Johnson: There is no legislative requirement for guideline daily amounts of nutrients to be included on food labels. However, the Food Standards Agency recommends that this information should be given and a number of food manufacturers already include such information on their products. In the next few months, the European Commission is expected to make a proposal to amend the current nutrition labelling directive. The Government are pressing for mandatory nutrition labelling on all foods, and for the labelling to indicate whether the product is high, medium or low in key nutrients, that is fat, sugar and salt.

Food Supplements

Mr. Austin Mitchell: To ask the Secretary of State for Health, what steps he has taken to promote to other European Union member states the methodology for establishing safe levels of nutrient intake adopted by the Expert Advisory Group on vitamins and minerals; and what further plans he has for promoting his policies of case by case reviews of published literature on nutrient safety. [136626]

Miss Melanie Johnson: Article 5 of the Food Supplements Directive lays out a framework for the future setting of maximum permitted levels of vitamins and minerals in food supplements. The United Kingdom continues to press for European Union maximum permitted limits to be set on a safety basis, and in doing so, is using its influence in both scientific and political forums. I intend to raise this issue with Ministers in other Member States as and when appropriate. I am also seeking to arrange a meeting with Commissioner David Byrne at the earliest practicable opportunity.

Foundation Trusts

Mr. Gordon Prentice: To ask the Secretary of State for Health (1) when he expects to issue further advice to

putative NHS foundation trusts on the use of existing databases of *(a)* patients and *(b)* staff names for the purposes of creating a membership register; [139715]

(2) when he expects to issue advice on the implications of the *(a)* Data Protection Act 1998 and *(b)* Freedom of Information Act 2000 on the (i) compilation and (ii) use of membership registers of NHS foundation trusts. [139716]

Mr. Hutton: Subject to Parliament, it is the Government's intention that national health service foundation trusts will be required to have a members register. Officials are working with the first wave of applicants and organisations with expertise in maintaining membership organisations with a view to developing practical advice to be incorporated into an updated edition of "NHS Foundation Trusts: A guide to the governance arrangements".

Mr. Gordon Prentice: To ask the Secretary of State for Health when he will issue advice to putative NHS foundation trusts on the nature of the questions they may ask prospective members concerning their *(a)* ethnicity, *(b)* faith and *(c)* disability. [139717]

Mr. Hutton: Department of Health officials are working with the first wave of applicants and organisations with expertise in maintaining membership organisations on the sorts of information that national health service foundation trusts would need to collect to ensure their membership is representative of those eligible for membership. The Department will develop practical advice on these matters to be incorporated into an updated edition of "NHS Foundation Trusts: A Guide to the Governance Arrangements".

General Practitioners

Mr. Evans: To ask the Secretary of State for Health how many general practitioner fundholders there are in *(a)* the North West and *(b)* England. [134892]

Mr. Hutton: General practice fundholding was abolished on 1 October 1999. There are no general practitioner practices in the North West nor in England operating as GP fundholders.

Genetic Research

Dr. Kumar: To ask the Secretary of State for Health what action he is taking to determine the ethical framework applied to genetic research in receipt of financial support from the Government. [137528]

Miss Melanie Johnson: Genetic research commissioned by the Government and carried out within the national health service is subject to oversight by the appropriate NHS Research Ethics Committee. Gene therapy research will continue to be subject to the approval of, and ongoing supervision by, the Gene Therapy Advisory Committee.

Dr. Kumar: To ask the Secretary of State for Health who has been consulted on the ethical dimensions of the Biobank project; and where it is possible to inspect the comments of consultees. [137529]

Miss Melanie Johnson: Consultations on the ethical dimensions of UK Biobank have involved key public and professional stakeholders ranging from patients' and civil society groups, scientists and health care professionals, to ethicists, lawyers and social scientists, as well as members of the public. These consultations have informed the discussions of the Interim Advisory Group on Ethics and Governance and the development of the ethics and governance framework. Reports of the consultations can be accessed on the UK Biobank website at www.ukbiobank.ac.uk.

GPs

Mr. Flook: To ask the Secretary of State for Health how many general practitioners there were in *(a)* Taunton Deane and *(b)* West Somerset in each year since 1992. [137384]

Ms Rosie Winterton: The information requested on the number of general practitioners is shown in the tables.

General Medical Practitioners[1] for Somerset and Taunton

		1999	*2000*	*2001*	*March 2002*	*2002*	*March 2003*	*June 2003*
Somerset Coast PCG	4AR01	101	109	—	—	—	—	—
South Somerset	4AY29	71	75	—	—	—	—	—
Bath and North East Somerset PCT	5FL	—	—	142	143	136	154	144
Somerset Coast PCT	5FW	—	—	107	107	112	106	103
South Somerset PCT	5K1	—	—	75	69	108	109	112
North Somerset PCT	5M8	—	—	140	121	134	140	137
Taunton and Area PCT	4XM98	100	105	—	—	—	—	—
Taunton Deane PCT	5K2	—	—	111	108	78	81	81
Total		272	289	575	548	568	590	577

[1] All Practitioners include QMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA), PMS Other, GP Retainers and Flexible Career Scheme GPs

Note:

Data as at 1 October 1999, 30 September 2000–02, 31 March 2002–03 and 30 June 2003.

Source:

Department of Health General and Personal Medical Services Statistics.

General Medical Practitioners (excluding retainers)[1] for Somerset and Taunton

Numbers (headcount)

		1999	2000	2001	March 2002	2002	March 2003	June 2003
Somerset Coast PCT	4AR01	101	105	—	—	—	—	—
South Somerset PCT	4AY29	71	72	—	—	—	—	—
Bath and North East Somerset PCT	5FL	—	—	135	136	128	144	144
Somerset Coast PCT	5FW	—	—	105	103	108	103	100
South Somerset PCT	5K1	—	—	69	69	103	104	107
North Somerset PCT	5M8	—	—	127	121	124	132	137
Taunton and Area PCT	4XM98	100	101	—	—	—	—	—
Taunton Deane PCT	5K2	—	—	105	104	78	78	79
Total		272	278	541	533	541	561	567

[1] All practitioners (excluding GP retainers) include PMS unrestricted principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA), PMS Other, and Flexible Career Scheme GPs

Note:

Data as at 1 October 1999, 30 September 2000–02, 31 March 2002–03 and 30 June 2003.

Source:

Department of Health General and Personal Medical Services Statistics.

General Medical Practitioners (excluding retainers)[1] for Somerset health authority

Number (headcount)

	Somerset HA
1992	294
1993	308
1994	322
1995	326
1996	331
1997	330
1998	338
1999	346
2000	350
2001	356

[1] All Practitioners include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA), PMS Other and Flexible Career Scheme GPs

Note:

Data as at 1 October 1992–99 and 30 September 2000–01.

Source:

Department of Health General and Personal Medical Services Statistics.

Health Care (York)

Hugh Bayley: To ask the Secretary of State for Health how many *(a)* outpatient consultations and *(b)* in-patient treatments there were in each clinical specialty provided by (i) York NHS Trust and (ii) York Primary Care Trust for those services recently transferred from the trust to the PCT, in each year since 1992. [135951]

Miss Melanie Johnson: The information requested is not available.

Hugh Bayley: To ask the Secretary of State for Health how many *(a)* hospital and *(b)* community full-time equivalent nurses were employed by (i) York NHS Trust and (ii) York Primary Care Trust in each year since 1992. [135954]

Miss Melanie Johnson: The information requested is shown in the table.

NHS hospital and community health services: Qualified nursing, midwifery and health visiting staff, by hospital or community-based in the specified organisations as at 30 September each year

Whole-time equivalent

	All qualified nurses	Community	Hospital
York Health Services NHS Trust			
2002	915	24	891
2001	1,132	50	1,082
2000	1,375	240	1,136
1999	1,268	200	1,068
1998	1,235	161	1,074
1997	1,362	193	1,169
1996	1,310	193	1,117
1995	[1]—	[1]—	[1]—
1994	[1]—	[1]—	[1]—
1993	1,230	132	1,098
1992	1,129	123	1,007
Selby and York PCT			
2002	492	234	258
2001	262	183	79

[1] A new classification of the non-medical workforce was introduced in 1995 and as a result reliable data at organisational level is not available for 1994 and 1995. Maternity nurse figures for 1995 onwards have been included within hospital as they cannot be separately identified between community and hospital.

Notes:

Figures are rounded to the nearest whole number.

Source:

Department of Health Non-Medical Workforce Census

Hepatitis C

Dr. Kumar: To ask the Secretary of State for Health (1) what action is being taken to improve the *(a)* detection and *(b)* treatment rates of hepatitis C; and what the (i) detection and (ii) treatment rates are in the Northern health region in the last year for which figures are available; [139402]

(2) if he will make a statement on the progress of the Hepatitis C Action Plan. [139403]

Miss Melanie Johnson: The Department published its consultation document, "Hepatitis C Strategy for England", in August 2002, which set out proposals to improve the effectiveness of prevention, diagnosis and treatment services for hepatitis C. The Department intends to publish an action plan to implement this strategy in the next few months.

Detection and treatment rates for the Northern health region are currently being collated and will be placed in the Library when available.

Hospital Projects

Chris Grayling: To ask the Secretary of State for Health, how many hospital projects with a value of over £50m initiated since 1997 he estimates will be completed by the end of 2005. [136894]

Mr. Hutton: Of the schemes with a capital value over £50 million given the go-ahead since 1997, we anticipate that 22 private finance initiative schemes and two publicly funded schemes will be completed and operational by the end of 2005.

Hospital Trusts

Mr. Nicholas Brown: To ask the Secretary of State for Health what control NHS hospital trusts have over the volume of patients being referred to hospitals. [133403]

Mr. Hutton: Primary care trusts (PCTs) are responsible for commissioning sufficient activity from national health service trusts and other providers to meet the needs of their local population. The levels of activity required from NHS trusts should be specified in service agreements (SAs) and will represent a ceiling to the Trusts contractual obligations.

Where either there are no SAs in place or the activity levels specified in a SA have already been met by the trust, the PCT is responsible for commissioning additional activity to meet the needs of its patients.

HSC 2002/007 (Securing Service Delivery: Commissioning Freedoms of Primary Care Trusts) and HSC 1998/198 (Commissioning in the new NHS) provide further information. Copies are available in the Library.

Information Technology

Chris Grayling: To ask the Secretary of State for Health what discussions his Department has had with the National Audit Office regarding the correspondence they have had about the national programme for information technology. [133926]

Mr. Hutton: The Department routinely has discussion with the National Audit Office (NAO) as part of its remit to monitor the work of Government departments. A senior member of the NAO has a seat on the national programme board for the National Health Service information management and technology strategy.

Joint Working

Mr. Barry Sheerman: To ask the Secretary of State for Health, if he will make a statement on joint working between primary health care trusts and citizen advice bureaux; and how much funding primary health care trusts contributed to citizens advice bureaux in each of the past three years. [135873]

Mr. Hutton: It is for individual primary care trusts to determine joint working arrangements with local stakeholders and to allocate funds accordingly. The information requested on funding is not available centrally.

King George's Hospital (Redbridge)

John Cryer: To ask the Secretary of State for Health (1) which private healthcare companies expressed an interest in running the treatment centre at King George's Hospital, Redbridge; and what the criteria were used to award the contract; [133273]

(2) if he will estimate how many patients will be treated at the treatment centre based at King George's Hospital, Redbridge; and if he will make a statement. [133274]

Mr. Hutton: Anglo Canadian was announced as preferred bidder for the proposed treatment centre at King George's Hospital, Redbridge on 12 September. Their appointment is subject to final contract negotiation and agreement. Because of the commercial in confidence status of the procurement, it is not possible to list the other companies that expressed an interest in this scheme.

The selection of the preferred bidders followed detailed evaluation of the submitted tenders. The evaluation criteria included clinical quality, building proposals, human resources, speed of mobilisation and delivery, affordability, value for money, bidders corporate structure and price. There was a structured scoring mechanism against each of these criteria and total scores assessed between bidders.

It is expected that the treatment centre based at King George's Hospital will complete 11,800 procedures on average per year of the contract in ophthalmology, general surgery and trauma and orthopaedics. These are indicative activity levels and are subject to the possibility that it may make sense for the national health service and the preferred bidder to shift activity between different centres.

Macular Degeneration

Nick Harvey: To ask the Secretary of State for Health what assessment he has made of the number of patients with wet age-related macular degeneration who were treated privately with photodynamic therapy in NHS hospitals in each of the last four years; and if he will make a statement. [138048]

Ms Rosie Winterton: The Department does not collect data on the number of patients treated privately with photodynamic therapy in national health service hospitals.

Nick Harvey: To ask the Secretary of State for Health what representations *(a)* he and *(b)* his ministerial colleagues has received from (i) the Royal College of Ophthalmology, (ii) the AMD Alliance and (iii) the RNIB on the implementation of NICE guidance for wet age-related macular degeneration; and if he will make a statement. [138049]

Ms Rosie Winterton: We have recently received representations from the Royal National Institute for the Blind and the Macular Disease Society raising concerns about the extended implementation period from three to nine months. They were concerned that primary care trusts would delay paying for photodynamic therapy (PDT) until the latest possible time. Specialised commissioning groups are leading the implementation of PDT and at a meeting held on

4 November, departmental officials made clear that funding should not delay implementation of the guidance. The Department is also working closely with the Royal College of Ophthalmologists on the implementation of the guidance.

Nick Harvey: To ask the Secretary of State for Health whether reading centres assessing patients with wet age-related macular degeneration for treatment with photodynamic therapy will be required to make a diagnosis before patients are treated; and if he will make a statement. [138050]

Ms Rosie Winterton: Reading centres assessing patients with wet age-related macular degeneration for treatment with photodynamic therapy (PDT) will not be required to make a diagnosis before patients are treated. For the moment, reporting on the same day, in real time, by the reading centres service is not feasible. Consequently to avoid delay, PDT will be offered on the basis of the initial judgement of the clinician at the PDT centre, with confirmation of the diagnosis by the reading centres service being made after the first PDT treatment has occurred.

Nick Harvey: To ask the Secretary of State for Health what estimate he has made of the annual cost to the NHS of providing photodynamic therapy for wet age-related macular degeneration *(a)* by primary care trusts, *(b)* by hospital trusts and *(c)* in total; and if he will make a statement. [138051]

Ms Rosie Winterton: The National Institiute for Clinical Excellence has estimated that the cost of providing photodynamic therapy (PDT) to 1000 patients per year would be in the region of £4 million in the first year, rising to £8.3 million by the third year and remaining constant thereafter. PDT is a specialised service and we would expect up to 50 centres to be supported. Therefore, every primary care trust (PCT) or hospital trust is not expected to provide this service. Initially, specialised commissioners will fund the service and PCTs will need to consider longer term funding arrangements.

Nick Harvey: To ask the Secretary of State for Health what estimate he has made of the number of patients with classic no occult wet age-related macular degeneration who are unable to receive photodynamic therapy on the NHS; and if he will make a statement. [138052]

Ms Rosie Winterton: On the basis of limited epidemiological data, the National Institute for Clinical Excellence (NICE) estimated that each year in England and Wales there may be 5000 to 7500 new cases of predominantly classic subfoveal choroidal neovascularisation (CNV) associated with wet age-related macular degeneration. However, they noted there is a high degree of uncertainty about this estimate. We have asked the National Health Service to ensure that patients with suspected CNV are treated wherever capacity exists to do so. By July 2004, the NICE guidance will have been implemented fully across the country and capacity will build between now and then.

Nick Harvey: To ask the Secretary of State for Health how many hospitals have equipment and trained professionals in place to provide photodynamic therapy for wet age-related macular degeneration; and if he will make a statement. [138053]

Ms Rosie Winterton: There are approximately 30 centres providing photodynamic therapy. Some are well established, others are coming on stream. We expect that up to 50 centres will be set up to deliver the National Institute for Clinical Excellence's recommendations. As a specialised service, we expect commissioners to plan for centres to serve a population of not less than a million.

Meat Fraud

Judy Mallaber: To ask the Secretary of State for Health if he will set up an inquiry into the lessons to be learnt from the prosecutions relating to meat fraud *(a)* at Denby Poultry Products and *(b)* in Rotherham. [137587]

Miss Melanie Johnson: Following the prosecutions for fraudulent diversion of unfit meat in the Rotherham case, the Food Standards Agency (FSA) set up the independent Waste Food Task Force. The Task Force, which was made up of experts from enforcement, industry and consumer backgrounds, advised the FSA on additional action that could be taken to prevent the illegal diversion of unfit meat into the food chain. The Task Force also included enforcers involved in the Denby Poultry Products prosecutions. The board of the FSA, at its September meeting, adopted an action plan to implement the recommendations of the Task Force. In addition to this, the FSA has called a seminar on 26 November to discuss the lessons to be learned from the Denby prosecutions. The seminar will involve those who were involved both in the Denby prosecutions and in other similar cases, including local authority enforcers, the Meat Hygiene Service, the police and the Department for Environment, Food and Rural Affairs, as well as industry and consumer representatives.

Medicines and Health Care Products Agency

Mr. Oaten: To ask the Secretary of State for Health pursuant to the answer of 15 September 2003, *Official Report*, column 616W, on Medicines and Health Care Products Agency, what the value was of each of the contracts listed; and if he will make a statement. [134119]

Miss Melanie Johnson: The value of each of the contracts currently being used by the Medicines and Healthcare products Regulatory Agency are:

Accenture, design and build of information technology applications—£12.3 million

Charles Mackenzie, enhancements to website applications—£20,902

Hay Group, design of personal development and performance management system—£50,000

Oxford Group, delivery of management and leadership training programme—£130,000

RedAnt Design, general practice research database (GPRD) marketing and customer interface—£15,000

TK Consultancy, design and build of medicines enforcement case investigation system—£30,000

Turner & Townsend, post merger co-location project—£8,000

Unipart advanced learning systems, enhancements to device adverse incidents tracking system—£7,500

Winton Nightingale, management of staff restaurant contract—£8,150

The fees an additional contract with Accenture to manage the GPRD accelerator project are currently under negotiation.

Mental Health

Tim Loughton: To ask the Secretary of State for Health how many *(a)* children and adolescents, *(b)* adults and *(c)* pensioners were treated by mental health trusts in west Sussex in each of the last six years. [134773]

Ms Rosie Winterton: The total number of admissions of patients with learning disabilities or mental illness resident in the west Sussex local authority is shown in the table.

Number of admissions of patients under mental illness specialities and learning disabilities in west Sussex

	Age group					
	0–14	*15–59*	*60–74*	*75 Plus*	*Unknown*	*Total*
1996–97	67	1,244	392	837	6	2,546
1997–98	51	1,158	346	726	0	2,281
1998–99	45	603	190	393	1	1,232
1999–2000	48	1,852	532	798	4	3,234
2000–01	312	1,765	483	645	10	3,215
2001–02	429	1,247	292	353	0	2,321

Notes:
[1] From April 2002 a new trust called West Sussex Health and Social Care Trust came into existence, in the main this trust treats mental health patients in the West Sussex area. This was formed by the merger of three other trusts, or parts of them, namely Worthing Priority Healthcare, Sussex Weald and Downs NHS Trust (previously Chichester Priority Care Services) and Mid Sussex NHS Trust.
[2] The figures shown are the numbers of admissions under mental health specialities and learning disabilities in these three trusts, over the years 1996–2002. This does not, however, guarantee that the patients being admitted are from the west Sussex area.
[3] Admissions are defined as the first period of patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of patients, as a person may have more than one episode of care within the year.
Source:
Hospital Episode Statistics

Mr. Burstow: To ask the Secretary of State for Health (1) pursuant to his answers of 3 November 2003, *Official Report*, column 518W, on mental health, if he will place copies of the *(a)* Robert Lee Review and *(b)* review by Sir Andrew Leggatt in the Library; [138023]

(2) if he will set out details of the regional variations in efficiency and practice of the Mental Health Review Tribunal offices. [138024]

Ms Rosie Winterton: Copies of the Robert Lee review of the Mental Health Review Tribunal Administration will be placed in the Library. Sir Andrew Leggatt's Review of Tribunals was carried out at the request of the Department for Constitutional Affairs and copies will be placed in the Library.

The following details demonstrate the regional variations in efficiency and practice of the Mental Health Review Tribunal offices and is based on up to date statistical information between January and September 2003.

Regional Office	*Number of applications received in office*	*Number of hearings heard*	*Ratio of applications that reach hearing stage (percentage)*	*Average waiting times for application to reach hearing stage*		
				Section 2 (days)	*Non-restricted (weeks)*	*Restricted (weeks)*
London North	4,879	2,823	58	6.8	6.2	15.4
London South	4,245	2,256	53	6.9	7.6	17.9
Liverpool	3,718	1,997	54	5.8	6.3	15.5
Nottingham	3,286	2,277	69	6	7	16

Notes:
1. Section 2 applications have a statutory requirement to be heard within seven days of receipt in the MHRT office.
2. All other applications must be heard as soon as possible, with regard to the receiving of reports and evidence.

Factors affecting regional efficiency are:

the volume of applications received in any one office; and

the ratio of work to medical members.

Regional office	*Number of medical members*
London North	55
London South	52
Liverpool	52
Nottingham	48

Tim Loughton: To ask the Secretary of State for Health whether the statement by the National Director of Mental Health on 31 July on the draft Mental Health Bill represents Government policy; whether he intends to make significant changes to the draft Bill before it is laid before Parliament; what assessment he has made of responses received during the consultation on the draft Bill; and what the timetable is for publishing the responses. [138474]

Ms Rosie Winterton: The National Director for Mental Health expressed his personal views to the Parliamentary Health Forum on 4 June 2003. The Government have considered carefully the need for changes to the draft Bill, following responses to consultation and on-going meetings with key stakeholders. Any changes to the draft Bill will be

indicated when the Government publish their response to consultation prior to the introduction of the Bill to Parliament.

Mental Health Trusts

Mr. Burstow: To ask the Secretary of State for Health what the backlog maintenance cost was to reach *(a)* estate code condition B, *(b)* fire safety standards and *(c)* health and safety standards for all mental health trusts in England, broken down by trust. [133847]

Mr. Hutton: The information requested is set out in the table. The figures provided do not indicate levels of risk to patients and staff. Trusts make every effort to remedy significant concerns as quickly as possible. This is reflected in the very small numbers of injuries and deaths arising as a result of fires and reportable health and safety incidents in national health service hospitals in England, despite the very high numbers of people who use healthcare premises.

Spending on routine maintenance by mental health trusts reached £41 million in 2002–03 with an additional £60 million having been spent between 1998 and 2001. Improvements to health and safety and fire safety will result from the current priorities and planning framework targets for reducing the backlog of maintenance.

£

Trust	*Cost to achieve Physical Condition B 2002–03*	*Cost to achieve Statutory Health and Safety Compliance Standard B 2002–03*	*Cost to achieve Fire Safety Compliance Standard B 2002–03*
Avon and Wiltshire Mental Health Partnership NHS Trust	21,188,485	1,760,499	10,900
Barnet Enfield and Haringey Mental Health NHS Trust	7,045,600	1,202,070	284,000
Cambridgeshire and Peterborough Mental Health Partnership NHS Trust	2,950,950	190,286	202,536
Central and North West London Mental Health NHS Trust	3,674,996	0	0
County Durham and Darlington Priority Services NHS Trust	3,021,910	50,000	16,000
East London and The City Mental Health NHS Trust	4,010,993	3,017,895	334,045
Gloucestershire Partnership NHS Trust	143,000	0	0
Lancashire Care NHS Trust	4,164,544	772,674	267,200
Mental Health Services Of Salford NHS Trust	4,175,110	0	0
Mersey Care NHS Trust	7,661,919	85,000	5,000
Newcastle, North Tyneside and Northumberland Mental Health NHS Trust	6,965,000	479,000	4,495,000
Norfolk Mental Health Care NHS Trust	4,162,000	0	0
North Cumbria Mental Health and Learning Disabilities NHS Trust	2,446,100	303,800	320,000
North East London Mental Health NHS Trust	3,120,550	1,807,469	126,330
North Essex Mental Health Partnership NHS Trust	6,613,600	76,100	100,400
North West Surrey Mental Health NHS Trust	50,000	0	0
Northern Birmingham Mental Health NHS Trust	2,883,159	171,000	47,000
Nottinghamshire Healthcare NHS Trust	3,979,784	743,000	32,000
Oxfordshire Mental Healthcare NHS Trust	3,028,550	161,120	86,986
Oxleas NHS Trust	6,000,000	550,000	250,000
Somerset Partnership NHS and Social Care Trust	683,000	0	0
South Birmingham Mental Health NHS Trust	1,950,625	40,000	30,000
South London and Maudsley NHS Trust	19,172,610	3,995,080	661,189
South West London and St. George's Mental Health NHS Trust	73,234,000	533,000	958,000
South West Yorkshire Mental Health NHS Trust	13,619,673	337,220	459,135
Tavistock and Portman NHS Trust	1,170,800	2,000	16,000
West Hampshire NHS Trust	536,000	305,300	0
West London Mental Health NHS Trust	10,752,770	4,125,000	1,050,540
West Sussex Health and Social Care NHS Trust	1,151,981	713,569	116,255
Total	219,557,709	21,421,082	9,868,516

Mr. Burstow: To ask the Secretary of State for Health what the annual maintenance budget for each NHS mental health trust in England was in each of the last five years. [133848]

Mr. Hutton: The annual maintenance budgets for national health service mental health trusts is not centrally collected.

Data for the last five years on the annual spend on maintenance costs (including engineering, building and grounds and garden maintenance costs) has been placed in the Library. Validation of the data given for 2002–03 remains subject to amendment.

These figures include:

Costs associated with the provision of engineering, building and ground and gardens maintenance.

Labour costs for directly employed and contract staff including contract support costs, fees, materials, and;

Pay elements for senior managers and all associated staff where involved in maintenance;

Expenditure relating to the employment of staff belonging to an external organisation (including private finance initiative work).

Capital works involving adaptations, improvements and/or alterations are not included.

The trusts listed in the table are those defined as mental health and exclude any trusts where only a minority of services relate to mental health.

Mersey Regional Ambulance Service

Helen Jones: To ask the Secretary of State for Health, how many times during the past six months the Mersey

Regional Ambulance Service has been contacted by BT expressing concern about the way in which the service deals with emergency calls. [136789]

Miss Melanie Johnson: British Telecom has contacted the Mersey Regional Ambulance Service National Health Service Trust once in the last six months to discuss how the trust can improve the handling of emergency calls.

Helen Jones: To ask the Secretary of State for Health how many calls the Mersey Regional Ambulance Service *(a)* failed to answer within two minutes and *(b)* took more than five minutes to answer in each of the past 12 months. [136790]

Miss Melanie Johnson: The Merseyside Ambulance Control Centre has recently updated its call routing system and therefore information prior to August is not available.

The number of calls with a delay in excess of two minutes is shown in the table.

2003	*Number of calls*
August	195
September	236
October	332

Note:
The number of calls has been supplied directly from the Mersey Ambulance Service NHS Trust and is not validated Department of Health data.

Mersey Regional Ambulance Service do not routinely collect data that follows the format of calls that took more than five minutes to answer.

Helen Jones: To ask the Secretary of State for Health what steps have been taken by the Mersey Regional Ambulance Service to develop an education and training strategy as recommended by the Commission for Health Improvement; and if he will place a copy of the strategy in the Library. [138434]

Miss Melanie Johnson: The Mersey Regional Ambulance Service National Health Service Trust has incorporated its training and education strategy into the human resources strategy. This is in line with the national human resources agenda and has received endorsement from the trust's executive team and the human resources committee.

Helen Jones: To ask the Secretary of State for Health what steps are being taken by the Mersey Regional Ambulance Service to improve the patient transport service. [138436]

Miss Melanie Johnson: The Mersey Regional Ambulance Service National Health Service Trust has developed an improvement and modernisation programme in consultation with staff and trade unions for its patient transport service (PTS) operation. The PTS operation is performance managed and progress is reported regularly to the trust board and the performance management committee.

Helen Jones: To ask the Secretary of State for Health what procedures have been put in place by the Mersey Regional Ambulance Service to ensure that all staff are trained in infection control. [138438]

Miss Melanie Johnson: All staff employed in the emergency and paramedic service at Mersey Regional Ambulance Service National Health Service Trust receive training in infection control as part of their basic training and education. Training in infection control also forms part of the standard induction programme for all operational staff, which includes staff within the patient transport service.

Helen Jones: To ask the Secretary of State for Health if he will place in the Library a copy of the action plan agreed between the Mersey Regional Ambulance NHS Trust and the central commissioning group for its area. [138449]

Miss Melanie Johnson: The action plan has not yet been agreed by the relevant parties. A copy will be placed in the Library in due course.

Helen Jones: To ask the Secretary of State for Health, what steps have been taken by the Mersey Regional Ambulance Service to ensure that all staff *(a)* are aware of and *(b)* act upon their Guidelines for the Management of Infection in the Pre-Hospital Setting. [138711]

Miss Melanie Johnson *[holding answer 17 November 2003]:* I am advised by Cheshire and Merseyside Strategic Health Authority that the Mersey Regional Ambulance Service National Health Service Trust has a detailed infection control policy. All staff receive copies of the policy and are required to confirm in writing that they have read and understood its content and their responsibilities.

Helen Jones: To ask the Secretary of State for Health, what steps have been taken by the Mersey Regional Ambulance Service Trust *(a)* to assess the implementation of the Community Paramedic Scheme and to *(b)* ensure it has the confidence of the public following the publication of the report by the Commission for Health Improvement on the Trust. [138712]

Miss Melanie Johnson *[holding answer 17 November 2003]:* I am advised by the Cheshire and Merseyside Strategic Health Authority that, following the report of the Commission for Health Improvement, the Mersey Regional Ambulance Service National Health Service Trust has introduced a policy together with procedures for "first responders" within the region. The policy has been approved by the trust board.

Helen Jones: To ask the Secretary of State for Health, what steps the Mersey Regional Ambulance Service has taken to implement an action plan for the use of the decontamination unit; and on what date the unit was brought back into use. [138713]

Miss Melanie Johnson *[holding answer 17 November 2003]:* I am informed by the Cheshire and Merseyside Strategic Health Authority that the plan for ensuring that the Mersey Regional Ambulance Service National Health Service Trust has an effective decontamination facility was written in April 2003. The decontamination unit was brought back into use during August 2003.

Helen Jones: To ask the Secretary of State for Health, what procedures have been introduced by the Mersey Regional Ambulance Service Trust for the safe storage and custody of drugs in ambulances following the report on the Trust by the Commission for Health Improvement. [138715]

Miss Melanie Johnson *[holding answer 17 November 2003]:* I am advised by the Cheshire and Merseyside Strategic Health Authority that, following the report of the Commission for Health Improvement, the Mersey Regional Ambulance Service National Health Service Trust's existing procedures were reinforced to ensure consistency of approach for the storage of drugs.

Helen Jones: To ask the Secretary of State for Health, what steps have been taking by the Mersey Regional Ambulance Service to ensure that all patients' report forms are treated as confidential documents. [139070]

Miss Melanie Johnson: The patient report forms used within the Mersey Regional Ambulance Service National Health Service Trust are stored on ambulances in a safe box, they are not accessible by members of the public. Within the ambulance stations, patient report forms are stored in locked cabinets. Only staff responsible for checking, auditing or completing the patient report forms are able to view them.

Helen Jones: To ask the Secretary of State for Health what procedures have been put in place by the Mersey Regional Ambulance Service to improve access to *(a)* research literature and *(b)* the internet at ambulance stations. [139071]

Miss Melanie Johnson: The Mersey Regional Ambulance Service National Health Service Trust has installed computers in all work areas. This allows access to email, the internet and research literature.

Helen Jones: To ask the Secretary of State for Health, what action has been taken by the Mersey Regional Ambulance Service Trust to ensure that all staff are aware of the Trust's whistle-blowing policy; and what training managers have received on the implementation of this policy. [139072]

Miss Melanie Johnson: The Mersey Regional Ambulance Service National Health Service Trust reviewed and amended its existing whistle blowing policy in line with Department of Health guidance in September 2003. Managers were provided with details of the changes and copies of the policy and the associated guidance were issued. All remaining staff at the trust will receive the updated guidance before the end of November 2003.

Helen Jones: To ask the Secretary of State for Health, how many staff grievances have been lodged with the Mersey Regional Ambulance Service since March 2002. [139073]

Miss Melanie Johnson: The Mersey Regional Ambulance Service National Health Service Trust has received 66 grievances since March 2002.

Helen Jones: To ask the Secretary of State for Health, what steps have been taken by the Mersey Regional Ambulance Service to introduce more effective clinical and monitoring support for paramedics. [139075]

Miss Melanie Johnson: The Mersey Regional Ambulance Service National Health Service Trust has undergone a significant restructuring of the management team. This includes the introduction of clinical managers who supervise and monitor staff and provide effective clinical supervision and support for paramedics.

Helen Jones: To ask the Secretary of State for Health, what steps have been taken by the Mersey Regional Ambulance Service Trust to ensure that all staff working in the Patient Transport Service receive life support skills training; and how many staff have undergone such training since the last Commission for Health Improvement report on the Trust. [139076]

Miss Melanie Johnson: All staff working within the patient transport service at Mersey Regional Ambulance Service National Health Service Trust receive life support training upon commencement of employment. Since April 2003, 33 new starters have undergone the training and 60 staff have undergone refresher training.

National School Fruit Scheme

Dr. Evan Harris: To ask the Secretary of State for Health (1) how much the Government has spent centrally on the National School Fruit Scheme in the last five years for which figures are available; and what central allocations have been made for this in this year and future years; [128229]

(2) what central funding sources other than the National Lottery New Opportunities Fund are used to fund the Five-a-Day healthy eating programmes; and how much has been allocated through these other funding sources in *(a)* the last three years, *(b)* the current year and *(c)* future years. [128230]

Miss Melanie Johnson: Over the three years 2000–01, 2001–02 and 2002–03 the Department of Health made available £3.3 million of central funds to support its Five-A-Day programme, comprising £1.8 million for the National School Fruit Scheme and £1.5 million for community pilots. Department of Health support in 2003–04 and future years will be from central resources for cardiovascular disease and cancer prevention overall, which are not allocated to specific programmes.

NHS Consultants

Mr. Brazier: To ask the Secretary of State for Health, what procedure he has established to ensure that where a patient is removed from the UK waiting list of a NHS consultant, the consultant is *(a)* kept informed of the clinical outcomes and *(b)* involved in their post-operative care. [136742]

Mr. Hutton: Any patient referred from the National Health Service to an independent provider (including an overseas provider) will have a discharge letter completed by the independent provider. This is forwarded to their NHS consultant and general practitioner. Where orthopaedic patients are treated abroad, there is support and agreement to register these patients on the United Kingdom national joint registry.

Care and follow-up arrangements are arranged according to individual needs. Patients who are sent abroad for treatment will remain in the care of the overseas consultant for a period of two to three weeks depending on the treatment they receive. The patient is formally discharged following a post-operative assessment carried out usually between six and eight weeks post-treatment. If the patient requires treatment in the interim, he or she is entitled to seek a referral to NHS provision through the usual routes by GP or

emergency admission, should this be required. Overseas consultants are happy to discuss the clinical care of NHS patients by telephone should the patients UK consultant wish to do so.

NHS Expenditure

Dr. Cable: To ask the Secretary of State for Health, to what extent the National Health Service spending has been *(a)* over and *(b)* under planned levels in (i) financial year 2001–02 and (ii) the first half of this financial year; and if he will make a statement. [136870]

Mr. Hutton: The resource underspend for the Department, which includes National Health Service spending, in 2001–02 was £526 million. The Department plans to spend all available resources in the current financial year. To ensure that best use is made of resources in year, end-year flexibility arrangements allow expenditure to be carried forward into the next financial year.

NHS Finance

Mr. Geoffrey Robinson: To ask the Secretary of State for Health what per capita expenditure was on the NHS in 1997–98; what it was in 2002–03; and what it is expected to be in future years for which plans have been made. [137681]

Mr. Hutton: The table shows total net national health service expenditure per head of population in England for 1997–98 and for the period 2002–03 to 2007–08.

£ million

		Spend per head[1,2,3]
Cash		
1997–98	Outturn	710
Stage 2		
2002–03	Plan	1,130
2003–04	Plan	1,240
2004–05	Plan	1,360
2005–06	Plan	1,490
2006–07	Plan	1,640
2007–08	Plan	1,800

[1] For 1997–98, figures are on a cash basis, whereas figures for the period 2002–03 to 2007–08 are on a stage 2 resource budgeting basis. As a result, figures are not comparable across the period.
[2] Figures are calculated using population projections provided by ONS.
[3] Figures are rounded to the nearest 10.

Andy Burnham: To ask the Secretary of State for Health if he will give the distance from target in cash terms for each primary care trust in England for each year of the current spending round. [138936]

Mr. Hutton: Primary care trust distances from targets for 2003–04, 2004–05 and 2005–06 have been placed in the Library.

NHS Records (Electronic System)

Mr. Austin Mitchell: To ask the Secretary of State for Health, how the transfer of NHS records to an electronic system will be funded. [135630]

Mr. Hutton: The integrated care records service (ICRS) is one element of the national programme for information technology (NpfIT) in the National Health Service. Central funding for the NPfIT in the NHS is to be made available from the Spending Review 2002 as follows—£370 million in 2003–04, £730 million in 2004–05 and £1.2 billion in 2005–06.

The costs for the ICRS are being calculated as part of the ongoing procurement and financial management processes within the Spending Review 2002 envelope.

Exact costs are subject to current procurement negotiations. Due to commercial confidentiality and sensitivity it would not be in the public interest to reveal the details of the negotiations and the potential costs.

The content of the ICRS databases will be generated initially from information already held within NHS systems. This process will be undertaken by local service providers as part of the initial implementation phase during 2004. Over the course of time, the ICRS will build up a summary of relevant health episodes for patients.

The ICRS is not about re-entering all of the historical data held on existing systems or paper records but about improving patient care through the capture, use and availability of accurate and up-to-date quality data.

NHS Reference Costs

Dr. Fox: To ask the Secretary of State for Health if he will set out the formula and *(b)* calculations on which the NHS reference costs are based. [134951]

Mr. Hutton: The Reference Costs collection entails collecting unit cost and activity data from all National Health Service providers in England, for each financial year.

Various appropriate activity currencies are used for a range of services and treatments provided by the NHS, which form part of the scope of the Reference Costs collection. Unit cost data is produced by submitting NHS organisations in accordance with the rules detailed in the NHS Costing Manual, to ensure that both cost and activity data are calculated on a consistent and comparable basis.

The Department of Health collates such data, and produces national average unit cost figures, by calculating, for each service/treatment area, the total national cost for the service, and then dividing this by the total reported activity for that service, at national level.

All national average costs are published in the National Schedule of Reference Costs, at service level, in conjunction with national activity levels, and interquartile ranges, detailing the ranges between which the middle 50 per cent. of NHS provider costs lie.

To calculate National Reference Cost Index scores at individual organisation level, the individual NHS providers' activity is multiplied by the national average unit costs for each service/treatment category, undertaken by that NHS provider. This produces a total expected cost for each service/treatment area for each provider. When added together, this establishes an

expected cost that each provider would be expected to incur if they were operating at the national average cost per treatment, procedure, etc.

An Index score of 100 signifies that on average, a provider is operating at national average cost levels. A score higher than 100 indicates that for their current level of activity, on average, an NHS provider is operating at costs higher than would be expected for this level of activity. Conversely, a score of less than 100 indicates that the organisation is operating at costs less than would be expected, were they to be operating at national average unit cost levels, for a particular financial year.

NHS Staff

Mr. Burstow: To ask the Secretary of State for Health, on which NHS equipment his Department holds information of the numbers in service. [136907]

Ms Rosie Winterton: There is no central point in the Department of Health that collates information on numbers of the equipment that is in service within the National Health Service.

Non-smoking Areas

Mr. Steinberg: To ask the Secretary of State for Health, what plans he has to make it compulsory for restaurants and cafes to have non-smoking areas. [135656]

Miss Melanie Johnson: We have no plans to make it compulsory for restaurants and cafes to have non-smoking areas.

We will continue to work with partners to encourage smoke-free policies across the country, whilst at the same time increasing support for smokers who want to quit.

I am encouraged by the responsible attitude of many restaurant owners to speed up this process and am optimistic that many venues will become smoke-free. However I recognise that we still have some way to go and I encourage all businesses to respond to the levels of actual public and customer demand for more smoke-free places.

Obesity

Mr. Burstow: To ask the Secretary of State for Health if he will list the average body mass index in *(a)* England, *(b)* each region and *(c)* each strategic health authority for each of the last 10 years. [138191]

Miss Melanie Johnson: Figures available from the Health Survey for England are set out in the table. For those respondents with a valid height and weight measurement from which the body mass index could be calculated, it gives the average body mass index by Government Office Region for the period 1998–2001. Figures prior to 1998 are not available by Government Office Region. Care should be taken in interpreting trends in children's body mass index because of small sample sizes.

Mean body mass index (BMI) by survey year, Government office region, age and sex BMI (kg/m2) 1998–2001

	Government office regions									
	North East	*North West*	*Yorkshire and the Humber*	*West Midlands*	*East Midlands*	*East of England*	*London*	*South East*	*South West*	*England*
Aged 16 and over										
Men										
1998	26.2	26.5	26.6	27.1	26.4	26.6	26.1	26.6	26.5	26.5
1999	27.3	26.7	26.6	26.6	26.6	26.5	26.2	25.9	26.2	26.5
2000	27.2	26.8	26.8	27.0	26.8	27.0	26.4	26.8	26.9	26.8
2001	27.4	26.8	27.1	27.3	27.1	27.0	26.6	27.0	26.9	27.0
Women										
1998	26.6	26.4	26.4	26.7	26.8	26.4	25.9	26.1	26.5	26.4
1999	25.8	26.4	26.3	27.2	26.5	26.1	25.9	25.9	26.9	26.4
2000	26.7	26.9	26.1	27.4	27.0	26.3	26.3	26.4	26.2	26.6
2001	26.9	26.5	27.0	27.1	27.2	26.8	26.0	26.6	26.8	26.7
Aged 0–15										
Boys										
1998	17.9	17.8	17.4	18.3	17.2	17.9	17.5	17.7	18.0	17.7
1999	18.1	18.2	18.1	18.0	17.2	17.7	18.2	18.8	17.8	18.1
2000	18.2	17.9	17.5	17.9	17.8	18.0	18.2	17.9	17.5	17.9
2001	18.3	18.0	17.9	18.0	17.9	18.3	18.0	17.6	17.8	18.0
Girls										
1998	18.1	18.1	18.0	18.8	18.0	18.3	18.6	17.9	18.4	18.2
1999	17.6	18.0	17.8	19.1	17.8	18.0	18.5	17.6	18.4	18.2
2000	18.2	18.4	17.7	19.4	18.4	18.0	18.2	18.2	18.8	18.4
2001	18.8	18.8	18.0	18.1	18.7	18.2	18.1	17.7	18.3	18.3
Bases										
Men										
1998	410	936	705	639	592	743	797	991	743	6,556
1999	173	506	331	348	303	400	323	492	327	3,203
2000	192	489	376	348	304	383	367	452	348	3,259
2001	437	840	662	700	611	764	665	889	694	6,262
Women										
1998	484	1,082	819	763	671	862	960	1,216	826	7,683
1999	225	530	401	401	381	433	395	551	381	3,698
2000	245	519	437	416	327	414	440	536	368	3,702
2001	494	1,001	800	800	703	865	800	1,132	814	7,409

Mean body mass index (BMI) by survey year, Government office region, age and sex BMI (kg/m2) 1998–2001

	Government office regions									
	North East	*North West*	*Yorkshire and the Humber*	*West Midlands*	*East Midlands*	*East of England*	*London*	*South East*	*South West*	*England*
Boys										
1998	87	267	161	175	154	186	210	250	178	1,668
1999	57	123	83	76	74	105	103	130	76	827
2000	58	106	115	98	65	107	87	117	86	839
2001	124	216	155	193	155	180	145	207	157	1,532
Girls										
1998	86	264	190	139	151	185	187	234	151	1,587
1999	41	110	66	100	82	85	85	113	83	765
2000	47	111	94	111	73	89	101	120	72	818
2001	111	214	157	192	170	188	179	215	166	1,592

Note:
Figures prior to 1998 not available by Government office region.
Source:
Health Survey for England, Department of Health.

Paramedics (Data Link Schemes)

Mr. Gardiner: To ask the Secretary of State for Health, if he will provide financial assistance to the setting up *(a)* in England and *(b)* in Brent of Data Link schemes for paramedics to obtain details of a person's medical history. [136640]

Mr. Hutton: Access by paramedics to patients' medical history (subject to appropriate security and confidentiality safeguards) will be included in the core functionality of the integrated care records service (ICRS) that will be implemented across the National Health Service, beginning in 2004 as part of the national programme for information technology in the NHS. Local service providers are being appointed to work with local health communities to deliver solutions tailored to specific local needs.

Central funding for the National Programme for IT in the NHS, of which the ICRS is one component, is to be made available as follows—£370 million in 2003–04, £730 million in 2004–05 and £1.2 billion in 2005–06.

There is also some £850 million per annum provided in local baseline allocations that must be used to support investment in IT infrastructure or particular local priorities. If there is specific functionality required in Brent or elsewhere, and local circumstances or priorities dictate that it will be required sooner than ICRS will be rolling it out nationally, then local funds should be used to procure and provide that application, system or service.

Funding for local initiatives is a matter for the relevant strategic health authority and primary care trusts.

Parliamentary Questions

Mr. Baron: To ask the Secretary of State for Health when he will reply to the questions regarding chiropody services tabled on 14 October 2003 by the hon. Member for Billericay, reference numbers 131565 to 131568. [139788]

Dr. Ladyman: I replied to the hon. Member on Monday 17 November 2003, *Official Report*, column 578W.

Patient Referrals

Simon Hughes: To ask the Secretary of State for Health, how many patients have been referred by each *(a)* Strategic Health Authority and *(b)* NHS Trust in London in each of the last five years for which figures are available; and if he will make a statement. [135154]

Mr. Hutton: It has not been possible to respond to the specific question raised. Strategic health authorities do not refer patients. However, if the hon. Member requires specific waiting time information by commissioner and provider, he can visit the following website, www.doh.gov.uk/waitingtimes.

Pneumococcal Disease

Mrs. Calton: To ask the Secretary of State for Health what the recorded incidence of pneumococcal disease infection by health authorities was in the last year for which figures are available; and what estimate he has made of unreported pneumococcal disease infection by health authority. [139482]

Miss Melanie Johnson: Information on the incidence of pneumococcal disease infection by health authority (HA) is not available. Notifications are for pneumococcal meningitis only and these are listed by health authority in the table. No estimate has been made of unreported pneumococcal disease infection by HA.

Statutory notifications of pneumococcal meningitis England and Wales—2002

Health authority name	*Number*
Avon	3
Barking and Havering	2
Barnet, Enfield and Haringey	2
Barnsley	2
Bedfordshire	—
Berkshire	9
Bexley, Bromley and Greenwich	2
Birmingham	9
Bradford	5
Brent and Harrow	1
Bro Taf	—
Buckinghamshire	3
Bury and Rochdale	1
Calderdale and Kirklees	2
Cambridgeshire	—
Camden and Islington	1
Cornwall and Isles of Scilly	—

Statutory notifications of pneumococcal meningitis England and Wales—2002

Health authority name	*Number*
County Durham	—
Coventry	2
Croydon	—
Doncaster	1
Dorset	4
Dudley	2
Dyfed Powys	4
Baling, Hammersmith and Hounslow	2
East Kent	2
East Lancashire	—
East London and The City	1
East Riding	4
East Surrey	—
East Sussex, Brighton & Hove	—
Gateshead and South Tyneside	—
Gloucestershire	—
Gwent	2
Herefordshire	—
Hertfordshire	3
Hillingdon	—
Isle of Wight, Portsmouth and South East Hampshire	1
Kensington & Chelsea and Westminster	—
Kingston and Richmond	—
Lambeth, Southwark and Lewisham	2
Leeds	3
Leicestershire	3
Lincolnshire	2
Liverpool	—
Manchester	3
Merton, Sutton and Wandsworth	—
Morecambe Bay	—
Morgannwg	—
Newcastle and North Tyneside	3
Norfolk	11
North and East Devon	—
North and Mid Hampshire	2
North Cheshire	2
North Cumbria	2
North Derbyshire	—
North Essex	—
North Nottinghamshire	1
North Staffordshire	—
North Wales	4
North West Lancashire	2
North Yorkshire	—
Northamptonshire	3
Northumberland	1
Nottingham	7
Oxfordshire	1
Port Health Authority	—
Redbridge and Waltham Forest	—
Rotherham	1
Salford and Trafford	3
Sandwell	—
Sefton	—
Sheffield	—
Shropshire	1
Solihull	—
Somerset	—
South and West Devon	4
South Cheshire	1
South Essex	1
South Number	—
South Lancashire	—
South Staffordshire	—
Southampton and South West Hampshire	3
Southern Derbyshire	1
St Helens and Knowsley	4
Stockport	—
Suffolk	1
Sunderland	—
Tees	—
Wakefield	—
Walsall	—
Warwickshire	1
West Kent	5
West Pennine	1
West Surrey	1
West Sussex	4
Wigan and Bolton	2
Wiltshire	2
Wirral	6
Wolverhampton	1
Worcestershire	—
Total	166

Source:
Health Protection Agency, Communicable Disease Surveillance Centre.

Poultry Waste

Judy Mallaber: To ask the Secretary of State for Health what plans the Food Standards Agency has to provide guidance to those involved in the meat trade to *(a)* improve self-regulation and *(b)* assist the trade in identifying criminal activity in the distribution of poultry waste. [137585]

Miss Melanie Johnson: The Food Standards Agency (FSA) has assisted meat trade organisations in preparing and publicising the Industry Code of Practice on the Production, Handling and Processing of Animal By-Products. The FSA will also in December be discussing with other food trade organisations what further action can be taken to identify and prevent fraudulent diversion of unfit meat into the food chain. In addition, the FSA is commissioning a study into the possible use of a marker in low risk animal by-products, which will enable both industry and enforcers to detect meat which is unfit or not intended for human consumption, but does not prevent the legitimate use of such material, for example, in pet food.

Judy Mallaber: To ask the Secretary of State for Health what action is planned to ensure effective policing of the segregation of high and low risk waste at poultry slaughterhouses and its distribution from slaughterhouses; and what plans he has to provide extra resources to the Meat Hygiene Service for this purpose. [137586]

Miss Melanie Johnson: The Food Standards Agency (FSA) has revised its instructions to the Meat Hygiene Service (MHS) on the enforcement of animal by-products legislation, and the FSA is auditing the MHS's performance against those instructions. In addition, as part of the FSA's action plan to implement the recommendations of the Waste Food Task Force, the Agency is working with the Department for Environment, Food and Rural Affairs and the MHS to produce a new, joint, risk-based regime for enforcement of animal by-products legislation in licensed premises. This will make best use of existing enforcement expenditure. In addition to this, the FSA is currently considering the case for extra expenditure for animal by-products enforcement in licensed premises as part of its review of MHS functions.

Prostate Cancer

Bob Spink: To ask the Secretary of State for Health (1) what progress the Government has made in reducing the incidence of prostate cancer in the last five years; [133863]

(2) what his Department's strategy is for tackling prostate cancer. [133882]

Miss Melanie Johnson: Good progress has been made since the National Health Service Prostate Cancer Programme was launched on 6 September 2000, setting out the Government's approach to improving prostate cancer services in England and Wales.

As part of the Prostate Cancer Risk Management Programme (PCRMP), evidence-based primary care resource packs were sent to all general practitioners in England from 23 September 2002 to aid them in counselling men who are worried about prostate cancer, ensuring the men make an informed choice about whether or not to have a prostate specific antigen (PSA) test.

Other elements of the PCRMP include ensuring that a systematic and standardised follow up pathway is available for individuals whose test result is above the PSA threshold and action to improve the quality of laboratory testing of PSA samples. Primary care and laboratories were informed of the related recommendations from the scientific reference group, which supports the PCRMP, in September 2002.

In 2003–04 the Department will be directly funding £4.2 million of research a year on prostate cancer. This compares with just £98,000 in 1996–97. Two National Cancer Research Institute prostate cancer research collaboratives have been established in Newcastle and London. Funded research includes studies on various treatments for prostate cancer, improving the PSA test and ethnic differences in prostate cancer incidence. The National Cancer Research Institute considered prostate cancer as part of its strategic analysis in 2002, but made no specific recommendations.

The Department has funded the following regarding public awareness:

Section 64 grant to the Prostate Cancer Charity to increase further information about prostate cancer.

Section 64 grant to the Prostate Cancer Charity to improve awareness of the risks and symptoms of prostate cancer in African and Afro-Caribbean men in Britain.

The database of individual patient experiences in prostate cancer. 97.5 per cent. of patients with suspected urological cancers (including prostate) were seen for their first out-patient appointment within two weeks of their general practitioner deciding they should be urgently referred, and the hospital receiving the referral within 24 hours, between April and July 2003.

The cancer services collaborative is modernising cancer care, including prostate cancer, by reducing unnecessary delays in the system for patients throughout the cancer journey.

There has been an increase in the number of consultant urologists from 427 in 2001 to 466 to 2002, and is set to grow to 504 in 2005.

The incidence of prostate cancer has risen over the last five years. Much of this increase is thought to be due to an increased use of the PSA test and a lengthening of life expectancy.

Much has been achieved on prostate cancer since the Prostate Cancer Programme was launched, but we recognise that there is still much to be done. That is why we welcomed the launch of the Prostate Cancer Charter for Action on 29 January 2003, and set up the Prostate Cancer Advisory Group (PCAG) to ensure better collaboration and communication between the charter members and Government. PCAG is already taking forward work on information for prostate cancer patients, public awareness and a national prostate cancer resource website.

School Sport

Mrs. Calton: To ask the Secretary of State for Health pursuant to the answer of 10 November 2003, *Official Report*, column 64W, on school sport, what assessment has been made of the percentage of school children who *(a)* were offered and *(b)* took up two hours per week of high quality physical education and school sport in the last year for which figures are available. [139031]

Mr. Stephen Twigg: I have been asked to reply.

The Government is investing more than £1 billion in England to transform physical education, school sport and club links. The funding will help deliver an ambitious Public Service Agreement target, shared by the Departments for Education and Skills and for Culture, Media and Sport, to increase the percentage of 5 to 16-year-olds who spend a minimum of two hours each week on high quality PE and school sport within and beyond the curriculum to 75 per cent. by 2006. Data collected during the autumn term 2002 suggested that about a third of schools provided this entitlement at Key Stage 1, two fifths at Key Stage 2 and a third at Key Stages 3 and 4. Data are now being collected for the first time—for publication in April 2004—on the number of pupils who choose to take up this entitlement.

Sexual Health

Sandra Gidley: To ask the Secretary of State for Health how many people were treated for sexually transmitted infections, broken down by *(a)* type of infection, *(b)* sex of patient and *(c)* age of patient in (i) Eastleigh and Test Valley South, (ii) Southampton City and (iii) Mid-Hants Primary Care Trust, in each of the last 10 years. [138153]

Ms Rosie Winterton: It is not possible to break down the information into the areas requested in the time frame requested. However, the figures for the old Southampton and South West Hampshire Health Authority area are shown in the tables.

Primary diagnosis (ICD-10 A50-A64, B20-B24) STDs, HIV/AIDS QD3 Southampton and South West Hampshire HA of residence—count of finished in year admission episodes by primary diagnosis—NHS hospitals England 1996–97 to 2001–02

Primary diagnosis	1996–97	1997–98	1998–99	1999–2000	2000–01	2001–02
A52 Late Syphilis	2	1	—	—	1	—
A53 Other and unspecified syphilis	—	—	1	—	—	—
A54 Gonococcal Infection	—	—	—	—	—	1
A56 Other sexually transmitted chlamydial diseases	—	—	1	—	—	1
AGO Anogenital herpesviral (herpes simplex) infection	2	1	—	2	1	1
A63 Other predominantly sexually transmitted diseases NEC	4	5	5	5	4	5
B20 Human immunodef virus disease resulting in infectious parasitic diseases	1	1	—	1	—	1
B21 Human immunodef virus disease resulting in malignant neoplasms	—	—	1	—	2	1
B22 Human immunodef virus disease resulting in other specified diseases	—	—	—	1	—	—
B23 Human immunodeficiency virus disease resulting in other conditions	1	—	—	—	2	—
B24 Unspecified human immunodeficiency virus (HIV) disease	1	2	1	3	2	3
Grand total	11	10	9	12	12	13

Primary Diagnosis (ICD-10 A50-A64, B20-B24) STDs, HIV/AIDS QD3 Southampton and South West Hampshire HA of residence—count of finished in year admission episodes by sex—NHS hospitals England 1996–97 to 2001–02

	Sex		
	Female	Male	Grand total
1996–97	3	8	11
1997–98	4	6	10
1998–99	4	5	9
1999–2000	5	7	12
2000–01	5	7	12
2001–02	7	6	13

Primary Diagnosis (ICD-10 A50-A64, B20-B24) STDs, HIV/AIDS QD3 Southampton and South West Hampshire HA of residence—count of finished in year admission episodes by age grouping—NHS Hospitals England 1996–97 to 2001–02

Age group	1996–97	1997–98	1998–99	1999–2000	2000–01	2001–02
0–4	1	—	—	—	—	—
5–14	1	—	1	1	—	—
15–44	8	5	6	5	6	8
45–64	1	4	2	5	5	3
65–74	—	—	—	1	1	1
75–84	—	1	—	—	—	1
Grand total	11	10	9	12	12	13

Notes:

1. Admissions—admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.
2. Diagnosis (primary diagnosis)—the primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the Hospital Episode Statistics (HES) data set and provides the main reason why the patient was in hospital.
3. Grossing—figures have not (yet) been adjusted for shortfalls in data (ie the data are ungrossed).
4. Since data is residency based, figures between one and six do not need to be suppressed as authorised by the Security and Confidentiality Group (SCAG).
5. Prior to 1996–97 there were differences in organisational formation and/or how diagnosis data was collected meaning that data would not be comparable with those years given.

Source:

Hospital Episode Statistics (HES), Department of Health.

Sight Loss

Nick Harvey: To ask the Secretary of State for Health if he will estimate the cost to *(a)* the NHS, *(b)* individuals, *(c)* families and carers, *(d)* local authorities and *(e)* taxpayers of 3,000 people losing their sight; and if he will make a statement. [138055]

Ms Rosie Winterton: We have not made any assessment of these costs. The costs of blindness will differ according to who becomes blind and when. It is not possible to separate the costs of blindness and partial sight given current information.

The latest estimates of the costs of blindness and visual impairment are from a study commissioned for the Guide Dogs for the Blind Association in July this year.[1]

The report's estimates of the annual non-treatment costs for people registered blind or partially sighted in England in various groupings are shown in table 1.

Table 1: Estimate of annual non-treatment costs for people with blindness/partial sight

£

	Estimate per person
Children	1,123
Working age	19,841
Elderly	4,980
Total	7,561

Notes:

[1] These costs make assumptions, based on expert opinion and judgments from the literature, about typical income received from: disability living allowance, carer's allowance, vision rehabilitation services, income support, job seeker's allowance, tax allowances; the provision of community based healthcare and the numbers of blind and partially sighted people unemployed.

[2] The major costs are for those of working age which may be overstated since the report makes assumptions about the lost productivity to the economy related to unemployment among the blind and visually impaired and assumes that this can be represented by average earnings. If there are flexible labour markets and non-negligible unemployment then some portion of this "lost" productivity will be recovered through other workers.

[3] Costs could be overestimates since it is not clear from the research whether these are the costs incurred by an average blind or partially sighted person, or the costs that are directly attributable to their blindness or partial sight, for example, some of those who are unemployed and blind or partially sighted would have been unemployed if they were not blind or partially sighted.

It is not possible to identify treatment costs specifically for those who are blind (or as a result of blindness) from NHS data sources. It is possible to identify the costs of treatment for glaucoma and cataracts, which are both conditions that are associated with low vision and can lead to blindness. The costs shown in table 2 are from the Guide Dogs for the Blind Association report.

Table 2: Estimate of treatment costs for cataracts and glaucoma

£

	Estimate per person
Glaucoma	1,016
Cataracts	688

Finally, the literature on the "out-of-pocket costs" for blind patients has been reviewed by the Royal National Institute for the Blind. At 2000 prices, these are estimated to be around £52 per person per week.

[1] "The costs of blindness: An analysis of the costs of visual impairment and blindness in the United Kingdom". July 2003, Ethical Strategies Limited. The report can be downloaded free of charge from http://www.healthyeyes.org.uk/index.php?id = 25.

Social Care

Tim Loughton: To ask the Secretary of State for Health, what discussions he has had with west Sussex Social Services Department regarding the provision of central funding for the social care of residents of the Chagos Islands arriving in west Sussex. [134770]

Dr. Ladyman: Officials in the Department of Work and Pensions and the Foreign and Commonwealth Office are considering, with the Department of Health, the situation of destitute Chagosians in the United Kingdom and specifically in west Sussex. Ministers at the Department of Health have had no direct contact with west Sussex County Council on this matter. Departmental officials, however, have maintained close contact with officers of west Sussex County Council.

South Woodham Ferrers Health Clinic

Mr. Francois: To ask the Secretary of State for Health what plans he has to expand services at the South Woodham Ferrers Health Clinic; and if he will make a statement. [139677]

Dr. Ladyman: I have no plans to expand South Woodham Ferrers Health Clinic.

However, I am informed that Maldon and South Chelmsford Primary Care Trust's bid to Chelmsford borough council's Jubilee fund was successful and they received £75,000 from that fund which it intends to use to redesign South Woodham Ferrers Health Clinic. The PCT has secured planning permission but has revised its original plan which will result in the addition of three further outpatient suites. The PCT is currently awaiting the decision of the borough council's planning committee on the revised plans.

Strategic Health Authorities

Mr. Clifton-Brown: To ask the Secretary of State for Health which strategic health authority has the highest deficit; what guidance he will give Avon, Wiltshire and Gloucestershire Strategic Health Authority about its deficit; how much the Avon, Wiltshire and Gloucestershire Strategic Health Authority received from the Government in financial year 2002–03; how much the *(a)* Bristol, *(b)* Bath, *(c)* Wiltshire and *(d)* Gloucestershire regions received of that sum; and if he will make it his policy when making allocations within strategic health authority areas to award greater sums to regions which (i) have a higher population and (ii) have demonstrated higher standards of performance. [134548]

Ms Rosie Winterton: In 2002–03, the last year for which we have audited accounts, the Avon, Wiltshire and Wiltshire and Gloucestershire Strategic Health Authority area reported the highest overall deficit. The Avon, Wiltshire and Gloucestershire SHA economy received a total resource allocation of £1.989 billion. The table shows distribution of the allocation across its primary care trusts.

The Department has asked the Avon, Wiltshire and Gloucestershire SHA to ensure that each National Health Service body within the health economy plans for and achieves financial balance and delivers its key targets.

From 2003–04 revenue resources have been allocated to primary care trusts on the basis of the relative needs of their populations. A weighted capitation formula is used to determine each primary care trust's target share of available resources.

Avon, Gloucestershire and Wiltshire SHA Revenue Allocations to Primary Care Trusts 2002–03

£ Thousand

Organisation code	*Organisation name*	*Revenue Resource Limit allocated*
5FL	Bath and North east Somerset PCT	156,601
5JF	Bristol North PCT	211,930
5JG	Bristol South and West PCT	183,161
5KW	Cheltenham and Tewkesbury PCT	120,921
5KY	Cotswold and Vale PCT	155,152
5K4	Kennet ande North Wiltshire PCT	158,080
5M8	North Somerset PCT	161,638
5A3	South Gloucestershire PCT	190,965
5DJ	South Wiltshire PCT	100,038
5K3	Swindon PCT	164,870
5KX	West Gloucestershire PCT	186,743
5DH	West Wiltshire PCT	93,620
	Total PCT Allocation	1,883,719
Q20	Avon, Gloucestershire and Wiltshire SHA	105,366
	Total AGW Patch Position	1,989,085

Source:
Strategic Health Authority summarisation forms 2002–03
Primary Care Trust Summarisation Schedules 2002–03

Stroke Treatment

Mr. Baron: To ask the Secretary of State for Health (1) what percentage of stroke patients are being treated in specialist stroke units; [139784]

(2) what percentage of stroke patients he plans will be treated in specialist stroke units by April 2004. [139785]

Dr. Ladyman: We do not collect the information requested centrally. However, stroke is one of the condition specific standards (Standard 5) incorporated into the national service framework for older people. The target is that by April 2004, 100 per cent. of all general hospitals which care for people with stroke will have a specialised stroke service as described in the stroke service model, and that all people who are thought to have had a stroke will have access to diagnostic services and access to specialist stroke services as appropriate.

The most comprehensive source of information on stroke is the National Sentinel Stroke Audit, carried out by the Royal College of Physicians. The audit was commissioned by the National Health Service in 1998 and was last updated in 2002. The results can be found at http://www.rcplondon.ac.uk/pubs/strokeaudit01–02.pdf. There will be a further update of these figures in 2004.

Transgenes Research

Joan Ruddock: To ask the Secretary of State for Health what published research he has assessed on the effects of transgenes on cellular processes other than the intended function of the gene; and what research he has commissioned on this subject. [136062]

Miss Melanie Johnson *[holding answer 4 November 2003]:* Department of Health research funding is largely focused on research to bring the benefits of new medicines into the national health service. The Department of Health has not commissioned research on this subject. Basic scientific research of this nature is mainly funded by the research councils.

Waiting Lists/Times

Mr. Burns: To ask the Secretary of State for Health if he will publish the latest available *(a)* inpatient waiting list figures and *(b)* outpatient quarterly figures for the Mid-Essex Hospital Trust area. [139469]

Dr. Ladyman: Inpatient waiting list figures for Mid-Essex Hospital Trust for quarter 2, 2003–04 are shown in the table.

Inpatient Waiting List Figures

	Q2 September 2003–04
Total waiting	8,123
Less than 3 months	4,195
3–5 months	2,137
6–8 months	1,354
9–11 months	436
12–14 months	1

There are no reported waits for the 15 to 24 month periods.

Outpatient quarterly figures for Mid-Essex Hospital Trust are shown in the table.

Outpatient quarterly figures

	September Q2 2002–04
Number of referral requests for first outpatient appointments	
GP written	14,687
Other	11,878
Effective length of wait from receipt of GP written referral request to first outpatient attendance (weeks)	
0 to <4	3,964
4 to <13	5,985
13 to <17	1,294
17 to <21	457
21 to <26	12
26 and over	0
Not yet seen at end of quarter who have been waiting (weeks)	
13 to <17	871
17 to <21	148
21 to <26	0
26 and over	0

Source:
Department of Health quarterly figures for Mid Essex Hospital Trust area

Written Answers to Questions

Thursday 20 November 2003

MINISTER FOR WOMEN

Working Time Directive

Miss McIntosh: To ask the Minister for Women what recent assessment she has made of the implications of the Working Time Directive on women's employment. [140173]

Ms Hewitt: I have not been able to answer this Question before Prorogation. I will write to the hon. Member and place a copy in the Libraries of both Houses.

LEADER OF THE HOUSE

Party Funding

Mr. Watson: To ask the Leader of the House what recent discussions he has had with the Electoral Commission on the inquiry into the funding of political parties; and if he will make a statement. [140240]

Mr. Hain: I met the Chairman of the Electoral Commission on 18 November 2003 to discuss the Commission's work on the funding of political parties, and have spoken to him on other occasions about this and other issues.

CABINET OFFICE

Civil Contingencies Secretariat

Miss McIntosh: To ask the Minister for the Cabinet Office if he will make a statement on the recent work of the Civil Contingencies Secretariat. [140169]

Mr. Alexander: On 19 June 2003, the Civil Contingencies Secretariat published a revised third edition of Dealing with Disaster and a draft Civil Contingencies Bill which establishes a new framework for civil protection against the challenges of the 21st century. The draft Bill is currently being considered by a Joint Committee of both Houses. The Secretariat continues to improve the resilience of the United Kingdom to disruptive challenges through working with others to anticipate, assess, prevent, prepare, respond and recover.

Lord Birt

Norman Lamb: To ask the Minister for the Cabinet Office if he will make a statement on the contribution made by Lord Birt to the Cabinet Office Strategy Board. [139778]

Mr. Alexander: Lord Birt, who was appointed in October 2001 as an unpaid strategy adviser to the Prime Minister, attends the Cabinet Office Strategy Board as an external member.

SCOTLAND

Identity Cards

John Thurso: To ask the Secretary of State for Scotland what discussions he has had with Ministers in the Scottish Executive in relation to the introduction of identity cards. [138966]

Mrs. McGuire: My right hon. Friend and I have regular meetings with Scottish Executive Ministers, at which a wide range of issues affecting Scotland are discussed.

PRIME MINISTER

Arctic Veterans

Mr. Hancock: To ask the Prime Minister pursuant to his answer to the hon. Member for Nottingham, North (Mr. Allen), on 5 November 2003, what procedure the request for medals for Arctic veterans has undergone, what further stages have to be gone through; and if he will make a statement. [137891]

The Prime Minister: First, I would like to pay tribute to the bravery and dedication of all those who sailed in the Arctic convoys. Those who served in the Arctic Convoys during the Second World War were awarded a medal, the Atlantic Star, at the time to mark their important contribution.

The general policy on medals, which has been followed by successive Governments over many years, is that two separate medals are not awarded for any one exercise or campaign. In addition, except in cases where specific criteria are met as in the case of the Suez Canal Zone, proposals for new medals are not considered more than five years after the event.

Any further representations or requests for new evidence to be examined should be sent to the Ministry of Defence in the first instance.

Presidential Elections (USA)

Norman Baker: To ask the Prime Minister if it is his policy to remain neutral on the outcome of presidential elections in the United States of America. [140151]

The Prime Minister: Yes.

State Visit

Norman Baker: To ask the Prime Minister if he will list the representations he has received from organisations in the United States regarding the forthcoming visit of US President Bush, with particular reference to political organisations. [140152]

The Prime Minister: As far as I am aware, none.

War Criminals

Mr. Dalyell: To ask the Prime Minister if he will list his actions to seek to persuade the President of the United States to bring captured senior Saddam supporters to trial, with particular reference to Mr.Tariq Aziz. [140040]

The Prime Minister: United Nations Security Council resolution 1483 affirmed the need for accountability for crimes and atrocities committed by the previous Iraqi regime. We fully support this, as do the US. We believe it is for the Iraqi people to decide how to bring those responsible to justice, with suitable international help. The Governing Council is developing the idea of a Special Iraqi Tribunal to prosecute those suspected of serious human rights abuses under the former regime. No final decision has yet been reached.

SOLICITOR-GENERAL

ASBOs

Mrs. Curtis-Thomas: To ask the Solicitor-General what guidance the Crown Prosecution Service in Merseyside has provided to the Merseyside police in relation to antisocial behaviour orders; and who is responsible for requesting that an order be made. [132336]

The Solicitor-General: I regret that it has not been possible to provide an answer before Prorogation. I will write to the hon. Member and place a copy of the letter in the Library.

Conviction Rates

Mrs. Anne Campbell: To ask the Solicitor-General what the conviction rate was for prosecutions under *(a)* a designated public places order and *(b)* the model bye-law for an on-street drinking ban in each year since the introduction of the DPPO. [136380]

The Solicitor-General: I regret that it has not been possible to provide an answer before Prorogation. I will write to the hon. Member and place a copy of the letter in the Library.

Corruption Legislation

Mr. Simon Thomas: To ask the Solicitor-General whether she has refused consent for any investigations or prosecutions to be carried out under corruption legislation. [132362]

The Solicitor-General: I regret that it has not been possible to provide an answer before Prorogation. I will write to the hon. Member and place a copy of the letter in the Library.

Illegal Immigrants

Mr. Denham: To ask the Solicitor-General if she will make a statement on prosecutions under the Proceeds of Crime Act 2002 of people who have employed illegal immigrants. [136361]

The Solicitor-General: I regret that it has not been possible to provide an answer before Prorogation. I will write to the hon. Member and place a copy of the letter in the Library.

Serious Fraud Office

Mr. Mike Hancock: To ask the Solicitor-General (1) when she will reply to the written questions, tabled by the hon. Member for Portsmouth South on 14 October 2003, refs *(a)* 131900, *(b)* 131901 and *(c)* 131902; [139578]

(2) how many *(a)* offences of fraud and *(b)* serious frauds involving breaches of trust by professionals were reported to the Serious Fraud Office in each of the last three years; how many prosecutions were initiated; what the outcome was in each case; and if she will make a statement; [131900]

(3) what plans she has to set up branches of the Serious Fraud Office in the regions; [131901]

(4) what recent assessment she has made of the work of the Serious Fraud Office; and if she will make a statement. [131902]

The Solicitor-General: I regret that it has not been possible to provide an answer before Prorogation. I will write to the hon. Member and place a copy of the letter in the Library.

CULTURE, MEDIA AND SPORT

BBC Charter

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport what recent representations she has received on the renewal of the BBC Charter; and if she will make a statement. [140172]

Tessa Jowell: The review of the BBC's Charter will be wide-ranging, with full industry and public consultation, and will, I hope, be characterised by vigorous and open debate. The process will be extensive and thorough, with several opportunities for people to feed in their views, and there will be an appropriate parliamentary stage.

It will begin before the end of the year when I issue a consultation document outlining the main issues for consideration.

My Department has already received numerous representations about a wide range of issues relating to the BBC. Those views will, along with information from a variety of other sources, including formal public consultation, be used to inform the Government's thinking on Charter review.

Crystal Palace

Mr. Hawkins: To ask the Secretary of State for Culture, Media and Sport what recent discussions she has had with *(a)* Sport England and *(b)* relevant local and other authorities on the future of Crystal Palace as a sports stadium. [140177]

Mr. Caborn: I regret that it has not been possible to provide an answer before Prorogation. I shall therefore write to the hon. Member and place a copy of my reply in the Libraries of both Houses.

Ethical Tourism

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport what action the Government is taking to support ethical tourism schemes. [139397]

Mr. Caborn: The Government welcomes in principle the efforts of individual tourism businesses who promote themselves under an eco-tourism banner. We regard such businesses as an important element of the mix of tourism products available to consumers.

There are no plans to introduce a national, Government-sponsored, eco-tourism award scheme. However, several such schemes do operate independently in the UK, often aimed at a geographical or product niche. The Government supports their aims. Indeed on 12 November 2003 I met the operator of one such conservation scheme, targeted at caravan parks, for a discussion about environmental tourism.

Golf

John Mann: To ask the Secretary of State for Culture, Media and Sport what funds are available to develop young golfers through municipal golf courses. [140060]

Estelle Morris: Participation projects in golf are eligible for Sport England Lottery Funding, and golf received a total of 40 grants worth £8.9 million between 1995 and May 2003.

Sport England also provides £92,000 of Exchequer funding annually to the Golf Foundation for the development of Junior Officers. The role of Junior Officers is to encourage young people to participate in the sport, through schemes such as Tri-Golf which is now being delivered throughout primary schools and social inclusion partnerships bringing golf to young people in areas of social and economic deprivation.

Leisure Facilities

John Mann: To ask the Secretary of State for Culture, Media and Sport what initiatives she has discussed to improve access to leisure facilities in disadvantaged communities. [140061]

Estelle Morris: We are investing £581 million through the New Opportunities Fund (NOF) in sports facilities for schools in England. The Space for Sport and Arts programme is putting £130 million into primary school sports facilities in 65 of the most deprived LEAs in the country. (This includes £25 million from NOF.)

We are investing £459 million in the national strategy for PE, school sport and club links. This includes a further £10 million to enhance primary-school playgrounds in 27 deprived areas and £60 million for the Community Club Development Programme to improve amateur club facilities. Distribution is a matter for governing bodies, but the programme is targeted at deprived areas and disadvantaged groups.

Licensing Act

Mr. Steen: To ask the Secretary of State for Culture, Media and Sport what fees she will introduce under the Licensing Act 2003; what estimate she has made of the cost of implementing the Act in each of the next three years; and what estimate she has made of the amount which will be raised from applications for licences. [139763]

Mr. Caborn: Proposed fee levels and the expected costs of compliance with the Act were set out in the Regulatory Impact Assessment which accompanied the Licensing Bill and is available from the House Library. Regulations setting out these fees will be laid before Parliament shortly. The Department is working closely with the Local Government Association to ensure that fees are set at a level to which provides for full cost recovery in respect of administration, inspection and enforcement.

Lottery Funding

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what her policy is on the recovery of Lottery funding from projects awarded grants which subsequently fail. [140230]

Estelle Morris: Lottery distributing bodies are required, under their financial directions, to attach conditions to each Lottery grant, enabling the distributor concerned to seek repayment of the grant, in full or in part, in certain circumstances. These circumstances include a breach by the recipient of any of the grant conditions; a material change of purpose, ownership or recipient during the project or after its completion; and cases where the recipient ceases to operate, becomes insolvent, fails to apply the grant for the purpose for which it was awarded, fails to complete the project, is found to have completed its application form fraudulently, incorrectly or misleadingly, or acts fraudulently or negligently during the completion of the project. The Department has issued guidance to the distributing bodies on the matters to be taken into account when they are considering seeking recovery of a Lottery award.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport whether Lottery distributors monitor the performance of successful Lottery bids against the criteria under which they were granted. [140231]

Estelle Morris: Each Lottery distributing body's financial directions require the body to institute a system for project monitoring in respect of capital and revenue projects supported with Lottery funds, to monitor whether the objectives and terms and conditions of grant are being met. The exact nature of monitoring will vary in individual cases depending on the size, nature and complexity of the project concerned.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport how much Lottery funding has been recovered from failed Lottery projects in each of the past five years for which figures are available, broken down by Lottery fund. [140232]

Estelle Morris: I regret that it has not been possible to provide an answer before Prorogation. I shall therefore write to the hon. Member and place a copy of my reply in the Libraries of both Houses.

Market Research

Dr. Cable: To ask the Secretary of State for Culture, Media and Sport how much her Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if she will make a statement. [139981]

Mr. Caborn: I regret that it has not been possible to provide an answer before Prorogation. I shall therefore write to the hon. Member and place a copy of my reply in the Libraries of both Houses.

Meridian Station (New Hythe)

Miss Widdecombe: To ask the Secretary of State for Culture, Media and Sport if she will make a statement about the future of the Meridian station in New Hythe. [140010]

Estelle Morris: This is a matter for the Independent Television Commission, who I understand are currently considering Meridian's proposals.

Millennium Fund

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport (1) what assessment is undertaken of the use made of successful Millennium Fund bids; [140233]

(2) what assessment is undertaken of the financial viability of bids to the Millennium Fund; and if she will make a statement. [140234]

Tessa Jowell: I will write to the hon. Member in my capacity as Chair of the Millennium Commission, and place copies of my reply in the Libraries of both Houses.

NM Rothschild and Sons Ltd

Kevin Brennan: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on services provided to her Department by NM Rothschild since 1997. [139965]

Mr. Caborn: I regret that it has not been possible to provide an answer before Prorogation. I shall therefore write to my hon. Friend and place a copy of my reply in the Libraries of both Houses.

Olympic Bid

Mr. Hawkins: To ask the Secretary of State for Culture, Media and Sport what the total cost to public funds was of running the competition for a logo for the UK Olympic bid for London 2012. [140209]

Tessa Jowell: London 2012 Ltd organised an open competition to design the logo with a prize of £10,000 and associated organisational costs of £18,000. The competition attracted 1,100 entries generating community involvement in the bid, and was judged by a panel including athletes, designers, a school sports co-ordinator and a London black cab driver. The winning logo, which will be used on all bid materials and communications, from advertising and building wraps through to badges and pens, was produced by Kino Design. London 2012 Ltd have estimated that using a private design agency would have led to considerably higher costs.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Culture, Media and Sport what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for her Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137955]

Estelle Morris: Performance targets for the department were agreed as part of Spending Review 2002. The monitoring and measurement of PSA targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the department, and as such it is not possible to separate the specific costs out. The monitoring of progress towards, and performance against, the department's PSA targets is undertaken by a wide variety of staff at all levels of the organisation.

Mr. Flight: To ask the Secretary of State for Culture, Media and Sport if she will list the performance targets that *(a)* her Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if she will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137970]

Estelle Morris: Key performance targets for the Department for Culture, Media and Sport are agreed as part of the Spending Review and the latest set were published in Spending Review 2002: Public Service Agreements 2003–2006 (Cm 5571). The department monitors progress towards the target along with HM Treasury and PMDU and progress is reported regularly.

Performance targets for the majority of the Department's non-departmental public bodies can be found in the 2003–2006 funding agreements between the Department and the relevant body, which were laid in the Library of the House on 25, 26 and 29 of September 2003. Performance targets for English Heritage and the Historic Royal Palaces are contained in these bodies annual reports which have been laid in the Library of the House. Performance targets for Sport England and Arts Council England are still being formulated.

Achievement against the targets is monitored by the department, including through meetings between the Secretary of State/Ministers and relevant Chief Executives.

Prime Funding

Mr. Hawkins: To ask the Secretary of State for Culture, Media and Sport what discussions she has had since July with leaders of sporting bodies which are not in the list of 10 for prime funding with public money announced on 18 November by the Chairman of Sport England. [140178]

Mr. Caborn: None. The list of sports which will qualify as priorities for Lottery funding at governing body level was and is entirely a matter for Sport England. The 10 sports announced on 18 November will be priorities for the 40 per cent. of total sports Lottery funding which will be allocated for governing body support at national level. The other 60 per cent. will be distributed through the nine Regional Sport Boards, which will consider projects on their merits and without regard to the national priority list.

Television Advertising

Ms Shipley: To ask the Secretary of State for Culture, Media and Sport if she will list the dates of meetings she and her officials have had with representatives of *(a)* the advertising industry, *(b)* commercial television channels and *(c)* the food and drink industry during the last six months. [138676]

Tessa Jowell *[holding answer 18 November 2003]*: I regret that it has not been possible to provide an answer before Prorogation. I shall therefore write to the my hon. Friend and place a copy of my reply in the Libraries of both Houses.

TV Licences

Sir Nicholas Winterton: To ask the Secretary of State for Culture, Media and Sport (1) for what reason the Television Licensing Authority collects six months' money in advance from TV licence holders who opt to pay for their licences using the direct debit facility; under what powers the Television Licensing Authority collects such advance payments; and how much was held in advance payments on the latest date for which figures are available; [139389]

(2) what percentage of TV licence holders using the direct debit payment facility who surrendered their licences before the end of that term subsequently claimed refunds on their extra payments, in the last period for which figures are available; [139390]

(3) what percentage of deceased TV licence fee payers who used the direct debit payment facility subsequently had refunds claimed by their executors for the six months' extra payments, in the last year for which figures are available; [139391]

(4) if she will abolish the six-month pre-payment scheme for TV licence fee payers opting to use the direct debit facility; and if she will make a statement. [139394]

Estelle Morris: I regret that it has not been possible to provide an answer before Prorogation. I shall therefore write to the hon. Member and place a copy of my reply in the Libraries of both Houses.

Women's Sport

Angela Eagle: To ask the Secretary of State for Culture, Media and Sport what research has been commissioned by her Department into the gender balance of television sports coverage; and if she will make a statement. [139568]

Estelle Morris *[holding answer 19 November 2003]*: This Department has not undertaken any research in this area because broadcasters are generally free to respond to the needs and preferences of viewers in making their scheduling decisions. It is a well established principle of broadcasting that Government only intervenes in the sports broadcasting market to seek to ensure that all viewers, including the lower paid and the elderly, have "free to air" access to listed sporting events.

CONSTITUTIONAL AFFAIRS

Asylum Seekers

Mrs. Curtis-Thomas: To ask the Parliamentary Secretary, Department for Constitutional Affairs what legal advice is made available to asylum seekers. [139651]

Mr. Lammy: Publicly funded legal help is available for those making an asylum application, provided the client is financially eligible. Where an asylum application is refused, further legal advice and representation is available for an appeal, although at this stage the availability of public funding is subject to a strict merits test.

Only solicitors' firms or advice agencies that hold a contract with the Legal Services Commission may undertake publicly funded work.

My Department recently consulted on a series of changes to publicly funded immigration and asylum advice and representation. An announcement on the way forward will be made separately. In addition, the Department, the Home Office and the Legal Services Commission are currently examining the initial decision-making stage of the asylum process with particular regard to the role that publicly funded legal advice plays.

House Repossessions

Malcolm Bruce: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many house repossessions there have been in each region per quarter since 2000. [140174]

Mr. Leslie: Figures for the number of possession proceedings executed per quarter since 2000 are provided in the following tables.

	2000					*2001*				
Region	*Qtr 1*	*Qtr 2*	*Qtr 3*	*Qtr 4*	*2000 total*	*Qtr 1*	*Qtr 2*	*Qtr 3*	*Qtr 4*	*2001 total*
East Midlands	1,232	986	1,218	1,075	4,511	1,019	880	950	1,029	3,878
Eastern	1,253	832	1,162	882	4,129	1,029	882	1,048	1,027	3,986
London	4,907	4,844	5,055	4,994	19,800	5,519	4,801	6,063	5,451	21,834
Merseyside	421	378	383	537	1,719	357	1,053	1,982	397	3,789
North East	717	523	595	518	2,353	500	677	555	621	2,353
North West	1,786	1,329	1,672	1,531	6,318	1,322	1,281	1,262	1,591	5,456
South East	1,464	1,455	1,301	1,299	5,519	1,311	1,311	1,911	1,552	6,085
South West	875	546	561	567	2,549	504	526	456	555	2,041
Wales	841	665	773	811	3,090	761	787	774	757	3,079
West Midlands	1,548	1,415	1,489	1,693	6,145	1,861	1,956	1,923	1,816	7,556
Yorkshire and Humber	1,432	1,322	1,315	1,379	5,448	1,497	1,240	1,558	1,268	5,563
England and Wales	16,476	14,295	15,524	15,286	61,581	15,680	15,394	18,482	16,064	65,620

	2002					2003	
Region	*Qtr 1*	*Qtr 2*	*Qtr 3*	*Qtr 4*	*2002 total*	*Qtr 1*	*Qtr 2*
East Midlands	1,012	1,904	1,112	1,157	5,185	1,183	1,016
Eastern	956	1,379	1,070	1,028	4,433	2,158	831
London	4,608	4,172	4,798	5,549	19,127	4,750	4,579
Merseyside	396	390	362	394	1,542	794	736
North East	849	492	760	559	2,660	650	563
North West	1,355	1,145	1,624	1,673	5,797	1,133	1,182
South East	1,197	1,271	1,705	1,775	5,948	1,286	1,534
South West	602	875	1,039	925	3,441	832	859
Wales	508	1,498	678	755	3,439	935	502
West Midlands	1,771	1,532	1,495	1,225	6,023	1,110	1,903
Yorkshire and Humber	1,167	1,254	1,388	1,294	5,103	1,076	1,124
England and Wales	14,421	15,912	16,031	16,334	62,698	15,907	14,829

Magistrates (Wales)

Chris Ruane: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will list the members of Advisory Committees for the appointment of magistrates in Wales. [140366]

Mr. Leslie: There are 105 members of the Lord Chancellor's Advisory Committees on Justices of the Peace in Wales. Following is a full list of their names and the Committees on which they sit.

Clwyd

Mrs. Lindsay Catherine Wilding
Mr. Toby Glynn Prosser
Mr. Michael William Pugh
Mrs. Gillian Mary Peers
Mr. William Gareth Hughes
Mr. Thomas Charles Davies
Mr. Martyn George Johnston
Mr. Reginald Evans
Mr. Charles Frederick Sammons
Mrs. Elizabeth Alice Jones
Mrs. Margaret Laura Rees
Mr. Norman Land
Mr. Trefor Jones

Dyfed-Carmarthen

Lord John Morris
Mrs. Martha Elizabeth Esme Jones
Mr. David Islwyn Lewis
Mr. Thomas David Griffith Williams
Mr. Malcolm Morgan Jones
Mrs. Eira Ann Jenkins
Mr. Emyr Wyn Jones
Mr. Arwel John Davies
Mr. John Patrick French
Mrs. Stella Jean Jones

Dyfed-Ceredigion

Lord John Morris
Mr. Geoffrey Kenneth Walker
Mrs. Nansi Elleri Davies
Mr. David John Davies
Dr. Julian Raymond Evans
Mr. Robert George Harris
Mrs. Sheila Elizabeth Speed
Mr. Lodwick Lloyd
Professor David Hywel Emlyn Roberts
Professor Ian Michael Roffe
Reverend Peter Morgan Thomas
Mrs. Annie Wendy Mary Lloyd
Mr. Huw Prys Williams

Dyfed-Pembroke

Lord John Morris
Mr. David Robert Smalley Clarke
Mrs. Mollie Roach
Mrs. Mary Elizabeth Smith
Mrs. (Rev.) Nanette Lewis-Head
Mr. Thomas Jones
Mrs. Margaret Jane John
Mr. Stanley John Barry Vaughan
Mr. Christopher John Noott
Mrs. Dorothy Jean Lewis
Mr. Stephen Watkins

Gwent

Mr. David Michael Parry Kenny
Mr. Simon Boyle
Mr. Keith Dykes
Mrs. Judith Margaret Anthony
Mrs. Anne Christine Thomas
Mrs. Judith Elizabeth Child
Mr. Stuart John Telling

Mid-Glamorgan

Mr. David Morgan
Mrs. Gillian Anne Rees
Mrs. Helen Ruth Brooks
Mrs. Moira Rosalind Evans
Mr. Trefor Coslett Davies
Mrs. Carole Ann Blandford
Mrs. Kathrin Elizabeth Thomas

South Glamorgan

Captain Norman Lloyd-Edwards
Cllr. Mrs. Janie Jones
Mr. Paul Raymond Marshall
Mrs. Dianne Hughes
Mr. Herbert John Tonkin
Mr. Peter James Emery
Mr. John Lewis Jones
Mrs. Elizabeth Stewart Williams

West Glamorgan
Dr. John Delwyn Morgan
Mrs. Wenna Maud Parry Evans
Mr. Elliot Griffiths
Mrs. Lynda Heycock
Mrs. Roberta Louise Fleet
Mrs. Janet Eleanor Osborne
Mrs. Margaret Elizabeth Williams
Mr. Gordon Cowie
Miss Barbara Mary Lewis
Mr. Kenneth Lewis
Mr. Philip Wernford James
Mr. Taha Idris

Powys
Lady Beryl Christine Davies
Mrs. Kay Jeanette Hay
Ms Lynette Kretchmer
Mrs. Ceri Elizabeth Havard
Mr. Gareth Richard Price
Mr. Egan Thomas Morgan
Mr. David Richard Jones
Mr. Colin Smith
Mrs. Lavenda June Pettitt
Mr. Donald Lewis Davies
Mrs. Margaret Elizabeth Morris
The Hon. Mrs. Shan Legge-Bourke
Mr. Joseph Anstie Vaughan Blackham

Gwynedd
Dr. Helen May Roberts
Professor Eric Sunderland
Mrs. Susan Wynn-Jones
Mrs. Jean Marian Bryson
Mr. Alwyn Lloyd Ellis
Mr. Carroll Hughes
Mr. Thomas Arthur Hughes
Mr. Edmund Caerwyn Roberts
Mrs. Carey Jennifer Jones
Mrs. Alexandra Mary Jaundrill
Mr. Bryan Maxwell Humphreys

Royal Prerogative

Mr. Greg Knight: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will require Government Departments to lay before Parliament each month from 1 January 2004 a written statement listing decisions *(a)* made and *(b)* implemented using the Royal Prerogative. [140204]

Mr. Leslie: No. As the Prime Minister has indicated previously to the House, records are not kept of the individual occasions on which powers under the Royal Prerogative are exercised, nor would it be practicable to do so.

Consultants

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the cost to his Department was of the use of external consultants in *(a)* 2002–03 and *(b)* the last six months. [139245]

Mr. Lammy: The Department's net expenditure with external consultants in the financial year dated 2002–03 was £5.7 million.

My Department only collects information on consultancy expenditure on an annual basis at the end of the financial year, so figures for the current year are not yet available.

Crown Immunity

Huw Irranca-Davies: To ask the Parliamentary Under Secretary of State, Department for Constitutional Affairs, if he will make a statement on the impact of *(a)* the Freedom of Information Act 2000 and *(b)* human rights legislation on disclosure of information from hearings under which access is restricted owing to Crown Property immunity from prosecution. [133075]

Mr. Leslie: Consideration is being given to the issue of the State's immunity from criminal proceedings. Both the Government's consultation paper on the reform of the law on involuntary manslaughter, in May 2000. and 'Revitalising Health and Safety' in June 2000, contained proposals for removing or modifying that immunity.

In the light of the responses to those publications, an inter-departmental working group was established. My noble Friend. the Under Secretary of State, Lord Filkin. will write to the hon. Member when further infomation is available.

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134684]

Mr. Lammy: My Department has no residential properties used by Ministers or officials.

Electronic Voting

Mr. Watson: To ask the Parliamentary Secretary, Department for Constitutional Affairs what meetings he has had with manufacturers of electronic voting machines. [140027]

Mr. Leslie: I have not met with any manufacturers to discuss electronic voting machines, but my hon. Friend the Minister of State for Local Government has met a number of such manufacturers as part of the local elections pilots programme over the past three years.

Gender Recognition Certificates

Mr. Woodward: To ask the Parliamentary Secretary, Department for Constitutional Affairs what assessment he has made of *(a)* the impact on a marriage where one person is granted a full gender recognition certificate, *(b)* the effect on children in a marriage where one person is granted a FGRC and *(c)* the financial effects of one partner in a marriage being granted a FGRC. [138168]

Mr. Lammy: This Government are committed to understanding and recognising the needs and aspirations of transsexual people. We recognise that transsexual people face many challenges not least the

impact on their family should they decide to seek legal recognition in an acquired gender. The purpose of the draft Bill is specifically to give transsexual people legal recognition in their acquired gender, and with that legal recognition transsexual people will be expected to conform with gender specific arrangements that would apply to anyone sharing their legal gender.

(a) The issue of what to do with existing marriages is a complex one. The Government's policy is clear on existing marriages that involve a transsexual person. It is a policy founded on the fact that UK law does not recognise marriage between two people of the same legal gender and the Government do not intend to see that position charmed.

(b) Transsexual parents will no doubt consider carefully what impact their gaining legal recognition in an acquired gender might have on their children. A transsexual person will retain his or her parental status after being granted a full gender recognition certificate and, thereby, legal recognition in their acquired gender.

(c) The issue of an interim gender recognition certificate makes the existing marriage of the successful applicant voidable at the application to the Courts of either party to the marriage but has no effect beyond that. In granting the annulment, the Court will be able to make orders dealing with financial and other issues arising from the annulment of the marriage.

(d) The Government have conducted a consultation exercise for same sex civil partnership and will publish their response in due course. If a civil partnership scheme is created, an individual who has been married prior to receiving recognition in the acquired gender could, subsequent to receiving recognition, register a civil partnership with the same individual.

House Sales

Simon Hughes: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many house sales there were at more than *(a)* £50,001, *(b)* £100,001, *(c)* £200,001, *(d)* £500,001, *(e)* £750,001 and *(f)* £1 million in London in each of the last six years for which figures are available. [139932]

Mr. Lammy: The figures for each completed calendar year are as follows. Land Registry collects residential property price data by specified price bands and it is not possible to provide figures for sales specifically at "more than £750,001". An alternative range has therefore been provided.

More than (£)	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
50,001	74,570	65,405	63,064	41,335	30,720	16,134
100,001	44,801	50,443	69,947	69,665	82,899	87,567
200,001	15,859	18,535	29,968	35,032	46,098	64,462
500,001	1,616	1,842	2,867	3,636	4,188	5,899
800,000	401	383	682	928	1,112	1,378
1 million	480	608	939	1,428	1,070	2,046

Lord Chancellor

Lady Hermon: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many responses he received to the "Constitutional Reform: Reforming the Office of the Lord Chancellor" consultation document; how many of these responses came from *(a)* the judiciary and legal professions, *(b)* Government Departments and agencies, *(c)* political parties and hon. Members, *(d)* main representative groups and interested parties, *(e)* ecclesiastical representatives and organisations in (i) England, (ii) Wales, (iii) Scotland and (iv) Northern Ireland; and when the Government intend to issue its response to the responses received. [140101]

Mr. Leslie: There have been 225 responses to the consultation paper on "Constitutional Reform: reforming the office of the Lord Chancellor". There have been four responses from Northern Ireland, and two from Scotland. Apart from this, all responses have been from England. A further breakdown of these responses is set out in the following table.

The Government will be announcing its decisions in the light of responses to the consultation as soon as possible.

	Total	*England*	*Wales*	*N. Ireland*	*Scotland*
A) Judiciary and legal	19				
Judges	4	4	0	0	0
Associations/ societies	14	11	0	2	1
Solicitors	2	0	0	0	0
B) Government Departments/agencies	9				
Government Departments	5	5	0	0	0
Advisory committees/ local authorities	4	4	0	0	0
C) Political parties and hon. members	2				
Political parties	0	0	0	0	0
Members of the House of Lords	2	0	0	0	0
Members of the House of Commons	0	0	0	0	0
D) Main representative groups and interested parties	36	33	0	2	1
E) Ecclesiastical representatives/ organisations	142	142	0	0	0

There have been 17 responses from members of the general public

225 responses received in total

Magistrates (Wales)

Chris Ruane: To ask the Parliamentary Under Secretary of State, Department for Constitutional Affairs what the declared political allegiance of magistrate benches in Wales was in the last year for which figures are available. [140367]

Mr. Leslie: Applicants to the magistracy are no longer asked to declare their political affiliation. The most recent figures, however, give the position in April 2003. These show that, of those who declared any affiliation, 526 declared for Labour, 473 for the Conservatives, 240 for the Liberal Democrats and 126 for Plaid Cymru.

Market Research

Dr. Cable: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much the Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if he will make a statement. [139990]

Mr. Lammy: My Department conducts a range of exercises to measure public satisfaction with services and to assess future needs. Information regarding expenditure on such activities is not held centrally and could be obtained only at disproportionate cost.

Office for the Supervision of Solicitors

Mr. Pickthall: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on the rate of throughput of cases in the Office for the Supervision of Solicitors. [139678]

Mr. Lammy: The OSS produce a monthly Digest of Performance Measures and Statistics which gives details of their performance. From January 2003 to October 2003, their throughput of cases is as follows:

Combined performance of conduct and service cases

Per cent.

Percentage of cases closed within	*Jan–Oct 2003*
3 months	45
6 months	67
12 months	89
18 months	96
21 months	98

Further details are available on the Law Society website www.lawsociety.co.uk. (Please refer to the "Visitors" site for the Office for the Supervision of Solicitors.)

INTERNATIONAL DEVELOPMENT

Overseas Assistance

Mr. Bercow: To ask the Secretary of State for International Development what proportion of European Community overseas development assistance has gone to low income countries in each of the last 10 years. [139545]

Mr. Gareth Thomas: The proportion of European community overseas development assistance which went to low income countries over the last 10 years was:

	Percentage
2002	[1]52
2001	43
2000	38
1999	43
1998	46
1997	46
1996	52
1995	60
1994	59
1993	53

[1] Provisional

Source:

Geographical Distribution of Financial Flows to Aid Recipients, OECD-DAC.

Food Aid

Tom Brake: To ask the Secretary of State for International Development which countries have been the top five recipients of *(a)* UK and *(b)* EU food aid in 2003; what tonnages of food each received, broken down by food type in each of the last five years; and what local production of these food types was in the five countries in each of the last five years. [138889]

Hilary Benn: The top five recipients of UK bilateral food aid in 2002–03 are:

	£ million
Central Africa (regional)	25.75
Ethiopia	19.04
Zimbabwe	6.51
Zambia	4.28
Angola	2.75

EC figures (including UK attribution) for 2003 are not yet available.

UK Government food aid contributions are made in cash rather than in kind and disbursed through a variety of means including World Food Programme and Non-Governmental Organisations. Neither DFID nor the EC hold centrally information relating to the tonnages and types of food then purchased, or the local production statistics in each of the recipient countries. To answer the question fully and going back over five years, would incur disproportionate cost.

HIV/AIDS

Mr. Bercow: To ask the Secretary of State for International Development what proportion of pregnant women aged between 15 and 24 years in sub-Saharan Africa suffered from HIV/AIDS in the last year for which figures are available. [139535]

Mr. Gareth Thomas: There is limited data on the prevalence rate among pregnant women in the 15 to 24-year-age group. However, the level of HIV infection among pregnant women is similar to that in the general female population and the latter can be used as a proxy for the prevalence in pregnant women of the same age.

The latest UNAIDS estimates of the prevalence rate of HIV/AIDS in women aged 15 to 24 years in sub-Saharan Africa range between a low of 6.4 per cent. and a high of 11.4 per cent. at the end of 2001. The World Bank estimates the middle point of this range as 9.3 per cent.

Mr. Bercow: To ask the Secretary of State for International Development what the prevalence rates of HIV infection were in vulnerable groups in Asia in each of the last 10 years. [139541]

Mr. Gareth Thomas: Comprehensive data showing prevalence rates for these vulnerable groups in Asia is not available for the whole period requested. What data is available comes mainly from internationally accepted sources e.g. UNAIDS (see www.unaids.org). It does suggest a clear trend of increasing HIV prevalence in specific vulnerable groups in several countries.

DFID is working closely with others, including UNAIDS, to improve data on HIV prevalence in these marginalised and often hidden population groups in China, India and other Asian countries.

Illiteracy

Mr. Bercow: To ask the Secretary of State for International Development if he will make a statement on illiteracy in developing countries in *(a)* 1980, *(b)* 1990 and *(c)* 2000. [139621]

Mr. Gareth Thomas: The Dakar Goal on literacy calls for a 50 per cent. improvement in levels of adult literacy by 2015. The world is making steady but slow progress on this goal. In 2000, almost one fifth of the world's adults, 862 million people aged 15 and over, were illiterate. This means that over the last two decades we have seen an improvement of less than 10 per cent. in adult literacy rates, from approximately 70 per cent. in 1980 and 75 per cent. in 1990 to 80 per cent. in 2000. Women continue to be disproportionately affected and still account for almost two-thirds of the world's illiterates. Clearly, the world needs to intensify efforts if the Dakar literacy goal is to be achieved

DFID believes that literacy is key to enabling individuals to acquire the basic skills necessary to build and sustain a livelihood, and to participate in and shape society. To support national governments in their efforts to reduce levels of illiteracy, DFID focuses on strengthening education systems to increase access to good quality primary education for all children. Since May 1997 the Government have committed over £700 million to support sustainable, high quality, primary education systems in developing countries. We will do more. Between 2002 and 2007 we intend to invest about £1 billion in education.

At the same time, improving literacy practice for adults will continue to be an integral part of many different sectoral programmes supported by DFID, such as health, transport and water. We will continue to emphasise the need to ensure that all such efforts to improve literacy levels are given appropriate priority in poverty reduction strategies.

Iraq

Mr. Gardiner: To ask the Secretary of State for International Development pursuant to his answer of 1 September 2003, to the hon. Member for Edinburgh West (John Barrett), *Official Report*, column 809W, if he will make a statement on the work of the task force set up to remove radioactive material removed from the civil nuclear facility at al-Tuwaitha in Iraq. [138617]

Mr. Rammell: I have been asked to reply.

The findings of the inspection team which assessed the extent and impact of the looting of the storage drums and containers from Al Tuwaitha has been reported by the Director General of the International Atomic Energy Agency (IAEA). The inspection team found that approximately 200 containers, used for storing low-enriched uranium, had been removed and the contents dispersed. The quantity and type of compounds dispersed were not found to be sensitive from a proliferation point of view. The site has now been secured and the radioactive material sealed in concrete.

A second task force, consisting of the Iraqi Ministry of Health, Ministry of the Environment, World Health Organisation (WHO), Coalition Provisional Authority, IAEA and NGOs was convened to address the potential risk to public health caused by the residual radioactive materials within the looted containers. As a result, the MoH, MoE and WHO have initiated a survey, through local public health centres, to assess and monitor the population potentially affected. The survey, still in its preliminary phase, has been disrupted by the impact of the bombing of the UN HQ on 19 August 2003 and has yet to be completed. The UK Government has provided £6 million to WHO in 2003 to support WHOs sectoral lead in health in Iraq.

Poverty Reduction Strategy Papers

Mr. Bercow: To ask the Secretary of State for International Development if he will list the follow-up action taken by the countries which have completed poverty reduction strategy papers. [139617]

Hilary Benn: So far, Poverty Reduction Strategy Papers (PRSPs) are being implemented in 32 countries, three of which are in the process of implementing their second PRSP (Bolivia, Nicaragua and Uganda). Through its Country Offices and with international partners, DFID is working closely to monitor progress on implementation.

Preliminary evidence suggests that many of these countries are using their PRSPs to maintain processes for civil society participation; improve the framing of macroeconomic policies; improve policies for service delivery and governance; improve public expenditure management; and shift spending priorities towards poverty reduction.

According to the World Bank and IMF, expenditure on poverty-reducing sectors (e.g. health, education, water, sanitations) has increased in PRSP countries by 4 per cent. of total spending, and by 1.5 per cent. of GDP. However, implementation of these strategies remains at an early stage, and will require sustained support both from country governments and the

international community to help meet emerging challenges and realise the Millennium Development Goals.

Primary Education

Mr. Bercow: To ask the Secretary of State for International Development what percentage of primary age children enrolled in primary school in Asia in each of the last 10 years. [139538]

Mr. Gareth Thomas: Internationally agreed figures for Primary school enrolment for each of the last 10 years do not exist. However the most recent Education For All Global Monitoring Report published by UNESCO in November 2003 compares the Net Enrolment Rate, defined as the number of pupils in the official primary school age group enrolled in primary school as a percentage of the primary school age population, for the Asia regions (Central Asia, East Asia and the Pacific, and South and West Asia) between 1990 and 2000. Details are:

Primary net enrolment ratio

	1990	*2000*
Central Asia	82	91
East Asia and Pacific	96	93
South and West Asia	73	81

The Education For All Global Monitoring Report 2003–04, containing this data, is available at http://www.efareport.unesco.org

Mr. Bercow: To ask the Secretary of State for International Development what the ratio of girls to boys enrolled in primary school in Asia has been in the last 10 years. [139612]

Mr. Gareth Thomas: Internationally agreed figures for gender ratios of enrolments for each of the last 10 years do not exist. However the most recent Education For All Global Monitoring Report published by UNESCO in November 2003 compares the Gender Parity Index (GPI), defined as the ratio of female-to-male gross enrolment ratios, for the Asia regions (Central Asia, East Asia and the Pacific, and South and West Asia) between 1990 and 2000. Details are:

Ratio of girls to boys in primary school

	1999	*2000*
Central Asia	0.99	0.99
East Asia and Pacific	0.94	0.99
South and West Asia	0.76	0.84

The Education For All Global Monitoring Report 2003–04, containing this data, is available at http://www.efareport.unesco.org

HOME DEPARTMENT

Air Guns

Chris Ruane: To ask the Secretary of State for the Home Department how many incidents of violent crime involving air guns there have been in each of the past 20 years; and how many *(a)* fatalities and *(b)* woundings involving air rifles there have been in each of the past 20 years. [140427]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Antisocial Behaviour

Mr. Wray: To ask the Secretary of State for the Home Department how many people were issued with fines for vandalism in each year since 1997; what proportion of fines have been paid; and what proposals he has to ensure that fines are not ignored. [136272]

Caroline Flint: I will write to my hon. Friend and place a copy of my letter in the Library.

Dr. Kumar: To ask the Secretary of State for the Home Department what additional resources will be available to the police to enable them to implement the provision of the Anti-Social Behaviour Bill, with particular reference to Middlesbrough, South and East Cleveland. [139573]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Asylum Seekers

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what recent discussions he has had with the Scottish Executive on procedures in place for dealing with unaccompanied minors seeking asylum in the UK who are resident in Scotland. [127864]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how many people applied for asylum in the UK in each of the last 15 years; [139643]

(2) if he will make a statement on the extent of the backlog of asylum applications; [139644]

(3) what agreement has been made with the Treasury concerning the budget for the asylum application system in this financial year; [139645]

(4) what recent measures have been implemented to improve the processing of asylum applications; [139648]

(5) if he will make a statement on the quality of decision-making in the asylum application process; [139649]

(6) what training is given to staff working in the asylum application system; [139650]

(7) what measures are in place to reduce the number of appeals against asylum application decisions; [139652]

(8) what *(a)* number and *(b)* percentage of asylum applications were rejected purely on procedural grounds in 2002–03. [139653]

(9) what his policy is on providing asylum seekers with assistance during the application process; [139655]

(10) what action he is taking to increase the number of removals of rejected asylum applicants; [139656]

(11) when his proposal to set up an annual quota for asylum seekers will be implemented; [139659]

(12) how *(a)* local government and *(b)* health providers are integrated with asylum support services. [139654]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Children Act

Mrs. Brooke: To ask the Secretary of State for the Home Department what action has been taken by *(a)* his Department and *(b)* the Prison Service following the recent judicial review finding that the Children Act 1989 covers children in prisons. [139001]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Cleveland Coroner

Vera Baird: To ask the Secretary of State for the Home Department how many inquests were outstanding in the jurisdiction of the Cleveland Coroner in *(a)* July, *(b)* August, *(c)* September and *(d)* October. [136567]

Paul Goggins *[holding answer 4 November 2003]:* I will write to my hon. and learned Friend and place a copy of my letter in the Library.

Vera Baird: To ask the Secretary of State for the Home Department how many inquests in the jurisdiction of the Cleveland Coroner were heard in *(a)* August, *(b)* September and *(c)* October by the (i) coroner, (ii) deputy coroner and (iii) assistant deputy coroner. [136568]

Paul Goggins: I will write to my hon. amd learned Friend and place a copy of my letter in the Library.

Vera Baird: To ask the Secretary of State for the Home Department what the salaries are of *(a)* the Cleveland Coroner, *(b)* his deputy and *(c)* his assistant deputy. [136569]

Paul Goggins *[holding answer 4 November 2003]:* I will write to my hon. and learned Friend and place a copy of my letter in the Library.

Consultants

Mr. Oaten: To ask the Secretary of State for the Home Department how many consultants are employed by each agency for which his Department is responsible. [138500]

Fiona Mactaggart: I will write to the hon. Member and place a copy of my letter in the Library.

Correspondence

Mr. Steen: To ask the Secretary of State for the Home Department when he will reply in full to the letter from the hon. Member for Totnes dated 29 July concerning Mrs. Mary Williams of Brixham, South Devon. [132592]

Caroline Flint: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Kaufman: To ask the Secretary of State for the Home Department if he will meet the right hon. Member for Manchester, Gorton to discuss the letter to him dated 8 September, with regard to Mr. Yacob Yonis. [138460]

Mr. Blunkett: I will write to my right hon. Friend and place a copy of my letter in the Library.

Clare Short: To ask the Secretary of State for the Home Department when he will respond to the letter of 22 April 2002 from the right hon. Member for Birmingham, Ladywood on behalf of Omar Mohammed Waiss, reference W1049328, regarding his application for an extension of his exceptional leave to remain. [139487]

Beverley Hughes: I will write to my right hon. Friend and place a copy of my letter in the Library.

Crime (International Co-operation)

Dr. Kumar: To ask the Secretary of State for the Home Department what steps he is taking to improve international co-operation on tackling crime; and what assessment he has made of the benefits of such co-operation. [139574]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Crime Statistics (Avon and Somerset)

Dan Norris: To ask the Secretary of State for the Home Department (1) how many burglaries there were in *(a)* Avon and Somerset constabulary and *(b)* Bath and North East Somerset Basic Command Unit in (i) 1997, (ii) 2002 and (iii) 2003; [136321]

(2) how many vehicle crimes there were in Avon and Somerset in *(a)* 1997, *(b)* 2002 and *(c)* 2003; [136322]

(3) how many robberies there were in Avon and Somerset in *(a)* 1997, *(b)* 2002 and *(c)* 2003. [136323]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Criminal Records Bureau

Mr. Drew: To ask the Secretary of State for the Home Department (1) what procedures are applicable for undertaking a Criminal Records Bureau check for people coming from abroad to work in the health and care sector; [140273]

(2) what procedures are in place for monitoring the performance of Capita's contract for the Criminal Records Bureau. [140274]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Curfew Orders

Mr. Mark Oaten: To ask the Secretary of State for the Home Department pursuant to his answer of 28 October, on curfew orders, *Official Report*, column 178W, when he will be able to provide the equivalent figures for 2002. [138530]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

David Blaine

Mr. Letwin: To ask the Secretary of State for the Home Department what the costs to public funds were of the recent actions of Mr. Blaine. [139921]

Ms Blears *[holding answer 20 November 2003]:* I will write to the right hon. Member and place a copy of my letter in the Library.

Deaths in Custody

Chris Ruane: To ask the Secretary of State for the Home Department how many deaths in custody of prisoners below the age of 20 years there were in each of the last 30 years. [140431]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Drug Addicts

John Mann: To ask the Secretary of State for the Home Department (1) what changes there have been in the aftercare of those released from prison receiving treatment for a drug dependency in the last 12 months; [140048]

(2) what discussions he has had with the Department of Health on the effectiveness of drug treatment facilities in prisons; and if he will make a statement; [140049]

(3) if he will make a statement on the impact of drug treatment and testing orders on the reoffending rates of heroin addicts. [140050]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Drugs

Mr. Steinberg: To ask the Secretary of State for the Home Department pursuant to his answer of 10 November 2003, *Official Report*, column 100W, on drugs, what percentage of *(a)* male and *(b)* female prisoners have been imprisoned for reoffending for drugs offences. [140075]

Paul Goggins: The latest information available for reconviction rates for prisoners discharged from establishments in England and Wales is for 1999. Of the 7,148 males and 820 female prisoners discharged in 1999 and originally sentenced for a drugs offence, 348 (5 per cent) and 28 (3 per cent) respectively were re-convicted and re-incarcerated for a further drugs related offence within two years of discharge.

Dungavel

Mr. Peter Duncan: To ask the Secretary of State for the Home Department what plans he has to vary the terms of contract between Premier Group and his Department in respect of the administration of Dungavel Immigration Removal Centre. [131552]

Beverley Hughes: I will write to my hon. Member and place a copy of my letter in the Library.

Durban Programme of Action Seminar

Mr. McNamara: To ask the Secretary of State for the Home Department (1) at what level the Government will be represented at the seminar on implementing the Durban Programme of Action convened by the UN High Commissioner on Human Rights, to be held in Brussels from 10 to 12 December 2003; [139909]

(2) what progress has been made in the last 12 months in drawing up a National Action Plan Against Racism, as agreed at the UN World Conference against Racism in Durban in September 2001. [139910]

Fiona Mactaggart: I will write to my hon. Friend and place a copy of my letter in the Library.

Economic Migration

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will hold regular public consultations on the subject of economic migration. [139657]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Electronic Tagging

Mr. Oaten: To ask the Secretary of State for the Home Department how many offenders have been electronically tagged as part of their licence conditions under section 62 of the Criminal Justice and Court Services Act 2000; what evaluation has been conducted into the operation of these powers; and if he will make a statement. [138481]

Paul Goggins: I will write to my hon. Member and place a copy of my letter in the Library.

Emergency Calls (Police Response Times)

Bob Russell: To ask the Secretary of State for the Home Department what the *(a)* target and *(b)* maximum response times are for the police to attend emergencies following 999 calls. [139386]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Essex Police

Mr. Francois: To ask the Secretary of State for the Home Department (1) how many additional police officers were employed by Essex police, for the Crime Fighting Fund on 1 September; [139667]

(2) how many regular police officers were employed by Essex Police on 1 September; [139668]

(3) how many support staff were employed by Essex Police on 1 September; [139669]

(4) what the vacancy figure for regular police officers in Essex Police on 1 September was. [139670]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Ethnic Monitoring

Mr. Oaten: To ask the Secretary of State for the Home Department (1) how many new staff were employed by the Prison Service in England and Wales

during 2002 as *(a)* governors, *(b)* prison officers and *(c)* other staff; and how many in each category were (i) black and (ii) Asian; [138397]

(2) how many people are on the National Probation Service case load by type of order; and how many in each category are *(a)* black and *(b)* Asian; [138402]

(3) how many sentenced prisoners in England and Wales are *(a)* white and *(b)* black, broken down by whether they were sentenced for (i) sexual offences, (ii) violence against another person, (iii) robbery, (iv) burglary, (v) drug offences, (vi) fraud, (vii) criminal damage and (viii) theft; [138404]

(4) what proportion of *(a)* white and *(b)* black prisoners were recommended for parole at their first review during 2002; [138405]

(5) how many people were in prison *(a)* on remand awaiting trial, *(b)* on remand awaiting sentence and *(c)* sentenced, on the latest date for which figures are available; and how many in each category were (i) black and (ii) Asian. [138403]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Firearms

Mr. Hancock: To ask the Secretary of State for the Home Department whether all the companies exhibiting equipment covered by the Firearms Acts at the Defence Systems Equipment International Exhibition in September obtained the necessary licences; and if he will make a statement. [135338]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Football Hooliganism

Mr. Sanders: To ask the Secretary of State for the Home Department what steps have been taken to close UK-based websites promoting hooligan behaviour at football grounds. [135840]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Graffiti

Mr. Watson: To ask the Secretary of State for the Home Department what recent discussions his Department has had with utility companies on measures to tackle graffiti on street furniture owned by those companies. [140237]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Heroin Addicts

Mr. Watson: To ask the Secretary of State for the Home Department how many registered heroin addicts there were in the West Midlands in the last year for which figures are available, broken down by local authority. [140238]

Caroline Flint: I will write to my hon. Friend and place a copy of my letter in the Library.

Homophobic Incitement

Dr. Evan Harris: To ask the Secretary of State for the Home Department with reference to his noble Friend's answer of 18 December 2002, *House of Lords, Official Report*, column 124WA, what plans he has to take further action against potential incitement to violence against homosexual people through song lyrics in the context of live performances. [126211]

Fiona Mactaggart: I will write to the hon. Member and place a copy of my letter in the Library.

Identity Cards

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department whether his proposal to require all foreigners in the UK to have identification cards in four years after the start of the scheme will include *(a)* citizens of Commonwealth countries, *(b)* Commonwealth citizens with resident status, *(c)* citizens of EU member states, *(d)* citizens of EU new member states and *(e)* citizens of EU applicant states. [139797]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Lady Hermon: To ask the Secretary of State for the Home Department how many of the responses received to the Government's consultation exercise on entitlement cards and identity fraud were from Northern Ireland; and how many of these responses were *(a)* in favour of and *(b)* against a card scheme. [140102]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department if he will list the Members and applicant states of the European Union where a system of obligatory identity cards is part of domestic law; what *(a)* formal, *(b)* informal and *(c)* provisional agreements (i) have been made and (ii) are under consideration between Members and applicant states for common (A) format, (B) content and (C) system of citizen identity documents and their use; and what additional action would be required by the Government in respect of compulsory use of identity cards if EU common citizenship was adopted under proposals in Article 1-8 of the Draft European Constitution. [140203]

Mr. Blunkett: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Austin Mitchell: To ask the Secretary of State for the Home Department what his policy is on whether, subsequent to the coming into effect of the proposed EU constitution, presentation of a national identity card of a member state would provide sufficient certification to permit entry to the UK. [140445]

Mr. Blunkett: I will write to my hon. Friend and place a copy of my letter in the Library.

Illegal Employment Prosecutions

Mr. Byers: To ask the Secretary of State for the Home Department (1) how many prosecutions have been brought under section 8 of the Asylum and Immigration Act 1996 in each year since its introduction; and how many have been successful; [136533]

(2) how many prosecutions have been brought under section 24 of the Immigration Act 1971 in each year since 1973; and how many have been successful. [136534]

Beverley Hughes: The latest available information on those persons proceeded against, and found guilty, under section 8 of the Immigration and Asylum Act 1996 and section 24 of the Immigration Act 1971 are shown in the table. Comparable data prior to 1983 are not available due to changes in data collection methods.

The data given for 1997 to 2001 have been revised significantly since they were published in the command paper "Control of Immigration Statistics: United Kingdom 2001" in November 2002. These corrected data are being published here for the first time. Despite being labelled as being the number of persons proceeded against under the Acts, the data for magistrates courts given previously described the number of offences and therefore have been revised downwards.

For the Crown Court, the tables previously counted immigration offences only where they were the principle offence under consideration. The figures have now been revised upwards to include the principle immigration offence, irrespective of what other offences may have been dealt with at the same time.

Information on those people proceeded against in 2002 under the Immigration Acts is due to be published at the end of Novemb[illegible] on the Home Office website: www.homeoffice.gov.u[illegible]rds/whatsnew1.html.

Persons found guilty of offences under Immigration Acts 1971 to 1996 in England and Wales

Number of persons

Act and section	*Offence[1] description*	*Found guilty*					
		1983	*1984*	*1985*	*1986*	*1987*	*1988*
All courts[2]							
Immigration Act 1971							
24(1)(a)	Entering UK in breach of a deportation order	10	13	13	6	6	5
24(1)(a)	Entering UK without leave	7	3	10	7	7	4
24(1)(b)(i), 24(1)(c)	Overstaying time limit of leave	571	599	476	446	358	229
24(1)(b)(ii), 24(1)(d)	Failure to observe conditions of leave	245	260	209	202	368	313
24(1)(e)	Failure to observe restrictions under Schedule 2 or 3 as to residence, employment and reporting to police or an Immigration Officer	16	11	14	12	4	1
24(A)[3]	Seeking leave to enter or remain, or avoidance or postponement of enforcement action, by deception	—	—	—	—	—	—
24(1)(f) and (g) 26(1)(e), (g) and 27	Other Immigration Act offences	6	3	6	2	5	3
Asylum and Immigration Act 1996							
8	Employing a person subject to immigration control	—	—	—	—	—	—

Act and section	*Offence[1] description*	*Found guilty*					
		1989	*1990*	*1991*	*1992*	*1993*	*1994*
All courts[2]							
Immigration Act 1971							
24(1)(a)	Entering UK in breach of a deportation order	4	5	2	3	1	2
24(1)(a)	Entering UK without leave	1	1	4	1	5	7
24(1)(b)(i), 24(1)(c)	Overstaying time limit of leave	55	22	15	10	1	3
24(1)(b)(ii), 24(1)(d)	Failure to observe conditions of leave	77	55	31	17	6	3
24(1)(e)	Failure to observe restrictions under Schedule 2 or 3 as to residence, employment and reporting to police or an Immigration Officer	4	3	5	—	—	1
24(A)[3]	Seeking leave to enter or remain, or avoidance or postponement of enforcement action, by deception	—	—	—	—	—	—
24(1)(f) and (g) 26(1)(e), (g) and 27	Other Immigration Act offences	7	15	2	4	3	3
Asylum and Immigration Act 1996							
8	Employing a person subject to immigration control	—	—	—	—	—	—

Act and section	*Offence[1] description*	*Found guilty*						
		1995	*1996*	*1997*	*1998[4]*	*1999[4]*	*2000[4]*	*2001[4]*
All courts[2]								
Immigration Act 1971								
24(1)(a)	Entering UK in breach of a deportation order	2	1	2	6	6	2	3
24(1)(a)	Entering UK without leave	10	5	16	19	24	27	37
24(1)(b)(i), 24(1)(c)	Overstaying time limit of leave	6	2	11	2	6	3	5
24(1)(b)(ii), 24(1)(d)	Failure to observe conditions of leave	5	7	5	7	7	2	14
	Failure to observe restrictions under Schedule 2 or 3 as to residence, employment and reporting to police							

Act and section	Offence[1] description	Found guilty 1995	1996	1997	1998[4]	1999[4]	2000[4]	2001[4]
24(1)(e)	or an Immigration Officer	3	1	2	1	—	2	1
24(A)[3]	Seeking leave to enter or remain, or avoidance or postponement of enforcement action, by deception	3	1	2	1	10	10	111
24(1)(f) and (g) 26(1)(e), (g) and 27	Other Immigration Act offences	4	3	2	1	1	2	1
Asylum and Immigration Act 1996								
8	Employing a person subject to immigration control	—	—	—	—	—	—	2

[1] Principal immigration offence.
[2] Includes cases found guilty at magistrates courts and the Crown Court.
[3] As added by section 2 of the Immigration and Asylum Act 1999—(replaced section 24(1)(aa) from 14 February 2000).
[4] Revised

Persons found guilty of offences under Immigration Acts 1971 to 1996 in England and Wales

Number of persons

Act and section	Offence[1] description	Proceeded against 1983	1984	1985	1986	1987	1988
Magistrates courts Immigration Act 1971							
24(1)(a)	Entering UK in breach of a deportation order	11	14	13	8	10	5
24(1)(a)	Entering UK without leave	9	6	10	10	8	7
24(1)(b)(i), 24(1)(c)	Overstaying time limit of leave	630	663	52	509	425	291
24(1)(b)(ii), 24(1)(d)	Failure to observe conditions of leave	263	282	249	221	435	376
24(1)(e)	Failure to observe restrictions under Schedule 2 or 3 as to residence, employment and reporting to police or an Immigration Officer	19	12	16	13	5	3
24(A)[2]	Seeking leave to enter or remain, or avoidance or postponement of enforcement action, by deception	—	—	—	—	—	—
24(1)(f) and (g) 26(1)(e), (g) and 27	Other Immigration Act offences	8	3	8	6	6	3
Asylum and Immigration Act 1996							
8	Employing a person subject to immigration control	—	—	—	—	—	—

Act and section	Offence[1] description	Proceeded against 1989	1990	1991	1992	1993	1994
Magistrates courts Immigration Act 1971							
24(1)(a)	Entering UK in breach of a deportation order	7	6	2	4	1	3
24(1)(a)	Entering UK without leave	4	3	7	3	6	12
24(1)(b)(i), 24(1)(c)	Overstaying time limit of leave	87	45	26	16	13	17
24(1)(b)(ii), 24(1)(d)	Failure to observe conditions of leave	99	76	44	32	13	12
24(1)(e)	Failure to observe restrictions under Schedule 2 or 3 as to residence, employment and reporting to police or an Immigration Officer	6	3	7	1	2	2
24(A)[2]	Seeking leave to enter or remain, or avoidance or postponement of enforcement action, by deception	—	—	—	—	—	—
24(1)(f) and (g) 26(1)(e), (g) and 27	Other Immigration Act offences	9	23	6	6	4	6
Asylum and Immigration Act 1996							
8	Employing a person subject to immigration control	—	—	—	—	—	—

Act and section	Offence[1] description	Proceeded against 1995	1996	1997	1998[3]	1999[3]	2000[3]	2001[3]
Magistrates courts Immigration Act 1971								
24(1)(a)	Entering UK in breach of a deportation order	3	1	3	7	6	3	5
24(1)(a)	Entering UK without leave	24	9	35	34	42	39	53
24(1)(b)(i), 24(1)(c)	Overstaying time limit of leave	11	11	16	3	9	12	11
24(1)(b)(ii), 24(1)(d)	Failure to observe conditions of leave	11	12	10	10	14	9	13

Act and section	Offence[1] description	Proceeded against 1995	1996	1997	1998[3]	1999[3]	2000[3]	2001[3]
24(1)(e)	Failure to observe restrictions under Schedule 2 or 3 as to residence, employment and reporting to police or an Immigration Officer	9	3	5	2	2	3	2
24(A)[2]	Seeking leave to enter or remain, or avoidance or postponement of enforcement action, by deception	—	—	1	5	13	17	121
24(1)(f) and (g) 26(1)(e), (g) and 27	Other Immigration Act offences	8	4	2	3	1	3	1
Asylum and Immigration Act 1996								
8	Employing a person subject to immigration control	—	—	—	1	4	10	5

[1] Principal immigration offence.
[2] As added by section 2 of the Immigration and Asylum Act 1999—(replaced section 24(1)(aa) from 14 February 2000).
[3] Revised

Illegal Immigrants

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department (1) what action he is taking to assess the number of people illegally present in the UK; [139646]

(2) what measures are in place to deal with the problems of *(a)* illegal immigrants and *(b)* immigrants working illegally. [139647]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Immigration and Asylum

Mr. Andrew Turner: To ask the Secretary of State for the Home Department what the *(a)* recorded and *(b)* estimated levels of (i) immigration supported by a work permit, (ii) immigration of dependants, (iii) asylum-seeker arrivals, (iv) other categories of inward migration to the UK, (v) asylum-seeker returns, (vi) deportations of illegal immigrants and (vii) other categories of migration from the UK were in each year since 1997. [140000]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

International Drugs Trade

Mr. Rosindell: To ask the Secretary of State for the Home Department, what is being done to combat the international drugs trade, particularly that emanating from countries of concern; and if he will make a statement on its impact upon the United Kingdom. [136478]

Caroline Flint: I will write to the hon. Member and place a copy of my letter in the Library.

IT Workers (Fast-track Visas)

Mr. Purchase: To ask the Secretary of State for the Home Department (1) if he will make it his policy to ensure that information technology workers entering the UK from outside the EU, facilitated by a Fast Track visa, have *(a)* appropriate technical qualifications and *(b)* at least 10 years' validated experience in IT work; [140340]

(2) if he will make it his policy to ensure that companies wishing to import information technology workers from outside the EU have first advertised such posts in *(a)* the UK and *(b)* the EU. [140341]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Metropolitan Police

Mr. Colman: To ask the Secretary of State for the Home Department if he will increase the number of officers in the Metropolitan Police sufficiently to ensure that the Borough of Wandsworth has more police than were available prior to 1 May 1997. [140119]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Ministerial Visits

Mr. Oaten: To ask the Secretary of State for the Home Department how many prisons he has visited in *(a)* the last three months, *(b)* the last six months and *(c)* the last year. [135871]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Multiple Murder Convictions

Mr. Watson: To ask the Secretary of State for the Home Department how many people have been convicted for multiple murders in each of the last 30 years. [140029]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

NM Rothschild and Son Ltd

Kevin Brennan: To ask the Secretary of State for the Home Department if he will make a statement on services provided to his Department by NM Rothschilds since 1997. [139962]

Fiona Mactaggart: I will write to my right hon. Friend and place a copy of my letter in the Library.

Nuisance Neighbours

John Mann: To ask the Secretary of State for the Home Department what community initiatives are under discussion for the elimination of the problem of nuisance neighbours. [140051]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

On-street Drinking Ban

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department, what guidance he gives to local authorities on the best method for implementing a city-wide on-street drinking ban. [136379]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Parliamentary Questions

Dr. Evan Harris: To ask the Secretary of State for the Home Department when he will reply to the question of 18 September from the hon. Member for Oxford West and Abingdon on the research into the potential re-use of burial grounds. [138176]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Keith Bradley: To ask the Secretary of State for the Home Department when he will reply to the question from the hon. Member for Manchester, Withington, tabled on 14 October 2003, reference 132690. [140175]

Beverley Hughes: I will write to my right hon. Friend and place a copy of my letter in the Library.

Parole

Mrs Curtis-Thomas: To ask the Secretary of State for the Home Department (1) how many *(a)* dangerous and *(b)* non-dangerous prisoners applied for parole in 2002–03; [135487]

(2) how many individuals have been eligible for parole in each year since 2000; and how many have sought parole; [135488]

(3) when the parole board will be advised of their funding budget for 2004–05; [135490]

(4) what recent steps have been taken to inform *(a)* the public and *(b)* interested bodies within the criminal justice system about the work of the parole board; [135491]

(5) how many prisons have a parole clerk; [135492]

(6) how the denyers who came before the parole board between January and June were classified; and what the outcome was of their appeals to the parole board; [135494]

(7) what the primary reasons are for refusing parole. [135495]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Passports

Mr. Greg Knight: To ask the Secretary of State for the Home Department if he will make it his policy to proceed with changes to the requirements placed upon applicants for new passports only when the proposals have been *(a)* notified to Parliament and *(b)* subjected to a parliamentary procedure. [140208]

Beverley Hughes: I will write to the right hon. Member and place a copy of my letter in the Library.

Mr. Goodman: To ask the Secretary of State for the Home Department how many people have refused to pay fees for *(a)* applications for variation of leave and *(b)* endorsing passports since August; and if he will make a statement. [136960]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Steinberg: To ask the Secretary of State for the Home Department what percentage of the population holds a passport. [140245]

Beverley Hughes: I will write to my hon. Friend and place a copy of my letter in the Library.

Pay and Pension Service

Mr. Edward Davey: To ask the Secretary of State for the Home Department what the *(a)* staff turnover and *(b)* staffing levels at the Bootle headquarters of the Home Office Pay and Pension Service were in each financial year since 1997–98; and if he will make a statement. [139560]

Fiona Mactaggart: I will write to the hon. Member and place a copy of my letter in the Library.

Police

Mr. Martlew: To ask the Secretary of State for the Home Department for what reason there has not been an inflationary increase in the special rural grant in Police Authority funding; and if he will rectify this in next year's settlement. [140036]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Sir John Stanley: To ask the Secretary of State for the Home Department what amount of central government grant per head was paid to each police authority in England in the last financial year for which figures are available. [140013]

Ms Blears: I will write to the right hon. Member and place a copy of my letter in the Library.

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department, what the sources of funding are for police community support officers in Cambridgeshire; and how much funding is being received from each source in 2003–04. [136385]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Norman: To ask the Secretary of State for the Home Department (1) what the *(a)* establishment figure and *(b)* actual figure for the Kent Police Force Area was in each of the last five years broken down by (i) police constables, (ii) sergeants and (iii) inspectors; [140146]

(2) what the *(a)* establishment figure and *(b)* actual figure for police force strength in each of the police force areas in England and Wales was in each of the last five years. [140347]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Chris Ruane: To ask the Secretary of State for the Home Department how many police officers there were in each of the police authorities in Wales in each of the last 24 years. [140396]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what the cost was of each reorganisation of the police service since 1977. [137560]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department (1) what advice his Department offers constabularies in relation to response times to 999 calls; [139971]

(2) if he will make a statement on targets for response times by the police to 999 calls. [139972]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many minor crimes were reported through *(a)* the www.online.police.uk website and *(b)* individual police force websites in the last year for which figures are available; and how many reports have resulted in (i) an offence being recorded and (ii) further substantive action. [138508]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Prisons

Mrs. Brooke: To ask the Secretary of State for the Home Department (1) what steps the Prison Service is taking to *(a)* ensure that all prisoners have a healthy and balanced diet and *(b)* provide information and education to prisoners on what constitutes a healthy and balanced diet, with particular reference to young offenders in young offender institutions; [138997]

(2) what research his Department has commissioned on the relationship between diet and *(a)* behaviour in prison, *(b)* education in prison and *(c)* re-offending after release from prison; and if he will make a statement. [138998]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how much was spent on *(a)* education and *(b)* cognitive behavioural therapy in prisons in each of the last six years. [139226]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Francois: To ask the Secretary of State for the Home Department how many part-time prison officers were employed by Her Majesty's Prison Service in Essex on 1 September. [139509]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Hoyle: To ask the Secretary of State for the Home Department if he will make a statement on the shortfall in prison officers in high security prisons; and what measures he is taking to increase recruitment of prison officers. [140024]

Paul Goggins: I will write to my hon Friend and place a copy of my letter in the Library.

Mrs. Brooke: To ask the Secretary of State for the Home Department pursuant to the answer of 3 November 2003, *Official Report*, columns 437–38W, on prisoners, (1) how many of the prisoners were women, in each case; how many were young offenders; what the average distance that prisoners were held away from their home town was in each of the past five years; and if he will make a statement; [139265]

(2) how many people received into prison in each of the last 10 years served sentences of *(a)* less than three months, *(b)* between three and six months, *(c)* between six and nine months, *(d)* between nine and 12 months, *(e)* between 12 months and two years, *(f)* between two and four years and *(g)* over four years, broken down by (i) age and (ii) sex. [138999]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Evans: To ask the Secretary of State for the Home Department how many people have retired from the Prison Service for reasons of age, in each year since 1992; and what he estimates the figure will be for 2004–05. [138747]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Watson: To ask the Secretary of State for the Home Department how many people convicted of multiple murder have been released from prison in each of the last 30 years. [140028]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Stinchcombe: To ask the Secretary of State for the Home Department (1) how many prisons in England and Wales provide detoxification programmes for alcohol-misusing prisoners; [139056]

(2) how many prisoners with alcohol-related problems *(a)* entered and *(b)* completed detoxification programmes for alcohol misuse in each year since 2000; [139065]

(3) how many places are available on alcohol treatment programmes for prisoners in England and Wales; [139066]

(4) whether the Prison Service has an alcohol strategy for the treatment of prisoners with alcohol problems; [139067]

(5) what proportion of *(a)* male and *(b)* female prisoners in England and Wales have alcohol-related problems; [139099]

(6) how many prisoners with alcohol-related problems have been received into custody in prisons in England and Wales in the last year for which figures are available; [139100]

(7) how many prisoners in custody in England and Wales received treatment for alcohol-related problems *(a)* prior to being received into custody and *(b)* while in custody. [139104]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Brooke: To ask the Secretary of State for the Home Department what the average number of hours out-of-cell women of 18 years or younger received each day in prison, in the last year for which figures are available. [139137]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mrs. Brooke: To ask the Secretary of State for the Home Department what the recommended minimum number of hours out of cell is for *(a)* men in prison and *(b)* young men in young offender institutions; and what the actual number of hours out of cell for young men in young offender institutions was in the last year for which figures are available. [139138]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Caton: To ask the Secretary of State for the Home Department if he will list those of Her Majesty's Prisons where visitors have to wait outside the prison gates before being allowed inside. [138143]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many places on drug rehabilitation programmes are available in each prison in *(a)* London and *(b)* England and Wales. [138502]

Caroline Flint: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department what the minimum safe ratio for prison officers to prisoners is in each category of prison. [138503]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Oaten: To ask the Secretary of State for the Home Department how many unfilled positions there were in the Prison Service in each month since May; and by what percentage each prison affected is understaffed. [138504]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Norman Baker: To ask the Secretary of State for the (1) Home Department how many television sets there were in each of the last five years in prisons; and what proportion operated with stand-by units; [139193]

(2) what his policy is on the use of televisions with stand-by units within prisons. [139194]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Gibb: To ask the Secretary of State for the Home Department what the total prisons budget was for each year since 1995; and what the prisons spending forecast is for each year up to 2009. [140195]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Public Places Order

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department, what challenges have been made to the validity of prosecutions for infringement of a designated public places order. [136378]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Radio Frequency Identifier Devices

Mr. Watson: To ask the Secretary of State for the Home Department what discussions he has had with the police on the use of radio frequency identifier devices. [140031]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Rape Crisis Federation

Mr. Pickthall: To ask the Secretary of State for the Home Department if he will make a statement about his Department's decision to cease funding the Rape Crisis Federation. [140022]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Special Constables

David Davis: To ask the Secretary of State for the Home Department how many special constables there were in England and Wales for each year since 1997, broken down by police force. [139923]

Mr. Blunkett: I will write to the right hon. Member and place a copy of my letter in the Library.

State Visit

Richard Ottaway: To ask the Secretary of State for the Home Department how many policemen based in Croydon have deployed to police the state visit of President Bush. [140205]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Strip Searches

Dr. Vis: To ask the Secretary of State for the Home Department (1) how many children have been forcibly strip searched in each of the juvenile prisons in *(a)* 2003 and *(b)* 2002; and for what reason; [140160]

(2) if he will place in the Library a copy of the guidance issued to governors of prisons holding juvenile prisoners on their strip searching. [140161]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Terrorism

Lynne Jones: To ask the Secretary of State for the Home Department how many stop and searches under section 44 of the Terrorism Act 2000 have been carried out since demonstrations began at RAF Fairford; what the charges against those arrested were; and how many have resulted in successful prosecutions. [139088]

Ms Blears: I will write to my hon. Friend and place a copy of my letter in the Library.

Sir John Stanley: To ask the Secretary of State for the Home Department what information he has received on the number of successful prosecutions to date of those involved in the 11 September terrorist attacks. [140014]

Mr. Blunkett: I will write to the right hon. Member and place a copy of my letter in the Library.

Violent Partner Register

Mr. Hancock: To ask the Secretary of State for the Home Department, how the proposed register of violent partners will be administered; and if he will make a statement. [136393]

Ms Blears: I will write to the hon. Member and place a copy of my letter in the Library.

Visa Charges

Mr. Brady: To ask the Secretary of State for the Home Department, pursuant to the statement by the Under-Secretary of State of 22 October 2003, *Official Report*, column. 313WH, on visa charges, which representatives of *(a)* schools and *(b)* universities were consulted on plans to increase visa charges for overseas students; and whether the Department for Education and Skills made representations on the issue to his Department. [134908]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Work Permits

Mr. Evans: To ask the Secretary of State for the Home Department how many work permits in each month since January 2001 were *(a)* applied for and *(b)* granted. [139974]

Beverley Hughes: I will write to the hon. Member and place a copy of my letter in the Library.

Young Offenders

Mr. Oaten: To ask the Secretary of State for the Home Department how many offenders in young offender institutions are in overcrowded cells. [135866]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Win Griffiths: To ask the Secretary of State for the Home Department how many youth offenders in each of the last five years have been transferred to another penal institution during the last three months of their sentence. [139060]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Mrs. Brooke: To ask the Secretary of State for the Home Department how many girls aged under 25 are serving sentences in each *(a)* prison, *(b)* young offender institution and *(c)* local authority secure unit. [139136]

Paul Goggins: I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Win Griffiths: To ask the Secretary of State for the Home Department how many young offenders from Wales were in penal institutions in *(a)* Wales and *(b)* England at the latest date for which figures are available, broken down by institution; and what plans he has to accommodate more youth offenders from Wales in Wales. [139591]

Paul Goggins: I will write to my right hon. Friend and place a copy of my letter in the Library.

Dr. Vis: To ask the Secretary of State for the Home Department how many children in Feltham Young Offenders Institution have been placed in the segregation unit since January; and for how long. [140162]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Dr. Vis: To ask the Secretary of State for the Home Department how many children in Stoke Heath Young Offenders Institution have been placed in the segregation unit since January; and for how long. [140163]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

Chris Ruane: To ask the Secretary of State for the Home Department how many young people from each local unitary authority in Wales were in young offenders' institutions in each of the past 20 years. [140436]

Paul Goggins: I will write to my hon. Friend and place a copy of my letter in the Library.

WALES

Bechtel

Malcolm Bruce: To ask the Secretary of State for Wales if he will list the contracts for consultancy and other work carried out by Bechtel in each year after 1997 by the Welsh Office, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137734]

Mr. Touhig: The Wales Office was established in 1999. Bechtel have not been contracted to carry out any consultancy work for the Wales Office since then.

There are no records of Bechtel carrying out any work for the Welsh Office between 1997 and 1999.

Malcolm Bruce: To ask the Secretary of State for Wales if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department or its predecessor in year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [138061]

Mr. Touhig: The Wales Office was established in 1999. It has no agencies.

There are no records of Bechtel carrying out any work for agencies of the Welsh Office between 1997 and 1999.

Burglary

Mr. Wiggin: To ask the Secretary of State for Wales what the level of burglary was in Wales in 1997; what it was in 2002; and if he will make a statement. [139293]

Mr. Touhig: The number of burglary offences recorded in 1997 was 46,445. In 2002–03, it was 36,848.

There was a change in the counting rules for recorded crime from 1998, which had the effect of increasing the number of crimes counted, and therefore, the number of offences are not directly comparable.

Drug Abuse

Mr. Wiggin: To ask the Secretary of State for Wales if he will make a statement on his co-ordinated plans with the Welsh Assembly to tackle drug abuse in Wales. [139294]

Mr. Touhig: I have met ministerial colleagues, both in Westminster and the Assembly, to discuss tackling substance misuse.

The Drug Strategy, "Tackling Drugs to Build a Better Britain", was introduced in 1998. Following a review in 2002, it was built on and adapted with the launch of an Updated Strategy, which is widely available, including on the Home Office website.

The Assembly has responsibility for many areas of tackling substance misuse in Wales, for example, the provision of treatment for those with substance misuse problems. The Assembly Strategy for Wales, "Tackling Substance Misuse in Wales: A Partnership Approach", is widely available, including on the National Assembly for Wales' website.

Examination Results

Mr. Wiggin: To ask the Secretary of State for Wales what the average grade at *(a)* GCSE and *(b)* A-level in Wales was in 2002; and what the results were in England. [139592]

Mr. Touhig: Provisional statistical information on GCSE and A-level results in Wales for 2002 are available in the National Assembly's Statistics Wales Release SDR 55/2003.

DfES provides statistical information for GCSE and A-level results in England in a similar form in their release SFR 30/2003.

Both releases are available in the library of the House of Commons.

Free Prescriptions

Mr. Paul Marsden: To ask the Secretary of State for Wales if he will list those medical conditions which allow free prescriptions to be claimed. [135258]

Mr. Touhig: This information is available in the leaflet HC11—Help with Health Costs, which states that free NHS prescriptions can be claimed by those who have a valid medical certificate issued because of the following conditions:

- Permanent fistula (including caecostomy, colostomy, ileostomy or laryngostomy) requiring continuous surgical dressing or an appliance
- Forms of hypoadrenalism (including Addison's disease) for which specific substitution therapy is essential
- Diabetes insipidus and other forms of hypopituitarism
- Diabetes mellitus except where treatment is by diet alone
- Hypoparathyroidism
- Myasthenia gravis
- Myxoedema (Hypothyroidism) or other conditions where supplemental thyroid hormone is necessary.
- Epilepsy requiring continuous anti-convulsive therapy
- A continuing physical disability which prevents the patient leaving his residence except with the help of another person.

Mr. Paul Marsden: To ask the Secretary of State for Wales how many *(a)* free and *(b)* charged for prescriptions were issued in each year since 1997. [135288]

Mr. Touhig: The information is given in the following table:

Prescriptions items dispensed in the community within Wales

£ million

	Free of charge	*Charged*
1997–98[1]	32.2	4.4
1998–99[1]	33.1	4.5
2001–02	38.0	5.1
2002–03	40.4	5.3

[1] Estimate based on a 5 per cent. sample.

Data for 1999–2000 is not available. Data for 1997–99 relates to the responsibility of the former Welsh Office, while the figures since then are the responsibility of the National Assembly for Wales.

Mr. Paul Marsden: To ask the Secretary of State for Wales how many free prescriptions to the chronically ill were issued in each year since 1997. [135289]

Mr. Touhig: Information collected centrally for the National Assembly for Wales on prescriptions exempt from charge in Wales relates only to those conditions which are medically exempt. As prescription items dispensed for other chronic conditions are not identified separately it is not possible to give an overall figure.

Gun Crime

Mr. Wiggin: To ask the Secretary of State for Wales how many incidences of gun crime there were in Wales in 2002; how many there were in 1997; and if he will make a statement. [139295]

Mr. Touhig: There were 85 recorded crimes in Wales in 1997 involving a firearm other than an air weapon; the figure was 106 in 2002.

Although the incidence of firearms offences is relatively low in Wales, too many people are still being killed or injured by firearms. This is unacceptable and is being addressed on a number of fronts, including:

- reducing the supply and availability of firearms, and
- effective police operations to drive down firearm offences.

During the firearms amnesty earlier this year, 508 guns were handed in, in Wales. The proposed five-year minimum sentence for illegally selling, possessing or manufacturing prohibited firearms sends a strong message that we will not tolerate the illegal proliferation of guns within our society.

Manufactured Imports

Miss McIntosh: To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary on the level of imports of manufactured goods into Wales. [136383]

Mr. Touhig: My right hon. Friend the Secretary of State for Wales regularly meets the First Minister. In addition, I have regular bi-lateral meetings with the National Assembly for Wales's Economic Development Minister and discuss a wide range of issues, including trade levels of manufacturing goods in Wales.

The level of exports for manufacturing goods in Wales since May 1997 to the quarter ending 2002 has been consistently higher than the level of imports to Wales.

Current available statistics point to a continuation of this trend.

Source:
Her Majesty's Customs and Excise?UK Regional Trade Statistics.

NHS (Capital Expenditure)

Gareth Thomas: To ask the Secretary of State for Wales how much capital expenditure there has been in the NHS in Wales in each of the last five years; and how much of that was attributable to private finance initiative projects. [137090]

Mr. Touhig *[holding answer 10 November 2003]:* In the 2002 Spending Review, the Government allocated an additional £251 million in 2003–04, £925 million in 2004–05 and £1,765 million in 2005–06 to Wales in accordance with the long standing Barnett formula. This included the allocations for health of £140/516/931 million announced by the Chancellor in his spring 2002 Budget.

The allocation of public expenditure on services such as health is a matter for the National Assembly for Wales.

Top-up Fees

Mr. Wiggin: To ask the Secretary of State for Wales if he will make a statement on higher education top-up fees in Wales. [139292]

Mr. Touhig: As my right hon. Friend the Secretary of State for Wales announced in his written statement of 17 July 2003, *Official Report*, column 84WS, we propose, subject to parliamentary approval, to transfer to the National Assembly for Wales full responsibility for the tuition fee regime, including powers over new policy as regards variable fees.

Waiting Times

Mr. Wiggin: To ask the Secretary of State for Wales what plans he has for reducing waiting times for NHS treatment in Wales. [139280]

Mr. Touhig: I have regular meetings with the Assembly Minister for Health and Social Services, at which we discuss a range of health issues including waiting times.

I am aware that the Assembly has very recently announced a new initiative to tackle long waiting times in Wales. Setting priorities for the Health Service in Wales, including waiting times, is a matter for the National Assembly for Wales.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Rural Bodies

9. **Mr. Drew:** To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* Countryside Agency and *(b)* Rural Development Service employees will transfer to other government employment following the implementation of the Haskins Review; how many job losses she estimates there will be; and if she will make a statement. [139838]

Margaret Beckett: In my statement on 11 November, I announced my intention to create an integrated agency that would incorporate elements of the work of English Nature, the Countryside Agency and the Rural Development Service where those functions will most enable the agency to reflect its new remit. Plans for how this agency will be set up, including arrangements for transferring staff, are now being developed. I would hope to give more details in the spring.

22. **Alan Simpson:** To ask the Secretary of State for Environment, Food and Rural Affairs how she proposes that the independent role played by English Nature will be maintained under the proposals of the rural delivery review. [139851]

Alun Michael: The intention is to strengthen the independent role currently played by English Nature, not merely to maintain it. In her statement on 11 November, the Secretary of State announced her intention to create an integrated agency to incorporate elements of the work of English Nature, the Countryside Agency and the Rural Development Service. The integrated agency will use the experience and expertise of its constituent parts. English Nature's worldwide reputation on biodiversity matters provides a strong foundation for this work. The integrated agency will provide independent policy advice to Government and will implement policy within the framework of the Government's approach to sustainable development.

The exact status of the agency will be considered as part of the Government's full response and implementation plan, as my right hon. Friend made clear.

Recycling

13. **Mr. Baron:** To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of whether the UK will meet its recycling targets for 2005. [139842]

Mr. Morley: National targets for England are to recycle and compost 17 per cent. of household waste in 2003–04 and 25 per cent. in 2005–06. Our current

assessment of local authority performance is that we expect to meet the 2003–04 target and that, although challenging, the 2005–06 target is achievable.

Dairy Industry

14. **Matthew Green:** To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the dairy industry. [139843]

Alun Michael: The Government recognise the difficulties caused by low farmgate prices and the challenges of adjusting to the new conditions faced by the reformed CAP, but we also believe that the UK dairy sector has a sustainable future. The UK has a comparative advantage in terms of climate and farm efficiency and size over many of its competitors and if the industry can work together to maximise its potential then there is no reason why it cannot succeed.

17. **Mr. Flook:** To ask the Secretary of State for Environment, Food and Rural Affairs what action she will take to increase the farmgate price of milk for British dairy farmers. [139846]

Alun Michael: The reasons for the low farmgate prices over the last few years are complex and cannot be reduced to a single factor. Many of these reasons require action by the industry itself. However, the Government can and have taken action in line with their strategy for sustainable farming and food to facilitate and promote the industry's efforts to become more competitive.

18. **Mr. Paul Marsden:** To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with representatives of the dairy industry. [139847]

Alun Michael: Ministers frequently meet representatives from all parts of the dairy supply chain and are therefore aware of the issues affecting the sector. Matters affecting the whole supply chain are regularly discussed at the Dairy Supply Chain Forum chaired by my noble Friend, the Lord Whitty.

21. **Mrs. Brooke:** To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the dairy industry. [139850]

Alun Michael: The Government recognise the difficulties caused by low farmgate prices and the challenges of adjusting to the new conditions faced by the reformed CAP, but we also believe that the UK dairy sector has a sustainable future. The UK has a comparative advantage in terms of climate and farm efficiency and size over many of its competitors and if the industry can work together to maximise its potential then there is no reason why it cannot succeed.

Transport (Environmental Impact)

15. **John Barrett:** To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with the Department for Transport on the environmental impacts from transport. [139844]

Mr. Morley: My ministerial colleagues and I have regular discussions with the ministerial team in the Department for Transport on many matters including environmental issues.

Sheep

19. **Gareth Thomas:** To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on the European Commission's proposals on sheep identification. [139848]

Mr. Bradshaw: The Government support the Commission's objective to improve sheep and goat identification but are very concerned that it has take full account of the particular needs and requirements of the UK's stratified and extensive sheep industry.

We are currently undertaking negotiations in the Council of Ministers and are pressing hard for a satisfactory outcome for the UK industry.

Farm Subsidies

20. **Tony Lloyd:** To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the representations she has received from farming interest groups concerning the review of subsidies to farming. [139849]

Alun Michael: We have received responses from a wide range of stakeholders to the public consultation on the options available to member states under the agreement on reforming the common agricultural policy (CAP). There was close to unanimous support for our decision to decouple subsidy fully in England from 2005. The biggest issue to emerge from the consultation was whether to go for an historic or flat rate basis for the single farm payment and responses were divided on this. We are looking carefully at the responses to the consultation and will be making a decision soon on the model for the single farm payment.

Common Fisheries Policy

23. **Mr. Wilkinson:** To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the sea fish species whose stocks have increased in UK waters since the institution of the European common fisheries policy. [139852]

Mr. Bradshaw: Fish stocks fluctuate considerably over time, and so comparing two arbitrarily chosen years is of limited value. Generally, however, pelagic stocks, such as mackerel and herring, are at higher levels than in 1983 when the common fisheries policy came into effect. A few demersal stocks, such as North sea haddock, are also at higher levels than in 1983. Stocks of prawns and shellfish have generally thrived.

Gangmasters

Ian Stewart: To ask the Secretary of State for Environment, Food and Rural Affairs (1) to what extent legislation applies to undocumented gangmaster-provided labour in the agricultural, horticultural and first-line food processing industries; [140246]

(2) what *(a)* monitoring and *(b)* enforcement provisions are used to ensure that gangmasters in the agricultural, horticultural and first-line food processing industries comply with United Kingdom legislation; [140247]

(3) how many gangmasters providing labour in the agricultural, horticultural and first-line food processing industries have been found to be in breach of United Kingdom law since 1997; how many of those gangmasters were subsequently prosecuted; and what sanctions and penalties were applied to those gangmasters found guilty following prosecution. [140248]

Mr. Bradshaw: This information will take some time to collate. I will write to my hon. Friend with the information in due course.

Ian Stewart: To ask the Secretary of State for Environment, Food and Rural Affairs how many gangmasters operate within the agricultural, horticultural and first-line food processing industries in the UK; and how many gangworkers are employed within these industries. [140189]

Mr. Bradshaw: Information about the number of gangmasters operating in the agricultural, horticultural and first-line food processing industries in the UK and the number of workers they supply is not collected by Government. In evidence given to the EFRA Select Committee's inquiry into gangmasters it was estimated that the number of gangmasters operating in agriculture and horticulture could be approaching 3,000 of which some 250 are thought to be substantial businesses. Information about the total number of seasonal and casual workers employed in agriculture and horticulture is collected by Defra's annual Census of agriculture and horticulture. In June 2002 (when the Census was taken) some 64,000 seasonal and casual workers were employed. This figure will include both workers supplied by gangmasters to employers in agriculture and horticulture and workers who are employed directly by those employers.

Habitats Directive

Dr. Cable: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the regulatory impact of the UK regime for administering the Habitats Directive. [138553]

Mr. Bradshaw: The Habitats Directive is principally transposed into UK law by regulations which came into force in 1994 and 1995. Since then no overall assessment has been made. Nature conservation is a devolved matter and therefore any assessment in Scotland, North Ireland and Wales will be a matter for the relevant administrations. In England, assessments are carried out before candidate Special Areas of Conservation are submitted to the European Commission under Article 4 of the Directive. My Department has also published Regulatory Impact Assessments on recently proposed draft amendments to the regulations in England, and on draft regulations to implement the Directive in the offshore zone.

Beef Exports

Michael Fabricant: To ask the Secretary of State for Environment, Food and Rural Affairs, what compensation has been offered to UK farmers as a consequence of the unauthorised ban on British beef imports to France; and if she will make a statement. [139845]

Mr. Bradshaw: No compensation has been offered to UK farmers for the effects of the illegal French ban on imports of UK beef. Any bids for compensation must come from those affected and be pursued with the French authorities.

"A" Rated Appliances

Mr. Chope: To ask the Secretary of State for Environment, Food and Rural Affairs when she will respond to the letter of 24 October from the Chief Executive of the Radio, Electrical and Television Retailers' Association about the ability of small electrical retailers to sell 'A' rated appliances. [140062]

Alun Michael: Letters sent direct to the Department from Organisations and Members of the public are not recorded centrally but are passed to the appropriate policy Division for response. I understand that the letter referred to by the hon. Member is being dealt with and the Chief Executive of the Radio, Electrical and Television Retailers' Association will receive a response shortly.

Abattoirs

Mr. Liddell-Grainger: To ask the Secretary of State for Environment, Food and Rural Affairs what advice and assistance will be given to small abattoirs to meet health and safety standards in the next two years. [139046]

Mr. Bradshaw: We are working in close co-operation with industry representatives, the Meat and Livestock Commission and regional partners to secure an appropriate network of abattoirs throughout the country. This includes the continuing role of small and medium sized enterprises. Official meat inspection costs are being offset by the Food Standards Agency by more than £20 million per annum. In addition we have advised abattoir owners on the requirements for blood collection under the new Animal By-Products regulations, particularly on how compliance costs for small businesses could be minimised. We will continue to take a constructive approach to the implementation of regulatory requirements including implementation of hazard analysis critical control point procedures.

Agriculture

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs what grants are available to *(a)* dairy, *(b)* arable, *(c)* sheep, *(d)* beef, *(e)* poultry and *(f)* pig farmers in the Chorley constituency. [140023]

Mr. Bradshaw: Farmers in Chorley can apply to participate in the following schemes under the England Rural Development Programme: Countryside Stewardship Scheme, Organic Farming Scheme, Farm Woodland Premium Scheme, Woodland Grant Scheme, Energy Crops Scheme, Vocational Training Scheme, Processing and Marketing Grant, and Rural Enterprise Scheme. Any sheep and suckler cow producers whose holdings are within or part within the Less Favoured Area boundary are entitled to claim Hill Farm Allowance.

The Farm Waste Grant (Nitrate Vulnerable Zones) Scheme provides help to farmers in Nitrate Vulnerable Zones who are installing or improving farm waste facilities.

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on grants given by regional development agencies for agricultural shows in *(a)* England and *(b)* the North West over the last two years. [139263]

Jacqui Smith: I have been asked to reply.

I have not been able to answer this Question before Prorogation. I will write to my hon. Friend and place a copy in the Libraries of the House.

Mr. Hoyle: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the grant given to the Royal Lancashire Agricultural Society by the North West Development Agency for the 2003 Royal Lancashire Show. [139264]

Jacqui Smith: I have been asked to reply.

The Lancashire Rural Recovery Partnership, which is funded by the North West Development Agency, provided a grant of £32,578 to fund some of the marketing costs for the 2003 Royal Lancashire Show. This was to help publicise the fact that the Show was taking place at a new venue for the first time in 2003. The funding also contributed towards the promotion of a local product event aimed at generating awareness of local speciality products.

Mr. Hood: To ask the Secretary of State for Environment, Food and Rural Affairs what the outcome was of the Agriculture and Fisheries Council on 17th November; what the Government's stance was on the issues discussed, including its voting record; and if she will make a statement. [139941]

Margaret Beckett: I will write to my hon. Friend with this information shortly.

Air Quality (Heathrow)

Mr. Randall: To ask the Secretary of State for Environment, Food and Rural Affairs what research her Department has commissioned into air quality in the Heathrow area; and if she will publish the findings. [138843]

Mr. Bradshaw: Defra has commissioned Cambridge Environmental Research Consultants Ltd to model air quality in the Heathrow area. The report is expected April 2004. The Department also assesses air quality at a national level and in the Greater London area and publishes the results on its air quality website, the Air Quality Archive. Both these levels of assessment include Heathrow.

National air quality monitoring data are available at www.airquality.co.uk. The latest published national air quality modelling report "UK air quality modelling for annual reporting 2001 on ambient air quality assessment under Council Directives 96/62/EC and 1999/30/EC" is available at www.airquality.co.uk/archive/reports; as too is the latest research report modelling London's air quality "Modelling air quality for London using ADMS-Urban".

American Ships (Decommissioning)

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs on what date Able UK applied to her Department for *(a)* a dredging licence and *(b)* a licence to build a protective bund for a proposed dry dock in respect of the planned decommissioning of United States vessels. [137143]

Mr. Morley *[holding answer 10 November 2003]:* The information is as follows:

(a) Defra regulates the disposal of dredged material at sea rather than dredging per se. The Department received an application for disposal of dredged material on 20 October 2003.

(b) Able UK applied for a FEPA licence to build a coffer dam at the mouth of the TERRC basin on 26 September 2003.

A FEPA licence had been applied for successfully before but had lapsed.

Atlantic Ocean

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs what data her Department has collated on the salinity of the seawater of the North East Atlantic Ocean over the last 20 year period; and if she will publish the data. [140087]

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs what the deep sea salinity levels of gulf stream waters off the coast of the UK were in each of the past 10 years. [140409]

Mr. Morley: I will write to the hon. Member, and my hon. Friend with this information shortly.

Atrazine (Maize)

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs what the results were of the Farm Scale Evaluation trials in respect of conventional maize crops in the 17 per cent. of cases where atrazine was not used as a herbicide. [140153]

Mr. Morley: The results of the farm-scale evaluations published on 16 October 2003 were based on the range of contemporary practice used by the participating farmers for conventional maize. The published papers did not present separate results for each conventional practice that this encompassed. Such analysis may be possible based on the data collected and I understand the research team are currently considering this. If any further information becomes available it will be published in the normal way.

Badgers

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what action has been taken to prevent recolonisation of badger setts after clearance of TB-infected badgers in Krebs reactive areas. [140297]

Mr. Bradshaw: All trapped setts are subject to the same procedures, irrespective of the TB status of the badgers taken from them, and no action is taken to prevent re-colonisation of any setts in reactive areas.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs, what procedures are carried out in respect of badger setts from which TB-infected badgers have been removed. [140298]

Mr. Bradshaw: All procedures are standardised and do not vary between setts from which TB infected badgers and non-infected badgers are taken.

Within the Randomised Badger Culling Trial, no specific action is taken against setts from which badgers have been removed. Following the removal of traps, at the conclusion of trapping operations, techniques such as sticking holes (placing sticks across them) may, occasionally, be used to assist subsequent surveys assess post-cull badger activity.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what radius was adopted to describe the area designated for badger culls in *(a)* the Krebs proactive and reactive culling protocols and *(b)* culling protocols adopted prior to 1988. [140310]

Mr. Bradshaw: The Krebs proactive and reactive culling areas were chosen from localities in Cornwall, Derbyshire, Devon, Gloucestshire, Herefordshire, Staffordshire and Wiltshire with the highest incidence of TB in cattle; each of the ten proactive and ten reactive areas measures approximately 10,000 hectares (100 sq km). Whilst culling is carried out across an entire proactive area, in reactive areas culling takes place only on and around farms which have had a TB breakdown.

The culling protocols adopted prior to 1986 were the Gassing Strategy (1975–1982) and the Clean Ring Strategy (1982–5). In the Gassing Strategy the area of badger removal extended up to 1 km from farms with confirmed TB breakdowns. The mean area of badger removal in Clean Ring Strategy areas was about 9 sq. km.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what research the Department has commissioned on the use of anaesthesia in badger setts prior to lethal gassing. [140312]

Mr. Bradshaw: No research has been commissioned in this area.

Gassing of badgers has been discounted as a culling option because it is considered to be inhumane.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how many badgers have been subject to post-mortem examination for TB in England in the past 10 years; how many were TB reactors; and what proportion of TB lesions found were considered to be of a type which would render badgers capable of transmitting bovine TB. [140313]

Mr. Bradshaw: Excluding badgers taken in the Randomised Badger Culling Trial (RBCT) or in the seven counties road trafic accident survey, 14,387 badger carcases have been examined of which 2,995 (20.5 per cent.) were considered to be positive. The Independent Scientific Group on Cattle TB (ISO) recommended that, pending completion of the RBCT, interim reports on numbers and locations of badgers culled and TB prevalences should not be published in order to avoid encouraging illegal action against badgers, deterring participation in the trial and to protect the trial's statistical validity.

Of the badgers considered to be infected, only those with lesions detected in the lungs, pleura, kidneys and intestines are considered to be likely to be shedding M.bovis and so infectious. 447 (15.1 per cent. had lesions in these tissues.

Barn Owls

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received from the Highways Agency on implementing the recommendations in its Biodiversity Action plan on steps to halt the decline in the barn owl population. [139765]

Mr. Bradshaw: The Highways Agency Biodiversity Action Plan (HABAP), published in 2002, includes a specific Species Action Plan (SAP) for Barn Owls. The stated aim of the SAP is

> "to reduce the level of incidental mortality on new and existing roads whilst ensuring favourable management of barn owl foraging and nesting habitat."

This document sets out a number of related objectives and associated actions required to achieve them.

The Highways Agency has commissioned its own study on the barn owl and is currently reviewing the findings of its own commissions and those of others. The outcome of this review will contribute to the publication of advice on implementation of appropriate actions in accordance with the SAP.

The Government have set new targets to protect and enhance biodiversity as part of The Framework for Sustainable Development on the Government Estate. The Framework and associated targets cover all central Government Departments and their Executive Agencies, including the Highways Agency. Departments will report annually on progress.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to implement changes in agricultural policy to improve the *(a)* quantity and *(b)* quality of barn owl habitats away from major roads. [139766]

Mr. Bradshaw: Through our agri-environment schemes we have encouraged farmers to provide many thousands of hectares of grassland habitat, including for example over 20,000 hectares of cereal field margins. These less-intensively managed areas are good habitats for small mammals and provide barn owls with somewhere other than roadside verges to hunt their prey.

Bovine Tuberculosis

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs from which organisations the Department takes advice on the control of TB in cattle. [140291]

Mr. Bradshaw: The Independent Scientific Group on Cattle TB (ISG) is a group of independent scientists who advise the Secretary of State for Environment, Food and Rural Affairs on how best to tackle the problem of

cattle TB. The ISG was set up following the acceptance by Ministers of the recommendations contained in the Krebs Report (1997).

In addition, the TB Forum aims to bring together experts and interested parties to consider new measures which might be taken to control TB in cattle. Membership consists of representatives from the British Veterinary Association, the British Cattle Veterinary Association, the Countryside Council for Wales, the Country Land and Business Association, English Nature, the Farmers Union of Wales, The National Farmers' Union, NFU (Wales), Wildlife Trusts, the National Federation of Badger Groups, the Royal College of Veterinary Surgeons, the National Beef Association, the Tenant Farmers Association and the Royal Society for the Prevention of Cruelty to Animals.

Professor John Bourne, Chairman of the ISG is also a member of the Forum, which is chaired jointly by the Chief Veterinary Officer, Jim Scudamore, and the Head of the Animal Health Group at Defra, Peter Nash.

Mr. Paterson To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the estimated population of badgers in England was between 1973 and 1980; and what the estimate is for 2003; [140292]

(2) how many closed dairy herds in England are registered with the Department; [140294]

(3) what steps farmers can take to ensure that their cattle are not exposed to M. bovis infection where pasture might be frequented by badgers actively shedding M. bovis vacilli; [140295]

(4) if she will make a statement on the conditions under which a badger is capable of transmitting TB to cattle; and what the mechanism of transmission is; [140302]

(5) what protocol was adopted for the ecological survey carried out as part of the Krebs trials; [140303]

(6) what the potential maximum period of infectivity of adult badgers demonstrating active lesions of M. bovis infection is; [140305]

(7) what assessment she has made of the success rate, in terms of the percentage of badgers killed in a defined area, of the policy of gassing setts adopted prior to 1986; [140311]

(8) how many cows have been subject to post-mortem examination for TB in each of the past 10 years; how many were found to be TB reactors; and how many of the reactors revealed tubercular lesions in the udder capable of contaminating milk. [140315]

Mr. Bradshaw: I will write to the hon. Member with this information shortly.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what advice the Department have given to farmers on keeping closed herds. [140293]

Mr. Bradshaw: The Department has provided a significant amount of advice and codes on the health and welfare of livestock. The Defra leaflet, "TB in Cattle—Reducing the Risk" suggests that farmers consider moving to a closed herd system. However, such a system still needs to be combined with other disease prevention measures to reduce risks of disease introduction and spread.

Due to loss of livestock during FMD, there was a need to replace livestock from outside sources. Defra produced a leaflet "Golden rules for a healthy herd" that gave specific advice on preventative strategies for avoiding introduction of the most important cattle diseases during restocking.

Defra has also produced a concise list of disease prevention measures (including the need to always know the health status of animals being bought or moved) in the form of a yellow card which was developed with livestock industry representatives and vets. It was sent to all livestock farmers in 2002, and is available on the Defra website.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs whether perturbation becomes a significant factor in the spread of TB to cattle where there has been incomplete clearance of badgers in a Krebs reactive area. [140296]

Mr. Bradshaw: We do not know the significance of badger perturbation in the reactive culling areas of the Krebs trial. However, it is known that badgers in a culled population do exhibit changes in their ecology and behaviour which may result in an increased risk of disease transmission.

Research on perturbation is being carried out on behalf of Defra by Oxford University and the Central Science Laboratory. Results will published once the research programme has been completed.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what actions are required of dairy farmers in respect of their premises following removal of *(a)* TB reactor and *(b)* infected cattle from their premises. [140299]

Mr. Bradshaw: Movement restrictions are imposed on all cattle herds when TB reactors are disclosed at the TB test. In the case of dairy herds, the Chief Environmental Health Officer will be informed, to enable decisions to made about protecting public health. If disease is confirmed, the Consultant in Communicable Disease Control will also be informed.

Immediately following their identification, all reactors should be isolated from contact with any other cattle. These cattle must remain in isolation until removal for slaughter. Animals that react inconclusively to the test must also be isolated both from the herd and from the conclusive reactors. They must remain in isolation pending retest.

After removal of reactor(s) or affected animals a Cleansing and Disinfection Notice is issued to the owner. The notice covers the isolation building and any other areas of the farm identified by the Veterinary Officer as likely to be infected. Up to a month is allowed to carry out the disinfection and cleansing.

Movement restrictions remain in place until the herd has tested clear at least once (twice where infection is confirmed after post-mortem).

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what class of pathogen bovis is. [140300]

Mr. Bradshaw: Defra classify animal pathogens for the purpose of administering the Importation of Animal Pathogens Order 1980 and the Specified Animal Pathogens Order 1998. Mycobacterium bovis is classified as a Group 2 animal pathogen.

Pathogens classified as group 2 are disease producing organisms which are either exotic or produce notifiable disease, but have a low risk of spread from the laboratory.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the likely incidence of TB breakdown in cattle in Krebs reactive areas, if 100 per cent. culling of badger population in the areas had been carried out. [140301]

Mr. Bradshaw: Under the protocols for the Krebs trial, badgers are culled using cage trapping, which is estimated to remove around 80 per cent. of the badger population. Analysis of the trial data from reactive areas is therefore only able to indicate what effect this level of removal on and around farms which have had a TB breakdown will have on the incidence of TB breakdown in the reactive area as a whole. It is not possible to estimate what effect an alternative capture method, which would remove 100 per cent., rather than 80 per cent., of the badgers would have.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs whether cattle-to-cattle transmission of TB has occurred in the Krebs reactive trial area. [140304]

Mr. Bradshaw: It is highly likely that some cattle-to-cattle transmission of TB has occurred in all Krebs trial areas, although it is impossible to quantify the number of herd breakdowns which might have been due to this means of infection.

An epidemiological survey in the Krebs badger culling trial areas, known as "TB99", is looking at risk factors in TB outbreaks. A preliminary analysis is set out in the Third Report of the Independent Scientific Group on Cattle TB.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the OIE limit of the incidence of TB in cattle necessary to maintain TB-free status trading for the UK, expressed as a percentage of the national herd. [140308]

Mr. Bradshaw: The Office of International des Epizooties (OIE) provides expertise for the control of animal diseases.

Article 2.3.3.2 of the OIE Terrestrial Animal Health Code states that for a Country or zone to qualify as officially free from bovine tuberculosis, shall satisfy the following requirements:

Bovine tuberculosis is notifiable in the country;

99.8 per cent. of the herds in the considered geographical area have been officially free from bovine tuberculosis for at least the past three years as disclosed by periodic testing of all cattle in the area to determine the absence of bovine tuberculosis.

Periodic testing of all cattle is not required in an area where a surveillance programme reveals that 99.9 per cent. of the cattle have been in herds officially free from tuberculosis for at least six years.

Defra statistics on the incidence of bovine TB are not collated in a format that allows for a comparison with the OIE incidence of TB.

Table 1 as follows shows the percentage of the national herd that was under restriction between 2001 and 2003.

Current EU restrictions relating to BSE prevent export of live bovines from the United Kingdom. Export of beef and beef products are permissible under the Date-based Export Scheme (for UK origin beef), or, the XAP Scheme (for beef of foreign origin). Beef fromcattle under TB restrictions cannot be exported.

Table 1 percentage of national herd under restriction

Year	*2003*[1]	*2002*[2]	*2001*[2]
Total number of herds registered on Ventnet	96,865	99,584	105,714
Of which were under TB2 restrictions because of a TB incident at some time during the year	4,740	4,174	2,511
Percentage of national herd under restriction (cumulative figure for the year)	4.8	4.1	2.3

[1] Data represents 1 January 2003 to 30 September 2003–11–24

[2] Data for 2001 and 2002 are not comparable to other years, because TB testing was significantly reduced during the foot and mouth outbreak, and when testing resumed, it was targeted at higher risk herds.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of registered cattle herds in the UK are under TB restriction. [140309]

Mr. Bradshaw: The data requested is not available for the UK. However, between 1 January and 30 September 2003 approximately 4.9 per cent. (4,740*) of cattle herds in Great Britain had been under TB restriction.

* Provisional data downloaded from the State Veterinary Service database on the 20–21 October 2003—subject to change as outstanding TB test and culture results become available.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how many carcases produced from cows not reported as TB reactors originating from farms in England were found to be positive for M. bovis or otherwise infected with bovine tuberculosis as a result of samples taken at slaughterhouses in the last 10 years. [140314]

Mr. Bradshaw: All cattle slaughtered in licensed slaughterhouses are subject to inspection by Meat Hygiene Service officials. Where lesions suggestive of TB are found at post-mortem, samples are sent for laboratory culture of M. bovis, the causative organism

of bovine tuberculosis. Cases identified by the MHS (but not sent for slaughter as reactors) are "slaughterhouse cases".

		Confirmed slaughterhouse cases	
	Total slaughterhouse cases	*Number*	*Percentage*
2002	385	132	34
2001	194	65	36
2000	239	114	48
1999	178	92	52
1998	94	50	53
1997	10	4	40
1996	10	3	30
1995	4	3	75

Data not currently available for 1994 and 1993

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what the *(a)* standard, *(b)* upper level, *(c)* lower level and *(d)* average payment made for bovine TB compensation was for (i) commercial dairy cattle and (ii) pedigree dairy cattle in *(A)* England and *(B)* Wales for each of the last five years for which figures are available. [136410]

Mr. Bradshaw: As compensation for bovine tuberculosis (TB) is based on individual valuations of cattle to be slaughtered for disease control reasons, information in the format requested can only be provided at disproportionate cost.

The number of cattle slaughtered and overall expenditure on compensation for cattle slaughtered under TB control measures in England and in Wales, for the financial years 1998–99 to 2002–03, is given in the attached table:

Number of cattle slaughtered under TB control measures and expenditure on TB compensation 1998–99—2002–03

	England		*Wales*	
	Number of cattle slaughtered[1]	*Compensation paid*[2] *(£,000)*	*Number of cattle slaughtered*[1]	*Compensation paid*[2] *(£,000)*
1998–99	4,928	3,755	1,189	683
1999–2000	6,063	4,978	1,262	1,304
2000–01	6,177	5,715	1,808	1,228
2001–02	[3]6,644	7,367	[3]2,337	2,366
2002–03	[3,4]19,228	26,076	[3,4]5,491	8,087

[1] TB reactors plus direct contacts.
[2] The compensation figures in the table relate only to compensation paid. Previous published information has included valuation and haulage costs, and salvage receipts..
[3] Provisional data only
[4] In 2001, the TB testing and control programme was largely suspended due to the Foot and Mouth Disease (FMD) outbreak. Since testing resumed in 2002, resources have been concentrated on herds with overdue TB tests which would have had a longer period in which to contract the disease. Also the proportion of high risk herds being tested post-FMD is greater than that prior to the outbreak. As a result, the number of TB reactors identified and slaughtered in 2002–03 is not comparable to those identified and slaughtered in previous years.

Climate Change

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the potential effects of climate change on British agriculture. [137270]

Mr. Bradshaw: Since 1987 MAFF and now Defra has commissioned over £6 million of ongoing research focused on (i) identifying the impacts of potential climate change on UK agriculture; and (ii) helping farmers to develop adaptation strategies to manage the impacts of climate change. A report which summarises this research was published in early 2003 and is available on UK Climate Impacts Programme (UKCIP) website: http://www.ukcip.org.uk/Agriculture/agriculture.htm.

Furthermore, in 2000 we commissioned a report 'Climate Change and Agriculture in the UK' aimed at raising awareness of climate change within the farming community. Where sufficient evidence was available, this report summarised possible adaptation strategies to cope with expected changes; where the knowledge base was less robust, the report set out the potential impacts on UK agriculture. This report is available on the Defra website: http://defraweb/environ/climate/climatechange/index.htm

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will increase climate change agreement targets for companies not involved in the EU Emissions Trading scheme. [139148]

Mr. Bradshaw: The EU Emissions Trading Scheme will come into force on 1 January 2005. Operators in the Climate Change Agreements within sectors covered by the scheme will be given the opportunity to apply to opt out of the first phase of the scheme between 2005 and 2007. Those operators exercising this opt out will be subject, along with all other operators not covered by the EU ETS, to the provisions of the Climate Change Agreements for a review of targets in 2004 and 2008 to ensure that they continue to represent the potential for cost effective energy savings taking account of any changes in technical or market conditions.

Combined Heat and Power

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to increase combined heat and power generation. [139606]

Mr. Bradshaw: The measures to support CHP announced in the Energy White Paper, taken together with measures we have previously introduced and detailed in the draft CHP Strategy, will significantly help CHP. These will be brought together in the final Government Strategy for CHP to 2010, which we will publish before the end of March 2004.

Dairy Farming

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what measures the Government has put in place in enable dairy farmers to add value to their products. [137892]

Mr. Bradshaw: Support is available through the England Rural Development Programme for farmers wishing to add value to their produce. The Processing and Marketing Grant can provide up to 30 per cent. of eligible costs towards projects to improve the processing and marketing infrastructure of mainstream agricultural products. The Rural Enterprise Scheme (RES) provides assistance of up to 50 per cent. to farmers to diversify their businesses, which might involve on-farm processing and retailing of their produce. Help can also be given through RES to market added value, quality, agricultural products.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Government has sought to amend EC Regulation 2597/97 in accordance with the Milk Task Force recommendations of December 2001. [137896]

Mr. Bradshaw: We wrote to interested parties on changing the rules on the fat content of drinking milk in Council Regulation (EC) No. 2597/97 in February 2002, as part of our follow-up to the Milk Task Force and to prepare for possible Commission proposals to amend the regulations. The response we received was mixed. Whilst there was some support for liberalising the rules, there was also concern that it might undermine the well established categories of drinking milk to the detriment of consumers and dairy processors. The Commission in their report on these rules, which was published earlier this year, also found no consensus in favour of changes. It has therefore proposed no changes for the time being, but will initiate a review in 2007, with a view to harmonising rules across the enlarged Community in 2009 when the existing derogations from the rules for Finland, Sweden and several accession countries will expire.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Government supports decoupling of the dairy sector in 2005. [138026]

Mr. Bradshaw: The Government believes that by breaking the link between farm subsidies and production, decoupling will reconnect farmers to their markets, reduce damaging environmental impacts and reduce bureaucracy. Our economic assessment also indicates that decoupling should have a beneficial impact on farm incomes. We are therefore minded to decouple dairy direct payments in 2005. We will make a final decision once we have the results of our ongoing consultation on the dairy elements of the reform package, which closes on 3 February.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what targets the Government has set for *(a)* levels of production and *(b)* the number of producers in dairy farming. [138027]

Mr. Bradshaw: The Government has not set targets for levels of milk production or for the number of producers in dairy farming.

Darwin Mounds

Mr. Dalyell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the effectiveness of measures to protect the Darwin Mounds. [139832]

Mr. Bradshaw: We have proposed the designation of the Darwin Mounds as a Special Area of Conservation under the Habitats Directive. EC measures to protect the Darwin Mounds from damaging fishing activities came into effect on 20 August 2003. The area where restrictions are in place is closely monitored by the Scottish Fisheries Protection Agency. No breaches of the restrictions have been identified.

Dog Identification Scheme

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on the tattooing of dogs for identification purposes. [138574]

Mr. Morley: The Government have considered the option of introducing a dog identification scheme, but have no current plans to do so. Defra promotes responsible dog ownership through byelaws, education and publicity.

Tattooing is an option for owners, but is not an option for statutory identification schemes such as pet passports where microchips are used.

Egg Industry

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what volume in tonnes of *(a)* shelled eggs and *(b)* whole egg powder was imported into the United Kingdom in the last 10 years for which figures are available; and from which countries. [138076]

Mr. Bradshaw: The following table shows UK imports of *(a)* shell eggs and *(b)* whole egg powder between 1993 and 2002.

UK imports of birds' eggs, in shell and powdered, 1993–2002

Tonnes

Product/country	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
Eggs in shell										
Netherlands	7,797	12,421	9,240	10,864	8,775	5,098	7,905	17,946	10,952	14,865
Germany	2,544	2,389	2,256	3,300	2,292	2,934	3,792	10,807	14,621	9,011
France	1,382	2,642	3,118	3,338	2,217	2,443	1,513	2,845	6,809	8,723
Irish Republic	714	1,875	2,216	1,359	1,774	1,472	865	1,801	2,245	1,981
Spain	42	68	99	115	—	—	—	32	4,440	9,499
Belgium-Lux	1,350	2,954	2,447	1,681	663	169	681	1,320	1,039	934
Denmark	935	1,313	1,649	993	527	664	816	761	698	1,000
Finland	—	—	278	1,398	1,282	674	122	309	132	392

UK imports of birds' eggs, in shell and powdered, 1993–2002

Tonnes

Product/country	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
USA	2	6	3	4	83	53	130	864	1,087	2,020
Italy	4	1	1	—	68	—	10	31	1,591	103
Sweden	—	0	—	248	—	16	160	36	11	120
Austria	—	—	74	—	—	—	—	—	65	85
Portugal	—	—	—	—	—	—	—	—	—	104
Other	1	1	0	0	0	0	2	8	0	28
Eggs in shell total	14,771	23,670	21,382	23,299	17,681	13,522	15,997	36,760	43,692	48,864
Egg powder										
France	1,375	1,679	1,305	1,688	1,879	2,472	2,122	2,015	1,961	3,027
Netherlands	983	1,305	1,561	1,601	1,813	1,807	2,020	1,709	2,030	1,531
Belgium-Lux	222	182	273	287	178	198	523	273	337	1,717
USA	98	169	151	225	295	482	184	473	313	186
Denmark	155	138	100	192	229	224	195	211	535	541
Italy	4	56	197	147	334	243	75	44	45	50
Germany	156	107	150	50	98	113	108	97	78	154
Sweden	12	2	3	2	—	5	56	135	187	107
Austria	—	—	—	—	—	—	0	—	—	214
Other	61	0	0	28	181	42	16	40	2	37
Egg powder total	3,065	3,639	3,741	4,219	5,007	5,586	5,299	4,997	5,488	7,563

Source:
HM Customs and Excise
Data prepared by Statistics (Commodities and Food) Consultancy Trade and IT, ESD, DEFRA

Energy Consumption

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department is taking to encourage households to reduce their energy consumption. [138675]

Mr Bradshaw *[holding answer 18 November 2003]*: The Energy White Paper details the steps being taken to encourage greater energy efficiency in the UK, and sets out an ambitious strategy for energy efficiency up to 2010 and beyond. Energy efficiency is expected to deliver about half the carbon savings needed to meet our goals for 2020. This will mean roughly doubling the rate of energy efficiency improvement of recent decades.

A wide range of policies and measures have already been established to encourage energy efficiency across the economy. These include:

Climate Change Agreements, where companies can gain an 80 per cent. discount from the Climate Change Levy for eligible processes by entering into Agreements and meeting energy efficiency targets;

the work of the Carbon Trust, which takes the lead on energy efficiency for business and the public sector, and supports the development of a low carbon economy in the UK. The Trust was launched in April 2001 as one way in which CCL receipts are recycled to business;

the UK Emissions Trading Scheme (ETS), which will generate significant emissions reductions and is the first economy-wide greenhouse gas emissions trading scheme in the world. The UK Government is also working towards implementing the European ETS, due to start on 1 January 2005;

funding for the Energy Saving Trust to run a number of programmes to promote the sustainable and efficient use of energy in homes. The Trust also facilitates the Energy Efficiency Partnership for Homes, which brings together key stakeholders to support and promote domestic energy efficiency;

encouraging improvements in product standards so that energy-using appliances operate more efficiently;

the Building Regulations, updated in 2002, which are already delivering significant energy efficiency improvements in new and existing buildings.

Looking to the future, the White Paper proposes some key measures, including extension of the Energy Efficiency Commitment beyond 2005 at possibly twice its current level of activity; improvements in building standards through further revisions to the Building Regulations; and faster improvements in the standards of new household appliances.

In Budget 2003, my right hon. Friend, the Chancellor of the Exchequer, announced that he would consult further on specific fiscal measures to promote energy efficiency. This consultation closed on the 24 October and the Government is grateful to all those who contributed. All responses are being actively considered to help inform policy development.

The Government intends to publish an Energy Efficiency Implementation Plan within a year of the White Paper's publication, which will provide further detail on all of these policies.

Environmental Protection

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs if her Department will take into account in the Regulatory Impact Assessment of the EU REACH proposals the economic benefits to UK environmental testing laboratories of the testing work required. [140072]

Alun Michael: On 29 October 2003 the European Commission presented a proposal for the regulation of chemicals. The Government will carry out a UK consultation early in the new year which will be accompanied by a Regulatory Impact Assessment.

The impact assessment will aim to assess all the major costs and benefits, both direct and indirect to industry and make an assessment of the wider impact on the UK economy.

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs whether the DTI/Defra Joint Environmental Markets Unit is consulted when her Department carries out regulatory impact

assessments of new environmental protection measures to ensure that benefits of the measures to the UK *(a)* environmental technology and *(b)* services industry are included. [140073]

Mr. Morley: Regulatory Impact Assessments (RIAs) of new environmental protection measures are undertaken in accordance with the Cabinet OfficeGuidelines, "Better Policy Making: A Guide to Regulatory Impact Assessment". Among other things, this says RIAs should take account of the potential dynamic benefits of regulations and an assessment of all the business sectors affected—both positively and negatively. As part of this process, policy-makers consult with relevant stakeholders, including where appropriate representatives of the environmental goods and services industry who will then have the opportunity to make the case for the benefits. Like other parts of Government with an interest, the Joint DTI/ Defra Environmental Markets Unit will contribute as appropriate and as part of the policy-making process within Government.

EU Committees

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Joint Meetings of the Management and/or Regulatory Committee in the field of agriculture-agrimonetary questions, *(b)* the EU Standing Forestry Committee and *(c)* the EU Committee for the adaptation to technical progress and the implementation of the Directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132697]

Mr. Bradshaw: The information requested is as follows:

(a) The EU Joint Meetings of the Management and/or Regulatory Committee in the field of agriculture-agrimonetary questions

The Agrimonetary Management Committee met during the Danish Presidency on 16 October 2002 and during the Greek Presidency on 9 April 2003. The agenda included aspects of agrimonetary compensation and a minor amendment to the agrimonetary regulations.

(b) The EU standing Forestry Committee

The EU standing Forestry Committee met during the Danish Presidency on 27 November and 4 December 2002 and during the Greek Presidency on 10 February, 7 April and 5 June 2003. Issues discussed included regulations to monitor pollution and prevent fires, to establish a European Forest Information and Communication Network and implementation of national programmes concerning forest protection measures.

(c) The EU Committee for the adaption to technical progress and the implementation of the Directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations

The EU Committee for the adaption to technical progress and the implementation of the Directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations did not meet during either the Danish or Greek Presidencies.

The devolved administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Committee for the adaptation to scientific and technical progress of the Directive on the quality of fresh water, *(b)* the EU Management Committee of the common organisations of agricultural markets for seeds and *(c)* the EU Management Committee of the common organisations of agricultural markets for live plants and floriculture products during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132698]

Mr. Bradshaw: The information is as follows:

(a) The EU Committee for the adaption to scientific and technical progress of the Directive on the quality of fresh water

This committee has never met. The role of the Committee, if it should meet, is set out in article 12 of the Directive. It is to deliver its opinion on amendments proposed by the Commission to the G values and to the methods of analysis set out in Annexes to the Directive where amendments are necessary to adapt the Directive's provisions to technical or scientific progress. The Committee has equivalent functions in relation to Directive 79/923/EC on the quality required of Shellfish Waters.

(b) The EU Management Committee of the common organisations of agricultural markets for seeds

The Seeds Management Committee met jointly with the Sugar Management Committee during the Danish Presidency on 19 December 2002, and jointly with the Cereals Management Committee during the Greek Presidency on 9 January 2003, to discuss a draft Regulation setting the minimum aid rate for certain agricultural products for the Outermost Regions (Canary Islands, Madeira and the Azores).

(c) The EU Management Committee of the common organisations of agricultural markets for live plants and floriculture products

The Management Committee for live plants and floriculture products did not meet during the Danish and Greek Presidencies.

The devolved Administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the Fisheries Joint Committee (EEC-Equatorial Guinea), *(b)* the Fisheries Joint Committee (EEC-Estonia) and *(c)* the Fisheries Joint Committee (EEC-Russia) during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132699]

Mr. Bradshaw: The UK does not have any fishing interest in the waters concerned and accordingly did not attend any of the meetings of the Joint Committees listed, nor does Defra keep records of these meetings.

The devolved administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the Fisheries Joint Committee (EEC-Guinea Bissau), *(b)* the Fisheries Joint Committee (EEC-Morocco) and *(c)* the Fisheries Joint Committee (EEC-Gambia) during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132700]

Mr. Bradshaw: The UK does not have any fishing interest in the waters concerned and accordingly did not attend any of the meetings of the Joint Committees listed, nor does Defra keep records of these meetings.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the Fisheries Joint Committee (EEC-Poland), *(b)* the Fisheries Joint Committee (EEC-Greenland) and *(c)* the Fisheries Joint Committee (EEC-São Tomé) during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132701]

Mr. Bradshaw: The information requested is as follows:

(a) The Fisheries Joint Committee (EEC-Poland)

The UK does not have any fishing interest in the waters concerned and accordingly did not attend any of the meetings of this Joint Committee, nor does Defra keep records of these meetings.

(b) The Fisheries Joint Committee (EU-Greenland)

The Fisheries Joint Committee (EU-Greenland) did not meet during the Danish Presidency. It met during the Greek Presidency on 21 May and 18 June 2003. The discussions were about the mid-term review of the Fourth EU/Greenland Protocol.

The devolved administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings. The UK delegation to this committee was led by Defra and included a Scottish Executive official.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

(c) The Fisheries Joint Committee (EEC-Sao Tome)

The UK does not have any fishing interest in the waters concerned and accordingly did not attend any of the meetings of this Joint Committee, nor does Defra keep records of these meetings.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the Fisheries Joint Committee (EEC-Guinea), *(b)* the Fisheries Joint Committee (EEC-Cape Verde) and *(c)* the Fisheries Joint Committee (EEC-Lithuania) during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132702]

Mr. Bradshaw: The UK does not have any fishing interest in the waters concerned and accordingly did not attend any of the meetings of the Joint Committees listed, nor does Defra keep records of these meetings.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the Fisheries Joint Committee (EEC-Latvia), *(b)* the Fisheries Joint Committee (EEC-Senegal) and *(c)* the Fisheries Joint Committee (EEC-Argentina) during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132703]

Mr. Bradshaw: The UK does not have any fishing interest in the waters concerned and accordingly did not attend any of the meetings of the Joint Committees listed, nor does Defra keep records of these meetings.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will list the dates of meetings of *(a)* the Fisheries Joint Committee (EEC-Mauritius), *(b)* the Fisheries Joint Committee (EEC-Côte d'Ivoire) and *(c)* the Fisheries Joint Committee (EEC-Seychelles) during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement; [132704]

(2) if she will list the dates of meetings of *(a)* the Fisheries Joint Committee (EEC-Comoros), *(b)* the Fisheries Joint Committee (EEC-Angola) and *(c)* the Fisheries Joint Committee (EEC-Madagascar) during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132705]

Mr. Bradshaw: The UK does not have any fishing interest in the waters concerned and accordingly did not attend any of the meetings of the Joint Committees listed, nor does Defra keep records of these meetings.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the Eco-label Regulatory Committee, *(b)* the EU Advisory Committee on Veterinary Training and *(c)* the EU Management Committee of the Common Organisations of Agricultural Markets for Poultry, Meat and Eggs during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132706]

Mr. Bradshaw: The information is as follows:

(a) The Eco-label Regulatory Committee

The Eco-label Regulatory Committee met during the Danish Presidency on 25 September and 4 December 2002, and during the Greek Presidency on 4 February 2003. Issues discussed at the Committee included votes on ecolabelling criteria.

(b) The Advisory Committee on Veterinary Training

The EU Advisory Committee on Veterinary Training committee was abolished in 2000, therefore the Committee did not meet during either the Danish or the Greek Presidency.

(c) The EU Management Committee of the Common Organisations of Agricultural Markets for Poultry, Meat and Eggs

The EU Management Committee of the Common Organisations of Agricultural Markets for Poultry, Meat and Eggs met during the Danish Presidency 9 July, 18 September, 17 October, 19 November and 10 December 2002. It met during the Greek Presidency on 21 January, 18 February, 11 March, 8 April, 20 May and 17 June 2003. The agendas contained items relating to the operation of the EU egg and poultry regimes, including inter alia, export refunds, market information and regulations implementing various aspects of the EU regimes. Traditionally items relating to EU rules on honey are also discussed in this committee.

The devolved Administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the Animal Nutrition Section of the Standing Committee on the Food Chain and Animal Health, *(b)* the EU Committee on the action programme on rare diseases in the framework of the action plan for public health and *(c)* the EU Standing Veterinary Committee during the Danish and Greek Presidencies; what items were on each agenda for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132707]

Mr. Bradshaw: *(a)* and *(c)* The EU Standing Veterinary Committee was replaced by two Sections of the Standing Committee on the Food Chain and Animal Health: Animal Health and Welfare covering animal health veterinary issues; and the Biological Control of the Food Chain, covering publich health veterinary issues. Details of these Sections and the Animal Nutrition Section, including meeting dates and minutes, can be found on the links:

Animal Nutrition

http://europa.eu.int/comm/food/fs/rc/scfcah/anim nut/index en.html

Animal Health and Welfare

http://europa.eu.int/comm/food/fs/rc/scfcah/ah aw/index en.html

Biological Control of the Food Chain

http://europa.eu.int/comm/food/fs/rc/scfcah/biological/index en.html

No representatives of the Scottish Executive were present at these meetings. Formal preparatory meetings are not normally held for Standing Committee meetings. However, prior to Standing Committee, comments and advice are sought from colleagues (including the Scottish Executive) and interested parties to help formulate the United Kingdom's position.

(b) The EU Committee on the action programme on rare diseases, in the framework of the action plan for public health, did not meet during the Danish or Greek Presidencies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the Management Committee of the common organisation of agricultural markets for milk and milk products, *(b)* the EU Committee on organic production of agricultural products and *(c)* the EU Committee for the adaptation to technical and scientific progress of the Directive on conservation of wild birds during the Danish and Greek presidencies; what items were on each agenda for each meeting; what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132708]

Mr. Bradshaw: The information is as follows:

(a) The Management Committee of the common organisation of agricultural markets for milk and milk products

The Management Committee for milk and milk products met during the Danish Presidency on 11 and 25 July, 29 August, 12 and 26 September, 10 and 24 October, 14 and 28 November and 12 December

2002. During the Greek Presidency it met on 16 and 30 January, 13 and 27 February, 13 and 27 March, 10 and 24 April, 15 and 28 May, and 12 and 26 June 2003. Issues discussed at the Committee included matters related to prices, aid and marketing of milk and milk products.

(b) The EU Committee on organic production of agricultural products

The Standing Committee on Organic Farming and its associated working groups met during the Danish Presidency on 8–10 July, 5 and 30 September, 1, 7 to 9 and 15 October, 13 November and 4 to 6 and 12 December 2002. During the Greek Presidency it met on 21, 22, 27 and 28 January; 4 to 6 and 27 February; 14 and 26 March; 1, 2 to 3 and 29 April; 14 and 21 to 23 May and 12 and 13 June 2003. Issues discussed included inspection arrangements for feed for organic livestock, seeds for use in organic farming, additives permitted in organic food, imports to the EU from third countries, the use of conventional ingredients in feed for organic livestock, conversion of livestock for organic production and the proposed EU Organic Action Plan.

(c) The EU Committee for the adaptation to technical and scientific progress of the Directive on conservation of wild birds

The ORNIS Committee (the Committee for the adaptation to technical and scientific progress of the Directive on conservation of wild birds) did not meet during the Danish Presidency. It met once during the Greek Presidency on 26 June 2003. The agenda included EU enlargement preparations concerning the Birds Directive, the Commission's Sustainable Hunting Initiative, the state of progress for the classification of new Special Protection Areas, progress on new monitoring and reporting initiatives for nature directives (including development of bird indicators) and reports under Articles 9 and 12 of the Birds Directive.

The devolved Administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Committee for the protection of species of wild fauna and flora by regulating trade, *(b)* the EU Scientific Review Group for the protection of wild fauna and flora by regulating trade, *(c)* EU Agricultural Guidance and Guarantee Fund Committee and *(d)* working party on irregularities during the Danish and Greek presidencies; what items were on each agenda, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132709]

Mr. Bradshaw: The information requested is as follows:

(a) The EU Committee for the protection of species of wild fauna and flora by regulating trade

The EC CITES Committee (The Committee on Trade in Wild Fauna and Flora) met during the Danish Presidency on 19 December 2002 and during the Greek Presidency on 13 March 2003. Issues discussed at the Committee included applications for permits and licences for trade, and other matters relating to the use and trade of wild animals and plants.

(b) The EU Scientific Review Group for protection of wild fauna and flora by regulating trade

The Scientific Review Group (SRG) met during the Danish Presidency on 5 September 2002 and during the Greek Presidency on 30 January 2003 and 22 May 2003. Issues discussed included reports on Ecological matters.

(c) The EU Agricultural Guidance and Guarantee Fund Committee

The European Agricultural Guidance and Guarantee Fund Committee met during the Danish Presidency on 18 July, 20 September, 7 October, 22 October, 8 November, 19 November and 17 December. During the Greek Presidency it met on 22 January, 20 February, 20 March, 22 April, 16 May, 21March and 18 June. Issues discussed included the payment of monthly advances from the Fund, decisions on the clearance of CAP accounts, the exclusion from Community financing of certain expenditure as a result of disallowance decisions, and other matters relating to the control of CAP expenditure.

(d) The European Agricultural Guidance and Guarantee Fund working party on irregularities

The European Agricultural Guidance and Guarantee Fund working party on irregularities did not meet during the Danish Presidency and met during the Greek Presidency on 11 March 2003. Issues discussed included the formation of a temporary task force to audit outstanding cases of financial irregularity and recovery, difficulties experienced, and presentations on technical items.

The devolved administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Management Committee of the common organisations of agricultural markets for products processed from fruit and vegetables and *(b)* the EU Management Committee of the common organisations of agricultural markets for hops during the Danish and Greek presidencies; what items were on each agenda for each meeting; what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132710]

Mr. Bradshaw: The information is as follows:

(a) The EU Management Committee of the common organisations of agricultural markets for products processed from fruit and vegetables

The Processed Fruit and Vegetables Management Committee met during the Danish Presidency on 16 July, 17 September, 15 October, 12 November and 10 December. During the Greek Presidency it met on 10 January, 11 and 19 February, 12 March, 8 and 29 April, 6 and 14 May, and 13, 23 and 24 June 2003. Issues discussed at the Committee included the setting of export refunds and aid for products grown for processing.

(b) The EU Management Committee of the common organisations of agricultural markets for hops

The EU Management Committee of the common organisations of agricultural markets for hops did not meet during the Danish or Greek Presidencies.

The devolved Administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Advisory Committee for the implementation of the directive on the reduction of the sulphur content of certain liquid fuels, *(b)* the EU Committee on zootechnics and *(c)* the EU Committee for the Adaptation to Technical and Scientific Progress and Implementation of the Directive on the Deliberate Release into the Environment of Genetically Modified Organisms during the Danish and Greek presidencies; what items were on each agenda for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132711]

Mr. Bradshaw: The information requested is as follows:

(a) The EU Advisory Committee for the implementation of the directive on the reduction of the sulphur content of certain liquid fuels.

The EU Advisory Committee on the Sulphur Content in Liquid Fuels Directive met once during the Danish Presidency on 10 December 2002. The only item on the agenda was a discussion on a derogation for Greece, allowing the use of heavy fuel oil with a sulphur content of 3 per cent. by mass in part of its territory from 1 January 2003. The Committee did not meet during the Greek Presidency.

(b) The EU Committee on zootechnics

The Standing Committee on Zootechnics met during the Danish Presidency on 5 November 2002 and during the Greek Presidency on 8 April 2003. Issues discussed included proposed amendments to community rules on equidae, bovines and sheep.

(c) The EU Committee for the Adaption to Technical and Scientific Progress and Implementation of the Directive on the Deliberate Release into the Environment of Genetically Modified Organisms.

The EU Committee on the Deliberate Release into the Environment of Genetically Modified Organisms did not meet during either the Danish or the Greek Presidencies.

The devolved administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Management Committees of the common organisations of agricultural markets for dehydrated fodder, *(b)* the EU Management Committee of the common organisations of agricultural markets for oils and fats and *(c)* the EU Standing Committee on Agricultural Research during the Danish and Greek presidencies; what items were on each agenda for each meeting; what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132712]

Mr. Bradshaw: The information is as follows:

(a) The EU Management Committee of the common organisations of agricultural markets for dehydrated fodder

The EU Management Committee for dehydrated fodder did not meet during the Danish Presidency. It met during the Greek Presidency on 20 June 2003. The main purpose of this meeting was to set the final rate of aid for the previous marketing year.

(b) The EU Management Committee of the common organisations of agricultural markets for oils and fats

The EU Management Committee for oils and fats met during the Danish Presidency on 5 July, 11 and 24 September, 16 October, 20 November and 11 December 2002. It met during the Greek Presidency on 22 January, 12 February, 19 March, 9 April, 19 May and 11 June. Issues discussed included the market situation, export refunds, amendments to the provisions on marketing standards and the work programmes of operators' organisations.

(c) The EU Standing Committee on Agricultural Research

The Standing Committee on Agricultural Research did not meet during either the Danish or Greek Presidencies.

The devolved Administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Joint Meetings of Management and/or Regulatory Committees in the field of agriculture-trade mechanisms, *(b)* the EU Management Committees of the common organisations of agricultural markets for fresh fruit and vegetables and *(c)* the EU Committee for the adaptation to scientific and technical progress and implementation of the directive on waste during the Danish and Greek

presidencies; what items were on each agenda for each meeting; what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132713]

Mr. Bradshaw: The information is as follows:

(a) The EU Joint Meetings of Management and/or Regulatory Committees in the field of agriculture-trade mechanisms

Meetings of the DG Agri Trade Mechanisms Management Committee usually take place every month except August. The last meeting took place on 11 November 2003. The next meeting is scheduled for 9 December. Issues discussed at the Committee included accessionary arrangements for new member states of the European Union; and amendments to export refunds, licensing, supply arrangements and animal welfare regulations.

(b) The EU Management Committees of the common organisations of agricultural markets for fresh fruit and vegetables

The Fresh Fruit and Vegetables Management Committee met during the Danish presidency on 16 July, 17 September, 15 October, 12 November and 10 December. During the Greek presidency it met on 10 January, 11 and 19 February, 12 March, 8 and 29 April, 6 and 14 May, and 13, 23 and 24 June 2003. Issues discussed included the setting of export refunds and arrangements for assisting Producer Organisations.

(c) The EU Committee for the adaptation to scientific and technical progress and implementation of the directive on waste

The EU Committee for the adaptation to scientific and technical progress and implementation of the directive on waste met during the Danish presidency on 25 July 2002 and during the Greek Presidency on 15 January and 7 May 2003. Issues discussed included the directives on Landfill, End-of-life Vehicles and Waste from Electrical and Electronic Equipment.

The devolved Administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Committee on the implementation of the Directive establishing a Community policy regarding water, *(b)* the EU Management Committee of the common organisations of agricultural markets for natural fibres and *(c)* the EU management committees of the common organisations of agricultural markets for cereals during the Danish and Greek presidencies; what items were on each agenda for each meeting; what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132715]

Mr. Bradshaw: The information is as follows:

(a) The EU Committee on the implementation of the Directive establishing a Community policy regarding water

The EU Committee on the implementation of the Directive establishing a Community policy regarding water did not meet during the Danish presidency. During the Greek presidency, it met on 6 May 2003. Issued discussed at the Committee included work priorities for 2003 and 2004, and implementation of Directive 2000/60/EC.

(b) The EU Management Committee of the common organisations of agricultural markets for natural fibres

The Management Committee for Natural Fibres met during the Danish presidency on 25 July, 1 August, 4 September and 13 and 29 November 2002, and during the Greek presidency on 18 March and 28 May 2003. Issues discussed included harvest and market reports for cotton, flax, hemp and silk; estimating cotton production to calculate provisional reductions of the guide price; revising cotton production estimates; fixing actual cotton production; apportioning a National Guaranteed Quantity of 5,000 tonnes of short fibre between five minor producing countries; and contributing to the design of a fibre industry questionnaire.

(c) The EU Management committees of the common organisations of agricultural markets for cereals

The Cereals Management Committee normally meets on a weekly basis. The dates of meetings during the Danish and Greek presidencies and the items on each agenda can be viewed at the following internet address: http://europa.eu.int/comm/agriculture/minco/manco/cereals/index.htm#top

The devolved Administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the dates of meetings of *(a)* the EU Committee for the adaptation to scientific and technical progress of the Directive on bathing water, *(b)* the EU Management Committee for Fisheries Products and *(c)* the EU Management Committee for the fisheries and aquaculture sector during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132717]

Mr. Bradshaw: The information requested is as follows:

(a) The EU Committee for the adaptation to scientific and technical progress of the Directive on bathing water

The EU Committee for the adaptation to scientific and technical progress of the Directive on bathing water did not meet during either the Danish Presidency or the Greek Presidency.

(b) The EU Management Committee for Fisheries Products

The Management Committee for Fishery Products met during the Danish Presidency on 4 July, 4 October and 3 December 2002, and during the Greek Presidency on 27 January (Expert Group), 7 March, 17 March, 14 May (Expert Group) and 18 June 2003. The main items discussed were autonomous tariff quotas for 2003, transnational producer organisations and the European Union/Peru WTO sardine labelling dispute.

(c) The EU Management Committee for the fisheries and aquaculture sector

The Management Committee for Fisheries and Aquaculture met during the Danish Presidency on 23 July, 2 October and 5 November 2002 and during the Greek Presidency on 27 February, 19 March, 10 April, 14 May and 26 June 2003. The main items discussed were data collection, future fleet policy and the Multi-Annual Guidance Programme (MAGPIV) results.

The devolved administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Angus Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs when *(a)* the EU Committee on Geographical Indications and Protected Designations of origin for agricultural products and foodstuffs, *(b)* the EU Committee on certificates of specific character for agricultural products and foodstuffs, *(c)* the EU Committee for the adaptation to technical progress of the directive on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry and *(d)* the EU Advisory Committee on Community policy regarding forestry and forest-based industries met during the Danish and Greek presidencies; what items were on each agenda; for each meeting, what representative of the Scottish Executive was present; what preparatory meetings were held for each meeting, including the officials present; and if she will make a statement. [132718]

Mr. Bradshaw: The information is as follows:

(a) The EU Committee on Geographical Indications and Protected Designations of origin for agricultural products and foodstuffs

The EU Committee on Geographical Indications and Protected Designations of Origin for agricultural products and foodstuffs met during the Danish presidency on 22 July 2002 and during the Greek presidency on 5 February and 4 June 2003. Issued discussed at the Committee included olive oil production, the TRIPS agreement, and recent ECJ judgments.

(b) The EU Committee on certificates of specific character for agricultural products and foodstuffs

The Regulatory Committee for Certificates of Specific Character for Agricultural Products and Foodstuffs met during the Danish presidency on 22 July 2002. The item on the agenda was a draft Commission Regulation amending the existing Commission Regulation 1848/93 on Certificates of Specific Character. The Committee did not meet during the Greek presidency.

(c) The EU Committee for the adaptation to technical progress of the directive on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry

The EU Committee for the adaptation to technical progress of the directive on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry did not meet during either the Danish or the Greek presidency.

(d) The EU Advisory Committee on Community policy regarding forestry and forest-based industries

The Advisory Committee on Forestry and Forest-Based Industries did not meet during the Danish presidency. During the Greek presidency it met on 25 February 2003. Issues discussed included implementation of the EU Forestry Strategy and Habitats Directive, the sustainable use of resources and the status of a proposal for a regulation concerning the monitoring of forests.

The devolved Administrations, including the Scottish Executive, are kept fully informed of the work of all Committees and their views are fully reflected at Committee meetings.

Regarding any preparatory meetings, Exemption 2 to the Code of Practice on Access to Government Information applies.

Packaging

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* percentage and *(b)* volume of material was recycled by each EU country under the terms of the EU Packaging Directive in the last year for which figures are available. [139201]

Mr. Morley: Member states are required to notify the Commission of their packaging data 18 months after the respective year ends. Member states are still in the process of notifying the Commission of their 2001 data. The most complete data set therefore refers to the year 2000, as detailed in the table.

Country	*Total in the waste stream (tonnes) 2000*	*Recycling (percentage of waste arising) 2000*	*Amount of packaging waste recycled (tonnes)*
Austria	1,170,000	69	807,300
Belgium	1,496,290	63	942,663
Denmark	852,258	56	477,265
Finland	442,500	50	221,250
France	12,499,000	42	5,249,580
Germany	15,130,700	78	11,801,946
Netherlands	2,903,000	59	1,712,770
Spain	6,628,035	40	2,651,214
Sweden	976,800	58	566,544
Luxembourg	79,701	45	35,865
Portugal	1,248,259	31	386,960
UK	9,179,981	40	3,671,992
Italy	11,168,200	38	4,243,916
Ireland	[1]	[1]	[1]

[1] Still to notify the Commission.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what estimate she has made of the total volume of packaging used by the fast food industry in each of the last 10 years when

serving their customers, broken down by *(a)* cardboard and paper, *(b)* plastics, *(c)* biodegradable materials and *(d)* other materials; [139199]

(2) what assessment her Department has made of the potential for the use of biodegradable packaging within the fast food industry. [139200]

Mr. Morley: I will write to the hon. Member with this information in due course.

Fallen Stock

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations she has received on the fallen stock scheme. [140167]

Mr. Bradshaw: The Department has received correspondence and enquiries about the conditions for joining the Scheme and asking when it will start. Progress is being made with putting in place the conditions for launching the Scheme and details will be made available shortly.

Farming

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the costs of administration for farmers in real terms in each of the last four years. [137250]

Mr. Bradshaw: There is no estimate made of the total costs of administration for farmers. We estimate the cost in terms of farmers' time spent in completing statistical survey forms that was as follows (at the current prices in each of the years):

Year	*£000*
1999	949
2000	[1]1,432
2001	[2]561
2002	736

[1] Includes full June Agricultural and Horticultural Census as required by the European Union

[2] Many surveys postponed or scaled down due to Foot and Mouth Disease

Fisheries

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what major fish stocks which are closed to UK vessels remain open to other countries' vessels; and what the quota levels of each are. [138095]

Mr. Bradshaw: Two fisheries—Western blue whiting and North Sea herring—have so far been closed in 2003 to the UK fleet as a whole. These fisheries remain open to those other member states which still have uncaught quota for them. Details of their quotas and landings, as shown by the Commission's FIDES database at 11 November, are set out in the following table.

	Western blue whiting			*North sea herring*		
Member state	*Current quota*	*Landings*	*Closure effective*	*Current quota*	*Landings*	*Closure effective*
Germany	18,955	11,712	—	39,087	38,314	—
Denmark	2,218	586	—	63,405	28,590	—
Spain	104	44	—	—	—	—
France	11,944	9,354	—	19,154	16,933	—
Ireland	17,165	14,069	—	—	—	—
Netherlands	31,263	31,659	4 June 2003	45,935	43,689	—
Sweden	0	25	—	4,070	503	—
UK	25,032	21,273	2 April 2003	58,438	57,510	9 September 2003
EEC	107,281	94,722	—	224,458	185,536	—

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs whether she has briefed United Kingdom MEPs on the European Parliament Fisheries Committee on her strategy to decouple cod from other whitefish species. [138923]

Mr. Bradshaw: I attach great importance to finding and negotiating approaches which will promote the recovery of cod stocks whilst allowing fishermen the chance to exploit stocks which are abundant in themselves but caught in the same areas. To be negotiable, such approaches do need to be demonstrably workable. I will certainly ensure that MEPs are briefed on the UK's aims in this respect.

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the European Commission's announcement on 11 November that it has opened formal infringement procedures against the United Kingdom in respect of alleged failure to enforce fisheries rules. [138924]

Mr. Bradshaw: The European Commission has commenced formal proceedings against the United Kingdom under Article 226 of the EC Treaty and Article 26(2) of Council Regulation (EC) No. 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy. The Commission considers that:

(i) the United Kingdom has not provided its competent authorities with the sufficient means to perform their tasks of inspection and control, as laid down in Article 1(2) of Council Regulation (EEC) No. 2847/93 establishing a control system applicable to the common fisheries policy;

(ii) the United Kingdom has not ensured in a sufficient and effective way the compliance with the Community rules in force concerning control measures, notably inspection and monitoring of all fishing activities within its territory and within the maritime waters subject to it sovereignty or jurisdiction;

(iii) insufficient and ineffective control has been observed in particular with respect to those obligations related to the use of the VMS (vessel monitoring

systems) by vessels operating in the UK waters, to the recording of the exact amount of catches in the logbook, to the submission of sales notes, to the submission and recording of landing declarations, to the submission of transport documents and to the establishment of a validation system comprising in particular cross-checks and verification of data in order to ensure respect of the obligations laid down in Articles 3,6,8,9,10, 13, 14 and 17 of Council Regulation (EEC) No. 2847/93;

(iv) the United Kingdom has not taken the appropriate measures against the natural or legal persons who do not comply with the rules in force of the common fisheries policy, including proceedings capable of effectively depriving those responsible of the economic benefit of the infringements or of producing results proportionate to the seriousness of such infringements, effectively discouraging further offences of the same kind, and is of the view that the United Kingdom has failed to fulfil its obligations under Article 1 (2), Article 2 (1) in connection with the Article 3 (6), Article 6 (3), Article 8 (1), Article 13 (1—3), Article 14 (1 and 2) and Article 19 (1—3), and Article 31 (1 and 2) of Council Regulation (EEC) No. 2847/93.

We have two months in which to respond and to demonstrate compliance with its obligations under Council Regulation (EEC) No. 2847/93. If the Commission is not satisfied with our response it may take preventative measures as provided for in Article 26(3) of Council Regulation (EC) No. 2371/2002 and issue a reasoned opinion under Article 226 of the EC Treaty. Beyond that the Commission may refer the issues to the European Court of Justice.

Effective enforcement is integral to the success of the common fisheries policy and to efforts to conserve fish stocks. We are taking the Commission's criticisms very seriously and are currently consulting with the Scottish Executive, the Welsh Assembly Government and the Northern Ireland authorities. We expect to submit a positive response to the Commission early in the New Year.

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs what consultations with the industry she has had on the issue of decoupling cod from other whitefish species. [138925]

Mr. Bradshaw: I and departmental officials are engaged in ongoing discussions with fishermen, about decoupling and other issues associated with fish stock conservation, in the run-up to the key Council of Ministers meeting in December.

Food Regulation

Judy Mallaber: To ask the Secretary of State for Environment, Food and Rural Affairs what responsibilities her Department has in relation to parliamentary consideration of proposals for the regulation of food. [139881]

Mr. Bradshaw: I will write to my hon. Friend with the information in due course.

Foot and Mouth

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many emergency purchase orders were issued by her Department and the former Ministry of Agriculture, Fisheries and Food during the outbreak of foot and mouth disease in 2001. [136821]

Alun Michael: Information held centrally shows that, 12,600 emergency purchase orders were issued by the Department and the former Ministry of Agriculture, Fisheries and Food during the outbreak of foot and mouth disease in 2001.

GM Oilseed Rape

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for the future growing of GM oilseed rape safe for the production of biodiesel. [140154]

Mr. Morley: There are no such plans. No varieties of GM oil seed rape have authorisation for commercial growing in the UK.

Hazardous Waste

Mrs. May: To ask the Secretary of State for Environment, Food and Rural Affairs what guidance has been issued in the last five years on remediation of sites containing potentially hazardous waste. [134450]

Margaret Beckett: I will write to the hon. Member with this information in due course.

Mr. Sheerman: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what plans she has to discuss with the Deputy Prime Minister measures to prevent planning applications for landfill sites dealing with hazardous waste being blocked for technical reasons; [R] [139698]

(2) how many hazardous waste landfill sites are operational in the United Kingdom; and what their estimated capacity is in tonnes per year; [R] [139702]

(3) what estimate she has made of the amount of hazardous waste in tonnes per year which will need to be disposed of separately under the Landfill Directive in each of the next five years; [R] [139703]

(4) what action she is taking to increase the number of hazardous waste sites across the country. [R] [139704]

Mr. Morley: I will write to my hon. Friend with the information in due course.

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on delays to the issuing of hazardous waste criteria. [140066]

Mr. Morley: The draft Landfill (England and Wales) (Amendment) Regulations 2004, that implement the European Council Decision 2003/33 on waste acceptance criteria in England and Wales, are currently out for consultation. That consultation ends on 17 December 2003, and a response to the consultation will be placed on the Defra website as early as possible in the new year. We remain on target to meet the EU requirement to transpose this legislation by July 2004.

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when the hazardous waste regulations will be made available; [140067]

(2) what provisions will be in place by July 2004 to receive hazardous waste in *(a)* London and *(b)* each of the counties and Metropolitan areas in England and Wales; and if she will make a statement; [140068]

(3) what *(a)* staff and *(b)* resources have been allocated by her Department to the production of hazardous waste regulations. [140069]

Mr. Morley: I will write to the hon. Member with this information shortly.

Landfill Sites

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her answer of 10 June 2003, *Official Report*, column 726W, on landfill sites, if she will place an updated list of the level of fine imposed for each landfill site in the Library. [139184]

Mr. Morley: An updated list of the level of fine imposed for each of the landfill sites, where the information is available, will be placed in the Library of the House.

The specific reason for the action is not recorded by the Agency, but the legislation under which the prosecution action is taken is indicated alongside each report. The list of incidents may relate to breaches of authorisation rather than pollution Incidents. Some of the cases have not yet come to court.

Marine Pollution

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Environment Agency has an independent working computer model of the hydrographic regime of the inshore waters of the North Wales coastal region for planning and management purposes. [140403]

Mr. Morley: Matters concerning the Environment Agency Wales are dealt with by the National Assembly for Wales.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on the level of algal blooms in Liverpool Bay; [140265]

(2) what the locations are of algae blooms in United Kingdom waters, broken down by order of severity; [140365]

(3) if her Department will take steps to treat non-toxic algal blooms accumulated on the North Wales coast. [140402]

Mr. Morley: Algal blooms are a naturally occurring phenomenon. Given their intensity will vary at different times of the year eg spring compared to summer, between years, and their growth is dependent on a range factors, it is not possible to produce an accurate map identifying the location and severity of algae blooms in UK waters.

Through implementation of the requirements of the Urban Waste Water Treatment and Nitrates Directives we are taking action eg provision of more stringent treatment at relevant sewage treatment works, to protect the environment and water quality from undesirable disturbances caused, or likely to be caused, by the accelerated growth of algae in nutrient enriched waters. This complicated phenomenon is known as eutrophication.

In England and Wales the Environment Agency undertake reviews of water bodies eg rivers, estuaries, coastal, every four years to assess whether the water body meets the criteria in the Directives for identification as a eutrophic water. The next review is to completed in 2005. At present we do not consider Liverpool Bay (which includes the waters along the North Wales coast) meets the criteria for identification as a eutrophic water.

Considerable effort is currently being directed towards evaluating the ecological status of the north east Irish sea including Liverpool Bay and the north Wales Coast. Results from this work is expected to enable better assessments of the levels of algae in Liverpool Bay.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on co-operation between the United Kingdom Government and the Irish Government on monitoring pollution in the Irish Sea. [140363]

Mr. Morley: I will write to my hon. Friend with this information shortly.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the programme of continuous plankton recording around the British Isles. [140364]

Mr. Morley: A Continuous Plankton Recorder is a device which is towed by a ship of opportunity and can take a larger number of samples of particulate matter such as larger planktonic species from the water through which it passes.

The international marine environmental charity 'Sir Alister Hardy Foundation for Ocean Science' (SAHFOS), which is based in Plymouth, currently operates the Continuous Plankton Recorder survey. This survey has been in operation since 1931 and provides one of the longest and largest marine biological data sets in the world.

More than 70 years of information on the density of over 450 plankton types is contained in the database. Plankton samples have been collected from all over the North Atlantic but predominantly (some 200,000 samples) from waters around the British Isles.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she plans to take to reduce the nitrate levels in *(a)* streams and *(b)* lakes. [140391]

Mr. Morley: The Government has taken, and is taking, a range of action to address nitrate pollution in streams and lakes.

The EC's Urban Waste Water Treatment Directive contains provisions designed to reduce the adverse impact of sewage discharges on the water environment. The Directive, and Government policy building on the Directive's requirements, establishes that all discharges from sewage treatment plants serving populations greater than 2,000 have secondary treatment by the end of 2005.

Secondary treatment reduces the total nitrogen present in sewage. The amount of this reduction is dependant upon the type of secondary treatment process applied, but reduction of total nitrogen achieved through secondary treatment is of the order of 20 per cent. on average.

The Directive also contains provisions that require further treatment of nitrates from sewage discharges to reduce the impact on freshwaters intended for abstraction for use as drinking water. These provisions require that where nitrate concentration levels in these waters exceed or could exceed 50 mg/l, if no protective action is taken, then nitrate reduction is to be achieved through further treatment processes.

Between February 1997 and June 2002 eight water bodies in need of protection from excessive nitrates levels were identified as Sensitive Areas (Nitrate) in England. Relevant sewage works have been, or are being, built to provide the treatment needed to reduce nitrate levels in their discharges.

Additionally the EU Nitrates Directive, an environmental measure designed to reduce current and prevent future water pollution by nitrate from agricultural sources, requires all known areas of land draining into nitrate-polluted waters to be designated as Nitrate Vulnerable Zones. The Nitrates Directive requires the identification of polluted waters using the following criteria: *(a)* surface and groundwaters which contain or could contain, if preventative action is not taken, nitrate concentrations greater than 50 mg/l; *(b)* surface waters which are eutrophic or could become eutrophic if preventative action is not taken. Around 55 per cent. of England has been designated as NVZs on the basis that it drains into these waters, and action programme measures to reduce nitrate loss from agricultural land have been applied in these zones.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs how many incidents of illegal dumping of dredged material have been recorded off the North Wales coast in each of the last 30 years. [140397]

Mr. Morley: This Department has no record of any conviction under either the Dumping at Sea Act 1974 or subsequently the Food and Environment Protection Act 1985 for illegal deposit of dredged material off the North Wales coast prior to such matters being devolved to the National Assembly for Wales during 1999.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effect of polychlorinated biphenyls (PCBS) on the marine environment in the Irish Sea over the past 30 years. [140398]

Mr. Morley: I am not aware of any specific assessments of PCBs in the Irish Sea but there are two more general reports which cover the Irish Sea and provide the best available assessments of the effects of PCBs in that part of the marine environment. These reports, copies of which should be found in the Library of the House of Commons, are:

1. Quality Status Report 2000: Region III—Celtic Seas

OSPAR Commission, London 2000

ISBN 0946956499

2. National Monitoring Programme: Survey of the Quality of UK Coastal Waters

Marine Pollution Monitoring Management Group, Aberdeen 1998

ISBN 0953283836

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what estimate she has made of the quantities of *(a)* synthetic chemicals, *(b)* mercury, *(c)* cadmium, *(d)* lead, *(e)* zinc, *(f)* nickel and *(g)* arsenic released into the Irish Sea from establishments in the United Kingdom in each of the past 30 years; and if she will make a statement on the proposed reduction targets in each case; [140399]

(2) what research her Department has evaluated regarding the effects of major inshore algal blooms on the distribution of pollutants in coastal areas, with particular reference to the *(a)* metal absorbing capabilities and *(b)* bubble scavenging properties of algae. [140401]

Mr. Morley: The information requested will take some time to collate and I will write to my hon. Friend in due course.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs what the cost of monitoring pollution levels in the Irish Sea was in each of the past 30 years. [140406]

Mr. Morley: The information required will take some time to collate. Therefore I will reply to my hon. Friend in due course.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs what research her Department has evaluated on the potential health risks of foam and sludge deposits left by Phacosystic algae blooms on the shore line. [140407]

Mr. Morley: I am not aware of any evaluation of research on this topic by this Department.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs what the total tonnage of sewage sludge dumped in Liverpool Bay was in each of the past 30 years. [140408]

Mr. Morley: Under the Urban Waste Water Treatment Directive, the disposal of sewage sludge to surface waters, including coastal waters, has been banned since 31 December 1998. I understand that an estimated total of 40–50 million tonnes was deposited by water companies and predecessor water authorities in the north east Irish Sea/Liverpool Bay in the 30 years up to that date.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs whether information on marine pollution collected by *(a)* the Environment Agency, *(b)* her Department and *(c)* local authorities is entered on to a central database. [140411]

Mr. Morley: Relevant monitoring information generated by the UK on marine pollution is entered onto a central database. It is known as the National Marine Monitoring Programme (NMMP) database and is managed by the Environmental Data Unit of the Environment Agency, which is located at Twerton.

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the *(a)* statutory and *(b)* non-statutory bodies which have monitored pollution levels in the Irish Sea in each of the past 15 years. [140412]

Mr. Morley: I will write to the hon. Member with the information in due course.

Marine Resources (EU Competence)

Mr. Austin Mitchell: To ask the Secretary of State for Environment, Food and Rural Affairs what assurances she has *(a)* sought and *(b)* received about the effect of the proposed exclusive competence of the EU over marine resources of the sea in the draft constitution; and what assessment she has made of the effect of EU exclusive competence on (i) UK six and 12 mile limits, (ii) relative stability of catches, (iii) national conservation measures and (iv) regulation of quota hoppers. [140165]

Mr. Bradshaw: The draft EU constitution makes no changes to competence over fisheries (which is shared between the EU and member states) nor over the conservation of marine biological resources under the Common Fisheries Policy (which has been exclusively within the competence of the Community since 1979). Under these arrangements the UK six and 12 mile limits have been renewed, relative stability maintained, national conservation measures introduced and measures introduced so that coastal communities derive economic benefit from vessels fishing against UK quota.

Market Research

Matthew Taylor: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list each item of market and opinion research commissioned since May 1997 by *(a)* her Department and *(b)* agencies and non-departmental public bodies for which her Department is responsible; what the purpose of each item was; and whether the results were published. [137014]

Alun Michael: The Department of Environment, Food and Rural Affairs came into being in June 2001, and the list of surveys since that date is:

Corporate Identity research

Illegal Meat Imports—general public tracking and omnibus

GM Crops—desk research

GM Debate—foundation discussion workshops

GM Debate—stimulus content creation

Defra Customer Vision

Defra's sponsorship activities

Communicating with Farmers—Customer reaction to Defra Communications

Illegal Meat Imports—Business and holiday traveller focus

Illegal Meat Imports—Research with Ethnic Minorities

Records for agencies and non-departmental government bodies are not held centrally and information can be gathered only at disproportionate cost.

Dr. Cable: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if she will make a statement. [139980]

Alun Michael: I will write to the hon. Member with this information in due course.

Milk

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish the average price of milk for each month for the last five years at *(a)* farm gate, *(b)* processor and *(c)* retailer stage. [139599]

Mr. Bradshaw: The table gives figures for milk prices at farm gate and retailer levels from January 1998. Although we do not hold processor prices, the recent KPMG report into the pricing and profitability in the British dairy chain concluded that retail prices involved on average a 27.5 per cent. mark up on the processor price.

	Farm gate (pence per pint without bonus)	*Retail (pence per pint)*
1998		
January	11.34	35
February	11.23	34
March	11.19	34
April	9.98	34
May	9.43	34
June	10.03	34
July	11.74	34
August	11.81	34
September	11.35	34
October	11.44	34
November	11.14	34
December	10.92	34
1999		
January	10.92	34
February	10.77	34
March	10.74	34
April	9.96	35
May	9.31	35
June	9.77	35
July	11.22	34
August	11.25	34
September	10.88	34
October	10.27	34
November	10.03	34
December	9.85	34
2000		
January	9.52	34
February	9.43	34
March	9.44	34
April	8.67	34
May	8.30	34
June	8.72	34
July	10.01	34
August	10.18	34
September	9.94	34
October	10.68	35
November	10.56	35
December	10.37	35
2001		
January	10.40	35
February	10.33	36

	Farm gate (pence per pint without bonus)	*Retail (pence per pint)*
March	10.16	36
April	10.35	36
May	10.04	37
June	10.50	37
July	11.61	37
August	11.72	37
September	11.63	37
October	11.48	37
November	11.39	37
December	11.13	37
2002		
January	10.67	37
February	10.40	36
March	10.23	36
April	9.08	36
May	8.44	36
June	8.70	36
July	9.31	36
August	9.50	36
September	9.68	36
October	10.30	37
November	10.27	37
December	10.08	37
2003		
January	10.04	37
February	10.02	36
March	9.87	36
April	9.56	36
May	9.08	36
June	9.38	36
July	10.34	37
August	10.76	37
September	10.81	37

Source:
Government Statistics: RPI: average price milk, pasteurised per pint.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had in the last year with *(a)* farming representatives, *(b)* producers and *(c)* retailers on milk prices. [139527]

Mr. Bradshaw *[holding answer 19 November 2003]:* The Secretary of State has had no formal meetings with representatives of the dairy industry, either producers, processors or retailers to discuss milk prices. However, Ministers frequently meet with representatives from all parts of the dairy supply chain and are therefore aware of the issues. Matters affecting the whole dairy supply chain are regularly discussed at the forum chaired by my noble Friend the Lord Whitty.

Mothers (Return to Work)

Mr. Pike: To ask the Secretary of State for Work and Pensions what *(a)* representations and *(b)* discussions he has had in the last 12 months on increasing opportunities for mothers to return to the workplace; and if he will make a statement. [139441]

Margaret Beckett: I will write to my hon. Friend with this information shortly.

National Environment Campaigns

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the national environment campaigns promoted by the Government since 1997, providing at today's prices the *(a)* resource costs, *(b)* capital expenditure costs and *(c)* staffing costs. [139181]

Alun Michael: The information is as follows:

Expenditure on national environmental campaigns promoted by the Government (DETR/Defra)[1] since 1997

Outturn £000

Programme/campaign	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
DETR/DEFRA support for ENCAMS (Environmental Campaigns) core costs and programmes to promote individual action to achieve litter free sustainable environments	3,997	3,697	3,763	3,763	[2]4,125	3,959	[3]2,124
Expenditure at 2003–04 prices	4,595	4,142	4,121	4,036	4,334	4,070	2,124
DETR/DEFRA funding for Energy Saving Trust's 'Energy Efficiency Campaign'[4]	3,313	3,532	3,726	4,208	[5]6,542	[6]5,742	[7]5,603
Expenditure at 2003–04 prices	3,808	3,957	4,081	4,574	6,873	5,903	5,603
Carbon Trust (formed 2001–02)—total marketing expenditure	—	—	—	—	—	[8]1,700	Not yet available[9]
Expenditure at 2003–04 prices	—	—	—	—	—	1,748	—
DETR/Defra 'are you doing your bit?' campaign (began 1998–9)	—	3,400	7,000	9,300	[10]500	0	—
Expenditure at 2003–04 prices	—	3,809	7,666	9,976	525	0	—

[1] Defra was formed in June 2001. Defra continued programmes begun by the Department for the Environment, Transport and the Regions.
[2] This is a change to the answer given in July 2002 to PQ65625. The figure quoted in that answer was £2,952,000. This revised figure reflects the fact that, in year, Encams were awarded an extra £1 million spread over financial years 2001–02 and 2002–03 for the Local Environment Quality Pathfinder Programme.
[3] This figure represents 7/12 of the 2003–04 allocation.
[4] Figures for 1997–8 to 2000–1 inclusive, show advertising expenditure only and include a small element of Scottish Executive support. Figures for 2001 onwards are total funded programme costs.
[5] 488-staff, 6,054-resource.
[6] 487staff, 5,255-resource.
[7] 522-staff, 5,081-resource.
[8] The Carbon Trust was formed in 2001–02 but did not begin marketing activity until 2002–03. Of the 2002–03 total, £750,000 was spent on the 'Thank You' campaign.
[9] Figures for the latest 'Lifeblood' campaign are not yet available.
[10] Most of the 'are you doing your bit?' campaign's planned resource was allocated in 2001–2 to rural support during the foot and mouth disease outbreak.

Notes:
1. Where it has been possible, without involving disproportionate cost, costs have been broken down into resource, capital expenditure and staff. However, the majority of costs are aggregated.
2. Expenditure at 2003–04 prices has been calculated using the underlying Retail Price Index (RPIX).

NM Rothschild and Sons Ltd

Kevin Brennan: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on services provided to her Department by NM Rothschild and Sons Ltd. since 1997. [139969]

Alun Michael: I will write to my hon. Friend with this information in due course.

Off-road Trail Biking

John Mann: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment her Department has made of the environmental impact of off-road trail biking on roads used as public paths. [140056]

Alun Michael: This Department is currently carrying out a comprehensive research project into the use of motor vehicles, including motorcycles, on byways open to all traffic. Under the Countryside and Rights of Way Act 2000, roads used as public paths will shortly be reclassified as 'restricted byways' and vehicles will then no longer be able to use them unless it can be proved that the byway is a vehicular right of way.

Potatoes

Mr. Roger Williams: To ask the Secretary of State for Environment, Food and Rural Affairs when the last confirmed outbreak was of ring rot of potatoes in the UK. [139299]

Mr. Bradshaw *[holding answer 18 November 2003]:* Until the case on 7 November 2003 there had been no previous outbreak of potato ring rot in the UK.

Mr. Roger Williams: To ask the Secretary of State for Environment, Food and Rural Affairs what the arrangements are for testing for ring rot in potatoes. [139300]

Mr. Bradshaw *[holding answer 18 November 2003]:* Testing for ring rot in potatoes is carried out in accordance with the provisions laid down in EC Council Directive 93/85/EEC of 4 October 1993 on the control of potato ring rot. This includes provision for member states to undertake official surveys of potatoes for the presence of the disease, with any samples taken being tested in accordance with internationally agreed protocols.

Mr. Roger Williams: To ask the Secretary of State for Environment, Food and Rural Affairs what contingency plans her Department has made for an outbreak of ring rot in potatoes. [139415]

Mr. Bradshaw *[holding answer 18 November 2003]:* The Department's contingency plan for dealing with outbreaks of ring rot in potatoes is available on the Defra website at www.defra.gov.uk/planth/ring.htm

Mr. Roger Williams: To ask the Secretary of State for Environment, Food and Rural Affairs what arrangements are in place for compensating producers of potatoes infected with ring rot who have complied fully with health regulations. [139416]

Mr. Bradshaw *[holding answer 18 November 2003]:* Defra does not pay compensation to producers of potatoes infected with ring rot.

Mr. Roger Williams: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the robustness of the testing methodology for ring rot in imported potatoes. [139417]

Mr. Bradshaw *[holding answer 18 November 2003]:* The testing methodology for ring rot in imported potatoes is laid down in EC Council Directive 93/85/EEC of 4 October 1993 on the control of potato ring rot. These tests reflect internationally agreed protocols based on best scientific advice.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will publish the contingency arrangements for dealing with potato ring rot. [139472]

Mr. Bradshaw: The Department's contingency plans for dealing with potato ring rot have been published on the Defra web-site at www.defra.gov.uk/planth/ring.pdf

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effectiveness of *(a)* visual inspection and *(b)* other means in ensuring that consignments of potatoes are free from infection of bacterial ring rot; and what methods are available to determine the presence of bacterial ring rot in consignments of potatoes. [140319]

Mr. Bradshaw: The information is as follows:

(a) All Plant Health and Seeds Inspectors are fully trained in the visual identification of potato ring rot and there is no evidence to suggest that this training is not effective although ring rot is known to exist sometimes in a latent, symptomless form, which is why visual inspections are supplemented by laboratory testing.

(b) An annual survey for ring rot is carried out by the Plant Health and Seeds Inspectorate which involves taking samples of seed and ware potatoes from a representative sample of growers. The survey is a requirement of EC Council Directive 93/85/EEC of 4 October 1993 which also lays down details of the required testing methodology. In addition, all imported seed potatoes entering the seed potato classification scheme are tested for the presence of potato ring rot.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the risk of cross contamination to other seed potatoes following the recent outbreak of ring rot. [140320]

Mr. Bradshaw: EC Directive 93/85/EEC on the control of potato ring rot lays down a series of measures to be taken at outbreak sites which take account of the

possible risks of cross contamination. Testing is still under way at the farm in Wales where the outbreak was discovered and it will be some time before we know whether the infection was restricted to the one stock. As a precautionary measure no other stocks of potatoes from the farm will be planted, whatever the results of the tests. Three premises in England to which stocks had already been sent from the outbreak farm have been put under statutory notice. We understand that the consignments sent to the Canary Islands have also been impounded. Any links which indicate a risk at other farms will result in similar restrictions at those premises.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what additional seed inspection procedures have been put in place following the recent outbreak of ring rot at *(a)* domestic sites and *(b)* points of import. [140321]

Mr. Bradshaw: The priority now is to determine the extent of the current outbreak and to trace and test other deliveries from the same and any related stocks. In the light of that information we will then review levels of inspection and monitoring of domestic and imported potatoes. This outbreak was detected as a result of our annual survey for the presence of potato ring rot under which 932 tests and 1,151 visual inspections are carried out last year.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what measures were taken to quarantine *(a)* the farm of Mr. John Morgan and *(b)* the four other farms to which he has sent seed potatoes possibly infected with ring rot. [140322]

Mr. Bradshaw: As soon as the diagnosis of ring rot was made on a sample from the farm in mid Wales a statutory notice was served under the Plant Health (Great Britain) Order 1993 (as amended) to prevent movement of potatoes from that farm. The same measures were taken, on a precautionary basis, at each of the three farms in England to which seed had already been delivered. In relation to the delivery to the Canary Islands we notified the Spanish authorities and we understand the consignment has been impounded.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what research the Department has commissioned on the development of a bactericide for the elimination of ring rot in the past five years; and what the cost was. [140323]

Mr. Bradshaw: There are no bactericides approved for use on any plant bacterial disease in the UK. Unlike fungicides bactericides are not generally effective against disease on growing plants. There are standard commercial disinfectants available for hygiene measures in stores and on containers and harvesting/grading machinery. The efficacy of these was recently investigated at the Central Science Laboratory as part of a Defra funded research contract on the development of an on-farm strategy for eradication of ring rot which cost £40,000 per year (2002–03).

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the annual value of the potato crop produced in the UK was in the last year for which figures are available, at farmgate prices. [140306]

Mr. Bradshaw: I will write to the hon. Member with the information in due course.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the average annual tonnage of seed potatoes *(a)* exported from the UK to and *(b)* imported into the UK from all sources was in the last 10 years for which figures are available. [140307]

Mr. Bradshaw: I will write to the hon. Member with the information in due course.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment the Government has made of the prevalence of ring rot in Europe and North America. [140324]

Mr. Bradshaw: EC Council Directive 93/85/EEC on the control of potato ring rot requires member states to carry out regular surveys and report the results to the Plant Health Standing Committee. Equivalent information is now being required from accession countries. All member states, except Italy, Ireland, Luxembourg, and Portugal have reported outbreaks of ring rot. Prior to the adoption of the control Directive in 1995 there was a wide variation between member states in their policy on the disease and the level of official action against it. Ring rot is regarded as an established disease in the USA and in large parts of Canada, although there are certain seed growing regions such as Prince Edward Island where statutory measures are taken to exclude ring rot and eradicate it when it occurs.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what advice the Government have sought from *(a)* European and *(b)* North American governments on the handling of ring rot. [140325]

Mr. Bradshaw: UK scientists at CSL are closely involved in the group of plant bacteriologists from around the EU who provided technical advice on diagnostic tests and risk management measures during the development of the control Directive on Ring Rot. They also play a major role in the scientific panels of the European and Mediterranean Plant Protection Organisation. In 2002 experts from Canada and the USA met with EU experts to discuss ring rot controls. Defra's Central Science Laboratory is in regular contact with the experts from the eradication programme on Prince Edward Island.

Poultry Meat

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what volume in tonnes of poultry meat was imported into the UK in

each of the last 10 years for which figures are available; and from which countries it was imported. [138033]

Mr. Bradshaw: The table attached shows UK imports of poultry meat between 1993 and 2002.

UK imports of poultry meat 1993–2002

Country	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
Netherlands	42,327	41,539	44,462	63,181	74,338	91,629	110,165	133,027	126,652	144,006
France	63,783	88,986	118,423	98,762	93,080	94,728	82,715	64,842	50,710	53,820
Irish Republic	8,623	14,069	17,932	22,468	20,944	19,715	21,078	16,217	14,933	13,817
Germany	6,097	15,003	11,666	11,289	8,567	12,162	14,889	17,255	22,968	23,847
Denmark	16,604	11,357	8,405	12,801	15,125	14,346	13,435	15,331	13,125	16,670
Belgium-Lux	9,686	13,087	14,763	12,966	11,710	9,541	15,006	13,528	10,935	16,267
Brazil			543	7,552	10,239	8,388	11,267	19,955	19,957	15,530
Italy	4,381	6,175	6,683	7,293	6,047	7,278	9,937	5,930	6,033	10,770
Spain	1,903	3,386	4,387	6,749	4,336	5,549	7,750	7,263	7,799	7,809
Thailand			135	4,769	3,784	7,216	10,560	7,201	8,214	7,149
Hungary	541	202	267	283	172	45	1	188	1,070	2,418
Chile					113	341	184	314	2,070	1,044
Poland						95	456	132	55	963
Austria			29	398	504	148		0		74
Argentina						83	16	13	169	518
Other	97	259	736	627	424	180	72	119	261	840
Total	154,043	194,063	228,430	249,136	249,382	271,444	297,530	298,315	284,949	315,540

Sea Salinity Levels

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment she has made of *(a)* the effect on the Gulf Stream Conveyer Belt of a fall in water salinity in the northern Arctic Ocean and *(b)* the likelihood of such conditions arising; [140405]

(2) what research her Department is conducting on the salinity of waters in the Gulf Stream Conveyor Belt. [140410]

Mr. Morley: I will write to my hon. Friend with this information shortly.

Secondments

Dr. Iddon: To ask the Secretary of State for Environment, Food and Rural Affairs how many people from science and technology backgrounds have been seconded into the Civil Service in her Department in each of the last five years for which data are available. [138624]

Alun Michael: Since the creation of Defra in June 2001, the Department has seconded personnel from both the public and private sectors as follows:

15 in the period June 2001 to March 2002

19 in the period April 2002 to March 2003

21 in the period April 2003 to date.

The majority have been seconded from organisations from science and technology sectors. In addition, the Department has provided for opportunity and experience postings from its Laboratory Agencies and the Research Councils, of varying durations, to work on science and technology matters, such as the development of science policy and strategies. Data is not held centrally. Finally, the Department's Chief Scientific Adviser, Professor Howard Dalton, FRS, was appointed on secondment from Warwick university in 2001 and is working on a range of continuing professional development issues, including secondments into and out of the Department.

Defra is committed to playing its part in developing a modern, flexible, outward focused Civil Service that works in partnership with all sectors of society. Interchange is seen as a key tool in meeting this commitment. Defra continues to promote and encourage the interchange of personnel between the Department and a range of organisations to help fulfil its business objectives.

Sellafield

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs what the annual emissions were of radioactive liquid discharges from Sellafield of *(a)* tritium, *(b)* carbon 14, *(c)* zinc-65, *(d)* strontium 89, *(e)* strontium 90, *(f)* technetium 99, *(g)* iodine 129, *(h)* europium 152, *(i)* europium 154, *(j)* total Beta and *(k)* uranium in each of the past 30 years. [140404]

Mr. Morley: I will write to my hon. friend with this information shortly.

Sites of Special Scientific Interest

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs in what condition each site of special scientific interest (SSSI) was in each year since 1997, broken down by local authority area; and what the total land area of SSSIs was in each category *(a)* in England and *(b)* broken down by local authority area. [139202]

Mr. Bradshaw: There are 4,112 Sites of Special Scientific Interest in England, covering over one million hectares. English Nature has been assessing the condition of SSSIs against rigorous and consistent standards, since 1997. It takes six years to complete fully the assessment programme across the whole of England, and although individual sites may be assessed more than once over this period, it is impossible to assess each site each year. The first full assessment programme was completed in March 2003, and showed that 598,000 hectares of SSSI land (56.9 per cent. of the total) was either in favourable condition or clearly on course to achieve it, on the basis of the latest information available at that time. English Nature will publish a report giving the full results of this programme next month. Full details of all the individual SSSIs, and their condition, will be available on English Nature's website early in the new year.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many new areas of sites of special scientific interest she plans to designate in the next *(a)* two and *(b)* five years; where they are; whether each is (i) a new site and (ii) an extension of an existing site; what the size is of each new site and extension; and what the characteristics of each site are. [139203]

Mr. Bradshaw: Sites of Special Scientific Interest are notified not by the Secretary of State but by English Nature. This is done on a site by site basis and there is no forward programme of notifications over 2 or 5 years.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs which sites of special scientific interest are under threat from *(a)* damage to their ecological status, *(b)* a reduction in size and *(c)* disappearance over the next (i) two and (ii) five years, what the source of the threat is in each case; what percentage of SSSIs are under threat; and if she will make a statement. [139204]

Mr. Bradshaw: Information on potential threats to Sites of Special Scientific Interest is not recorded. However, the actual causes of adverse condition are recorded by English Nature. This information will be presented in the report on SSSI condition which will be published in December, and will be made available for individual SSSIs on the English Nature website early in 2004.

Synthetic Oestrogen

Mr. Gummer: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to *(a)* reduce levels of synthetic oestrogen in river water and *(b)* prevent the metamorphosis of male fish arising from high levels of synthetic oestrogen. [140241]

Mr. Morley: The Environment Agency published research findings in 2002 on the effects of oestrogens on aquatic life. A summary of the research findings is available in the Library of the House. My officials are currently discussing, with the water industry, the Office of Water Services (Ofwat) and the Environment Agency, a proposal for a collaborative demonstration programme aimed at assessing the cost-effectiveness of sewage treatment processes for the removal of synthetic oestrogens from sewage.

US Warships (Disposal)

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the possible risk to wildlife in the special protection areas of Teesmouth and the Cleveland coast as a consequence of plans by Able UK to scrap United States vessels at Hartlepool. [133165]

Mr. Morley: I will write to the hon. Member with this information in due course.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what responsibilities lie with *(a)* the Environment Agency, *(b)* the Port Authority, *(c)* the US Administration and *(d)* Able UK in the event of environmental damage caused by the ships from the US Naval Reserve while they are in storage at Hartlepool. [139207]

Mr. Morley *[holding answer 17 November 2003]:* I will write to the hon. Member with this information in due course.

Warm Front

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs how many households are eligible for *(a)* Warm Front and *(b)* Warm Front Plus grants; and how many additional households qualify for assistance through the scheme as a result of working tax credit becoming a qualifying benefit. [131455]

Mr. Wood: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of *(a)* the impact of the Warm Front initiative and *(b)* the quality of the service it provides. [137314]

Mr. Bradshaw: In the past year, the NAO completed a report "Warm Front: Helping to Combat Fuel Poverty" looking at issues including the targeting, eligibility, measures and delivery of the scheme. An internal review looking at similar issues has also been completed by my Department.

The Department is also funding research looking at the health impacts of Warm Front. The Department will be considering the findings of these studies in the coming months as part of the development of Warm Front.

An independent quality assurance company carries out regular audits of the performance of the Warm Front scheme managers for the Department. This covers marketing, contact centre activity, surveyor activity, management of installers, checks on the quality of installed work, timelines for delivery of measures, scheme managers internal systems.

Mrs. Dean: To ask the Secretary of State for Environment, Food and Rural Affairs (1) how much was spent through the Warm Front schemes in each constituency in the last financial year; [133085]

(2) how many properties in each constituency have benefited from the *(a)* Warm Front and *(b)* Warm Front Plus schemes in the last five years; [133086]

(3) what estimate she has made of the number of households in each constituency who could benefit from the Warm Front scheme and who have yet to claim. [133087]

Mr. Bradshaw: The information requested will take some time to collate and I will write to my hon. Friend in due course.

Waste Management

Bob Russell: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of whether proposals by Essex County Council for waste disposal comply with Government guidance and directives in respect of the recycling of waste; and if she will make a statement. [139385]

Mr. Morley: We have not made any assessment of whether Essex County Council's proposals for waste disposal comply with Government guidance and directives in respect of the recycling of waste. That assessment is for Essex County Council to carry out as part of their waste strategy.

Essex County Council's recycling rate for 2001–02 was 21 per cent. Their Statutory Performance Standard for recycling and composting of household waste is set at 22 per cent. for 2003–04 and 33 per cent. for 2005–06.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what consultation she will undertake with local authorities in advance of the implementation of European Union directives on waste management. [139950]

Mr. Morley: The Government is committed to consulting relevant stakeholders on the implementation of European Union directives. This includes the Local Government Association and individual local authorities where appropriate.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made by the delivery team set up by her Department in May on the implementation of the sustainable waste delivery programme. [139951]

Mr. Morley: The Waste Implementation Programme (WIP) was established in May 2003 on the recommendation of the Strategy Unit Report 'Waste Not, Want Not', with funding committed until financial year 2005–06.

The Programme Director has been in post since June 2003. An external Steering Committee has been set-up, and its first two quarterly meetings have now taken place. Its five sub-programmes (Local Authority Support; Local Authority Funding; New Technologies; Data; Research) are now in place and have each produced impact trajectories and detailed delivery plans.

The programme has already distributed £140 million to Local Authorities for the delivery of 258 projects, and seven PFI schemes have been approved.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to increase her Department's *(a)* detection and *(b)* prosecution of illegal waste activities. [139952]

Mr. Morley: A range of measures have been included in the Anti-Social Behaviour Bill that will lead to more effective investigations and more successful prosecutions for illegal waste activities or fly-tipping offences.

The Bill also requires local authorities and the Environment Agency to submit data to the Secretary of State to help compile a national picture of the scale and extent of fly tipping.

The Government is also developing a comprehensive strategy for dealing with fly tipping which will be consulted on shortly.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of the money collected in fines by her Department for waste-related offences has been retained by her Department. [139953]

Mr. Morley: I will write to the hon. Member with this information shortly.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what measures are being implemented to include schoolchildren in community recycling schemes. [139954]

Mr. Morley: Government is not implementing any specific measures to include school children in community recycling schemes.

Awareness of waste issues is covered in the school curriculum at various key stages. Government also provides Waste Watch with a grant of £232,000. £60,000 of this grant is used to fund waste awareness work in schools.

In addition, many local authorities support their recycling schemes with awareness campaigns. We do not have an assessment of the degree to which they involve school children.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects the landfill tax to reach the rate of £35 per tonne. [139955]

Mr. Morley: I expect the landfill tax rate for active waste to reach £35 per tonne in the medium to long term, as announced by the Chancellor in his last Budget statement.

The rate was increased from £13 to £14 per tonne on 1 April 2003 and will be increased to £15 per tonne from 1 April 2004. The Chancellor announced that it will subsequently be increased by £3 in 2005–06 to £18 per tonne, and by at least £3 per tonne in the years thereafter, until it reaches £35 per tonne.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs when the regulatory guidance notes on end of life vehicle permitting will be issued to vehicle salvage and dismantling companies. [139956]

Mr. Morley: The guidance on Part VII and Schedule 5 of the End of Life Vehicle Regulations 2003 will be issued to vehicle salvage and dismantling companies on Friday 21 November.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what progress is being made towards the target of 85 per cent. re-use and recovery by weight of end of life vehicles. [139957]

Mr. Morley: A recent study carried out for the Department by TRL Ltd., estimated that in 2000 approximately 77 per cent. of the weight of ELVs scrapped was already being reused, recovered and recycled. Legislation was introduced on the 3 November which means that End of Life Vehicles must be depolluted in line with the Directive requirements. We expect that additional components and materials will be recovered and recycled as a result of the depollution activities.

Mr. Alan Hurst: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the availability of funding for the development of new technologies for waste management schemes. [139456]

Mr. Morley: I will write to the hon. Member with this information in due course.

Water Budget Payment Units

Chris Ruane: To ask the Secretary of State for Environment, Food and Rural Affairs how many homes in each region of England have water budget payment units. [140392]

Mr. Morley: The Water Industry Act 1999 ended the use of water budget payment units that cut off or restrict supplies to homes and other vital premises for non-payment of bills. Some companies allow customers to keep units with the disconnection element removed, but the Office of Water Services no longer collects the numbers installed.

Watercourse Maintenance

Andrew Selous: To ask the Secretary of State for Environment, Food and Rural Affairs what guidance the Government issue to drainage boards in relation to the removal of silt following the European Waste Framework Directive and the Nitrate Directive on watercourse maintenance after 2006. [140351]

Mr. Morley: Neither the Waste Framework Directive nor the Nitrates Directive apply to the removal of silt from watercourses. However, Waste Management Licensing Regulations (1994) control the application of dredged material to land and the Government have made use of their discretion under Article 11 of the Waste Framework Directive to provide licensing exemptions for dredgings from inland waters. Where dredgings are to be spread on agricultural land, and the land falls within a Nitrate Vulnerable Zone, the requirements of the NVZ Action Programme Regulations must also be observed.

Website

John Barrett: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the content and design of her Department's website. [139339]

Alun Michael: I will write to the hon. Member with this information in due course.

Winemaking Industry

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the English winemaking industry. [137280]

Mr. Bradshaw: There are currently 333 active vineyards in England and Wales, 317 of which are based in England, and 114 wineries. Three quarters of the total area under vine is based in the south of England, where the climate is more suitable for growing grapes. A further 15 per cent. is in the East Anglian region and the rest is spread across other English regions and Wales.

English wine production is variable depending on the climate. Over the period 1999–2001, the average production in the UK was 14,434 hectolitres. Total wine production for the UK in 2002 was 9,384 hectolitres which was lower than average. Wine production in England alone for 2002 was 9,334 hectolitres. This year's harvest is expected to be considerably higher than the previous year and of good quality. The domestic industry currently meets around 0.2 per cent. of what is a large, and sophisticated UK market. In recent years, the English wine industry has been remarkably innovative, having made particular progress with the development and production of sparkling wines, some of which have been internationally recognised.

DEFENCE

Iraq

Harry Cohen: To ask the Secretary of State for Defence whether steps have been taken to require that troops of the occupying power in Iraq do not have sexual intercourse with Iraqi women; and if he will make a statement. [135436]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Mr. Davidson: To ask the Secretary of State for Defence pursuant to his answer of 15 September 2003, *Official Report*, columns 587–88W, on Iraq, if he will list those countries that now have military personnel working with UK and US forces in Iraq, broken down by *(a)* number and *(b)* type; and if he will make a statement. [139284]

Mr. Ingram: The following coalition forces operate within the UK-led Multi-National Division (South East):

Country	*Units*	*Number*
Italy	1 Infantry	c. 2,800
	1 Engineer Regiment	
	1 Support Battalion	
	1 Support and Logistics Battalion	
	1 Carabinieri Regiment	
	Air Force Detachment	
	National Command Centre	
	Administration Detachment	
Czech Republic	1 Field Hospital	c. 100
	Military Police Company	
Denmark	1 Infantry Battalion	c. 480
Netherlands	Marine Battalion	c. 1,100
	Military Police Platoon	
	Field Dressing Station	
	Engineer Construction Company	
	Air Force Detachment	
	National Support Element	
	Divisional Staff	
New Zealand	1 Engineer Company	c. 60
Norway	1 Engineer Squadron	c. 160
Portugal	1 Military Police Company	c. 130
Romania	1 Infantry Battalion	c. 750
	1 Military Police Company	
	National Support Element	
Lithuania	Infantry Platoon	c. 30
Total		c. 4,500

The other Multi-National Division (Central South) is led by the Poles and numbers approximately 9,000. It is composed of the following forces: Poland (c. 2,500), Ukraine (c. 1,600), Spain (c. 1,200), Bulgaria (c. 480),

Slovenia (c. 360), Nicaragua (c. 110), Honduras (c. 370), Dominican Republic (c. 300), Mongolia (c. 180), Romania (c. 200), Lithuania (c. 50), Latvia (c. 100), Kazakhstan (c. 30), Slovakia (c. 80), Thailand (c. 900), Hungary (c.300) and the Philippians (c. 100).

There are no multi-national forces operating in the US Area of Operations north and west of Baghdad.

The numbers are approximate as roulement and leave cause modest daily fluctuations.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what requests UK authorities have received from Iraqi *(a)* officials and *(b)* civilians for assistance for Iraqi security forces to stop illegal oil smuggling along the Shatt-al-Arab waterway; what assistance has been provided; and if he will make a statement. [139680]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Lady Hermon: To ask the Secretary of State for Defence how many *(a)* fatal and *(b)* non-fatal attacks there have been on UK army personnel serving in Iraq since the conclusion of military conflict; and if he will make a statement. [134826]

Mr. Ingram: Many of the following figures have been compiled under operational conditions and may therefore be subject to future refinement and revision.

Decisive combat operations in Iraq ceased on 1 May 2003. Figures for the number of attacks on United Kingdom forces were not collected before 1 June 2003. Between 1 June and 17 October 2003, we assess that there were 101 deliberate attacks on coalition forces in the UK-led area of operations. Five resulted in the deaths of British personnel.

Bob Russell: To ask the Secretary of State for Defence when he expects to announce the findings of the inquiry into the deaths on 24 June 2003 of members of the Royal Military Police in Iraq; and if he will make a statement. [135448]

Mr. Ingram: I refer the hon. Member to the answer I gave on 17 September 2003, *Official Report*, column 748W, to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd).

Mr. Jenkins: To ask the Secretary of State for Defence if he will make a statement on the lessons the Department has drawn from the recent Iraq conflict regarding *(a)* logistics, *(b)* equipment and *(c)* food provision for armed forces personnel. [136443]

Mr. Ingram: The Ministry of Defence is currently engaged in a comprehensive exercise to capture and analyse lessons from the operations in Iraq. This includes a full assessment of our logistics (including food provision) and equipment performance. I anticipate the publication of a final report on the major findings of this process by the end of this year.

Some early indicators were identified in our "First Reflections" report published in July. For example, while overall logistics performance was a major contribution to success, a major lesson is the requirement for a robust tracking system to enable equipment and stocks to be tracked throughout the supply chain. The Department found that the performance of equipment across all three Services matched and often exceeded expectations. Although food provision was not mentioned in detail in this report, the operation confirmed the validity of our current methodology.

Mr. Keetch: To ask the Secretary of State for Defence, how many Iraqis have been *(a)* killed and *(b)* injured in violent incidents involving other Iraqis since first of May in the provinces of (i) Basra City and (ii) Maysan; and if he will make a statement. [136605]

Mr. Ingram *[holding answer 10 November 2003]:* We are unable to confirm the number of incidents in which Iraqis kill or injure other Iraqis in Basra and Maysan. Violent crimes committed by Iraqis against their fellow Iraqis are a matter for investigation by the Iraqi Police. Coalition Forces continue to support the Iraqi Police during their operations and through the provision of training and equipment.

Mr. Keetch: To ask the Secretary of State for Defence, how much *(a)* weaponry and *(b)* explosives have been seized by British forces in Iraq since 1 May, broken down by type. [136607]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Adam Price: To ask the Secretary of State for Defence which instruments of *(a)* international humanitarian law and *(b)* human rights law have been recognised by the Government as governing the use of force by United Kingdom military personnel in Iraq since the end of the conflict. [136924]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Angus Robertson: To ask the Secretary of State for Defence, if he will list the *(a)* civilian and *(b)* industrial infrastructure reconstruction programmes undertaken by his Department in Iraq, including the (i) initiation date, (ii) projected completion date and (iii) units involved; and if he will make a statement. [137519]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Hancock: To ask the Secretary of State for Defence how many UK civilians are working for defence contractors in Iraq; for whom they are working; in which areas of Iraq they are working; what risk assessments were carried out prior to them beginning work; what protection they are receiving; and if he will make a statement. [137900]

Mr. Ingram: We do not hold details of the numbers of United Kingdom contractors currently working in Iraq. Contractors are employed by a number of Government Departments and organisations on projects throughout Iraq. UK forces in Multi-National Division South East (MND(SE)) area of operations constantly review security arrangements for British Citizens in the area for which they are responsible, including contractors. However, it is the contractors' responsibility to assess the risks to their employees prior to deploying them to

Iraq. They are provided with security information, as well as regular liaison with local commanders once in Iraq, to enable them to do so.

The measures in place to protect contractors in Iraq vary according to the threat in the location in which they are working in Iraq, and the nature of the work they are carrying out. For reasons of operational security it would be inappropriate to provide details of the precise measures in place to protect British Citizens in each location, and I am withholding that information under Exemption 1 (Defence, Security and International Relations) of Part II of the Code of Conduct.

Mr. Soames: To ask the Secretary of State for Defence if he will make a statement on planned future force numbers in Iraq. [139374]

Mr. Ingram *[holding answer 18 November 2003]:* We intend to retain sufficient forces in Iraq to achieve our aims. Force levels are kept under review as the requirements of the mission evolve.

Mr. Soames: To ask the Secretary of State for Defence what the Order of Battle for British forces in Iraq is. [139375]

Mr. Ingram *[holding answer 18 November 2003]:* The United Kingdom currently leads the Multi-National Division (South East). UK units within the Division are: 20 Armoured Brigade Headquarters; The Queens Royal Hussars; 1st Battalion The Light Infantry; 1st Battalion Royal Green Jackets; The Royal Regiment of Wales; 26 Regiment Royal Artillery; 35 Engineer Regiment; 9/12 Lancers; 4 Composite Logistics Support Regiment; and 2 Field Hospital. In addition, there are a number of non-formed units and smaller elements, making up a total complement of around 10,200. These include the Joint Helicopter Force (Iraq), which has 23 support helicopters assigned. In addition, 2 C-130J and 1 HS-125 are based at Basrah.

Dr. Murrison: To ask the Secretary of State for Defence if he will list by date of meeting the companies with which he has discussed the release of employees for reserve service in connection with Operation Telic in the last 12 months. [139614]

Mr. Caplin: My right hon. Friend the Secretary of State for Defence regularly meets with companies to discuss a range of defence issues. No meetings have been scheduled specifically to discuss the release of reservists to support Operation Telic.

Mr. Davidson: To ask the Secretary of State for Defence how many members of the UK armed forces have been *(a)* killed and *(b)* injured in Iraq since the end of the conflict. [139871]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Mr. McNamara: To ask the Secretary of State for Defence, if he will arrange for the texts of arrangements agreed by Coalition Governments in relation to custody of persons captured in the course of the war in Iraq to be placed in the Library. [139912]

Mr. Ingram: In March 2003, the United Kingdom, US and Australian Governments signed a Memorandum of Understanding on the transfer of Iraqi prisoners. Copies of this memorandum were placed in the Libraries of the House on Friday 14 November. The scope of the memorandum is not confined to major combat operations in Iraq, but also covers those detained subsequently by UK forces.

Mr. Hancock: To ask the Secretary of State for Defence what research he has *(a)* commissioned and *(b)* evaluated on the performance of the United Kingdom armed forces logistical support vehicles in Iraq; and if he will make a statement. [140042]

Mr. Ingram: No special research has been commissioned or evaluated on the performance of combat support vehicles in Iraq.

The study to identify lessons from operations in Iraq includes an assessment of the effectiveness of logistic support provided to our armed forces across the Gulf region. The initial findings of this study were published in early July in the MOD report, "Operations in Iraq 2003: First Reflections", and we plan to publish a fuller report before Christmas. Generally, the combat support vehicles deployed in support of operations in Iraq have achieved acceptable levels of availability.

Mr. Dalyell: To ask the Secretary of State for Defence if he will make a statement on the numbers of UK servicemen returned to the UK with diagnosed conditions of illness since the beginning of military action in Iraq. [140201]

Mr. Caplin: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Mr. Wiggin: To ask the Secretary of State for Defence how many British aircraft were lost during the recent conflict in Iraq. [122005]

Mr. Ingram: One Tornado GR4 aircraft and two Sea King helicopters were lost during the coalition's military action in Iraq.

Mr. Paul Marsden: To ask the Secretary of State for Defence how much the war in Iraq has cost. [111922]

Mr. Jenkin: To ask the Secretary of State for Defence what his estimate is of the additional costs incurred by his Department in connection with the conduct of operations in Iraq in *(a)* the financial year 2002–03 and *(b)* the present financial year to date; and what procedure is being followed to recover these from the earmarked reserve established by the Chancellor of the Exchequer. [112090]

Mr. Hoon: The net additional cost of operations in Iraq for 2002–03 is set out in the Ministry of Defence Annual Report and Accounts 2002–03, which is available in the Library of the House.

Operating costs for 2002–03 are £629.531 million and expenditure on capital equipment amounts to £217.680 million. These give a total spend of £847.211 million.

Additional funding will be sought in the normal way through Supplementary Estimates. The costs likely to arise in 2003–04 will be included in the Winter Supplementary Estimate which is due to be published on 27 November.

Mr. Tynan: To ask the Secretary of State for Defence what steps have been taken to improve the sharing of information between national contingents at Headquarters, Combined Joint Task Force, in Baghdad. [130334]

Mr. Ingram: Since the start of operations in Iraq we have worked closely with our partner nations to facilitate effective sharing of information including through the use of liaison officers within the Commander Joint Task Force Headquarters in Baghdad. The process undergoes continuous refinement in the light of experience.

Mr. Paul Marsden: To ask the Secretary of State for Defence what assistance was given to US military forces experimenting with weapon systems in the war in Iraq. [125084]

Mr. Hoon: The Ministry of Defence maintains many collaborative research partnerships with the United States, though none is specific to Operation Telic.

Mr. Paul Marsden: To ask the Secretary of State for Defence if he will list the agreements made by him to assist the US military forces in using experimental weapon systems in the war in Iraq. [125086]

Mr. Hoon: The Ministry of Defence neither has, nor has had, any agreements in place to assist any US forces in using experimental weapons systems during Operation Telic.

Sue Doughty: To ask the Secretary of State for Defence if he will list military operations in Iraq involving *(a)* British forces and *(b)* United States forces with Britain's agreement in each month between January 2002 and 19 March 2003; in each case, how many (i) bombs were dropped and (ii) targets there were; what the strategic significance of each target was; and what the operational success rate was. [129897]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Maritime Wrecks

Mr. Liddell-Grainger: To ask the Secretary of State for Defence how many maritime wrecks there are in the Bristol Channel; and where they are. [93119]

Mr. Caplin: Within the limits of Admiralty Chart 1179 (Bristol Channel), produced by the United Kingdom Hydrographic Office, 272 wrecks or obstructions are shown on charts where scale allows.

I am placing the information requested on the position of these objects in the Library of the House.

Public Highways

Mr. Key: To ask the Secretary of State for Defence under what circumstances members of HM forces may direct traffic on public highways; and if he will make a statement. [139946]

Mr. Caplin: Members of HM forces have no authority to direct traffic on public highways. However, they may supervise and control military traffic on public highways to ensure that it does not impede civilian traffic and that it complies with the appropriate traffic regulations.

Accountancy Services

Mr. Bercow: To ask the Secretary of State for Defence what the total cost to his Department was for accountancy services in 2002–03. [109481]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Acknowledgement Letters

Sandra Gidley: To ask the Secretary of State for Defence how many acknowledgement letters and cards were dispatched by his Department in each year since 1997 for which figures are available; and what the estimated average cost was per letter and card. [111870]

Mr. Caplin *[holding answer 8 May 2003]:* Details of the cost and number of acknowledgement letters and cards dispatched by the Ministry of Defence is not held centrally and could be provided only at disproportionate cost. However the Department routinely sends a letter of acknowledgement for each piece of ministerial correspondence it receives. During the period 1 January 2003 to 31 October 2003, the MOD received 4,879 pieces of ministerial correspondence. The Cabinet Office, on an annual basis, publishes a report to Parliament on the volume of Members' correspondence received by Departments. The report for 2002 was published on 15 May 2003, *Official Report*, columns 18–21W. Copies of previous reports are available in the Library of the House.

Advanced Jet Trainer

Dr. Cable: To ask the Secretary of State for Defence if he will place in the Library the minute of 29 July concerning the advanced jet trainer project; and if he will make a statement. [140289]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Al Majar Al Kabir

Mr. Llwyd: To ask the Secretary of State for Defence, what representations he has received on the deaths of military policemen at Al Majar Al Kabir in June; and if he will make a statement. [135381]

Mr. Ingram: We have received a number of representations from Members of Parliament and relatives of the military policemen about the deaths of the six Royal Military Policenen at Al Majar Al Kabir. We keep the nominated next of kin of the deceased informed of progress in the continuing investigations into the deaths.

Armaments

Mr. Paul Marsden: To ask the Secretary of State for Defence if he will list the armaments that can be used against *(a)* mechanised columns, *(b)* ammunition storage sites and *(c)* surface o air missile sites. [109683]

Mr. Ingram: The armed forces are equipped with a wide range of armaments that could be used against such targets.

The actual armament used will depend upon the specific nature and location of the target.

Armed Forces (Harmony Guidelines)

Mr. Keith Simpson: To ask the Secretary of State for Defence (1) which *(a)* Infantry, *(b)* Royal Artillery, *(c)* Royal Armoured Corps, *(d)* Royal Engineers and *(e)* Royal Signals units have not met their harmony guidelines in the past two years; [140220]

(2) which *(a)* Royal Navy vessels and *(b)* RAF squadrons have not met their harmony guidelines in the past two years. [140221]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Armoured Land Rovers

Mr. Gerald Howarth: To ask the Secretary of State for Defence how many armoured Land Rovers are deployed with UK forces in Iraq; and whether this will be affected by the Ministry of Defence's decision to sell some of its stock of armoured Land Rovers. [130792]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Army (Tour Intervals)

Mr. Keith Simpson: To ask the Secretary of State for Defence which *(a)* Infantry, *(b)* Royal Artillery, *(c)* Royal Armoured Corps, *(d)* Royal Engineers and *(e)* Royal Signals units have had less than 12 months between tour intervals in the past five years. [140219]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Jenkin: To ask the Secretary of State for Defence, what the present average tour interval is for infantry regiments in the Army. [137727]

Mr. Ingram *[holding answer 10 November 2003]:* The Army's Harmony guidelines recommend a tour interval of 24 months between each six month operational tour for Army battalions, which equates to one tour in each 30 month period. Between first May 2001 and 31 October 2003 infantry battalions undertook an average of about 1.3 tours. This is primarily the result of the Army's commitments on Operation Telic in Iraq and we therefore expect the situation to improve as commitments reduce.

Australian Defence Programmes

Mr. Breed: To ask the Secretary of State for Defence what recent discussions there have been between the UK Government and the Australian Government on future strategic tanker and offensive air system programmes; and if he will make a statement. [109352]

Mr. Ingram: Ministry of Defence officials have discussed future offensive air systems with the Australian Government on a number of occasions. The United Kingdom and Australian Government are co-operating on work to demonstrate new technologies that will allow cruise missiles to be safely launched from large transport aircraft. This work is part of the UK's Future Offensive Air System project, and is being carried out by MBDA UK Ltd.

Officials have also provided occasional briefings to Australia about our requirement and planned PFI procurement strategy for the Future Strategic Tanker Aircraft (FSTA). FSTA was also discussed briefly during a meeting that my right hon. Friend the Secretary of State for Defence held with Senator Robert Hill, Australian Defence Minister, on 12 November 2003.

C-130J Aircraft

Angus Robertson: To ask the Secretary of State for Defence what percentage of RAF C-130J aircraft had been planned to be out of service in 2003 owing to maintenance; and if he will make a statement. [135801]

Mr. Ingram: The planned number of C-130J aircraft on routine, scheduled maintenance at any one time is normally one aircraft, equating to 4 per cent. of the 25 aircraft fleet. However, due to the heavy use of the fleet on Operation TELIC, this has been increased to a planned average of 1.5 aircraft; this equates to 6 per cent.

Angus Robertson: To ask the Secretary of State for Defence (1) what percentage of RAF C-130J aircraft *(a)* are and *(b)* have been judged to be below mission readiness owing to chronic engine problems in each month in 2003; [135803]

(2) how many RAF C-130 J aircraft *(a)* are out of service and *(b)* have been out of service in each month of 2003 owing to (i) routine maintenance and (ii) engine problems; and if he will make a statement. [135802]

Mr. Ingram: "Chronic engine problems" has been taken to refer to significant faults such as turbine failures and generator problems that have caused engine rejections. Faults such as low oil pressure and other routine faults have not been included.

As at 0800 on 30 October 2003, nine RAF C-130J aircraft were out of service. Of these nine, two aircraft were back in service 24 hours later. The average number of aircraft unavailable due to routine maintenance and engine problems during the first 10 months of 2003 is provided in the following table. Some aircraft may have undergone routine maintenance at the same time as being out of service for engine related problems.

The figures in the table are not whole numbers because they are calculated as the number of aircraft that were unserviceable during the month multiplied by the proportion of the month that each aircraft was out of service. As an example, if one aircraft was unserviceable for 40 per cent. of the month then this would give an average of 0.4, as in January. These figures have then been expressed as a percentage in the second table.

Month	*Average number of aircraft unserviceable for engine problems*	*Average number of aircraft in scheduled maintenance*
January	0.4	2.0
February	1.2	2.0

Month	Average number of aircraft unserviceable for engine problems	Average number of aircraft in scheduled maintenance
March	1.2	1.1
April	1.2	1.3
May	7.7	1.3
June	5.1	1.0
July	4.6	1.8
August	6.0	1.2
September	6.1	1.7
October	7.2	1.9

Average percentage of fleet (25 aircraft) unserviceable due to chronic engine faults during each month of 2003 (adjusted for proportion of month each aircraft was unserviceable)

Month	Percentage of fleet
January	1
February	5
March	5
April	5
May	31
June	20
July	18
August	24
September	25
October	29

Childhood Obesity

Alan Simpson: To ask the Secretary of State for Defence what discussions he has had with other departments about implementing a strategy to tackle childhood obesity. [138787]

Mr. Caplin: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Chinook

David Davis: To ask the Secretary of State for Defence, how many Mark 3 Chinooks the RAF has; what their cost to the RAF was in the last year for which figures are available; how many are active; and what the location is of those which are *(a)* active and *(b)* inactive. [128601]

Mr. Ingram: I will write to the right hon. Member and a copy of my letter will be placed in the Library of the House.

Cluster Bombs

Mr. Kidney: To ask the Secretary of State for Defence what assessment he has made of the military strategic value of the use of cluster bombs in future conflicts based on experience in Iraq in the current year. [130985]

Mr. Ingram: As a matter of course we conduct an exhaustive assessment after every military operation involving UK Forces. One element of this work will be an assessment of the effectiveness of all the equipment used during the operation. The publication of the Iraq lessons report is expected at the end of the year.

Combat Stress

Mr. Liddell-Grainger: To ask the Secretary of State for Defence what help is being given to troops returning to the United Kingdom to cope with combat stress. [138955]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Complaints Procedures

Sarah Teather: To ask the Secretary of State for Defence if he will establish a final appeal panel drawn from people outside the military system, as proposed by the Independent Assessor of Military Complaints procedures in Northern Ireland; and if he will make a statement. [139780]

Mr. Ingram: There are no plans to establish a final appeal panel drawn from people outside the military system. The British armed forces are subject to the rule of law.

Consultancy Contracts

Mr. Austin Mitchell: To ask the Secretary of State for Defence how many consultancies were commissioned by his Department in the last two years for which figures are available; and what the cost of those contracts was. [130905]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Correspondence

Mr. Hancock: To ask the Secretary of State for Defence, when he will write to the hon. Member for Portsmouth, South regarding his answer of 6 November 2003, *Official Report*, column 372W, concerning personnel working for private companies on contract on the MOD estate. [83820]

Mr. Caplin: I replied to the hon. Member today.

Croatia

Richard Ottaway: To ask the Secretary of State for Defence what the commercial basis was for the payment in 2001 of $6.5 million by his Department in connection with the use of the North Port of Split, Croatia; and to whom the payment was made. [140206]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

D-Day Anniversary

Norman Lamb: To ask the Secretary of State for Defence, how many requests for participation in events on fifth to sixth June 2004 have been received by *(a)* the Royal Air Force Participation Committee and *(b)* its Army and Royal Navy equivalents; whether participation in events on those two days by the Armed Forces has yet been allocated; and if he will make a statement. [139774]

Mr. Caplin: The Royal Air Force Participation Committee has received 24 requests for participation in events on fifth to sixth June 2004. No allocations have been made at present. This type of information is not held centrally by the other two Services. I outlined the current situation on the 60th anniversary of D-Day during the recent Adjournment Debate on 11 November 2003, *Official Report*, columns 24–31W.

Defence Agencies (Finance)

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) what the *(a)* cash allocation and *(b)* outturn was for (i) the Warship Support Agency, (ii) the Veterans Agency and (iii) the Defence Science and Technology Laboratory for financial years *(A)* 2001–02 and *(B)* 2002–03; [140316]

(2) what the *(a)* cash allocation and *(b)* outturn was for the (i) Defence Housing Executive, (ii) Defence Storage and Distribution Agency and (iii) Defence Transport and Movements Agency for financial years 1999–2000 to 2002–03. [140329]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) what the *(a)* cash allocation and *(b)* outturn was for the Defence Communication Services Agency for financial years 1998–99 to 2002–03; [140326]

(2) what the *(a)* cash allocation and *(b)* outturn was for the Defence Aviation Repair Agency for financial years 1999–2000 and 2000–01; [140327]

(3) what the *(a)* cash allocation and *(b)* outturn was for the Defence Geographic and Imagery Intelligence Agency for financial years 2000–01 to 2002–03; [140328]

(4) what the *(a)* cash allocation and *(b)* outturn was for the (i) Defence Procurement Agency, (ii) Air Officer Commanding-in-Chief RAF Personnel and Training Command and (iii) Major Customers Research Allocation for financial years 1999–2000 to 2002–03, broken down by management group; [140330]

(5) if he will place in the Library copies of the *(a)* operating cost statement, *(b)* balance sheet, *(c)* statement of recognised gains and losses, *(d)* cash flow statement and *(e)* fixed asset register for the Defence Intelligence and Security Centre for financial year 1997–98; [140331]

(6) if he will place in the Library copies of the *(a)* operating cost statement, *(b)* balance sheet, *(c)* statement of recognised gains and losses, *(d)* cash flow statement and *(e)* fixed asset register for the RAF Logistic Support Services for financial years 1997–98 and 1999–2000; [140332]

(7) what the *(a)* cash allocation and *(b)* outturn was for the (i) Joint Air Reconnaissance Intelligence Centre, (ii) Military Survey Defence Agency, (iii) RAF Logistic Support Services, (iv) RAF Signals Engineering Establishment and *(v)* Army Technical Support Agency for financial years 1997–98 to 1999–2000; [140333]

(8) what the *(a)* cash allocation and *(b)* outturn was for the (i) Naval Aircraft Repair Organisation, (ii) RAF Maintenance Group Defence Agency, (iii) Specialist Procurement Services, (iv) Defence Transport and Movements Executive, (v) Defence Codification Agency, (vi) Defence Animal Centre and (vii) Army Base Storage and Distribution Agency for financial years 1997–98 and 1998–99; [140334]

(9) what the *(a)* cash allocation and *(b)* outturn was for the (i) Ships Support Agency, (ii) Defence Clothing and Textiles Agency, (iii) Logistics Information Systems Agency and (iv) Naval Bases and Supply Agency for financial years 1997–98 to 2000–01; [140335]

(10) what the *(a)* cash allocation and *(b)* outturn was for the Army Base Repair Organisation for financial years 1997–98 to 2001–02; [140336]

(11) what the *(a)* cash allocation and *(b)* outturn was for the (i) Medical Supplies Agency, (ii) Ministry of Defence Police, (iii) Naval Manning Agency, (iv) Naval Recruiting and Training Agency, (v) Pay and Personnel Agency, (vi) Queen Victoria School, (vii) RAF Personnel Management Agency, (viii) RAF Training Group Defence Agency, (ix) Service Children's Education Agency, (x) Duke of York's Royal Military School and (xi) Disposal Sales Agency for financial years 1997–98 to 2002–03; [140337]

(12) what the *(a)* cash allocation and *(b)* outturn was for the (i) Defence Vetting Agency, (ii) Defence Secondary Care Agency, (iii) British Forces Post Office, (iv) Defence Medical Training Organisation, (v) Defence Intelligence and Security Centre, (vi) Defence Estates, (vii) Defence Dental Agency, (viii) Defence Bills Agency, (ix) Army Personnel Centre, (x) Army Training and Recruiting Agency and (xi) Defence Analytical Services Agency for financial years 1997–98 to 2002–03. [140338]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Defence Clothing and Textiles Agency

Mr. Gerald Howarth: To ask the Secretary of State for Defence, if he will place in the Library copies of the *(a)* operating cost statement, *(b)* balance sheet, *(c)* statement of recognised gains and losses, *(d)* cash flow statement and *(e)* fixed asset register for the Defence Clothing and Textiles Agency for financial year 2000–01. [139692]

Mr. Ingram: I refer the hon. Member to the replies given on 24 March *Official Report*, column 7W, and on 25 June 2003, *Official Report*, column 875W, to the hon. Member for North Essex (Mr. Jenkin). The balance sheet for the former Defence Clothing and Textiles Agency for 2000–01 is available in the Library of the House. I also refer the hon. Member to the answer I gave the hon. Member for North Essex (Mr. Jenkin) on 6 October 2003, *Official Report*, column 1158W, covering related financial statements. I will send the hon. Member a copy of my reply.

Defence Expenditure

Chris Ruane: To ask the Secretary of State for Defence (1) what percentage of the defence budget was

spent in each of the regions of the United Kingdom *(a)* in cash terms and *(b)* as a percentage of the total in each of the last five years; [140357]

(2) if he will list the percentage of the defence budget per head spent in each United Kingdom region in the last year for which figures are available, in descending order. [140358]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Defence Finance

Mr. Gerald Howarth: To ask the Secretary of State for Defence, what the *(a)* cash allocation and *(b)* outturn for the (i) Commander-in-chief Fleet, (ii) General Officer Commanding (Northern Ireland), (iii) Commander-in-Chief Land Command, (iv) Air Officer Commanding-in-Chief RAF Strike Command, (v) Chief of Joint Operations, (vi) Chief of Defence Logistics, (vii) Second Sea Lord/Commander-in-Chief Naval Home Command and (viii) Adjutant General were for the financial years 1999–2000 to 2002–03, broken down by management group. [139686]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Defence Medical Services

Mr. Keetch: To ask the Secretary of State for Defence how many *(a)* regular and *(b)* reservist consultants (i) have served with and (ii) are serving with the Defence Medical Services on Operation Telic; and for how long they have been deployed. [122176]

Mr. Caplin *[holding answer 30 June 2003]:* I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Defence Procurement

Mr. Gerald Howarth: To ask the Secretary of State for Defence if he will set out his policy on defence procurement. [140100]

Mr. Ingram: Our Acquisition Policy is set out in the Ministry of Defence Policy Paper No 4—Defence Acquisition. The Policy is driven by the need to secure and sustain the defence capabilities at the best value for money and at a price we can afford. Competition remains the principal means of achieving value for money, although we will consider alternative strategies, such as partnering, where they are more appropriate.

Our Defence Industrial Policy, published in October 2002, sets out in more detail our approach to considering industrial issues in our Acquisition system.

MOD Policy Paper No 4—Defence Acquisition is available in the House of Commons Library and via the website: http://www.mod.uk/issues/acquisition/index.htm

Defence Industrial Policy Paper No 5: http://www.mod.uk/issues/industrial—policy.htm

Defence Stores Management Computer

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the abandonment of the Defence Stores Management Computer. [139053]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Defence Training Estate (Civilian Vehicles)

Mr. Key: To ask the Secretary of State for Defence under what powers and in what circumstances a civilian vehicle *(a)* on and *(b)* off tracks on the Defence Training Estate may be confiscated; and by whom. [139947]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Departmental Staff

Mr. Jenkins: To ask the Secretary of State for Defence what plans he has for redeployment of members of his Department out of London and the South East. [125387]

Mr. Caplin: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

EU Directives

Mr. Bercow: To ask the Secretary of State for Defence if he will list the EU directives implemented by the Department since 8 June 2001. [126601]

Mr. Caplin: The Ministry of Defence is consulted by other Government Departments on the negotiation or implementation of various European Directives. But EU Directives do not generally relate specifically to the MOD and the MOD has not been the lead Department in implementing any EU Directives since June 2001.

European Working Groups

Mr. Bercow: To ask the Secretary of State for Defence if he will make a statement on progress with achieving transparency in respect of the European working groups for which his Department is responsible. [105745]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Formation Readiness Cycle

Mr. Keith Simpson: To ask the Secretary of State for Defence if he will make a statement on the formation readiness cycle; and whether it has met the delivery aims set out in the Strategic Defence Review. [140223]

Mr. Hoon: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Future Aircraft Carrier

Harry Cohen: To ask the Secretary of State for Defence what the estimated date of delivery is of the first

ship in the future aircraft carrier project; and in which financial year peak procurement expenditure is expected to fall. [110264]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Mr. Hepburn: To ask the Secretary of State for Defence (1) if he will make a statement on progress with the future aircraft carrier programme; [140225]

(2) what changes have been made in the design specifications for the future aircraft carrier; [140226]

(3) what the value of the future aircraft carrier contract was *(a)* when it was awarded and *(b)* at the latest available date; [140227]

(4) what assessment he has made of the effect upon contractors of changes in design specifications for the future aircraft carrier. [140253]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Future Command Liaison Vehicle

Mr. Gerald Howarth: To ask the Secretary of State for Defence, what assessment he has made of the effect of the Future Rapid Effects System programme on procurement of the Future Command Liaison Vehicle. [139687]

Mr. Ingram: The number of Future Command Liaison Vehicles (FCLV) ordered takes into account the current analysis of the Future Rapid Effect System (FRES) requirement.

Mr. Gerald Howarth: To ask the Secretary of State for Defence pursuant to his written statement of 6 November 2003, *Official Report*, column 44WS, on Future Command Liaison Vehicle, what armoured vehicle arrangements will be made for the RAF Regiment; and how many vehicles from the manoeuvre and support brigades' fleet will be used to make up the shortfall. [139688]

Mr. Ingram: The RAF Regiment's requirement is being met by its current fleet of TUM (Land Rovers) and Saxons, and these will continue to be supported through life.

Mr. Gerald Howarth: To ask the Secretary of State for Defence, when he expects to make a decision on the procurement of the second batch of the Future Command Liaison Vehicle. [139689]

Mr. Ingram: The Ministry of Defence signed a contract with Alvis Vickers Limited for an initial batch of 401 Future Command and Liaison Vehicles, with the option to purchase a further 400 vehicles. We continue to keep our requirement under review, taking into account the Armoured Fighting Vehicle Rationalisation and Future Army Structure studies, as well as progress with the Future Rapid Effects System programme.

Future Strategic Tanker Aircraft

Mr. Hancock: To ask the Secretary of State for Defence how many United Kingdom jobs he forecasts will be involved with each of the bidders for the Future Strategic Tanker Aircraft contract; and if he will make a statement. [140041]

Mr. Ingram: The Future Strategic Tanker Aircraft PFI competition has yet to be concluded. Our decision will be based on the solution that provides the required capability at best value for money. Both bids could be expected to create or sustain several thousand jobs in the United Kingdom.

Fylingdales

Mr. Hancock: To ask the Secretary of State for Defence what research he has collated on the health of the population in the vicinity of Fylingdales. [139361]

Mr. Ingram: The Ministry of Defence has not collated any research on the state of health of the local population near RAF Fylingdales. The radar there operates well within health guidelines established by the National Radiological Protection Board. Local health authorities are however undertaking their own research in response to public concerns raised on this matter.

Gripen Jets (Czech Republic)

Matthew Taylor: To ask the Secretary of State for Defence, how many meetings he has held with the Government of the Czech Republic regarding the possible sale of Gripen jets and the Czech decision to buy supersonic aircraft since 1 January 1999; when each of these meetings was held; where each of these meetings was held; and whom in the Government of the Czech Republic he met on each occasion. [123159]

Mr. Ingram: Defence Ministers are in frequent contact with members of the government of the Czech Republic and regularly meet in both bilateral and multilateral fora. A range of issues are routinely discussed.

The Defence Secretary held formal bilateral meetings at which the Czech requirement for supersonic aircraft was discussed on the following occasions:

23 November 1999 during the WEU Ministerial meeting in Luxembourg—with the Czech Defence Minister;

11 October 2000 in the UK (London)—with the Czech Prime Minister;

3–4 December 2001 in the Czech Republic (Prague)—with the Czech Defence Minister;

23 July 2002 in the UK (Farnborough International Air Show)—with the Czech Defence Minister;

24 September 2002 during the NATO informal Defence Ministers' meeting in Poland (Warsaw)—with the Czech Defence Minister;

21 November 2002 during the NATO Summit in the Czech Republic (Prague)—with the Czech Defence Minister;

30 April 2003 in the Czech Republic (Prague)—with the Czech Defence Minister

Gulf Personnel

Mr. Syms: To ask the Secretary of State for Defence, how many British personnel are in the Gulf. [125039]

Mr. Ingram: The precise number of personnel in the Gulf fluctuates daily. As at 19 November there were around 10,600 United Kingdom personnel in the Gulf area.

Gulf War Syndrome

Mr. Blunt: To ask the Secretary of State for Defence what recent assessment he has made of whether Gulf War Syndrome exists; what relevant studies of the issue he has recently assessed; and if he will make a statement on future expenditure on *(a)* research and *(b)* treatment for people suffering from Gulf War illnesses. [139405]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Hutton Inquiry

Mr. Alan Williams: To ask the Secretary of State for Defence, pursuant to his comments before the Hutton Inquiry, what precedent the Permanent Secretary feared would be created in allowing Dr. Kelly to appear before the Foreign Affairs Committee. [129707]

Mr. Hoon: I assume that my right hon. Friend is referring to the oral evidence which I gave on 27 August at pages 81–84 of the transcript. The concern about creating a precedent in fact related to the Intelligence and Security Committee, not the Foreign Affairs Committee. This is clear from Sir Kevin Tebbit's minute of 10 July which has been published on the Hutton Inquiry website (reference MOD/1/0075).

Infantry Battalions

Mr. Carmichael: To ask the Secretary of State for Defence (1) pursuant to his answer of 13 November 2003, *Official Report*, column 433W, on infantry battalions, which army battalions have made representations to his Department in relation to the forthcoming Defence White Paper; [139935]

(2) what discussions he has held with representatives of army infantry battalions prior to producing the Defence White Paper; [139936]

(3) what assessment his Department has made of the financial effects of restructuring Scottish army battalions; [139937]

(4) when he last held discussions with representatives of Scottish infantry battalions. [140018]

Mr. Ingram: No discussions have been held with representatives of Army Infantry Battalions prior to producing the Defence White Paper; nor have discussions been held with representatives of Scottish Infantry Battalions. No assessment has been made of the financial benefits of restructuring Scottish Army Battalions. No Army Battalions have made direct representations to the Ministry of Defence in relation to the forthcoming Defence White Paper. Representations have, however, been received from representatives of Army Battalions, for instance, from individuals in regimental associations.

Information Technology

Mr. Flight: To ask the Secretary of State for Defence what his Department's *(a)* total managed expenditure, *(b)* total spending on information technology and *(c)* spending on information technology as a proportion of its total managed expenditure was in each financial year since 1997–98. [107179]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Joint Strike Fighters

Dr. Julian Lewis: To ask the Secretary of State for Defence (1) how many joint strike fighters he intends to deploy on each future aircraft carrier; [139500]

(2) how many joint strike fighters would need to be purchased to support the deployment of 96 of such aircraft on the two future aircraft carriers; [139501]

(3) what maximum number of joint strike fighters could be simultaneously regularly deployed on the two future aircraft carriers, if the total purchase of joint strike fighters were reduced to 110 aircraft. [139502]

Mr. Ingram: While no final decisions have been taken, our current planning assumption is that we will acquire up to 150 Short Take Off and Vertical Landing variants of the Joint Strike Fighter aircraft which is sufficient to meet our Future Joint Combat Aircraft (FJCA) requirements.

FJCA is not meant solely to be deployed on our future carrier. It will be a truly joint aircraft capable of operating from both land and sea. The precise number of FJCA we would deploy on future carriers would be dependent on the mission to be undertaken, other rotary wing and surveillance assets being deployed, and other operations being undertaken concurrently.

Kenya

Mr. Goodman: To ask the Secretary of State for Defence whether the Kenyan citizens paid compensation by the Department in July 2002 were paid at *(a)* Kenyan and *(b)* British compensation rates. [140001]

Mr. Ingram: When a claim from overseas is heard in the United Kingdom under both common law and Part III of the Private International Law (Miscellaneous Provisions) Act 1995 any aspect of damages to be regarded as quantitative will be governed by the law of the country where the case is heard. In the case of Kenyan tribespeople claiming compensation for injury allegedly caused by unexploded ordnance, the level of damages awarded were assessed according to English principles.

Mr. Goodman: To ask the Secretary of State for Defence what procedures were used by the Department to investigate the claims of the Kenyan citizens paid compensation in July 2002. [140002]

Mr. Ingram: The investigation of a claim is tailored to meet the specific circumstances of each case.

In the case of Kenyan tribespeople claiming compensation for injuries allegedly caused by unexploded ordnance, the Ministry of Defence appointed a recently retired Brigadier and a serving Major to investigate the claims in both Kenya and the UK. In addition, a British Army surgeon was instructed to examine the medical evidence. Although the Ministry

of Defence disputed liability in a number of cases, evidence based on inquest reports, Kenyan magistrates courts records, post mortem reports, police investigation reports, police post incident reports, certificates of death and medical reports indicated that some limited liabilities rested with the Department. A settlement was reached through mediation in July 2002.

Life Insurance

Mr. Cousins: To ask the Secretary of State for Defence, pursuant to his answer to the right hon. Member for Birkenhead (Mr. Field) of 27 October 2003, *Official Report*, column 6W, on life insurance, how many *(a)* regular and *(b)* reserve personnel serving in the Gulf have cover; and how many do not. [139236]

Mr. Ingram: Commercial life insurance is not part of the benefits the Ministry of Defence provides. For those who die in Service or leave the Service due to injury, the MOD's support is provided by the War Pension Scheme, the Armed Forces Pension Scheme and (for reservists) the Reserve Forces (Attributable Benefits Etc) Regulations. Moreover, as personal insurance is a complex area and one that is becoming increasingly regulated by the Financial Services Authority, it is MOD policy not to endorse, sponsor or recommend any commercial insurance scheme. Therefore, while MOD encourages regulars and reservists to ensure that they are appropriately insured for their particular circumstances, the decision whether to purchase cover, and which scheme to join, must be a matter for the individual, and as such is not monitored by the Ministry of Defence.

Market Research

Dr. Cable: To ask the Secretary of State for Defence how much his Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if he will make a statement. [139989]

Mr. Caplin: I refer the hon. Member to the answer given on 28 April 2003, *Official Report*, columns 57–58W, by my hon. Friend the Member for Kirkcaldy (Dr. Moonie) to the hon. Member for Buckingham (Mr. Bercow).

Market Testing

Mr. Bercow: To ask the Secretary of State for Defence what the estimated level of saving to the Department is from the use of market testing in 2002–03. [107756]

Mr. Ingram: This information is not held centrally and could not be compiled without disproportionate cost. Market testing has been subsumed into MOD's wider arrangements for evaluating differing acquisition options for services, including Public Private Partnerships.

Medical Downgradings

Mr. Keetch: To ask the Secretary of State for Defence how many members of each service are medically downgraded; what percentage of the trained strength this represents; and if he will make a statement. [139273]

Mr. Caplin *[holding 19 November answer 2003]:* The fact that an individual is medically downgraded does not mean that they are not working. The vast majority of those downgraded will be working normally, albeit with their deployability limited by their medical condition. Those who are categorised as medically downgraded includes not only those who are ill, or injured and awaiting treatment, but also pregnant personnel, and personnel who are permanently downgraded because of a long-term condition, but are retained in the Services in recognition of their training, skills and experience.

The latest figures available are for July 2003, when the following numbers of trained Regular Service personnel were reported to be in a medically downgraded category.

	Total number of trained personnel in medically downgraded category	*Percentage of trained strength, by Service, who are medically downgraded*
Royal Navy	2,410	8.0
Royal Marines	590	9.2
Army[1]	10,600	12.5
Royal Air Force	4,470	9.2

[1] Figures are not currently available for Army Officers

Notes:

1. These figures exclude Full Time Reserve Service personnel (FTRS), Gurkhas, Royal Irish (home service) and reservists who have been mobilised for duty.
2. The Royal Navy and Royal Marines figures are based on their Medical Category, and are all those who are not categorised as P2 (Fit for worldwide service without restriction)
3. The Army figures are based on the PULHHEEMS standards, showing those who are not able to be graded Forward Everywhere (FE), which means that they are not employable in full combatant duties, in any area, in any part of the world. The figures include those who are temporarily and permanently downgraded.
4. The RAF figures are based on the Medical Employment Standard, and are all those who have a limitation against their "Ground" work capability.

As the Services each have a different method of determining who is medically fit for role, the figures are not comparable.

Military Aircraft

Tony Lloyd: To ask the Secretary of State for Defence if he will make a statement on the number of *(a)* United States and *(b)* United Kingdom military aircraft flying over Scotland since 1 September. [138468]

Mr. Caplin *[holding answer 17 November 2003]:* The information sought is not held in the required format. Details of the number of United States and British military aircraft flying over Scotland above 2,000 feet are not held centrally. However, all military aircraft flying within the United Kingdom low flying system, that is those that operate below 2,000 feet, are recorded. Low flying areas (LFAs) 14 and 16 most closely conform to the geographic boundaries of Scotland.

The numbers of aircraft that flew within these LFAs between 1 September and 7 November are as follows:

Aircraft type	*Number of military aircraft*
British Military Fixed Wing	3,510
British Military Rotary	361

Aircraft type	Number of military aircraft
US Military Fixed Wing	91
US Military Rotary	0
Total	3,962

Military Capabilities

Dr. Julian Lewis: To ask the Secretary of State for Defence whether it is his intention that a reduction in the size of the two future aircraft carriers will lead to no diminution of military capability. [139596]

Mr. Ingram: No final decisions have yet been taken on the main capability specifications for the Future Aircraft Carrier programme, currently in its Assessment Phase. The intention, as with any other new equipment project, has always been to use the Assessment Phase to refine the design in order to best meet our capability requirements and to ensure value for money.

Dr. Julian Lewis: To ask the Secretary of State for Defence, what aspects of the designed capability of *(a)* Type 45 destroyers, *(b)* Astute-class submarines and *(c)* Joint Strike Fighters have been changed since 1998. [139597]

Mr. Ingram: The United Kingdom Type 45 destroyer programme began in late 1999, following completion of Phase 1 of the tri-national Horizon programme which was carried out in collaboration with France and Italy. Much of the designed capability under the Horizon programme is being developed further in the Type 45 programme and has increased in a number of areas. The most significant change from Horizon has been in the provision for growth so that equipments may be added later to meet future capability requirements. The Type 45 design also incorporates a number of features to enable it to support and deploy an Embarked Military Force of 60 troops. In addition, it includes improvements to the operational range in extreme environmental conditions and the development of an Integrated Electric Propulsion system, which will reduce through life costs.

The designed capability of the Astute class submarines has increased in some areas since 1998. These changes comprise: improved weapon handling and discharge; increased weapon stowage capacity, together with an additional torpedo tube; the fitting of Tomahawk missile capability; and the introduction of improved tactical data link capability, which allows joint operational planning to be conducted by co-operating forces and the UK HQ. Also under consideration are options for the inclusion of capability, such as improved navigation and data communications, in the first three boats which was originally planned for later submarines in the Class.

The Joint Strike Fighter project is currently in the Systems Demonstration and Development (SDD) phase. There has been no change in the designed capability of the aircraft since the contract for the SDD phase was let in October 2001. In the previous Concept Demonstration Phase, which began in 1996, the joint UK/US operational requirement was developed to arrive at an affordable solution to satisfy the needs of the UK and the three participating US Services.

Military Exercises

Mr. Keetch: To ask the Secretary of State for Defence, pursuant to his answer of 10 November 2003, *Official Report*, columns 51–52W, on military exercises (cancellation), how many military exercises were cancelled in *(a)* 2002 and *(b)* 2003 to date; what savings were made from cancellations; and if he will make a statement. [139274]

Mr. Ingram *[holding answer 19 November 2003]:* I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Military Vehicles

Mr. Gerald Howarth: To ask the Secretary of State for Defence how many vehicles there are in the manoeuvre and support brigades' fleet; and how many of this fleet are *(a)* Saxons, *(b)* Land Rovers, *(c)* drawn from the 430 Series and *(d)* drawn from the Combat Vehicle Reconnaissance (Tracked) fleets. [139690]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Ministerial Meetings

Matthew Taylor: To ask the Secretary of State for Defence when since 1 January 1999 Ministers in his Department have held meetings with the Government of Qatar; which Ministers in his Department attended each of these meetings; and where each of these meetings was held. [123011]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

MOD Police

Mr. Hancock: To ask the Secretary of State for Defence pursuant to his answer of 22 October 2003, *Official Report*, column 516W, on the MOD Police, when he proposes to bring into force the provisions of *(a)* section 25 and *(b)* section 79(3) of the Police Reform Act 2002; and if he will make a statement. [138784]

Mr. Caplin: Section 25 of the Police Reform Act 2002 relates to misconduct and complaint regulations for the National Criminal Intelligence Service and the National Crime Squad, and is therefore a matter for my right hon. Friend the Home Secretary.

Section 79(3) is the responsibility of the Ministry of Defence and will be brought into force early next year.

MOD Staff (Wales)

Mr. Llwyd: To ask the Secretary of State for Defence how many of his Department's civilian staff were *(a)* working in and *(b)* based in Wales in (i) 2002–03 and (ii) 2003–04; and if he will make a statement. [137312]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Llwyd: To ask the Secretary of State for Defence if he will list the changes in Ministry of Defence staff in Wales for each quarter since 1997; and if he will make a statement. [137305]

Mr. Caplin: Staffing levels and changes for Ministry of Defence staff in Wales (full-time equivalent figures for industrial and non-industrial, permanent staff, excluding Royal Fleet Auxiliaries and those on career breaks, long term sick leave, secondments etc.):

Date	*Civilian staff*	*Change*
October 2003	3,950	-30
July 2003	3,970	-200
April 2003	4,170	-40
January 2003	4,210	-10
October 2002	4,220	-50
July 2002	4,270	-160
April 2002	4,430	+50
January 2002	4,390	+10
October 2001	4,380	-10
July 2001	4,390	-390
April 2001	4,780	-110
January 2001	4,890	-10
October 2000	4,900	-20
July 2000	4,920	-60
April 2000	4,970	+290
January 2000[1]	4,690	-40
October 1999[1]	4,720	-300
July 1999	5,020	-70
April 1999	5,100	+340
January 1999[1]	4,760	-330
October 1998	5,090	+50
July 1998[1]	4,670	-370
April 1998	5,050	+90
January 1998	4,950	+40
October 1997	4,920	+90
July 1997	4,830	-60
April 1997	4,890	-60
January 1997	4,840	—

[1] Breakdown by location was not available for DSTL in these months.

Notes:

1. This includes Trading Fund staff.
2. Full-time equivalent is a measure of the size of the work force that takes account of the fact that some people work part-time.
3. Changes are calculated from unrounded data, and then rounded to the nearest 10.

Mr. Llwyd: To ask the Secretary of State for Defence how many staff are employed in Wales by *(a)* his Department and *(b)* executive agencies responsible to his Department; where these staff are located; and how many staff are employed in (i) England, (ii) London and the South-East, (iii) Scotland, (iv) Northern Ireland and (v) United Kingdom in total. [137306]

Mr. Caplin: The number of civilian staff employed in Wales (full-time equivalent figures for industrial and non-industrial, permanent staff, excluding Royal Fleet Auxiliaries and those on career breaks, long term sick leave, secondments etc.), by the Department and by executive agencies as at 1 April 2003 is set out in the following table.

	Civilian staff employed as at 1 April 2003
Army Personnel Centre	—
Army Training And Recruiting Agency	140
British Forces Post Office	10
Defence Communication Service Agency	10
Defence Dental Agency	—
Defence Estates	20
Defence Housing Executive	10
Defence Procurement Agency	—
Defence Storage And Distribution Agency	190
Ministry of Defence (Excluding Agencies)	790
Ministry of Defence Police	—
Naval Recruiting And Training Agency	10
RAF Training Group Defence Agency	140
Veterans Agency	10
Total (excluding Trading Funds)	1,350
Trading Funds:	
ABRO	20
Defence Aviation Repair Agency	2,770
Defence Science And Technology Laboratory	—
Meteorological Office	40
Total (including Trading Funds)	4,170

Notes:

Those Agencies and Trading Funds that are not referred to do not have staff employed in Wales. Data have been rounded to the nearest 10 and those with fewer than five staff are recorded as '—'. Detailed data on staff locations is not held centrally and can be provided only at disproportionate cost.

The number of staff employed by the Department (full-time equivalent figures for industrial and non-industrial, permanent staff, excluding Royal Fleet Auxiliaries, Locally Engaged Staff and those on career breaks, long term sick leave, secondments etc.) as at 1 April 2003 is set out in the following table.

Region	*Civilian staff employed as at 1 April 2003*	*Trading Fund staff*
UK (including unallocated)	72,320	11,920
England	58,240	8,270
London	6,410	660
South East	14,280	3,490
Scotland	6,510	610
Wales	1,350	2,830
Northern Ireland	3,280	30
Unallocated	2,940	190

Full-time equivalent is a measure of the size of the work force that takes account of the fact that some people work part-time.

National Insurance

Mr. Bercow: To ask the Secretary of State for Defence what the cost will be to public funds in 2003–04 of the rise in national insurance contributions on the salary bill of his Department. [107910]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Non-lethal Chemical Agents

Joan Ruddock: To ask the Secretary of State for Defence (1) if he will list out-of-country missions in the last 20 years when British forces have *(a)* carried with

them and *(b)* used non-lethal chemical agents; and in each case what the agents were, in which amounts and which delivery devices were used; [128866]

(2) if he will make a statement on UK policy on the use of non-lethal chemical agents by UK forces abroad. [128865]

Mr. Ingram *[holding answers 10 September and 11 September 2003]:* The Chemical Weapons Convention prohibits the development, production and use of all toxic chemicals and their precursors, except where they are intended for purposes not prohibited under the Convention, as long as the type and quantities are consistent with such purposes. "Purposes not prohibited" includes protective purposes related to protection against chemical weapons, as well as "law enforcement including domestic riot control purposes". United Kingdom armed forces comply with the UK's obligations under international law. We therefore would only carry, and would only use, non-lethal chemical agents for protective purposes related to protection against chemical weapons and for "law enforcement including domestic riot control purposes".

Records of out-of-country operational deployments from 1983 to 2003 show only two deployments of 'non-lethal chemical agents' with UK Forces. These were to Bosnia in 1997, and to Kosovo between January and July 1999. UK troops in Bosnia and Kosovo were provided with CS or CR for activities relating to law enforcement activities. The delivery systems that could be used would be by shotgun cartridge or grenade.

CS has also been taken overseas for defensive training purposes. This includes, for example, NBC training in Germany and testing of respirators onboard Royal Navy vessels.

Nuclear Waste

Mr. Alan Reid: To ask the Secretary of State for Defence if he will list the sites on which intermediate level nuclear waste for which his Department is responsible is stored; and what volume is stored on each site. [139524]

Mr. Caplin *[holding answer 18 November 2003]:* Information about the locations and amounts of MOD radioactive waste is regularly published in the National Inventory. This includes intermediate level nuclear waste. The latest edition (published on 22 October 2002) shows a snapshot in time as of April 2001. It describes all stocks of waste held in the UK including that from the Ministry of Defence at that date, together with predictions of wastes arising in the future.

The details of the Report are:

The 2001 United Kingdom Radioactive Waste Inventory Main Report

DEFRA Report DEFRA/RAS/02.004

NIREX report N/042

October 2002

ISBN 1 84029 287 3

The report is available on CD from the Corporate Communications Adviser United Kingdom NIREX Ltd., Curie Avenue, Didcot, Oxfordshire. OX11 ORH Phone + 44(0) 1235 825500, email: info@nirex.co.uk

Nuclear Weapons

Mr. Keetch: To ask the Secretary of State for Defence pursuant to his answer of 30 October 2003, *Official Report*, column 320W, on weapons of mass destruction, from which parts of the Nuclear Non-Proliferation Treaty the Government derived the conclusion that the UK and other nuclear weapons states are legally entitled to possess nuclear weapons; and if he will make a statement. [139421]

Mr. Hoon: As defined in Article 9(3) of the Nuclear Non-proliferation Treaty, the United Kingdom is recognised as one of the five nuclear weapon states.

Mr. Keetch: To ask the Secretary of State for Defence what estimate he has made of the cost to the United Kingdom of *(a)* housing United States nuclear weapons and *(b)* the planned modernisation of storage facilities for United States nuclear weapons in the United Kingdom; and if he will make a statement. [139679]

Mr. Hoon: All costs associated with the United States visiting forces based in the United Kingdom are subject to confidential cost sharing arrangements between the UK and US Governments. I am therefore withholding the information requested under Exemption 1 (defence, security and international relations) of the Code of Practice on Access to Government Information.

Official Properties

Mr. Flight: To ask the Secretary of State for Defence how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by ministers and officials in each year since 1997. [134686]

Mr. Hoon: The Ministry of Defence provides accommodation for Service personnel (and for United Kingdom based civil servants serving abroad) as a condition of service. Within the Service Families Accommodation stock of some 75,000 properties worldwide are 37 properties known as Official Service Residences. These properties are maintained to a higher than normal standard, owing to the presentational role of the occupant and the requirement for them to host and sometimes accommodate guests of the most senior level, including representatives of overseas states, in their homes. The MOD is also responsible for costs associated with the Government-owned official residence assigned to the Secretary of State for Defence by the Prime Minister during 2002.

Costs for these 37 properties (excluding staff costs and income from charges paid), and those for the residence provided for the Secretary of State for Defence for the last two years are shown in the table. Data prior to this was not collected centrally and could be obtained only at disproportionate cost.

£

Residences	*2001–02*	*2002–03*
Maintenance	939,651	1,061,259
Renovation	200,587	141,693
Council Tax	41,563	47,932
Running Costs	848,430	1,060,291

Operation Southern Focus

Sue Doughty: To ask the Secretary of State for Defence what discussions *(a)* he and *(b)* British defence staff had with representatives of the United States on Operation Southern Focus; and when these discussions took place. [129896]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Operation Telic

Mr. Jenkin: To ask the Secretary of State for Defence what types and quantities of Iraqi chemical and biological warfare protection and detection equipment were recovered by UK forces during Operation Telic; and if he will make a statement. [126135]

Mr. Hoon: Both during and since the decisive combat phase of Operation Telic UK forces have discovered and disposed of a large amount of Iraqi Biological and Chemical individual protective equipment. The equipment included gas masks, protective suits, chemical-based detection tubes and training equipment.

Parliamentary Questions

Mr. Andrew Turner: To ask the Secretary of State for Defence, if he will make a statement on the reason for the delay in answering Question No 34033 of Session 2001–02, tabled on 8 February 2002. [81268]

Dr. Moonie: There was no delay in answering Parliamentary Question No 34033 of Session 2001–02. The reply was printed on 12 February 2003, *Official Report*, column 170W.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Defence if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if he will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137974]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Press Briefings

Mr. Alan Williams: To ask the Secretary of State for Defence (1) what guidelines exist for officials in his Department, other than those in the Press Office, when they talk to journalists; [129708]

(2) at what level in the Department officials may be authorised to give non-attributable briefings to the Press. [129709]

Mr. Hoon: All civil servants are required to conduct themselves in accordance with the requirements of the Civil Service Code and the Civil Service Management Code. Guidelines for MOD officials on talking to journalists are also available and I refer my hon. Friend to evidence provided to the Hutton Inquiry on this issue.

Project Connaught

Mr. Gerald Howarth: To ask the Secretary of State for Defence (1) what the expected proceeds from the sale of land in Aldershot in connection with Project Connaught are; and how much is intended to be reinvested in improvements to the Aldershot Garrison; [139886]

(2) if he will make a statement on the progress of Project Connaught. [139888]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Public Service Agreement

Mr. Bercow: To ask the Secretary of State for Defence how many and what grades of officials are responsible for the monitoring of progress towards the public service agreement targets of his Department. [109479]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

RAF Leave

Mr. Keith Simpson: To ask the Secretary of State for Defence what guidelines have been given to RAF squadrons in respect of the taking of leave over the forthcoming Christmas period; and whether extra days holiday have been given to RAF personnel. [140218]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

RAF Northolt

Mr. Randall: To ask the Secretary of State for Defence on how many occasions in each of the last five years *(a)* the Prime Minister and *(b)* other ministers of the Crown have flown from RAF Northolt. [135298]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Recruitment

Mr. Keetch: To ask the Secretary of State for Defence how many people *(a)* applied to join and *(b)* were accepted into HM armed forces in each month in 2003; how many were from *(a)* the UK and *(b)* Commonwealth countries; and if he will make a statement. [139682]

Mr. Caplin: I will write to the hon. Member and a copy will be placed in the Library of the House.

Mr. Keetch: To ask the Secretary of State for Defence pursuant to his answer of 10 November 2003, *Official*

Report, column 47W, on Commonwealth recruits, if he will break down the figures for Commonwealth recruits by countries of origin; and if he will make a statement. [139683]

Mr. Caplin: For the last five financial years the intake of Regular Army personnel with a nationality recorded as being from the Commonwealth (excluding United Kingdom and UK dependent territories) was as follows:

Nationality	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Antiguan	0	0	[1] —	[1] —	0
Australian	15	10	20	10	15
Bangalee	[1] —	0	0	[1] —	[1] —
Barbadian	[1] —	0	[1] —	[1] —	[1] —
Belizean	0	[1] —	[1] —	0	[1] —
Botswana	0	0	0	0	[1] —
British Commonwealth Foreign	5	[1] —	[1] —	[1] —	0
Cameroon	0	0	0	[1] —	[1] —
Canadian	15	15	10	10	5
Dominican	0	0	[1] —	[1] —	[1] —
Fijian	20	315	265	490	470
Gambian	[1] —	[1] —	[1] —	10	20
Ghanaian	[1] —	0	15	80	150
Grenadian	0	[1] —	5	10	15
Guyanese	0	[1] —	[1] —	0	5
Indian	[1] —	[1] —	[1] —	5	5
Jamaican	10	10	45	180	420
Kenyan	[1] —	[1] —	10	10	15
Malawi	0	[1] —	0	[1] —	20
Malaysian	[1] —	0	[1] —	[1] —	[1] —
Maltese	5	[1] —	[1] —	0	[1] —
Mauritian	0	0	[1] —	[1] —	5
Namibian (fmly SW African)	0	[1] —	0	0	[1] —
New Zealander	10	5	10	10	15
Nigerian	0	0	5	10	20
Pakistani	0	[1] —	[1] —	[1] —	[1] —
Rhodesian	0	0	0	[1] —	0
Seychellois	0	0	0	[1] —	[1] —
Sierra Leone	[1] —	[1] —	[1] —	[1] —	5
Singaporean	0	0	0	[1] —	0
South African	30	45	65	120	150
Sri Lankan	[1] —	0	[1] —	[1] —	[1] —
St. Lucia	0	[1] —	[1] —	15	205
St. Vincent	0	0	185	5	120
Swazi	0	0	0	0	[1] —
Tanzanian	0	0	0	[1] —	[1] —
Tongan	[1] —	0	0	[1] —	[1] —
Trinidadian	[1] —	[1] —	10	15	25
Ugandan	0	0	[1] —	[1] —	10
Zambian	[1] —	0	[1] —	[1] —	[1] —
Zimbabwean	15	20	35	120	235
Total	140	445	715	1,115	1,960

[1] — Indicates fewer than five.

Notes:

Totals are trained and untrained officer and other ranks joining the UK Regular Army in financial years 1998–2003 from civil life. Transfers from other services are excluded.

The nationality is that of nationality at time of recruitment and not at birth.

Figures are rounded to the nearest five.

Retention Policy

Sarah Teather: To ask the Secretary of State for Defence if he will amend Queen's Regulation 9.404 to define the exceptional reasons which would make the retention of a soldier desirable if he has been sentenced by a civil court or by court-martial to imprisonment, detention or any other form of custodial sentence; and if he will make a statement. [139781]

Mr. Ingram: There are no plans to amend The Queen's Regulations for the Army to define the exceptional reasons which would make the retention of a soldier desirable if he has been sentenced by a civil court or by court-martial to imprisonment, detention or any other form of custodial sentence.

NM Rothschild and Sons Ltd

Kevin Brennan: To ask the Secretary of State for Defence if he will make a statement on services provided to his Department by NM Rothschild since 1997. [139964]

Mr. Caplin: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Sea King Helicopter

Andrew George: To ask the Secretary of State for Defence when he expects to publish findings from the inquiry into the accidents involving two Royal Naval Sea Kings from RNAS Culdrose at the commencement of military operations in the Gulf in March. [134405]

Mr. Ingram: A summary of the findings of the Military Aircraft Accident Investigation will be placed in the Library of the House of Commons when it is completed. The investigation is on-going and will report once we are content that it is as full and complete as possible.

Service Manning Requirements

Mr. Keith Simpson: To ask the Secretary of State for Defence if he will make a statement on reasons for the reduction in manning requirement for the *(a)* Royal Navy and *(b)* Royal Air Force since 1998. [140222]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Service Personnel (Scotland)

Angus Robertson: To ask the Secretary of State for Defence, if he will list the number of service personnel *(a)* stationed in Scotland, *(b)* serving with a Scottish regiment, *(c)* serving with a regiment whose home base is located in Scotland, *(d)* recruited in Scotland, *(e)* trained in Scotland, *(f)* retired in Scotland and *(g)* identifying their nationality as Scottish, for each of the Services in each year since 1997; and if he will make a statement. [138571]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Special Advisers

Mr. Bercow: To ask the Secretary of State for Defence what the salary bill was for special advisers in his Department in 2002–03; and what it is expected to be in 2003–04. [108499]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Staff Numbers

Mr. Bercow: To ask the Secretary of State for Defence how many staff are employed by his Department. [106294]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Bercow: To ask the Secretary of State for Defence how many staff were employed by his Department in *(a)* 2001–02 and *(b)* 2002–03. [106964]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Submarines

Dr. Julian Lewis: To ask the Secretary of State for Defence what the projected size is of the nuclear submarine fleet excluding the SSBNs. [139598]

Mr. Ingram: In line with the 1998 Strategic Defence Review, current plans are that the Royal Navy's Swiftsure and Trafalgar class nuclear attack submarine (SSN) force level will reduce to 10 vessels by 2006. The Swiftsure and Trafalgar class vessels will be progressively superseded by new Astute class capability through a phased replacement programme towards the end of this decade.

After 2006, there will be variations each year in the number of SSNs, depending on the precise schedule of the decommissioning of in-service boats and the entry into service of the new capability. Final decisions on the overall size of the Astute class have yet to be taken.

Territorial Army

Gregory Barker: To ask the Secretary of State for Defence what representations he has received from members of the Territorial Army regarding the length of their tours of duty in Iraq. [138439]

Mr. Caplin: Ministers have received nine letters and e-mails from members of the Territorial Army, expressing concern about the length of their tours of duty in Iraq.

Transport Aircraft

Mr. Keith Simpson: To ask the Secretary of State for Defence what plans he has to purchase C-17 aircraft; and if he will make a statement. [140217]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Gray: To ask the Secretary of State for Defence (1) how many C-130J Mark 5 aircraft have been delivered; and how many are serviceable; [140383]

(2) what his estimate is of the out of service date for the C-130K fleet; [140384]

(3) what work is planned to upgrade the C-130K fleet; and whether this will include upgrading of the wings. [140385]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Type 45 Destroyers

Dr. Julian Lewis: To ask the Secretary of State for Defence how many Type 45 destroyers his Department estimates would normally be needed to protect a future aircraft carrier in a war zone. [139593]

Mr. Ingram: I refer the hon. Member to the answer I gave on 13 May 2003, *Official Report*, column 152W.

Dr. Julian Lewis: To ask the Secretary of State for Defence how many Type 45 destroyers would be capable of continuous deployment in cycles based upon the purchase of *(a)* nine, *(b)* 10, *(c)* 11 and *(d)* 12 such vessels. [139594]

Mr. Ingram: The Royal Navy does not seek to maintain continuous deployments of individual ship types, the only exception being the Vanguard class submarine. Instead, we aim to balance capability across the fleet against current and potential tasks. The modern

Type 45 destroyers will have increased availability and improved capability beyond that of the Type 42s that they are due to replace.

Typhoon

Mr. Gerald Howarth: To ask the Secretary of State for Defence how the expenditure on tranche 2 of Typhoon combat aircraft will be allocated; and whether those funds will be used to develop a ground attack capability. [139277]

Mr. Ingram: The commitment of some £200 million on tranche 2 of Typhoon has been allocated to cover a range of activities designed to reduce risk and provide a measure of protection to the overall Typhoon programme. These activities include; Computer Risk Reduction Programme, Obsolescence reduction, Equipment Development and other Long Lead Time activities. It is planned that an element of this funding will be used to develop ground attack capability.

Mr. Gerald Howarth: To ask the Secretary of State for Defence what plans he has to convert the order for a second tranche of Eurofighter Typhoon aircraft into aircraft with ground attack capability. [139278]

Mr. Ingram: The Eurofighter Typhoon will be a multi-role aircraft and will have an initial ground attack capability. Thereafter, it will progressively benefit throughout tranche 2 from an enhanced ground attack capability, as part of the planned incremental acquisition programme. The enhancements are likely to cover datalink and avionics upgrades and integration of a range of air to ground weapons.

Vaccines

Mr. Hancock: To ask the Secretary of State for Defence, what assessment he has made of whether each vaccine administered to service personnel deployed in Iraq was used according to the manufacturer's guidelines; whether all vaccines used are licensed in the United Kingdom; and if he will make a statement. [134737]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Weather Reports

Mr. Martlew: To ask the Secretary of State for Defence for what reason the Meteorological Office weather reports on television and radio exclude the temperature in Fahrenheit. [140037]

Mr. Caplin: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Website

John Barrett: To ask the Secretary of State for Defence what recent assessment he has made of the content and design of his Department's website. [139337]

Mr. Caplin: In recent years, especially during times of conflict, the Ministry of Defence's website (www.mod.uk) has become an increasingly important medium for explaining what we do and why we do it, to audiences across the world. It is also a vital tool in communicating with our own people.

Content is continually assessed and reviewed both in terms of meeting public and internal demand.

Recent assessments have included a usability study of the site's business to business information services. The results of this study will be used in the implementation of a redesigned business to business portal. An evaluation of internet content also forms part of the Defence Information Infrastructure project which will be used to inform future developments of the site.

Whistleblowing

Mr. McNamara: To ask the Secretary of State for Defence whether there is public interest immunity in whistleblowing cases for *(a)* serving soldiers in Her Majesty's armed forces, *(b)* medical and welfare staff in his Department, *(c)* administrative personnel and other civil servants in his Department and *(d)* lawyers attached to his Department. [139911]

Mr. Caplin: Under the provisions of the Public Interest Disclosure Act 1998, the Act covers all Ministry of Defence civil servants including medical, welfare, administrative and civilian lawyers attached to the Department. The Act does not apply to members, or former members, of the armed forces.

Wind Farms

Mr. Dalyell: To ask the Secretary of State for Defence if he will make a statement on his assessment of the effect of wind farms on military radar facilities. [140199]

Mr. Caplin: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

DEPUTY PRIME MINISTER

Arson

Matthew Taylor: To ask the Deputy Prime Minister what the cost to the criminal justice system of court proceedings and sentencing for arson was in *(a)* 2001 and *(b)* 2002. [125533]

Ms Blears: I have been asked to reply.

I will write to the hon. Member and place a copy of my letter in the Library.

Bechtel

Malcolm Bruce: To ask the Deputy Prime Minister if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department and its predecessor in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137885]

Yvette Cooper: There have been no contracts awarded to Bechtel since 1997 by agencies responsible to the Office of the Deputy Prime Minister or to its predecessor Departments.

Bed and Breakfast Accommodation

Bob Spink: To ask the Deputy Prime Minister how many single, homeless *(a)* women and *(b)* men were in bed and breakfast accommodation in England in March. [135013]

Yvette Cooper: I refer the hon. Member to the reply given on 27 October 2003, *Official Report*, column 102W. Detailed data supplied by local authorities in respect of March 2003 are currently being validated and provisional analyses are expected to be available before the end of December. I will write to the hon. Member when the information is published.

Business Co-ordination Unit

Mr. Flight: To ask the Deputy Prime Minister how many events in the last month the Business Co-ordination Unit has arranged for Ministers to attend. [140137]

Yvette Cooper: In the last month the Business Co-ordination Unit (BCU) has arranged attendance by Ministers at 13 events. In addition, proposals for a further eight visits are being considered by Ministers.

Mr. Flight: To ask the Deputy Prime Minister what the running costs were of the Business Co-ordination Unit in the last financial year. [140138]

Yvette Cooper: The running costs of the Business Co-ordination Unit (ECU) in the last financial year totalled £111,000.

The BCU's work includes promoting ministerial interaction with the business community, local government, the voluntary and community sectors, national bodies and regional interests and non-departmental public bodies.

Mr. Flight: To ask the Deputy Prime Minister how many staff are employed by the Business Co-ordination Unit. [140139]

Yvette Cooper: The Business Co-ordination Unit (BCU) employs three staff.

Mr. Flight: To ask the Deputy Prime Minister what the postal costs were to the Business Co-ordination Unit of sending leaflets advertising Ministers' availability to attend business functions. [140155]

Yvette Cooper: The Business Co-ordination Unit's (BCU) postal costs for sending leaflets advertising Ministers' availability to attend business functions to the end of the last financial year totalled about £50. However, leaflets have also been handed out at exhibitions and other business-related events.

Consultancy Contracts

Mr. Austin Mitchell: To ask the Deputy Prime Minister how many consultancies were commissioned by his Department in the last two years for which figures are available; and what the cost of those contracts was. [130903]

Yvette Cooper: The Office of the Deputy Prime Minister was established on 29 May 2002. The information requested is not held centrally, and could only be provided at a disproportionate cost.

Council Tax

Matthew Green: To ask the Deputy Prime Minister what the total collected council tax was in each financial year since 1996–97. [138149]

Mr. Raynsford *[pursuant to his reply, 13 November 2003, Official Report, c. 454W]:* The information requested is tabled as follows. The figures shown are the amounts of council tax collected during each financial year, irrespective of the year to which they related.

Amounts of council tax collected, England

	£ million
1996–97	8,799
1997–98	9,570
1998–99	10,579
1999–2000	11,457
2000–01	12,242
2001–02	13,208
2002–03	14,511

Departmental Budget

Norman Lamb: To ask the Deputy Prime Minister if he will make a statement on the *(a)* purpose, *(b)* annual budget since inception, *(c)* projected budget for the next two years and *(d)* current work programme of his Department's (i) Homelessness Directorate, (ii) Neighbourhood Renewal Unit, (iii) Planning Directorate, (iv) Regional Co-ordination Unit, (v) Social Exclusion Unit, (vi) Housing Directorate and (vii) Local and Regional Government Research Directorate; how many staff are employed by each body; where these staff are located; and if he will make a statement. [139782]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Departmental Costs

Mr. Paterson: To ask the Deputy Prime Minister if he will make a statement on the costs of running his Office between May 2002 and May 2003; and what forecast he has made for the year from May 2003. [139064]

Yvette Cooper: I refer the hon. Member to the "Public Expenditure 2002–03 Provisional Outturn White Paper" (HM Treasury, July 2003) (Cm 5884) which shows outturn of £336.831 million against an administration costs limit of £350.724 million for 2002–03. The "Central Government Supply Estimates 2003–04—Main Supply Estimates" (HM Treasury, 6 May 2003) (HC 648) show an administration costs limit for 2003–04 of £367.110 million, which includes non-cash charges not previously covered by the administration costs limit and which would account for more than half of the increase over the 2002–03 figure.

Departmental Expenditure

Mr. Pickles: To ask the Deputy Prime Minister how much has been spent on public transport by *(a)* his ministerial office, *(b)* other ministerial offices within his

Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department since May 2002. [138108]

Yvette Cooper: Spending on public transport since May 2002 is as follows:

(a) £8,473.

(b) £30,688.

(c), *(d)* and *(e)* For the Office's non-departmental bodies, executive agencies and Government Offices the information requested is not held centrally and could only be provided at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how much *(a)* his ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have paid for (i) the congestion charge and (ii) fines for non-payment of the congestion charge since its introduction. [138109]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Mr. Pickles: To ask the Deputy Prime Minister how much *(a)* his ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have spent on (i) hiring and (ii) purchasing *(A)* indoor plants, *(B)* outdoor plants and *(C)* horticultural and garden products since May 2002. [138110]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Mr. Pickles: To ask the Deputy Prime Minister how much *(a)* his ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have spent on alcohol for official entertainment since May 2002. [138111]

Yvette Cooper: Spending on alcohol for official entertainment since May 2002 is as follows:

(a) £1,132

(b) £1,168

(c), *(d)* and *(e)* The information requested is not held centrally and could only be obtained at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how much *(a)* his ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have spent on drinking water since May 2002. [138112]

Yvette Cooper: The information requested is not held centrally, and could be obtained only at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how much *(a)* his ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have spent on attending conferences since May 2002; and if he will list each conference. [138113]

Yvette Cooper: This information requested is not held centrally and could be obtained only at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how much *(a)* his ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have spent on *(i)* food, (ii) beverages and (iii) entertainment (A) at functions where only employees of these bodies were present and (B) for visitors since May 2002. [138114]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Mr. Pickles: To ask the Deputy Prime Minister how much has been spent on refurbishment by *(a)* his Ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department since May 2002. [138115]

Yvette Cooper: Since May 2002, the Office of the Deputy Prime Minister has spent £1.6 million on the refurbishment of Eland House. It is not possible to separate out the costsfor Ministerial offices, so the figures cover costs for all the Office of the Deputy Prime Minister's offices.

The information for executive agencies and Non Departmental Bodies is not held centrally and could only be provided at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how much has been spent on *(a)* first class and *(b)* second class postage by (i) his ministerial office, (ii) other ministerial offices within his Department, (iii) non-departmental bodies, (iv) executive agencies and (v) his Department since May 2002. [138117]

Yvette Cooper: The Office of the Deputy Prime Minister's accounting system has recorded expenditure of £42,641 on postage since May 2002. Expenditure on first and second class postage, and expenditure on postage by my right hon. Friend the Deputy Prime Minister's and other ministerial offices is not separately identifiable.

For the Office of the Deputy Prime Minister's non-departmental bodies and executive agencies the information requested is not held centrally and could be obtained only at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how much has been spent on *(a)* purchasing commissioned and *(b)* hiring art work by (i) his Ministerial office, (ii) other ministerial offices within his Department, (iii) non-departmental bodies, (iv) executive agencies and *(v)* his Department since May 2002. [138120]

Yvette Cooper: As with previous Administrations, Government Departments are supplied Art work by the Government Art Collection (GAC) on a loan basis. The Office of the Deputy Prime Minister has not spent any money hiring art work or purchasing commissioned art work.

The information requested for executive agencies, Government Offices and Non Departmental Bodies is not held centrally and could only be provided at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how much has been spent on ministerial boxes by *(a)* his Ministerial office and *(b)* other ministerial offices within his Department since May 2002. [138122]

Yvette Cooper: The Deputy Prime Minister's Ministerial office has spent £235 on ministerial boxes and other ministerial offices within the Office of the Deputy Prime Minister have spent £4,888 since May 2002.

Mr. Pickles: To ask the Deputy Prime Minister (1) how much *(a)* his ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have spent on lap-top computers since May 2002; and how many lap-top computers have been (i) lost and (ii) stolen since May 2002; [138124]

(2) how much has been spent on purchasing *(a)* fans and *(b)* air conditioning units by (i) his ministerial office, (ii) other ministerial offices within his Department, (iii) non-departmental bodies, (iv) executive agencies and *(v)* his Department since May 2002; [138121]

(3) how many *(a)* DVD players, *(b)* CD players, *(c)* televisions and *(d)* radios have been purchased by (i) his ministerial office, (ii) other ministerial offices within his Department, (iii) non-departmental bodies, (iv) executive agencies and *(v)* his Department since May 2002; and what the cost was in each case. [138136]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Mr. Pickles: To ask the Deputy Prime Minister how much *(a)* his Ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have spent on office couriers since May 2002. [138125]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Mr. Pickles: To ask the Deputy Prime Minister how much *(a)* his ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have spent on (i) water charges, (ii) electricity charges, (iii) wallpaper, (iv) print and design work, (v) still photography, (vi) video production and (vii) petrol since May 2002. [138126]

Yvette Cooper: The information requested is not held centrally, and could be provided only at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how much *(a)* his Ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department has spent on pest prevention since May 2002. [138135]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Mr. Flight: To ask the Deputy Prime Minister how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134687]

Yvette Cooper: The Office of the Deputy Prime Minister was established in May 2002. The amount spent by the Office on maintenance, renovation, council tax and running costs of Government owned official residences assigned to Ministers in the Office by the Prime Minister were £183,000 which includes security and a notional transfer of rent from the Office to the Cabinet Office.

The Office of the Deputy Prime Minister also has the use of Dorneywood, which is a Trust property available for use by Ministers.

There has been no expenditure on residences for use by officials.

Mr. Pickles: To ask the Deputy Prime Minister what the total expenditure was on new buildings and premises by his Department, its predecessors and its agencies in each of the last five years; what square footage of new office space was *(a)* purchased and *(b)* newly rented in each year; and if he will make a statement. [103227]

Yvette Cooper: The total cost of expenditure on new buildings and premises is not held centrally, and could be provided only at disproportionate cost.

No new office space was purchased in the period.

The approximate cost in rental terms of acquiring new accommodation by these figures are the difference in the cost of rental in new accommodation minus of cost of accommodation given up.

In 1998–99 a saving of £270,000.

In 1999–2000 a saving of £85,000.

In 2000–01 a cost of £725,000.

In 2001–02 costs were balanced by savings.

In 2002–03 a cost of £2,730,000.

The cost in 2000–01 reflects relocations from properties at their lease end into one new development. The cost in 2002–03 reflects the effects of relocations, and moves and changes within the Government Estate and is distorted by the short-term acquisition of serviced accommodation.

The square footage of office space newly rented in each year was as follows:

	Sq ft
1998–99	12,890
1999–2000	16,092
2000–01	112,544
2001–02	31,835
2002–03	107,565

Note:

These figures do not relate to cost figures as we do not have the figures of old accommodation, which we have given up.

E-mails

Mr. Pickles: To ask the Deputy Prime Minister how many e-mails *(a)* he and *(b)* his junior Ministers have received since May 2002; and if he will make a statement. [138116]

Yvette Cooper: The information requested is not held centrally and could be provided only at disproportionate cost.

Efficiency Savings

Mr. Bercow: To ask the Deputy Prime Minister what the target is for efficiency savings in 2003–04 expressed *(a)* in money terms and *(b)* as a percentage of the Department's expenditure limit. [114111]

Yvette Cooper: The administration expenditure limit for the Office of the Deputy Prime Minister (including Agencies and the Government Offices) takes into account an assumed annual efficiency improvement of 3 per cent., the equivalent of £11.4 million in 2003–04.

Electronic Voting

Mr. Watson: To ask the Deputy Prime Minister what discussions he has had with the Electoral Commission on the security of the electronic voting machines provided by Diebold for the pilot project in Manchester. [140236]

Phil Hope: In May 2000 two very small-scale pilots were held in Bury and Salford using e-voting kiosks supplied by Trilogy Information Systems. Subsequent to these elections Trilogy Information Systems was acquired by Diebold. No election pilots have been conducted using Diebold e-voting kiosks. The pilots in 2000 took place before the Electoral Commission was created. At this time, Returning Officers were responsible for the procurement and evaluation for individual pilots.

Fire Service

Mr. Hammond: To ask the Deputy Prime Minister when he expects to bring forward proposals to repeal the fire brigades discipline and promotion regulations. [139276]

Mr. Raynsford: The White Paper, "Our Fire and Rescue Service", presented to Parliament by my right hon. Friend the Deputy Prime Minister on 30 June, announced that the Fire Services (Discipline) Regulations 1985 would be abolished and replaced with framework regulations based on the most up-to-date ACAS (Advisory, Conciliation and Arbitration Service) best practice guidance. It also announced that the Fire Services (Appointments and Promotion Regulations) 1978 would be amended to allow multi-level entry to the fire and rescue service and to support development and promotion opportunities for all fire and rescue service staff through the implementation of the Integrated Personal Development System.

Work on both these issues is currently underway. Following consultation, the Office of the Deputy Prime Minister is aiming to introduce the new appointments and promotion regulations early in the new year with changes to the discipline regulations following in early spring. The final content and promulgation of the regulations will, of course, be subject to parliamentary approval.

Foreign Exchange Transactions

Mr. Pickles: To ask the Deputy Prime Minister how many foreign exchange transactions *(a)* his Ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have undertaken since May 2002; and what the (i) value in sterling and (ii) currency was in each case. [138123]

Yvette Cooper: I will write to the hon. Member as soon as possible.

House Fires

Chris Ruane: To ask the Deputy Prime Minister which housing associations in England have not installed smoke detectors in their housing stock. [140359]

Keith Hill: Housing associations in England are required by the Housing Corporation through their Scheme Development Standards to fit smoke alarms in all new homes provided with Social Housing Grant as a condition of funding. Information on the number ofsmoke alarms fitted by individual housing associations to their existing stock is not held centrally and could only be provided at disproportionate cost.

Chris Ruane: To ask the Deputy Prime Minister how many fires occurred in houses in multiple occupation in each year from 1990 to 2003; and how many *(a)* deaths and *(b)* injuries resulted from these fires. [140360]

Mr. Raynsford: I will write to my hon. Friend as soon as possible.

Chris Ruane: To ask the Deputy Prime Minister how many *(a)* injuries and *(b)* fatalities were caused by carbon monoxide poisoning from house fires in *(i)* houses in multiple occupation, (ii) the rest of the private rented sector, (iii) council housing and (iv) other social housing in England in each of the past 10 years. [140419]

Mr. Raynsford: I will write to my hon. Friend as soon as possible.

Local Councils (Complaints)

Mr. Stevenson: To ask the Deputy Prime Minister how many complaints were received by the Local Government Ombudsman against local councils over the last five years; and what percentage of those complaints were upheld. [138887]

Mr. Raynsford: I will write to my hon. Friend as soon as possible.

Local Government Finance

Sir John Stanley: To ask the Deputy Prime Minister what amount of central government grant per head was paid to each *(a)* county council and *(b)* unitary authority in England in the last financial year for which figures are available, excluding grant to police authorities and local education authorities. [140011]

Mr. Raynsford: Figures for English county councils and unitary authorities are tabled below.

Central Government Grants per head of population for 2003–04

	£
City of London	10,490
Camden	1,312
Greenwich	1,246
Hackney	1,526
Hammersmith and Fulham	1,045
Islington	1,593
Kensington and Chelsea	999
Lambeth	1,297
Lewisham	1,223
Southwark	1,418
Tower Hamlets	1,725
Wandsworth	933
Westminster	1,379
Barking and Dagenham	1,141
Barnet	770
Bexley	822
Brent	1,089
Bromley	670
Croydon	827
Baling	863
Enfield	952
Haringey	1,348
Harrow	751
Havering	739
Hillingdon	844
Hounslow	902
Kingston upon Thames	661
Merton	710
Newham	1,538
Redbridge	863
Richmond upon Thames	577
Sutton	782
Waltham Forest	1,196
Barnsley	866
Birmingham	1,156
Bolton	896
Bradford	958
Bury	792
Calderdale	852
Coventry	905
Doncaster	880
Dudley	832
Gateshead	1,034
Kirklees	846
Knowsley	1,330
Leeds	812
Liverpool	1,229
Manchester	1,294
Newcastle upon Tyne	1,055
North Tyneside	865
Oldham	989
Rochdale	954
Rotherham	918
Salford	1,028
Sandwell	1,038
Sefton	897
Sheffield	958
Solihull	718
South Tyneside	956
St Helens	867
Stockport	680
Sunderland	1,007
Tameside	913
Trafford	779
Wakefield	820
Walsall	971
Wigan	844
Wirral	931
Wolverhampton	1,005

Central Government Grants per head of population for 2003–04

	£
Bath and North East Somerset UA	653
Blackburn with Darwen UA	1,101
Blackpool UA	980
Bournemouth UA	704
Bracknell Forest UA	624
Brighton and Hove UA	880
Bristol UA	798
City of Nottingham UA	996
Darlington UA	818
Derby City UA	881
East Riding of Yorkshire UA	701
Halton UA	975
HartlepoolUA	1,126
Herefordshire UA	676
Isle of Wight UA	823
Kingston upon Hull UA	1,071
Leicester City UA	1,043
Luton UA	970
Middlesborough UA	1,148
Milton Keynes UA	780
North East Lincolnshire UA	919
North Lincolnshire UA	830
North Somerset UA	671
Peterborough UA	932
Plymouth UA	896
Poole UA	577
Portsmouth UA	891
Reading UA	729
Redcar and Cleveland UA	986
Rutland UA	599
Slough UA	975
South Gloucestershire UA	644
Southampton UA	888
Southend-on-Sea UA	906
Stockton-on-Tees UA	910
Stoke-on-Trent UA	913
Swindon UA	724
Telford and the Wrekin UA	819
The Medway Towns UA	802
Thurrock UA	826
Torbay UA	812
Warrington UA	749
West Berkshire UA	648
Windsor and Maidenhead UA	589
Wokingham UA	539
York U A	618
Isles of Stilly	1,392
Bedfordshire	637
Buckinghamshire	558
Cambridgeshire	548
Cheshire	596
Cornwall	653
Cumbria	658
Derbyshire	617
Devon	602
Dorset	519
Durham	721
East Sussex	603
Essex	604
Gloucestershire	575
Hampshire	565
Hertfordshire	631
Kent	691
Lancashire	669
Leicestershire	548
Lincolnshire	634
Norfolk	593
North Yorkshire	622
Northamptonshire	650
Northumberland	675
Nottinghamshire	628

Central Government Grants per head of population for 2003–04

	£
Oxfordshire	582
Shropshire	614
Somerset	607
Staffordshire	601
Suffolk	596
Surrey	504
Warwickshire	562
West Sussex	562
Wiltshire	571
Worcestershire	575

Market Research

Matthew Taylor: To ask the Deputy Prime Minister if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137005]

Yvette Cooper: The Scotland Office was established on 1 July 1999. The Department has not incurred any expenditure on market and opinion research.

Project	*Aim*
Fire Safety	To [illegible]re advertising effectiveness
Stakeholder research	Stakeholder attitudes to ODPM
NRU and SEU	Stakeholder communications
Connection with Communities	Public impressions of communications
Elected Regional Assemblies	Public awareness

To date results have not been published.

Further detailed information on other research projects commissioned by the Office of the Deputy Prime Minister is not held centrally and could only be obtained at disproportionate cost.

Dr. Cable: To ask the Deputy Prime Minister how much his Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if he will make a statement. [139978]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Ministerial Visits

David Davis: To ask the Deputy Prime Minister if he will list the *(a)* foreign visits, and *(b)* visits to within the United Kingdom he has made since 1 April; what the cost was to public funds of each trip; who he met; and what gifts were received. [126913]

Yvette Cooper: The Government publishes the overall costs of all ministerial overseas travel and a list of all visits overseas by Cabinet Ministers costing in excess of £500 on an annual basis. The list for the period 1 April 2002 to 31 March 2003 was published by the Prime Minister on 16 July 2003, *Official Report*, column 482W. The next list for the period 1 April 2003 to 31 March 2004 will be published at the end of the financial year.

In respect of gifts received, I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on 14 March 2003, *Official Report*, column 482W.

Between 1 April 2003 and 30 August 2003, my right hon. Friend the Deputy Prime Minister travelled on official business within the United Kingdom visiting Ashford (Kent), Birmingham, Brighton, Bristol, Castle Bromwich, Chester, Coventry, Doncaster, Edinburgh, Harlow Town, Harrogate, Hastings, Hull, the Lake District, Lancaster, Leicester, Leeds, Liverpool, Manchester, Market Warsop, Moreton-in-Marsh, Newcastle, Peterborough, Sandwell, Southampton, Wakefield and Watford at an average cost of £224 per trip. The information requested on individuals who he met is not held centrally, and could be provided only at disproportionate cost.

Multiple Occupation Housing

Chris Ruane: To ask the Deputy Prime Minister which counties in England *(a)* have and *(b)* have not implemented a houses in multiple occupation registration scheme. [140356]

Keith Hill: On the basis of the Housing Investment Programme 2003 returns, a total of 202 local authorities in England have adopted houses in multiple occupation registration schemes. These local authorities are listed below:

Allerdale
Alnwick
Arun
Ashfield
Ashford
Aylesbury Vale
Babergh
Barking and Dagenham
Barnet
Barnsley
Barrow-in-Furness
Basildon
Basingstoke and Deane
Bexley
Birmingham
Blackburn with Darwen
Blackpool
Bolsover
Bolton
Bournemouth
Bracknell Forest
Brent
Bridgnorth
Brighton and Hove
Bristol
Bromley
Bromsgrove

Broxtowe
Burnley
Bury
Calderdale
Cambridge
Camden
Cannock Chase
Canterbury
Caradon
Carlisle
Castle Morpeth
Castle Point
Charnwood
Chelmsford
Cheltenham
Cherwell
Chester
Chester-le-Street
Colchester
Copeland
Coventry
Croydon
Darlington
Derby
Doncaster
Dover
Ealing
East Cambridgeshire
East Dorset
East Hampshire
East Northamptonshire
East Riding of Yorkshire
Eastbourne
Enfield
Erewash
Fareham
Forest Heath
Forest of Dean
Gateshead
Gosport
Gravesham
Greenwich
Guildford
Hackney
Hammersmith and Fulham
Haringey
Harlow
Harrogate
Harrow
Hartlepool
Hastings
Havant
Havering
Herefordshire
Hertsmere
Hillingdon
Hounslow
Huntingdonshire
Isles of Scilly
Kensington and Chelsea
Kettering
Kings Lynn and West Norfolk
Kingston upon Hull
Kingston upon Thames
Kirklees
Lambeth
Lancaster
Leeds
Lichfield
Lincoln
Luton
Maidstone
Malvern Hills
Mansfield
Melton
Mendip
Mid Bedfordshire
Mid Devon
Middlesbrough
Milton Keynes
Mole Valley
New Forest
Newark and Sherwood
Newcastle upon Tyne
Newcastle-under-Lyme
Newham
North Devon
North East Lincolnshire
North Hertfordshire
North Lincolnshire
North Norfolk
North Shropshire
North Somerset
North Warwickshire
North Wiltshire
Nottingham City
Oldham
Oxford
Pendle
Penwith
Peterborough
Portsmouth
Preston
Purbeck
Redbridge
Redcar and Cleveland
Redditch
Rochdale
Rossendale
Rother
Rugby
Runnymede
Rushcliffe
Rushmoor
Rutland
Ryedale
Salford
Scarborough

Sheffield
Shepway
South Bedfordshire
South Bucks
South Derbyshire
South Gloucestershire
South Hams
South Holland
South Norfolk
South Ribble
South Tyneside
Southampton
Southend-on-Sea
Southwark
St Albans
St Edmundsbury
Stafford
Staffordshire
Moorlands
Stockton-on-Tees
Sunderland
Surrey Heath
Sutton
Swale
Tameside
Tamworth
Tandridge
Teesdale
Tendring
Test Valley
Tewkesbury
Thanet
The Medway Towns
Torbay
Torridge
Tower Hamlets
Trafford
Uttlesford
Walsall
Waltham Forest
Wansbeck
Warrington
Warwick
Watford
Waveney
Wear Valley
West Devon
West Lancashire
West Oxfordshire
Westminster
Weymouth and Portland
Winchester
Wirral
Wokingham
Wolverhampton
Wycombe
Wyre Forest
York

NM Rothschild and Sons Ltd

Kevin Brennan: To ask the Deputy Prime Minister if he will make a statement on services provided to his Department by NM Rothschilds since 1997. [139966]

Yvette Cooper: The Office of the Deputy Prime Minister was established in May 2002 and there have been no contracts with NM Rothschild.

Office Costs

Mr. Pickles: To ask the Deputy Prime Minister what the estimated cost of running his Departmental office was for each year since it was established, broken down by *(a)* telephone bills, *(b)* total staff costs, *(c)* press and communications, *(d)* entertainment, *(e)* alcoholic drinks, *(f)* non-alcoholic drinks, *(g)* stationery, *(h)* office refurbishment and *(i)* other; and what the estimate for the current year is. [121807]

Yvette Cooper: I refer the hon. Member to the answer I gave him on 1 July 2003, *Official Report*, 260W.

The estimate cost of running the Deputy Prime Minister's Departmental Private Office for the current year is £408,000.

All expenditure incurred for running the Deputy Prime Minister's Departmental office is made in accordance with the departmental guidance on financial procedures and propriety, based on the principles set out in "Government Accounting".

Performance Monitoring

Mr. Flight: To ask the Deputy Prime Minister if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if he will specify for each target *(i)* who sets it and (ii) who monitors achievement against it. [137965]

Yvette Cooper: Key performance targets for the Office of the Deputy Prime Minister are agreed as part of the Spending Review and the latest set were published in Spending Review 2002: Public Service Agreements 2003–06 (Cm 5571). The Office of the Deputy Prime Minister monitors progress towards the target along with HM Treasury and PMDU and progress is reported regularly.

Ministers set the Office of the Deputy Prime Minister's executive agencies' key targets for 2003–04. These either were or will be announced to Parliament through written ministerial statements—details are as set out as follows. The Office of the Deputy Prime Minister regularly monitors performance against each agency's targets. All of the Office of the Deputy Prime Minister's agencies publish an Annual Report and Accounts at the end of the financial year, which report on their performance against their targets.

I refer the hon. Member to the statements on the Office of the Deputy Prime Minister's agencies' targets as given on:

13 March 2003, *Official Report*, column 26WS: The Rent Service

11 April 2003, *Official Report*, columns 35–36WS: Queen Elizabeth II Conference Centre

11 June 2003, *Official* Report, columns 47–48WS: Planning Inspectorate

The Fire Service College's targets are expected to be announced shortly. In addition, while Ordnance Survey is a department in its own right, with executive agency status, it reports to the Ministers of the Office of the Deputy Prime Minister. The statement on its targets for 2003–04 was given on 11 April 2003, *Official Report*, column 35WS.

The Office of the Deputy Prime Minister sponsors nine executive non-departmental public bodies (NDPBs); the Audit Commission, English Partnerships, four Housing Action Trusts (Castle Vale, Liverpool, Stonebridge and Tower Hamlets), the Housing Corporation, the Standards Board for England and Thurrock Urban Development Corporation.

Performance targets for executive NDPBs sponsored by the Office of the Deputy Prime Minister, including outputs to be achieved, are agreed by Ministers and set out in the published business or corporate plan of the NDPB. Copies of plans are available from the relevant body. The Office of the Deputy Prime Minister monitors performance against these targets and progress is discussed with Ministers. The outputs and achievements of each executive NDPB are set out in its annual report, a copy of which is available in the Library of the House.

The Office of the Deputy Prime Minister sponsors seven advisory NDPBs; the Advisory Panel on Beacon Councils, the Advisory Panel on Standards for the Planning Inspectorate, the Building Regulations Advisory Committee, the Community Forum, the Property Advisory Group, the Parliamentary Boundary Commission for England and Parliamentary Boundary Commission for Wales.

No performance targets are set for the Office of the Deputy Prime Minister's advisory NDPBs. Each advisory body normally sets its own programme of work for each year within its remit to advise Ministers on the particular policy area and agrees this with the Office of the Deputy Prime Minister. No formal monitoring of performance takes place for these advisory bodies but outputs are set out in each body's annual report.

Periodicals

Mr. Pickles: To ask the Deputy Prime Minister if he will list the periodicals that *(a)* his ministerial office, *(b)* other ministerial offices within his Department, *(c)* non-departmental bodies, *(d)* executive agencies and *(e)* his Department have subscribed to since May 2002. [138119]

Yvette Cooper: The information requested is available in the Library of the House. Weekly newspapers and tabloid-format periodicals that have the appearance of newspapers have been classed as "periodicals" and included in the list available in the Library of the House. The information relates solely to central procurement in the Office of the Deputy Prime Minister Central. Information for the executive agencies, Non-departmental public bodies (NDPBs) and the Government offices is not held centrally and could be provided only at disproportionate cost.

Planning Policy (Renewable Energy)

Mr. Best: To ask the Deputy Prime Minister whether the forthcoming review of Planning Policy Guidance Note 22: Renewable Energy will include the consideration of land use planning as a means of reducing the UK's energy demands. [140348]

Keith Hill: The Government issued Draft Planning Policy Statement 22 (PPS22): "Renewable Energy" for consultation on 5 November. The document sets out the Government's new proposals for the handling of all types of renewable energy projects through the planning system. In addition, as promised in the Energy White Paper, this Government is currently examining, together with other government departments, how to bring consideration of the use of renewables and energy efficiency in developments more within the scope of the planning system.

Mr. Best: To ask the Deputy Prime Minister what discussions he has had with colleagues in the Department for Environment, Food and Rural Affairs about the review of Planning Policy Guidance Note 22: Renewable Energy. [140349]

Keith Hill: Ministers in the Office of the Deputy Prime Minister discussed the review of Planning Policy Guidance note 22: Renewable Energy at the 9 October meeting of the Ministerial Group on the Implementation of the Energy White Paper. This committee is jointly chaired by my right hon. Friend the Member for Derby South and my right hon. Friend the Member for Leicester West. My right hon. Friend the Deputy Prime Minister also sought written clearance on the consultation paper from ministerial colleagues. The ministerial activity has, at all stages, been underpinned by official level correspondence, discussions and meetings.

Private Parking Firms

John Mann: To ask the Deputy Prime Minister what regulations exist to ensure transparency in local authority contracts with private parking firms which operate on local authority land. [140059]

Mr. McNulty: I have been asked to reply.

Local authority contracts in connection with provision of parking services are subject to the normal public procurement procedures for letting of any contract by an authority.

Rate Support Grant (Kirklees)

Mr. Sheerman: To ask the Deputy Prime Minister what the *(a)* actual and *(b)* percentage increases in Government Rate Support Grant for Kirklees Metropolitan Council were in each year since 1997. [139699]

Mr. Raynsford: Revenue Support Grant is only one component of each year's local government settlement, and taken in isolation could give a misleading impression. The annual increases in formula grant (revenue support grant and redistributed business rates), adjusted to give a like for like comparison each year, are listed in the table.

	Formula grant increase (£ million)	Formula grant increase (percentage)
1998–99	7.8	3.5
1999–2000	9.7	4.2
2000–01	9.5	3.9
2001–02	8.0	3.2
2002–03	12.8	5.1
2003–04	19.7	7.3
2004–05[1]	15.4	5.3

[1] Provisional

Regional Co-ordination Unit

Mr. Pickles: To ask the Deputy Prime Minister how many conferences staff of the regional co-ordination unit have attended each year since its establishment; what the cost was in each case; and how many were overseas conferences. [138106]

Yvette Cooper: Regional co-ordination unit staff attend a small number of conferences (none overseas) to help fulfil the RCU's role as the corporate centre of the Government Offices in the English Regions. However, the information requested is not held centrally, and could be provided only at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how many conferences have been organised by the Regional Co-ordination Unit in each year since it was established; and what the cost was of each. [138107]

Yvette Cooper: The Regional Co-ordination Unit organises high-level meetings and a small number of other events involving its 10 sponsor Government Departments and other stakeholders, however, the detailed information requested is not held centrally, and could be provided only at disproportionate cost.

Mr. Pickles: To ask the Deputy Prime Minister how many publications have been issued by the Regional Co-ordination Unit in each year since its formation; and what the annual cost was. [138133]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Regional Resilience Forums

Patrick Mercer: To ask the Deputy Prime Minister what the core membership of each regional resilience forum is. [140224]

Mr. Raynsford: I will write to the hon. Member as soon as possible.

Rural Housing

Mr. Drew: To ask the Deputy Prime Minister for what reasons rural allocations have been made by the Housing Corporation to individual local authorities without specifying site location. [140279]

Keith Hill: The Housing Corporation normally seeks to allocate funds to registered social landlords for the development of schemes on identified sites. However, experience has shown that some of the rural schemes may not proceed as anticipated due to difficulties in obtaining planning permission and other development matters. To ensure continued delivery of affordable homes in rural areas, the Housing Corporation issues additional rural allocations to enable registered social landlords to bring forward schemes on sites which are identified during the year.

Mr. Drew: To ask the Deputy Prime Minister how many allocations were made to rural housing providers in *(a)* 2002–03 and *(b)* 2003–04 to date. [140318]

Keith Hill: In 2002–03 the Housing Corporation approved through its Approved Development Programme 1,579 homes provided by registered social landlords in small rural settlements of 3,000 people or less. In 2003–04, approval has been given for 647 homes in small settlements up to the end of October 2003.

Mr. Drew: To ask the Deputy Prime Minister how many allocations to rural housing schemes were made under transitional arrangements to replace local authority social housing grant in 2002–03. [140268]

Keith Hill: The Housing Corporation is currently collating the information requested. I will write to my hon. Friend and place a copy in the Library of the House.

Social Housing

Simon Hughes: To ask the Deputy Prime Minister how many social housing properties were *(a)* vacant and *(b)* constructed in each London borough in each of the last six years for which figures are available. [139931]

Keith Hill: The total numbers of local authority (LA) and registered social landlord (RSL) dwellings that were *(a)* vacant and *(b)* constructed in each London borough for each of the last six years are tabled as follows.

(a) Total number of LA and RSL empty homes in London by borough in each of the last six years

Local authority	1 April 2003	2002	2001	2000	1999	1998
Barking and Dagenham	559	678	581	784	704	852
Barnet	205	231	274	248	227	259
Bexley	189	143	163	168	163	243
Brent	510	679	526	728	1,059	1,081
Bromley	354	349	448	471	499	515
Camden	508	710	582	531	680	672
City of London	0	12	6	5	2	8
Croydon	327	323	334	368	371	385
Ealing	373	409	455	370	395	450
Enfield	580	703	508	422	338	333
Greenwich	723	721	800	887	821	956
Hackney	1,412	1,753	2,265	2,538	2,769	2,133
Hammersmith and Fulham	623	531	618	585	551	696
Haringey	404	445	405	456	691	544
Harrow	131	117	112	92	139	124
Havering	392	342	348	241	259	263
Hillingdon	240	215	174	219	178	204
Hounslow	583	382	350	340	259	232
Islington	728	628	840	1,104	1,432	1,505
Kensington and Chelsea	294	296	327	409	355	467
Kingston upon Thames	110	105	113	102	93	108
Lambeth	1,242	1,403	1,494	1,680	1,758	1,743
Lewisham	1,041	1,172	1,190	1,051	959	1,097
Merton	259	116	139	203	169	139
Newham	754	613	514	516	680	951
Redbridge	202	187	231	421	367	324
Richmond upon Thames	203	165	146	204	221	221

(a) Total number of LA and RSL empty homes in London by borough in each of the last six years

Local authority	1 April 2003	2002	2001	2000	1999	1998
Southwark	1,191	1,367	2,154	1,791	1,700	1,623
Sutton	162	200	133	270	209	158
Tower Hamlets	887	951	1,063	1,302	1,470	1,503
Waltham Forest	259	261	313	389	646	791
Wandsworth	504	488	541	582	647	640
Westminster	602	663	579	650	762	824
London total	16,551	17,358	18,726	20,127	21,573	22,044

Sources:

ODPM's annual Housing Investment Programme (HIP) returns and the Housing Corporation's annual HAR 10 and Regulatory and Statistical Return (RSR).

(b) Total number of LA and RSL new dwellings built in London by borough in each of the last six financial years

Local authority	2002–03	2001–02	2000–01	1999–2000	1998–99	1997–98[1]
Barking and Dagenham	15	57	80	18	8	12
Barnet	164	72	168	98	74	56
Bexley	24	27	98	27	19	8
Brent	570	294	251	103	30	1
Bromley[1]	0	9	33	97	28	33
Camden	25	17	256	166	85	42
City of London	0	0	0	21	0	0
Croydon	216	114	77	194	221	132
Baling	144	157	53	125	125	0
Enfield	356	312	344	84	139	42
Greenwich	147	72	147	64	133	48
Hackney	0	84	112	91	112	325
Hammersmith and Fulham	27	0	0	23	22	74
Haringey	63	140	59	75	63	20
Harrow	118	8	0	3	5	0
Havering	25	133	28	47	25	8
Hillingdon	214	134	294	137	111	11
Hounslow	84	87	24	0	21	38
Islington[1]	73	5	44	27	65	0
Kensington and Chelsea	28	11	55	20	41	0
Kingston upon Thames	7	4	41	45	2	22
Lambeth[1]	74	58	47	53	117	98
Lewisham	156	264	150	95	167	35
Merton	72	81	51	149	129	0
Newham	0	160	138	120	180	25
Redbridge	33	12	39	39	5	8
Richmond upon Thames	6	28	20	30	8	0
Southwark	30	22	26	13	35	86
Sutton	180	83	161	122	19	26
Tower Hamlets	496	415	131	197	56	171
Waltham Forest	294	83	596	186	577	25
Wandsworth	0	0	3	76	36	8
Westminster	352	243	358	207	113	0
London total[2]	4,329	3,539	4,320	2,934	3,233	4,381

[1] Estimates may be low because of missing returns from boroughs.

[2] Total includes estimates for missing local authority returns. Figures for boroughs are based on reported data.

Sources:

Reported completions in returns to ODPM from local authorities and the National House-Building Council.

Supporting People Programme

Mrs. Helen Clark: To ask the Deputy Prime Minister for what reasons the Supporting People programme has been transferred within his Department to the Homelessness Directorate from the Housing and Care Support Division; and if he will make a statement. [140070]

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the reasons for the transfer of housing and support under the Supporting People initiative to the Homelessness Directorate. [140267]

Yvette Cooper: The transfer was an internal administrative decision to ensure that the appropriate skills and staff resources are invested in the Supporting People Programme.

Television

Mr. Pickles: To ask the Deputy Prime Minister how many *(a)* television licences and *(b)* satellite television subscriptions are held by (i) his ministerial office, (ii) other ministerial offices within his Department, (iii) non-departmental bodies, (iv) executive agencies and (v) his Department; and what the total cost has been in each case since May 2002. [138118]

Yvette Cooper: I will write to the hon. Member as soon as possible.

Unauthorised Camping

Mr. Todd: To ask the Deputy Prime Minister if he will publish the responses received to the Managing Unauthorised Camping Operational Guidance consultation paper. [137209]

Yvette Cooper: A copy of the responses received to the consultation paper on Managing Unauthorised Camping: Operational Guidance will be made available in the Libraries of the House.

I will write to my hon. Friend once this has been done.

Mr. Todd: To ask the Deputy Prime Minister when he will publish his response to the Managing Unauthorised Camping Operational Guidance consultation paper. [137210]

Yvette Cooper: Arrangements have been made for the analysis of responses to the consultation paper on 'Managing Unauthorised Camping: Operational Guidance', to be available on the Office of the Deputy Prime Minister's Website.

The Guidance will be re-drafted to incorporate comments and will be published early next year.

Wind Farms

Mr. Pickthall: To ask the Deputy Prime Minister if he will strengthen the Planning Policy Guidelines to create a presumption against the siting of wind farms in high value landscapes on the perimeter of National Parks. [139837]

Yvette Cooper: The Government issued Draft Planning Policy Statement 22 (PPS22): "Renewable Energy" for consultation on 5 November. The document sets out the Government's new proposals for

the handling of all types of renewable energy projects through the planning system Additional safeguards are included for areas of important landscape and environmental sensitivity such as National Parks. However, local planning authorities should not create "buffer zones" around designated areas and apply blanket policies that prevent the development of renewable energy resources. Instead, planning authorities should set criteria based policies in plans to cover all parts of their area, including high value landscapes on the outside of National Parks. These policies should then be used for assessing any planning applications for renewable energy projects that are brought forward by developers.

FOREIGN AND COMMONWEALTH AFFAIRS

Ascension Island

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs what rental contributions were paid by the United States Government to the Government for *(a)* the use of Wideawake Airport and *(b)* leasing of land owned by the Government on Ascension Island. [139767]

Mr. Rammell: Under the 1956 Bahamas Long Range Proving Ground Agreement between the United Kingdom and the United States, no rental contributions are paid from the United States to the United Kingdom Government or the Ascension Island Government for the use of Wideawake airfield or for the leasing of land on Ascension Island.

Iraq

Tom Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* US authorities and *(b)* the Coalition Provisional Authority about the establishment in Iraq of a representative body similar to the Loya Jirga in Afghanistan to replace the Iraqi Governing Council. [138891]

Mr. Rammell: My right hon. Friend the Foreign Secretary has had frequent meetings with US authorities and representatives of the Coalition Provisional Authority, at which a range of issues relating to Iraq are discussed. The formation of the future government of Iraq is a matter for the Iraqis. On 15 November, Jalal Talabani, President of the Iraqi Governing Council, announces a new plan for establishing a Transitional National Assembly formed through democratic caucus elections at provincial and local levels. At this point, the IGC will dissolve. There will also be an elected Constitutional Convention, leading to full national elections for a new representative Iraqi Government by the end of 2005.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are to alter the national flag of the Iraqi state. [139051]

Mr. Rammell: Any future alterations to the national flag of Iraq would be a matter for the Iraqis.

Mr. Godsiff: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the coalition administration in Iraq has maintained full income and expenditure accounts in respect of *(a)* sales of oil generated under the UN Oil for Food programme when it was in operation and *(b)* subsequent sales of oil on the world market; and if this information will be published. [134992]

Mr. Rammell: Maintaining accounts of Iraqi oil sales under the United Nations Oil for Food Programme is a matter for the United Nations. Sales of Iraqi oil on to the world market since the liberation of Iraq have been undertaken by the Iraqi State Oil Marketing Organisation, 95 per cent. of revenues from oil sales have been transferred immediately to the Development Fund for Iraq for use in the reconstruction of Iraq, and 5 per cent. has gone to the United Nations Compensation Commission as required under the terms of UN Security Council Resolution 1483. The accounts of the Development Fund for Iraq are subject to audit by the International Advisory and Monitoring Board (IAMB), comprising representatives of the World Bank, International Monetary Fund, United Nations and the Arab Fund for Social and Economic Development. The IAMB will make public all reports produced under its terms of reference.

Glenda Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of whether UN Security Council Resolution 1483 permits the 100 per cent. purchase by foreign companies of all Iraqi economic sectors, excluding only natural resources. [135762]

Mr. Rammell: Resolution 1483 authorises the Coalition to undertake activities to promote economic reconstruction in Iraq, in co-ordination with the Special Representative of the UN Secretary General CPA Order 39 on Foreign Direct Investment permits up to 100 per cent. participation in a new or existing business in Iraq, but does not allow for foreign direct and indirect ownership of the natural resources sector involving primary extraction and initial processing. In addition, this Order does not apply to banks and insurance companies. Foreign direct investment is an important means of promoting employment opportunities and improving social welfare. This Order creates the conditions for much needed capital to enter the Iraqi economy.

The Government are therefore satisfied that Security Council Resolution 1483 provides a sound legal basis for the policy goals of the CPA Foreign Investment Order. We have also satisfied ourselves through UK officials working within the CPA, and the office of the UK Special Representative for Iraq that co-ordination with the UN has taken place, in consultation with the International Financial Institutions. The Order was approved by the Governing Council and had the support of the Minister of Finance.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what patrols UK Navy vessels are undertaking to prevent illegal smuggling of oil off the Iraqi coast; what progress has been made in stemming the trade; and if he will make a statement. [139681]

Mr. Straw: I will write to the right hon. and learned Member and place a copy in the Library of the House.

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on the method of election of the Government of Iraq. [140150]

Mr. Rammell: I will write to the hon. Member shortly and place a copy of the letter in the Library of the House.

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of the conflict in Iraq on the war on terrorism. [140171]

Mr. Rammell: I will write to the hon. Member shortly and place a copy of the letter in the Library of the House.

Uganda

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the progress made by the Government forces of Uganda against the Lord's Resistance Army; what assessment his Department has made of the probability of a military resolution to the civil war in Uganda; and if he will make a statement. [136639]

Mr. Mullin: Efforts by the Ugandan Government forces to defeat the rebel Lord's Resistance Army have so far been unsuccessful. While recognising the need for a security response, our assessment is that a military solution on its own is unlikely. We are encouraging the Government of Uganda to undertake parallel efforts at dialogue to resolve the conflict

Afghanistan

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British citizens captured by Coalition forces in Afghanistan in 2002 remain in detention in Afghanistan. [139362]

Mr. Mike O'Brien: We know of no British citizens captured by Coalition forces in Afghanistan in 2002, or at any other time since 11 September 2001, who remain in detention in Afghanistan.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department and its predecessor in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137888]

Mr. Rammell: The Wilton Park Executive Agency has not contracted with Bechtel during this period.

Border Controls

Mr. Gerald Howarth: To ask the Secretary of State for Foreign and Commonwealth Affairs what effects the European Constitution will have on United Kingdom border controls. [140277]

Mr. MacShane: I will write to the hon. Member shortly and place a copy of the letter in the Library of the House.

Burma

Mrs. Iris Robinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent action the Government has taken in relation to breaches of *(a)* human and *(b)* political rights in Burma. [139789]

Mr. Mike O'Brien *[holding answer 19 November 2003]:* The UK has made regular representations to the Burmese authorities about the human rights situation in Burma, bilaterally, with our EU partners and at the United Nations. I regularly speak to EU partners and Burma's neighbours to press Burma on human rights issues.

In addition, the UK co-sponsored a resolution in the UN Commission on Human Rights (UNCHR) on 16 April 2003 and will be co-sponsoring a Burma resolution at this year's UN General Assembly concerning the abuse of all human rights in Burma.

Mrs. Iris Robinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to support the United States Government's stance on sanctions against Burma. [139790]

Mr. Mike O'Brien *[holding answer 19 November 2003]:* Like the US, we believe that pressure on the regime is essential if we are to bring about democracy, national reconciliation, and respect for human rights in Burma.

With our EU colleagues we are currently discussing what further measures we may take to target those obstructing reform and progress in Burma, while ensuring that the ordinary people of Burma suffer as little as possible.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter to him dated 17 September from the right hon. Member for Manchester, Gorton with regard to Mrs. Zubeda Islam. [133844]

Mr. Mullin: I can confirm that as a result of an administrative error, no reply was sent to my right hon. Friend to his letter to my right hon. Friend the Foreign Secretary, of 17 September about Mrs. Zubeda Islam.

The Foreign Secretary wrote to my right hon. Friend on 27 October on this case. I apologise for the delay in replying.

European Constitution

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will lay before Parliament a White Paper reproducing the texts of those proposed articles of the draft EU Constitution which are new and additional to those found within or included in the European treaties already in force, giving for each a statement of purpose and the reasons ministers have for supporting, amending or rejecting each and his assessment of whether each is *(a)* a new constitutional provision and *(b)* a tidying up. [137942]

Mr. MacShane: I will write to my hon. Friend shortly and place a copy of the letter in the Library of the House.

General Affairs and External Relations Council

Mr. Hood: To ask the Secretary of State for Foreign and Commonwealth Affairs what the outcome was of the General Affairs and External Relations Council held on 17 November; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [139942]

Mr. MacShane: The information is as follows:

Outcome of the 17–18 November general affairs and external relations council

My right hon. Friend the Foreign Secretary, the International Development Secretary and I, represented the UK at the General Affairs and External Relations Council (GAERC) in Brussels on 17–18 November.

Conclusions were agreed on the Western Balkans, Afghanistan, Iraq, ESDP, Nigeria, the annual report on development policy implementation, Governance and Development, the role of the private sector in developing countries, and the OSCE. An informal Defence Ministerial took place in parallel.

General affairs session

Commission work programme for 2004

The Council took note of the Commission presentation of its legislative and work programme for 2004.

Progress of work in other council configurations

The Presidency gave a standard progress report on work in other Councils: Employment/Social Affairs/ Health/Consumer Affairs, Justice and Home Affairs and Transport and Telecommunications.

Preparation of European council (Brussels, 12–13 December)

The Council examined the Presidency's annotated draft agenda for the 12–13 December European Council. The main issues are:

Economic growth

Strengthening the EU's area of freedom, security and justice

EU enlargement

External Relations, Common Foreign and Security Policy and European Security and Defence Policy.

Enlargement

The Commission presented its monitoring reports on the Accession States' preparations for membership of the European Union and its Strategy Paper and regular reports on progress by Bulgaria, Romania and Turkey towards accession. The Council adopted Conclusions welcoming the progress made so far, while encouraging improved progress on outstanding areas of concern.

External relations session

Western Balkans

The Presidency briefed Member States on Kosovo and the Contact Group's Strategy. The GAERC also agreed that direct dialogue between Belgrade and Pristina on practical issues of mutual concern remained vital to fulfil its policy of "standards before status".

EU-Russia

The Presidency de-briefed on the outcome of the 6 November EU-Russia Summit. Ministers agreed on the need to identify the core elements and priorities for the EU's relationship with Russia and to discuss the matter again early in the new year.

Iraq

There was a brief discussion of follow-up to the Madrid Donor conference (23–24 October). Partners welcomed the announcement of an accelerated transfer of power to the Iraqis and reiterated the European Union's resolve to contribute to the political as well as economic reconstruction of Iraq.

Iran

Ministers discussed the nuclear situation in Iran following the Iranian declaration on signature, ratification and immediate application of the International Atomic Energy Agency (IAEA) Additional Protocol. The Council agreed that EU members of the IAEA Board of Governors should pursue a common approach at the Board's 20 November meeting. The GAERC tasked Political Directors to take this forward.

Middle east peace process

The Council discussed its approach ahead of the EU/ Israel Association Council later that day.

Afghanistan

Commissioner Patten reported on the 19 October Troika visit to Afghanistan. The Council restated the EU's commitment to the reconstruction of Afghanistan and called for free and fair elections to be held next year in order to conclude the road map devised by the Bonn Agreement, The GAERC offered EU assistance with these elections.

The Council also welcomed UN Security Council Resolution 1510 authorising the NATO-led ISAF mission to operate outside the area of Kabul. Member States were considering how to take part in the establishment of Provincial Reconstruction Teams.

Joint session with Defence Ministers

The Presidency briefed on the Defence Ministers' discussions earlier that day: this included talks on operations, EU defence capabilities, EU-NATO, and counter-terrorism. Conclusions were agreed on the European Security and Defence Policy and the Capabilities Agency.

EU-Africa

The Presidency and Commission reported on the recent EU-Africa Ministerial Troika (10 November).

WMD

The Presidency set out the progress made in implementing the WMD Action Plan agreed at the Thessaloniki European Council in May. This Included: an EU Common Position on the universalisation of non-proliferation instruments; mainstreaming of WMD concerns in EU relations with third countries; further work on EU export controls; and improved EU co-ordination in international fora. Conclusions were adopted highlighting the positive results achieved so far.

AOB: OSCE ministerial

The Netherlands, as OSCE Chairman in Office for 2003, briefed colleagues on developments on Moldova and Belarus.

Annual report 2003 on development policy implementation

The council held a debate on the Commission's report on the Community's development co-operation policy and the implementation of the EU's external assistance in 2002. Conclusions were agreed.

Creation of African Peace facility

The Council approved a draft Decision (to be adopted by the ACP-EC Council of Ministers) on the use of European Development Fund resources for the creation of a Peace Facility for Africa.

Governance and development

The Council held a brief discussion (and agreed conclusions) on a communication from the Commission on the EU's strategy in support of better governance in developing countries.

Cotton production in Africa

The Council held a discussion on the problematic situation of the four major cotton producer countries in Africa. The Council invited the Commission to examine the situation in depth and to inform the Council accordingly-

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his Spanish counterpart regarding Gibraltar in the last 12 months. [133208]

Mr. MacShane: My right hon. Friend the Foreign Secretary has had a number of discussions with his Spanish counterpart on a range of issues in the last 12 months; the focus has not been Gibraltar.

Guantanamo Bay

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the meetings his Department has had with US officials and representatives in the last 12 months at which the issue of the Guantanamo Bay detainees has been formally raised. [139470]

Mr. Mullin *[holding answer 19 November 2003]:* Foreign and Commonwealth Office Ministers and officials have had regular discussions with the United States authorities in the last 12 months about the British nationals detained at Guantanamo Bay. The Government does not consider it appropriate to disclose detailed information about the dates of such negotiations since it would undermine the confidential nature of these diplomatic communications.

However, the Government's frequent contacts with my right hon. Friend the US Administration on this issue have included discussions between the Prime Minister and the US President and between UK and US Ministers, senior officials and lawyers. Since July, the Attorney General has led the UK in detailed discussions with the US Administration to resolve the position of all the British detainees held at Guantanamo Bay.

Indonesia

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs when a permanent secretary or under-secretary in his Department has visited Indonesia since 1973; and what the purpose was of each visit. [133127]

Mr. Mike O'Brien *[pursuant to my answer, 22 October 2003, Official Report, c. 615–16W]:* An administrative error occurred in my answer of 22 October. The correct answer should read as follows:

4–5 July 2000 Permanent Secretary, to discuss bilateral and multilateral issues.

12–16 September 2000 Director General (Deputy Under Secretary) Wider World, familiarisation and to discuss bilateral and multilateral issues.

22–24 November 2000 Group Chief Executive (Permanent Secretary equivalent), British Trade International (a joint DTI/FCO Department), to discuss trade and investment issues.

30 July-3 August 2001 Director (Assistant Under Secretary) Asia/Pacific, to discuss bilateral and multilateral issues.

12–14 December 2001 Permanent Secretary (designate), as part of a programme of visits to familiarise himself with as many overseas posts as possible.

4–5 July 2002 Director (Assistant Under Secretary) Economic, to discuss economic and trade policy issues.

7–10 January 2003 Director (Assistant Under Secretary) Asia/Pacific, accompanying my right hon. Friend the Foreign Secretary on his visit to Indonesia.

14 May 2003 Director (Assistant Under Secretary) Asia/Pacific (designate), to attend an ASEM senior officials meeting.

21–25 July 2003 Director (Assistant Under Secretary) Asia/Pacific, accompanying the Minister to the ASEM Foreign Ministers Meeting.

I regret that compiling the information requested for 1973–99 would involve disproportionate effort.

Iran

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he and *(b)* members of his Department have had with representatives of the Russian Government on recent developments in Russian-Iranian negotiations concerning the repatriation of spent nuclear fuel; what impact an agreement will have on UK policy toward Iran; and if he will make a statement. [131529]

Mr. Rammell: This issue was most recently addressed in a wide-ranging discussion which my right hon. Friend the Foreign Secretary had with the Russian Foreign Minister Igor Ivanov at the United Nations General Assembly in New York in September.

Every opportunity is used to raise our concerns, both in ministerial and official contacts, about the negotiations between Russia and Iran on the return of spent nuclear fuel.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he is having with Iran about bi-lateral relations. [132240]

Mr. Rammell: Ministers are in regular contact with Iranian leaders. The Foreign Secretary visited Tehran most recently on 21 October. Our policy towards Iran is one of constructive but critical engagement. We support reform in Iran, while continuing a robust dialogue on

matters of concern such as Iran's nuclear programme, and policies on human rights, terrorism and the Middle East Peace Process.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the two UN working groups referred to in his 2003 Human Rights Report as planning visits to Iran to make them. [139705]

Mr. Rammell: The UN Human Rights Commission's Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression visited Iran from 4–11 November The visit of the UN Working Group on Enforced Disappearances is currently scheduled for February 2004.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what response the Government of Iran has made to the recommendations of the UN Working Group on Arbitrary Detentions. [139707]

Mr. Rammell: The Government of Iran has so far offered no formal or public reply to the recommendations of the UN Working Group on Arbitrary Detentions.

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the EU to evaluate the outcome of the dialogue with Iran on improving human rights; and what assessment he has made of changes since the publication of his Department's Human Rights Report 2003. [139762]

Mr. Rammell: The EU regularly evaluates progress on the EU/Iran Human Rights Dialogue at both ministerial and official levels. At the October 2003 General Affairs and External Relations Council, EU Foreign Ministers reaffirmed their concern "about the human rights situation in Iran, including violations of civil and political rights, in particular the freedom of expression and the freedom of association, and systematic discrimination against women and girls, as well as against minorities". In the period since the FCO Human Rights Report was drafted, we assess that there has been some deterioration in the overall human rights situation in Iran.

Israel

Mr. Colman: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will condemn *(a)* the Palestinian organisations engaged in suicide bombings of Israeli civilians and *(b)* the excessive use of force by the Government of Israel against Palestinians. [140120]

Mr. Rammell: I will write to my hon. Friend and place a copy in the Library of the House.

Market Research

Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137015]

Mr. Rammell: I will write to the hon. Member and place a copy in the Library.

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs how much his Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if he will make a statement. [139987]

Mr. Rammell: I will write to the hon. Member shortly and place a copy of the letter in the Library of the House.

Middle East

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment the Government has made of the impact of the Israel Defense Forces Order Concerning Security Directives (Judea and Samaria) (No.378), 1970 Declaration Concerning Closing of Area Number s/2/03 (seam area) (Judea and Samaria) on *(a)* the Palestinian population of the area between the Green Line and the separation wall and *(b)* the prospects for a future Palestinian state to include the territory between the Green Line and the separation wall; and if he will make a statement. [139013]

Mr. Rammell: Initial reporting by the UN and other organisations indicates that the designation of a "Closed Zone" between the fence and the Green Line is severely hampering Palestinian daily life. Permits, issued by the Israeli authorities, are required for those Palestinians who live and work on land now designated as part of the Closed Zone.

We are concerned that a system of permits will not meet the legitimate needs of affected Palestinians. Other permit systems operated by the Israel Defence Forces can be unaccountable, inconsistent, unappealable and lack transparency. We understand that a number of permanent residents and Palestinians who work in the Closed Zone have been refused permits. Some permanent residents have received permits which are only valid for a limited period of time, and access for vehicles has been limited.

The effect has been to curtail the ability of Palestinians in the Closed Zone to travel and to access basic services. It has also hindered the cultivation and harvest of crops, and the care of livestock in this area. The designation of a Closed Zone is contributing to an already acute humanitarian situation. Staff from the ebassy and Consulate-General visited parts of the Closed Zone on 13 November to see the effect on Palestinians in the area.

We understand Israel's need to take steps, within international law, to protect itself from terrorist attack. But unilateral measures, such as the fence, will not provide lasting security. We are deeply concerned by the route taken by the fence, Its construction on occupied territory creates a further physical obstacle to a two-state solution. We have called on both sides not to take actions which pre-empt a final agreement.

My noble Friend, the Baroness Symons of Vernham Dean, raised our concerns about the Closed Zone between the fence and the Green Line on 22 October with the Israeli ambassador, and on 29 October with the Israeli Minister for National Infrastructure.

Moazzam Begg and Feroz Abbasi

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence he has received from the American Administration in support of their claim that they have the right to try Moazzam Begg and Feroz Abbasi as combatants; and if he will make a statement. [131805]

Mr. Mullin: The US authorities have made clear their view that the detainees at Guantanamo Bay are being held as enemy combatants. The question of the legal status of the detainees at Guantanamo Bay under international law depends on the facts relating to each individual detainee. The US, as the detaining power, has access to that information and in the first instance, the question of the status of the detainees is a matter for them.

Mr. Begg and Mr. Abbasi have been designated as eligible for Military Commissions, but have not yet been charged. Proceedings against them have been suspended pending the outcome of discussions between the British and US Governments.

Kenny Richey

Paul Farrelly: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department had with US counterparts before the vote in the UN Security Council on the resolution condemning the building by Israel of the security wall in parts of the Occupied Territories; and for what reasons the UK decided to abstain in the vote. [133957]

Mr. Rammell: I will write to my hon. Friend and place a copy in the Library of the House.

NM Rothschild and Sons Ltd.

Kevin Brennan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on services provided to his Department by NM Rothschild since 1997. [139963]

Mr. Rammell: NM Rothschild was engaged in 1997 to provide consultancy advice on PFI options for a BBC World Service project to construct a relay station in Oman. The value of the contract was £88,125.

North Korea

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government has taken *(a)* to try to prevent North Korea from acquiring a nuclear weapon manufacturing capability, *(b)* to encourage the opening up of personal and transport communications between the peoples of North and South Korea and *(c)* to reduce human rights violations in North Korea. [140016]

Mr. Rammell: The Government continue to raise their concerns about North Korea's nuclear programmes directly with the DPRK authorities and encourages international efforts to resolve the issue peacefully. We support all efforts to improve the quality of communication between North and South Korea, and regularly urge DPRK to comply with the resolution adopted by the UN Commission on Human Rights earlier this year.

Nuclear Non-proliferation Treaty

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to encourage amendments to the Non-Proliferation Treaty to enable *(a)* India, *(b)* Pakistan and *(c)* Israel to be admitted as nuclear states. [136702]

Mr. MacShane: I will write to the hon. Member and place a copy in the Library of the House.

Nuclear Weapons

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment *(a)* he and *(b)* his officials have made of the relevance to United Kingdom policies on non-proliferation of the study on disarmament and non-proliferation education study series number 30 (2003), produced by the United Nations Department for Disarmament Affairs for the United Nations Secretary General. [138060]

Mr. MacShane: I will write to my hon. Friend shortly and place a copy of the letter in the Library of the House.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent report of the International Atomic Energy Authority on whether the Government of Iran has been proved to be holding *(a)* enriched uranium and *(b)* plutonium for the purposes of a nuclear weapons programme. [139418]

Mr. MacShane *[holding answer 19 November 2003]:* The report of the Director-General of the International Atomic Energy Agency is confidential to the Agency's Board of Governors, who will discuss it at their next meeting on 20 November. I would not wish to pre-empt their discussions by making public statements about the report at this time.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the *(a)* US Administration and *(b)* UN representatives on the implications of the recent International Atomic Energy Authority Report on Iran. [139419]

Mr. MacShane *[holding answer 19 November 2003]:* The Government have been engaged in intensive discussion with the US Administration, our EU partners and others about the report. We have worked closely with a range of partners on drafting a Resolution on Iran for discussion at the next meeting of the Board of Governors of the International Atomic Energy Agency on 20 November.

Oil Sales (Iraq)

Mr. Godsiff: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* expenditure on and *(b)* revenues generated by the sale of Iraqi oil on the world market since 1 May; and what projections have been made for the period from 1 November to 1 May 2004. [139855]

Mr. Timms: According to the Coalition Provisional Authority, to date $2.009 billion has been paid to the Development Fund for Iraq from the sale of oil since the conflict ended.

The Iraqi budget for 2004 includes a forecast of $12 billion for oil revenues. There is no available monthly breakdown.

The rehabilitation of the Iraqi oil industry is being undertaken and financed by the US government through The US Army Corps of Engineers. There is no detail on expenditure on post conflict rehabilitation projects available at this time.

Pakistan

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of Pakistan about its human rights record. [139358]

Mr. Mike O'Brien: On 4 November my right hon. Friend the Foreign Secretary and I met with Pakistani Foreign Minister Kasuri. One of the topics discussed was the issue of human rights in Pakistan. With our EU partners we regularly engage the Pakistani authorities on Human Rights issues. On 7 February 2003 EU member states delivered a comprehensive demarche underlining their concerns on a wide range of human rights related issues. These concerns were reiterated on 23 June 2003.

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his counterparts in *(a)* European Union member states and *(b)* other governments in connection with human rights in Pakistan. [139359]

Mr. Mike O'Brien: My right hon. Friend the Foreign Secretary has regular discussions on Pakistan with his counterparts in EU and other governments. Issues related to human rights are raised frequently.

Mr. Dhanda: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of restrictions by the Pakistani Government on the freedom of movement of Mr. Shahbaz Bhatti, Chairman of the All Pakistan Minorities Alliance; and if he will raise the matter with the High Commissioner of Pakistan. [139360]

Mr. Mike O'Brien: On 14 October Mr. Shahbaz Bhatti, Chairman of the All Pakistan Minorities Alliance was placed on the Pakistan Interior Ministry's Exit Control List for reasons of national security. This means that Mr. Bhatti is restricted from leaving Pakistan. We understand that Mr. Bhatti has made a formal complaint to the Interior Ministry. Together with our EU colleagues we will be raising our concerns that this might be discriminatory use of the Exit Control List with the Government of Pakistan.

Russian Federation

Mr. Colman: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to ensure that the Russian federation authorities *(a)* do not extradite persons to any country where they would be at risk of the death penalty, torture or proceedings that fail to meet international fair trial standards, *(b)* immediately authorise the full publication of reports and recommendations made by the European Committee for the Prevention of Torture, *(c)* amend the law to combat terrorism to establish clear operational lines of accountability in anti-terrorist operations and ensure that those responsible for violating human rights in the context of such operations should be brought to justice and *(d)* adopt a law the primary concern of which is the best interests of children with mental disability. [140076]

Mr. Rammell: I will write to my hon. Friend and place a copy in the Library of the House.

Saudi Arabia

Mr. Pickles: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security *(a)* advice and *(b)* protection offered to employees of the British Council working in Saudi Arabia. [139753]

Mr. Rammell: The safety of staff and visitors is of paramount importance to the British Council. Their Security Committee in London meets regularly, and reviewed security arrangements for British Council operations in Saudi Arabia on 13 November.

The British Council's Security Adviser visited Saudi Arabia immediately following the 12 May terrorist attacks in Riyadh and reviewed security measures at British Council offices and staff accommodation throughout the country. His recommendations were fully implemented. A further security review is currently taking place.

The Director of the British Council in Riyadh is Cultural Attaché at the British embassy. The Embassy maintains close and regular contact with him and with his staff throughout the country, including through the Consulate General in Jedda and the British Trade Office in Al Khobar. In addition, the Embassy and its officers in Saudi Arabia raise security-related issues with the Saudi authorities on behalf of the British Council.

The Director of the British Council communicates to his staff the conclusions of security reviews and other advice related to security. All employees of the British Council in Saudi Arabia have access to the same advice as the FCO gives to all other British nationals, communicated through the FCO website and notes to or meetings with the community In our advice, we make clear that after the attack against the Muhayya residential compound in Riyadh on 9 November, we continue to believe terrorists are planning further attacks. We advise British nationals to take all necessary steps to protect their safety and make sure they have confidence in their individual security arrangements. We further advise British nationals to maintain a high level of vigilance, particularly in public places frequented by foreigners such as hotels, restaurants and shopping malls. They are advised to follow news reports and be alert to regional developments. We keep this advice under close review and up-date it regularly. The advice is available in full on the Foreign and Commonwealth Office website.

Somalia

Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the facilities in Nairobi for Somalians applying for entry clearance in to the UK; and what plans he has to change the facilities. [139720]

Mr. Mullin: Our Visa Section at the High Commission in Nairobi is still unable to accept applications from Somali applicants without recognised identity documents. I recognise this problem and recently discussed it with staff at the High Commission during my visit to Nairobi in October.

As a response to a specific threat at our High Commission in December 2002 security restrictions were introduced affecting personal callers wishing to enter the High Commission compound. In line with these restrictions the Visa Section is still only able to accept applications for entry clearance from those who hold appropriate documentation confirming their nationality and identity. I recognise that these restrictions cause particular difficulties to Somali applicants. We are looking at ways to resolve this.

Sri Lanka

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what reports he has received from representatives of the UK Government in Sri Lanka concerning *(a)* President Chandrika Kumaratunga's declaration of a state of emergency on 5 November; and *(b)* Mrs. Kumaratunga's dismissal of the Sri Lankan Defence, Interior and Media Ministers; and if he will make a statement; [137707]

(2) when his Department will assess the impact of Sri Lankan President Chandrika Kumaratunga's declaration of a state of emergency on 5 November on the Sri Lankan peace process; what discussions he has had with *(a)* President Chandrika Kumaratunga, *(b)* Colonel Sumedha Perera, *(c)* Prime Minister Ranil Wickremesinghe, *(d)* representatives and members of the Government of India and *(e)* representatives and members of the Government of Japan; and if he will make a statement. [137708]

Mr. Mike O'Brien: In my press statement on 6 November I said that we were following developments in Sri Lanka with increasing anxiety. A copy of the press release is available on the FCO website: www.fco.gov.uk/policy/news-press-releases. We have noted subsequent developments but remain particularly concerned for a speedy resumption of dialogue in a complex peace process. The UK strongly supports the peace process and hopes that the Sri Lankan President and Government will be able to resolve the current political uncertainties in a spirit of common commitment to the peace process.

Representatives of the British High Commission in Colombo meet regularly with Government and donor representatives. In the week beginning 3 November, the High Commissioner has met the President and a senior Government Minister and spoke to the Prime Minister; High Commission officials have met with representatives of the Indian and Japanese Governments and have spoken with representatives of the military.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Sri Lanka. [138826]

Mr. Mike O'Brien: We welcome the reportedly cordial meeting between the President and Prime Minister of Sri Lanka on 12 November, and their decision to continue dialogue with all parties concerned and to meet again next week. It is most important that they quickly agree on how the peace process will again be taken forward. We also welcome the Liberation Tigers of Tamil Eelam's continuing commitment to the peace process and ceasefire agreement. The continuing political uncertainties must not be allowed to jeopardise that process.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the declaration of a state of emergency in Sri Lanka and its effects on the civil rights of Sri Lankan citizens. [139050]

Mr. Mike O'Brien: The state of emergency in Sri Lanka, declared on 5 November, was lifted on 7 November, before the official gazette notification had been issued, and before any action had been taken by the President under emergency powers. The civil rights of Sri Lankan citizens were not adversely affected by the state of emergency.

Thailand

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Thai authorities about Dr. Cynthia Maung's clinic in Mae Sot on the Thai-Burmese border. [140350]

Mr. Mike O'Brien: I will write to my hon. Friend shortly and place a copy of the letter in the Library of the House.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what discussions he has held with the Thai authorities on delivery by non-governmental organisations of cross-border aid relief to internally displaced people in Burma; [140353]

(2) what recent representations he has made to the Thai authorities about access for Burmese refugees to refugee camps in Thailand. [140354]

Mr. Mike O'Brien: I will write to my hon. Friend shortly and place a copy of the letter in the Library of the House.

Tibet

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to secure the release of the Tibetan religious leader, Tenzin Deleg Rinpoche, from prison in China. [140352]

Mr. Rammell: We have raised the case of Tenzin Deleg Rinpoche with the Chinese authorities on a number of occasions. At the latest round of the biannual UK-China Human Rights Dialogue held in Beijing on 10–11 November the Chinese again confirmed that he had appealed against his original sentence (death sentence with two year suspension) but that the original verdict had been upheld. We also raised our concerns about his welfare and medical treatment.

Treaty Ratification

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what requests the Government will make to the Crown prior to the introduction of a Bill relating to the ratification of a treaty consequent upon a final draft text of a constitution for the European Union; what requests were made to the Crown in respect of previous Bills necessary for ratification of treaties; and what replies were received. [140433]

Mr. MacShane: I will write to my hon. Friend shortly and place a copy of the letter in the Library of the House.

UN Arms Embargoes

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 16 September 2003, *Official Report*, column 681W, if he will *(a)* commission a report on the impact of traditional tribal demarcations on the effectiveness of UN arms embargoes; and if he will *(b)* discuss the matter with NGOs. [138610]

Mr. Rammell: The Government have no plans to commission a report on the impact of traditional tribal demarcations on the effectiveness of UN arms embargoes; and have no plans to discuss the matter with NGOs.

UN Sanctions

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 6 October 2003, *Official Report*, column 1118W, on UN sanctions, what progress the Government have made in considering whether or not to re-initiate proposals for an independent sanctions monitoring mechanism. [138611]

Mr. Rammell: The UK and France floated informally our proposal for a semi-permanent monitoring mechanism on sanctions in the context of discussions within a Working Group of the Security Council which met in 2000 and 2001 to consider various aspects of UN sanctions regimes. Unfortunately our proposal failed to generate sufficient support among other members of the Security Council. We will consider whether to revive the proposal in 2004, when we have informally canvassed the views of the new members of the Council.

Visas

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what the visa fees were for *(a)* 2001, *(b)* 2002 and *(c)* up to August 2003. [139813]

Mr. Mullin: The fees charged by Visa Sections worldwide for entry clearance are detailed in the following table. The fees charged to visa applicants remained unchanged from 1997 until they were increased in July 2002. There have been no increases since. Both sets of fees are detailed.

£

	1997 [1]	*1 July 2002* [2]
Entry Clearance for a Commonwealth Country	20	22
Entry clearance for an overseas territory	20	22
Direct airside transit	25	27
Visit (standard)	33	36
Visit (multiple entry) one year	55	60
Visit (multiple entry) two years	65	70
Visit (multiple entry) five years	80	88
Visit (multiple entry) 10 years[3]	—	150
Settlement	240	260
Marriage	240	260
Long-term	50	75
Certificate of entitlement	100	110

[1] To June 2002.
[2] To present.
[3] 10 year multiple entry visit visas were introduced on 1 July 2002

Mr. Gerald Howarth: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the geographical validity of European Union visas will become a matter for qualified majority voting under the European constitution. [140278]

Mr. MacShane: I will write to my hon. Friend shortly and place a copy of the letter in the Library of the House.

Mr. Gerald Howarth: To ask the Secretary of State for Foreign and Commonwealth Affairs whether European visas issued by the consulates of other member states will be valid for entry to the UK under the European constitution. [140264]

Mr. MacShane: I will write to my hon. Friend shortly and place a copy of the letter in the Library of the House.

Working Holidays

Mr. Stinchcombe: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 29 October 2003, *Official Report*, column 277W, on working holidaymakers, if he will break down by country of origin the numbers of applications *(a)* received, *(b)* issued, *(c)* refused and *(d)* outstanding for visas for working holidays. [137815]

Mr. Mullin: I have placed in the Library of the House figures of the working holidaymaker visa applications received, issued and refused in the financial year 2002–03 by our entry clearance posts.

TREASURY

Civil Registration

Mr. Drew: To ask the Chancellor of the Exchequer (1) if he will make a statement on the reasons for ending face to face civil registration services; and what plans he has to retrain registrars for their new remote role; [140260]

(2) what procedures will be put in place to prevent fraud after the move to remote civil registration; [140261]

(3) what plans he has to compensate local authorities for any funding shortfall arising from the move to remote civil registration; [140262]

(4) what assessment has been made of the risk of competition between local authorities following a move to remote registration. [140263]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. David Drew, dated 20 November 2003:

As Registrar General for England and Wales, I have been asked to reply to your four recent questions on the move to remote civil registration. (140260, 140262, 140263, 140264)

In January 2002, the White Paper 'Civil Registration: Vital Change' was published which set out the Government's intention to reform the civil registration service. The White Paper offers the public a choice in how to register births and deaths in person (at any Register Office), by telephone or via the internet.

These proposals appear in more detail in the consultation document 'Civil Registration: Delivering Vital Change' which was published in July 2003. The document can be downloaded from the General Register Office website at: http://www.statistics.gov.uk/registration/whitepaper/default.asp

The document is the first stage in the use of the order-making powers of the Regulatory Reform Act 2001. This is being used to bring about the legislative changes that are needed to implement the White Paper reforms. The consultation period ended on 24 October. Currently the responses are being analysed.

It would be inappropriate at this stage to comment on the final shape of the proposals to be included in the Regulatory Reform Order. Issues such as funding, retraining and security are being fully considered during the passage of the civil registration regulatory reform order and, in the event of legislation change, prior to implementation.

Economic Activity (Airdrie and Shotts)

Mrs. Liddell: To ask the Chancellor of the Exchequer (1) what the economic activity rate in the Airdrie and Shotts constituency was in *(a)* 2002–03 and *(b)* 1997; [140371]

(2) what the employment rate in the Airdrie and Shotts constituency was in *(a)* 2002–03 and *(b)* 1997; [140372]

(3) what the rate of *(a)* unemployment, *(b)* long-term unemployment and *(c)* youth unemployment in the Airdrie and Shotts constituency was in (i) 2002–03 and (ii) 1997; and how many individuals this represented in each case. [140373]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from John Pullinger to Mrs Helen Liddell, dated 20 November 2003:

The National Statistician has been asked to reply to your Parliamentary Questions about economic activity, employment and unemployment rates in Airdrie and Shotts constituency. I am replying in his absence. (140371, 140372, 140373)

The Office for National Statistics (ONS) compiles statistics of economic activity, employment and unemployment from the Labour Force survey (LFS) following the internationally standard International Labour Organisation definitions.

Table 1 gives estimates of economic activity and employment rates in the Airdrie and Shotts constituency for the twelve month periods ending February 1998 and February 2002. These estimates are from the Labour Force Survey (LFS) annual local area databases. Comparable information for the twelve month period ending February 2003 is not yet available. The LFS sample size is too small to give reliable estimates of unemployment in the Airdrie and Shotts constituency.

ONS also compiles statistics of those claiming Jobseeker's Allowance (JSA) for local areas including Parliamentary constituencies.

Table 2 gives, for the periods specified, the total number of JSA claimants, the number of those claiming JSA for over 12 months, and the number of claimants aged 18–24 in the Airdrie and Shotts constituency. Claimant count rates for local areas are expressed as proportions of the 2001 mid-year working-age population estimates which are based on the 2001 Census, following the withdrawal from National Statistics in January 2003 of the previous workplace based rates. Table 2 shows the rates, on this basis, for the Airdrie and Shotts Constituency.

Table 1 Working age[1] economic activity and employment rates Airdrie and Shotts constituency

Percentage

March to February	*Economic activity rate[2]*	*Employment rate[3]*
1997–98	73.3	66.0
2001–02	67.7	56.8

[1] Men aged 16–64 and women aged 16–59
[2] Economically active people of wording age as a percentage of the working age population
[3] Employed people of working age as a percentage of the working age population
Note:
These LFS estimates have not been adjusted to reflect the 2001 Census results
Source:
ONS Labour Force Survey

Table 2
People claiming Jobseeker's Allowance in the Airdrie and Shotts constituency

	Total		*Long-term[2]*	*Aged 18–24*
	Number	*Rate[1] (Percentage)*	*Number*	*Number*
Average January to December 1997	2,887	5.9	851	903
Average April 2002 to March 2003	1,902	3.9	239	528

[1] People claiming Jobseeker's Allowance as a percentage of the mid-2001 working age population estimate, based on the 2001 Census
[2] People claiming Jobseeker's Allowance for over 12 months

Air Passenger Taxes

Mr. Beggs: To ask the Chancellor of the Exchequer, how much revenue was raised from air passenger taxes in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland in each of the last 10 years. [140387]

John Healey: The information is not available in the format requested. Revenue figures for air passenger duty are collected for the UK as a whole and are not broken down by devolved region. Air passenger revenue duty receipts for the UK as a whole are published in table 1.20 of Financial Statistics published by the Office for National Statistics.

Household Incomes

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the average weekly income of households in each council tax band. [140006]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Steve Webb, dated 20 November 2003:

As National Statistician, I have been asked to reply to your recent question asking for the average weekly income of households in each council tax band. (140006)

Estimates in the following table are based on the analysis "The effects of taxes and benefits on household income 2001–02" produced by the Office for National Statistics and published on 21 October 2003 on the National Statistics website at: http://www.statistics.gov.uk/taxesbenefits.

The analysis includes measures of income inequality for the United Kingdom as a whole based on data from the Expenditure and Food Survey (EPS), formerly the Family Expenditure Survey (FES). This is a sample survey covering about 7,500 households in the UK and sample sizes for each council tax band are only sufficient to give approximate estimates. The Family Resources Survey would have been an alternative source with a larger sample size, but the taxes and benefits analysis has been used for consistency with answers to other recent parliamentary questions.

The table shows the average weekly gross income received by households in Great Britain in houses in each council tax band. Council tax is not paid in Northern Ireland. The sample size is only sufficient to allow a breakdown to be given for households living in bands G and H combined. A small number of households in properties which did not have a separate council tax valuation have been excluded from the analysis. Gross income includes income from earnings, occupational pensions and investments and cash benefits such as state retirement pensions and income support. It does not take account of deductions for taxes.

Average weekly gross income of households in each council tax band for Great Britain, 2001–02

£ per week

Council Tax band	*Average weekly gross income*
A	310
B	430
C	520
D	650
E	770
F	930
G and H	1,460

Source:
Office for National Statistics, based on the analysis 'The effects of taxes and benefits on household income'.

Aviation Kerosene taxation

Mr. Dalyell: To ask the Chancellor of the Exchequer what his estimate is of the cost of not taxing aviation kerosene in financial year 2002–03. [140200]

John Healey: Aviation turbine fuel (AVTUR), is a heavy hydrocarbon oil used in virtually all aircraft on scheduled flights within the UK, and the majority of international commercial flights.

Although AVTUR is not currently taxed, the UK recognises that there is a case for taxing fuel used in international aviation and supports action through the International Civil Aviation Organisation to remove the current worldwide exemption.

Assuming no decrease in demand from a higher fuel price, levying duty on 2002–03 quantities of aviation turbine fuel would have raised the following amounts of revenue:

£ billion

Duty levied	*Revenue raised*
If the rebated kerosene duty rate were levied	0.4
If the ULSD duty rate were levied	5.8
If the heavy diesel duty rate were levied	6.6

Child Support Agency

Mr. Todd: To ask the Chancellor of the Exchequer what re-examination of the Office of Government Commerce Gateway review process he has undertaken as a result of the implementation of the Child Support Agency's reform programme. [140039]

Mr. Boateng: There has been no re-examination of the OGC Gateway Review Process as a direct result of the implementation of the Child Support Agency's reform programme.

Child Trust Fund

Mrs. Liddell: To ask the Chancellor of the Exchequer what estimate he has made of the number of families in Airdrie and Shotts constituency who will benefit from the Child Trust Fund. [140378]

Ruth Kelly: All children born since 1 September 2002 in families awarded Child Benefit will receive a Child Trust Fund (CTF). Based on census data for children under five living in the constituency of Airdrie and Shotts, about 900 children a year will benefit from the initial endowment. As an indication of the eventual position, 9,870 families were receiving Child Benefit for 16,585 children as at 30 November 2002, in the constituency of Airdrie and Shotts

The CTF is intended to encourage parents and children to develop the savings habit. It will ensure that every child, whatever their family background, will have access at the age of 18 when they begin their adult life, to a stock of assets which they can invest in their future.

It will also help children and their parents to understand the benefits of saving and investment and how to engage with financial institutions.

Customs and Excise

Dr. Cable: To ask the Chancellor of the Exchequer (1) what the cost was of specialist asset recovery teams in Customs and Excise used for the recovery of assets from directors involved in fraudulent companies in *(a)* 2001–02 and *(b)* 2002–03; how many staff were deployed in these teams in (i) 2001–02 and (ii) 2002–03; and what assets were realised by these teams in (A) 2001–02 and (B) 2002–03; [140183]

(2) how many staff were employed in Customs and Excise debt management units in *(a)* 2001–02 and *(b)* 2002–03; and how many new staff were recruited in (i) 2001–02 and (ii) 2002–03; [140184]

(3) if he will set out the Customs and Excise National Standards time limits for handling recoverable debt cases; and what the outturn against target was of debt management units in *(a)* 2001–02 and *(b)* 2002–03; [140185]

(4) how much debt was owed to Her Majesty's Customs and Excise on 31 March *(a)* in total and *(b)* broken down by type of debt; how much debt was owed as a percentage of the total amount of taxes and duties collected by Her Majesty's Customs and Excise; and what the change was in the number of unresolved debts between 31 March 2002 and 31 March 2003; [140269]

(5) what the value of new debt owed to Her Majesty's Customs and Excise notified to the debt management units in 2002–03 is; and how much of that new debt was represented by VAT missing trader fraud; [140270]

(6) how much missing trader fraud debt owed to Her Majesty's Customs and Excise was outstanding at the end of 2002–03. [140271]

John Healey: 20 staff were employed in Customs' asset recovery teams in 2001–02 and 25 in 2002–03. They secured £23.5 million in assets in 2001–02 and £17.8 million in 2002–03. It is not possible to identify the overall cost of operating these teams. 929 staff were employed in debt management in Customs in 2001–02 and 892 in 2002–03. This includes staff involved in security, insolvency, civil recovery and other debt management work outside the debt management units. There was turnover of staff within these figures, with individuals moving into and out of the function, but it is not possible to identify the number of new staff recruited in those years.

The National Standards for debt management did not include timescales for handling recoverable debt in either 2001–02 or 2002–03. Current standards require a positive outcome on recoverable debt within three months for first time and occasional defaulters, or six months for persistent defaulters recruited in those years.

Total debt owed to Customs at the end of the 2002–03 accounting period was £2,311 million. This was 1.5 per cent. of the total amount of taxes and duties collected by Customs, and included £1,159 million suspended debt and £1,152 million recoverable debt. The number of unresolved debts was not measured in 2001–02, but Customs had 344,983 cases on hand at the end of the 2002–03 accounting period.

During 2002–03 £4,974 million in new debt was advised to debt management units. Of this £824 million resulted from MTIC fraud, although some of this figure related to cases opened in previous years.

At the end of 2002–03 £546 million in missing trader fraud debt was still owed to Customs.

Dr. Cable: To ask the Chancellor of the Exchequer how many staff were deployed by Her Majesty's Customs and Excise to tackle VAT missing trader fraud in *(a)* 2001–02 and *(b)* 2002–03; what the cost of deploying such staff was in each case; and what other costs there were in pursuing the VAT missing trader fraud strategy in each case. [140272]

John Healey: The number of staff deployed to tackle VAT missing trader fraud can be found in "Tackling Indirect Tax Fraud" (November 2001), a copy of which is available in the Library of the House.

The figure for 2002–03 will be published later this year.

Customs does not maintain information about the costs in the format requested and it could be produced only at disproportionate cost.

Mr. Gray: To ask the Chancellor of the Exchequer, pursuant to his answer of 6 November 2003, *Official Report*, column. 800W, with regard to Customs, whether the prohibited firearm was *(a)* produced to Customs from *(i)* the person and (ii) baggage, *(b)* loaded with ammunition and *(c)* ready to fire; for how long Customs exercised their control over the firearm; and by what means it left the United Kingdom. [140446]

John Healey: The records still available show that the importation referred to in my earlier answer was correctly declared in accordance with established regulations and procedures, and that there were no irregularities.

Some of Customs' records relating to regulatory controls on importations of firearms at Farnborough in 1999 have been destroyed under Customs' obligations in relation to the Data Protection Act 1998 and the Public Records Acts, as they relate to legitimate movements and are no longer required for administrative purposes. Following further investigation of the remaining records, I have now been informed that the single importation referred to in my previous answer related to four firearms and a quantity of ammunition, rather than a single firearm, and I regret that inadvertently this was not made clear to the hon. Gentleman. These firearms were surrendered by one or more passengers on a flight which arrived at Farnborough in March 1999.

The additional information requested is no longer available, and Customs cannot say with certainty how the items were taken into control, how long the firearms were in Customs' control or how and when they were re-exported from the United Kingdom.

Financial Services Authority

Mr. Drew: To ask the Chancellor of the Exchequer what the membership of the Financial Services Authority Financial Capability Steering Group is. [139430]

Ruth Kelly: The membership of the Financial Services Authority Financial Capability Steering Group has been published in an FSA press notice issued on the 20 October 2003 and is as follows:

John Tiner, Chief Executive, Financial Services Authority (Chairman)

Luqman Arnold, Chief Executive, Abbey National plc

David Clementi, Chairman, Prudential plc

John Gummer, Chairman, Association of Independent Financial Advisers

David Marker, Chief Executive, Citizen's Advice

Deirdre Mutton, Chair, National Consumer Council

Digby Jones, Director General, Confederation of British Industry

Ruth Kelly, Financial Secretary to the Treasury; and Ron Sandler, chairman, Personal Finance Education Group

Media figure to be announced shortly.

Income Tax

Chris Ruane: To ask the Chancellor of the Exchequer, to how many people the 10 pence tax rate has applied in each constituency since its introduction. [140425]

Dawn Primarolo: All income tax payers benefit from the 10 pence starting rate. It would be possible to provide a reliable breakdown by constituency only at disproportionate cost.

Inland Revenue

Mr. Gray: To ask the Chancellor of the Exchequer, who set the criteria for payment of performance-related pay to the Commissioners of Inland Revenue regarding the duties they have had with respect to Project ASPIRE and its antecedents in the period 1999–2000 to 2002–03. [140447]

Dawn Primarolo: Under the pay arrangements common to all members of the Senior Civil Service, the Commissioners of Inland Revenue individually agree their performance criteria with the Chairman. The Chairman agrees his performance criteria with the Permanent Secretaries Remuneration Committee.

Mr. Gray: To ask the Chancellor of the Exchequer, what the total budget approved for the market-making exercise in support of Project ASPIRE was in each year from 2000–01 to 2002–03; and what the actual expenditure recorded against budget was in each case. [140448]

Dawn Primarolo: Expenditure on the market making exercise fell only in the 2001–02 and 2002–03 financial years. No separate budget was allocated to the Market-making exercise, which was funded as part of the general budget for the ASPIRE project.

Mr. Gray: To ask the Chancellor of the Exchequer, when Sir Nicholas Montagu KCB took the Chair of the Superintending Group overseeing Project ASPIRE; who Sir Nicholas's predecessors in that role had been since 1997; and when each took office. [140449]

Dawn Primarolo: The ASPIRE Project formally commenced on 31 October 2001. The first meeting of the ASPIRE Superintending Group was held on 5 February 2002. Initially, the Superintending Group was chaired by Tim Flesher who was, at that time, the Deputy Chairman of the Inland Revenue. When he moved to a new post in another Government Department, Sir Nicholas Montagu KCB replaced him. Sir Nicholas chaired his first meeting of the ASPIRE Superintending Group on June 2003.

Mr. Gray: To ask the Chancellor of the Exchequer, what the authorised establishment for professional grades was in 2000–01 for Inland Revenue International Division, Business Tax Group broken down by *(a)* Deputy Director's Office, *(b)* Policy Team and *(c)* Advisory/Casework Team; what the corresponding actual manning by unit was on 31 March 2001; and how many (i) transfers in and (ii) transfers out were recorded by unit in 2000–01. [140450]

Dawn Primarolo: It would be inappropriate to disclose the information requested as it would facilitate the identification of individual members of staff of the Inland Revenue. Exemption 8 *(a)* of the Code of Practice on Access to Government Information applies in this case.

Iraq

Mr. Letwin: To ask the Chancellor of the Exchequer what the cost of the war in Iraq to the Exchequer has been to date; and if he will make a statement on his current forecast of the likely total cost. [139823]

Mr. Boateng: So far MOD has drawn down £1 billion in last year's spring Supplementary Estimate and Parliament will be invited to make any further provision for 2003–04 in this year's winter and spring Supplementary Estimates.

The Chancellor announced in the Budget that £3 billion is set aside to cover the cost of operations in Iraq. It would be premature to anticipate the total costs of the military operation at this time.

Lyons Review

Dr. Kumar: To ask the Chancellor of the Exchequer, what progress has been made with the Lyons Review; and if he will make a statement. [137536]

Mr. Boateng: Following publication of his interim report on 9 September, Sir Michael Lyons has been assessing relocation proposals submitted by Government Departments. Departments have identified the scope for relocating 20,000 posts, but further work is needed to develop the proposals. The Chancellor and Deputy Prime Minister have extended the review to allow Sir Michael time for further discussion with Departments. His final report will be published early next year.

More details are on the Lyons Review website at www.hm-treasury.gov.uk/lyonsreview

Mortgage Finance

Mr. Drew: To ask the Chancellor of the Exchequer what research he has commissioned on the effect on debt levels of the use of mortgage finance as a source of credit for purposes unrelated to home improvement. [140124]

Ruth Kelly: Box B8 in Annex B of the Budget 2003 discussed mortgage equity withdrawal.

NM Rothschild and Son Ltd.

Kevin Brennan: To ask the Chancellor of the Exchequer if he will make a statement on services provided to his Department by NM Rothschild since 1997. [139959]

Mr. Boateng: Since 1997, HM Treasury has engaged NM Rothschild on two projects. The firm has supplied advice on the creation of Partnerships UK and their on-going business issues, and on the sale of a number of HM Treasury's residual shareholdings.

Parliamentary Questions

Richard Burden: To ask the Chancellor of the Exchequer when he will answer the questions tabled on 27 October 2003 by the hon. Member for Birmingham, Northfield, concerning tax credits, reference numbers 135413 to 135416. [139920]

Dawn Primarolo: I have already done so.

Petrol Tax

Mr. Evans: To ask the Chancellor of the Exchequer what assessment he has made of the impact of petrol tax rises on volunteers who claim petrol expenses. [139992]

John Healey: Volunteers who receive motoring expenses are liable to tax only if the amounts received exceed actual expenditure and so they make a profit. Drivers for organised volunteer car schemes who are paid a mileage allowance may choose to calculate any profit by using tax free mileage allowances published by the Inland Revenue. These allowances are intended as a fair estimate of the costs of providing a car, including the costs of fuel.

Postal Service (VAT)

Sir Sydney Chapman: To ask the Chancellor of the Exchequer pursuant to his answer of 12 June 2003, *Official Report*, column 984W, on postal service (VAT), whether his policy on VAT on stamps has changed; and if he will make a statement. [140179]

John Healey: The Government remain opposed to VAT on stamps, and has made this clear in negotiations on the European Commission's proposal to amend the provisions of the Sixth VAT Directive concerning the VAT arrangements applicable to postal services.

Premature Deaths (Wales)

Chris Ruane: To ask the Chancellor of the Exchequer how many premature deaths there were in each local authority area in Wales in each of the past 20 years. [140440]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from John Pullinger to Mr. Chris Ruane, dated 20 November 2003:

The National Statistician has been asked to reply to your recent question concerning how many premature deaths there were in each local authority area in Wales in each of the past 20 years. I am replying in his absence. (140440)

ONS does not have a standard definition of premature deaths. Figures provided in the tables below show total numbers of deaths under age 65 and under age 75. Numbers are provided from 1990, the earliest year for which they can be readily allocated to consistent current unitary authority boundaries.

Deaths of persons under age 65 by Welsh unitary authority, 1990 to 2002[1]

Unitary authority Code	*Name*	*Numbers of deaths*												
		1990	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
NA	Isle of Anglesey	167	142	145	156	159	139	121	118	129	122	121	133	121
NC	Gwynedd	261	263	226	220	229	225	215	188	239	198	211	206	209
NE	Conwy	245	204	197	210	218	229	181	229	218	213	218	230	220
NG	Denbighshire	181	178	179	186	184	182	197	192	198	190	197	182	192
NJ	Flintshire	305	299	314	320	301	273	290	273	273	314	269	268	247
NL	Wrexham	269	234	256	285	251	264	266	254	228	248	234	230	245
NN	Powys	258	235	236	237	228	261	229	206	246	226	205	207	243
NQ	Ceredigion	115	132	126	130	121	151	115	113	112	123	126	108	126
NS	Pembrokeshire	261	237	253	226	212	233	200	212	Til	222	208	240	242
NU	Carmarthenshire	401	367	387	364	345	384	364	362	320	345	309	347	355
NX	Swansea	501	478	473	497	447	481	415	473	452	413	436	438	412
NZ	Neath Port Talbot	325	321	327	319	329	305	337	290	248	278	270	299	265
PB	Bridgend	323	282	285	282	263	267	247	268	211	295	260	235	225
PD	The Vale of Glamorgan	231	219	208	227	231	196	211	220	198	212	236	173	211
PF	Rhondda, Cynon, Taff	556	570	494	564	534	554	531	509	531	530	469	487	487
PH	Merthyr Tydfil	145	157	130	149	144	130	158	152	135	140	143	122	119
PK	Caerphilly	358	360	378	373	366	359	387	352	346	367	374	348	323
PL	Blaenau Gwent	198	168	178	151	165	171	180	145	147	184	152	168	159
PM	Torfaen	213	201	189	213	206	195	180	180	157	181	177	169	171
PP	Monmouthshire	149	142	149	146	146	144	149	156	144	143	130	138	157
PR	Newport	312	304	308	317	284	262	269	295	261	278	259	277	267
PT	Cardiff	650	602	578	624	576	583	540	573	510	550	547	530	482

[1] Deaths of usual residents registered in each year, based on boundaries as at April 2001.

Deaths of persons under age 75 by Welsh unitary authority, 1990 to 2002[1]

Unitary authority Code	*Name*	*Numbers of deaths*												
		1990	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
NA	Isle of Anglesey	350	352	353	356	351	313	327	293	311	272	304	287	290
NC	Gwynedd	598	603	556	603	586	559	535	482	561	521	484	466	465
NE	Conwy	611	591	529	556	578	556	514	541	527	552	482	486	496
NG	Denbighshire	475	475	451	482	469	400	452	463	455	443	395	412	382
NJ	Flintshire	666	686	674	676	652	631	633	653	547	620	573	544	504
NL	Wrexham	605	598	609	665	574	617	593	589	536	564	525	482	526
NN	Powys	578	611	559	588	575	597	531	515	558	520	470	504	496
NQ	Ceredigion	315	314	329	337	296	310	285	266	263	298	256	229	266
NS	Pembrokeshire	560	561	567	547	550	562	518	509	546	510	457	507	511
NU	Carmarthenshire	961	943	976	958	884	971	904	866	821	810	737	810	755
NX	Swansea	1140	1171	1124	1185	1099	1123	1073	1082	1043	959	978	929	890
NZ	Neath Port Talbot	792	812	802	814	803	750	736	710	663	662	637	618	581
PB	Bridgend	712	667	673	698	660	670	596	632	620	625	547	502	520

Deaths of persons under age 75 by Welsh unitary authority, 1990 to 2002[1]

Unitary authority Code	Name	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
													Numbers of deaths	
PD	The Vale of Glamorgan	544	555	507	505	535	506	488	516	473	472	448	390	436
PF	Rhondda, Cynon, Taff	1391	1355	1277	1404	1276	1360	1284	1225	1170	1174	1069	1036	1045
PH	Merthyr Tydfil	353	361	341	400	383	358	349	332	315	323	319	257	264
PK	Caerphilly	855	840	879	887	867	860	857	841	818	765	816	751	743
PL	Blaenau Gwent	485	430	444	407	432	428	411	376	360	400	336	357	329
PM	Torfaen	525	461	473	502	489	448	437	447	402	425	415	407	374
PP	Monmouthshire	365	366	390	348	399	356	362	340	337	328	290	334	316
PR	Newport	689	670	704	682	711	649	620	657	600	613	566	583	554
PT	Cardiff	1,471	1,342	1,330	1,418	1,321	1,351	1,267	1,285	1,176	1,221	1,167	1,082	1,044

[1] Deaths of usual residents registered in each year, based on boundaries as at April 2001.

Seasonal Agricultural Workers

Ian Stewart: To ask the Chancellor of the Exchequer what the estimated *(a)* national insurance contributions and *(b)* tax revenues would be of the 50,000 seasonal agricultural workers recommended by the Curry Report over their period of employment. [140190]

Dawn Primarolo: People working under the Seasonal Agricultural Workers Scheme are entitled to earn up to the single personal allowance tax free. Most are students engaged during their vacation periods and this is sufficient to remove them from any UK tax liability. SAWS students are not EU nationals and the majority are engaged in agricultural or similar courses in their home countries. This means there is no National Insurance liability for the first 52 weeks of their stay in the UK. It is therefore unlikely that there would be any additional tax or NICs revenue arising from proposals to increase the number of SAWS students.

Tax Credits

Mr. Drew: To ask the Chancellor of the Exchequer if he will make a statement on the availability to the public of the Code of Practice 26 leaflet concerning what to do in the case of overpayments of tax credits. [140136]

Dawn Primarolo: The code can be found on the Inland Revenue website (www.inlandrevenue.gov.uk/taxcredits).

Mr. Drew: To ask the Chancellor of the Exchequer how many people have received a tax credit overpayment of more than *(a)* £1,000 and *(b)* £5,000; what plans there are for these sums to be repaid; and over what timescale. [140243]

Dawn Primarolo: I refer my hon. Friend to the answer I gave the hon. Member for Northavon (Mr. Webb) on 12 November 2003, *Official Report*, column 394W.

Mr. Drew: To ask the Chancellor of the Exchequer if he will make a statement on the advice that has been given to those people who have received a tax credit overpayment of over £5,000; and what alternative methods of repayment have been suggested to them. [140244]

Dawn Primarolo: Advice on the recovery of overpayments of tax credit is provided by the Inland Revenue's code of practice 26 "What happens if we have paid you too much tax credit?", which is on their internet site www.inlandrevenue.gov.uk/taxcredits. A copy of the code has also been placed in the House Library.

Chris Ruane: To ask the Chancellor of the Exchequer, how many people benefited from the working family tax credit in each parliamentary constituency in the United Kingdom, listed in descending order. [140390]

Dawn Primarolo: I refer my hon. Friend to my answer to my hon. Friend the Member for Tyne Bridge (Mr. Clelland) on 13 January 2003, *Official Report*, column 412W.

Mrs. Liddell: To ask the Chancellor of the Exchequer, how many people are in receipt of the disabled person's tax credit in Airdrie and Shotts constituency. [140379]

Dawn Primarolo: Disabled Person's Tax Credit was replaced by Working Tax Credit in April 2003.

The number of families who received Working Families' or Disabled Person's Tax Credit in each local authority appears in "Working Families' and Disabled Person's Tax Credit Statistics. Geographical analyses".

The number of families who receive the new tax credits appear in "Child and Working Tax Credit Statistics—Geographical Analyses" and analyses of the disabled elements appear in "Child and Working Tax Credit Quarterly Statistics".

All three publications are available on the Inland Revenue website at http://www.inlandrevenue.gov.uk/stats/personal-tax-credits/menu.htm.

Mrs. Liddell: To ask the Chancellor of the Exchequer, what steps are being taken to increase the take up of child tax credit in Airdrie and Shotts constituency. [140380]

Dawn Primarolo: There are now 5.9 million families benefiting from the Child and Working Tax Credits meaning that, after just seven months, we have reached 98 per cent. of those families we expected to reach over a whole year. National Statistics show that, as at 11 July, there were 5,800 families in Airdrie and Shotts receiving Child or Working Tax Credit, including 5,700 families with children, containing 9,800 children.

A high-profile publicity campaign has been running since September 2002 to alert people to their entitlement to Child Tax Credit (and Working Tax Credit) and to encourage them to claim.

The campaign has so far included national television advertising, local radio advertising across the UK, adverts in the national press as well as on-line publicity and the use of direct mail.

Teenage Pregnancies

Chris Ruane: To ask the Chancellor of the Exchequer how many teenage pregnancies there were in each constituency in each of the past 20 years. [140426]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from John Pullinger to Mr. Chris Ruane, dated 20 November 2003–11–21:

The National Statistician has been asked to reply to your recent question asking how many teenage pregnancies there were in each constituency in each of the past 20 years. I am replying in his absence. (140426)

Figures are not available prior to 1988. Figures since that date would only be available at a disproportionate cost. Figures for ward, local authority and health authority areas are produced annually.

The following link provides teenage conception data by local authority and quarter of occurrence from 1998 to 2001:

http://www.statistics.gov.uk/statbase/Expodata/Spreadsheets/D4877.xls

Teenage conceptions data by ward from 1992 to 2000 is available on CDROMs from ONS, Vital Statistics Customer Services, Segensworth Road, Titchfield, Fareham, Hampshire, PO15 5RR

The following link provies teenage conception data by health authority http://www.statistics.gov.uk/statbase/ssdataset.asp?vlnk=6624&More=Y

Chris Ruane: To ask the Chancellor of the Exchequer how many births to girls conceiving under the age of 16 years there were in each local authority area in Wales in each of the past 20 years. [140435]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from John Pullinger to Mr. Chris Ruane, dated 20 November 2003

The National Statistician has been asked to reply to your recent question asking how many births to girls conceiving under the age of 16 there were in each local authority in Wales in each of the past 20 years. I am replying in his absence. (140435) Prior to 1987, the method used for calculating mother's age at conception was not comparable to that used in later years.

Figures shown in the attached table are for 1987 to 2001, the latest year available.

Births to girls conceiving under the age of 16, Wales—1987 to 2001

Unitary authority	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	[1]2001
Blaenau Gwent	8	10	7	12	10	8	11	16	14	16	10	17	9	13	13
Bridgend	19	12	16	14	10	18	14	16	22	27	16	21	13	20	11
Caerphilly	14	30	21	36	15	28	28	27	36	36	32	26	24	28	16
Cardiff	30	34	30	14	23	33	30	20	40	39	37	40	34	23	25
Carmarthenshire	12	6	7	13	7	9	10	12	7	11	12	15	12	12	12
Ceredigion			5						-		5			5	
Conwy	10	10		11		6	10	9	12	16	11	7	14	7	8
Denbighshire	4	8	10	10	5	5	6	9	[2]	8	7	9	5	10	6
Flintshire	10	7	8	14	4	8	14	9	10	14	10	13	21	5	7
Gwynedd	5	6	5	11	7	10	9	7	[2]	12	9		5	10	12
Isle of Anglesey	8		4		5	7	9	5	6			5	5		
Merthyr Tydfil	19	11	17	14	7	16	13	14	12	8	9	13	11	11	12
Monmouthshire	9	8		[2]	4	5		5	7	9				5	4
Neath Port Talbot	18	12	8	17	10	8	12	8	25	9	11	16	9	16	13
Newport	10	17	18	24	21	16	19	25	14	16	19	12	21	10	13
Pembrokeshire	8	7	7				7	6	7	10	5	12	5	10	
Powys		11	5	5	7	4	6		6	7	4	8	8	7	4
Rhondda, Cynon, Taff	35	29	32	30	39	25	26	25	40	39	45	32	25	26	32
Swansea	16	17	13	18	22	12	15	20	27	34	30	38	25	23	21
The Vale of Glamorgan	6	10	8	9	8	9		13	10	12	17	9	10		8
Torfaen	9	9	7	14	7	9	9	18	12	17	10	12	6	9	7
Wrexham	6	16	7	15	13	12	11	8	14	13	15	8	15	9	
Wales	259	275	240	290	230	253	267	276	330	360	318	322	282	265	235

[1] Figures for 2001 are provisional
[2] Figure suppressed to prevent disclosure of a count less than 3 or disclosure by differencing

Unemployment (Wales)

Chris Ruane: To ask the Chancellor of the Exchequer (1) how many households without work for two years or more there were in each local authority area in Wales in each of the past 20 years; [140439]

(2) how many children were living in workless households in each local authority area in Wales in each of the past 10 years. [140444]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from John Pullinger to Mr. Chris Ruane, dated 20 November 2003

The National Statistician has been asked to reply to your recent questions about (i) households that have been without work for 2 years or more and (ii) children living in workless households. I am replying in his absence. (91600)

The tables overleaf give the available information from the Labour Force Survey (LFS). These estimates are for the three-month period ending May of each year from 1999 to 2003. Comparable information is not available at local authority level for earlier years. The LFS sample size is too small to give reliable estimates of workless households for some local authorities in Wales.

Number of dependent children[1] in workless working-age households[2] in Wales, by local authority

Thousands, not seasonally adjusted

March to May	1999	2000	2001	2002	2003
Wales total	129	121	125	114	129
Anglesey Isle of	*	*	*	*	*
Gwynedd	*	*	*	*	*
Conwy	*	*	*	*	*
Denbighshire	*	*	*	*	*
Flintshire	*	*	*	*	*
Wrexham	*	*	*	*	*
Powys	*	*	*	*	*

Number of dependent children[1] in workless working-age households[2] in Wales, by local authority

Thousands, not seasonally adjusted

March to May	*1999*	*2000*	*2001*	*2002*	*2003*
Ceredigion	*	*	*	*	*
Pembrokeshire	*	*	*	*	*
Carmarthenshire	*	10	*	*	*
Swansea	*	*	*	11	*
Neath Port Talbot	*	*	*	*	*
Bridgend	*	*	*	*	*
The Vale of Glamorgan	*	*	*	*	*
Rhondda Cynon Taff	*	17	14	16	16
Merthyr Tydfil	*	*	*	*	*
Caerphiliy	10	*	*	*	10
Blaenau Gwentt UA	*	*	*	*	*
Torfaen	*	*	*	*	*
Monmouthshire	*	*	*	*	*
Newport	*	*	*	*	*
Cardiff	12	15	15	11	11

[1] Dependent children are those aged under 16 and those aged 16–18 in full-time education.

[2] Households with at least one person of working age, where no-one is in employment. Not adjusted for households with unknown economic activity.

* Sample size too small for reliable estimate

Note: These Labour Force Survey (LFS) estimates have not been adjusted to take account of the Census 2001 results.

Source:

ONS Labour Force Survey

Working age[1] households in Wales which have been workless for two year or more, by local authority

Thousands, not seasonally adjusted

March to May	1999	2000	2001	2002	2003
Wales total	130	142	146	142	127
Anglesey Isle of	*	*	*	*	*
Gwynedd	*	*	*	*	*
Conwy	*	*	*	*	*
Denbighshire	*	*	*	*	*
Flintshire	*	*	*	*	*
Wrexham	10	*	*	*	*
Powys	*	*	*	*	*
Ceredigion	*	*	*	*	*
Pembrokeshire	*	*	*	*	*
Carmarthenshire	*	*	*	*	10
Swansea	10	12	*	10	*
Neath Port Talbot	10	10	*	10	*
Bridgend	*	*	*	*	*
The Vale of Glamorgan	*	*	*	*	*
Rhondda Cynon Taff	*	18	16	13	15
Merthyr Tydfil	*	*	*	*	*
Caerphilly	*	*	12	10	11
Blaenau Gwentt UA	*	*	*	*	*
Torfaen	*	*	*	*	*
Monmouthshire	*	*	*	*	*
Newport	*	*	*	*	*
Cardiff	11	13	13	15	14

[1] Households with at least one person of working age

* Sample size too small for reliable estimate

Note: These Labour Force Survey (LFS) estimates have not been adjusted to take account of the Census 2001 result

Source:

ONS Labour Force Survey

VAT (Tourism)

Mr. Beggs: To ask the Chancellor of the Exchequer, (1) how much VAT revenue was raised from tourism in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland in each of the last five years; [140386]

(2) how much income was raised from tourism in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland in each of the last five years. [140388]

John Healey: The information requested is not available.

Work-related Stress

Dr. Cable: To ask the Chancellor of the Exchequer how many cases of work-related stress have been reported in his Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work-related stress, and at what cost; what procedures have been put in place to reduce work-related stress, and at what cost; and if he will make a statement. [136843]

Ruth Kelly: The number of cases of work-related stress is not held by the Chancellor's Departments, and could only be obtained at disproportionate cost.

The amount of compensation paid due to work-related stress in each of the last three years is however held, and is as follows:

£s

	2000–01	*2001–02*	*2002–03*
Inland Revenue	6,531	82,836	51,000
Customs and Excise	1,500	Nil	60,000
Treasury	Nil	Nil	Nil

The Chancellor's Departments have taken a range of preventative and protective measures against work-related stress, including addressing long working hours, adopting flexible and family friendly policies, (such as job sharing and home-working), and phased return to work to aid the rehabilitation of staff returning from long-term sick leave. Each Department has an in house Staff Welfare Service which operates independently of the management chain.

The Chancellor's Departments are mindful of the obligations under Health and Safety at Work legislation to ensure that staff are not exposed to unacceptable risks in the workplace. Also, the Chancellor's Departments remain committed to reducing the number of working days lost generally to work-related injuries and illnesses in support of the Government's Revitalising Health and Safety initiative and its long-term occupational health strategy Securing Health Together.

WORK AND PENSIONS

Child Benefit

Mrs. Liddell: To ask the Secretary of State for Work and Pensions how many families are in receipt of child benefit in the Airdrie and Shotts constituency; and how many children that includes. [140377]

Dawn Primarolo: I have been asked to reply.

9,870 families were receiving child benefit for 16,585 children as at 30 November 2002 in the Airdrie and Shotts constituency.

Housing Benefit Costs

Mr. Austin Mitchell: To ask the Secretary of State for Work and Pensions what the *(a)* gross and *(b)* net housing benefit costs were (i) pre and (ii) post whole

stock transfer for those local authorities which have carried out large scale voluntary transfers of all their council stock in each year since 1995. [139798]

Mr. Pond: I will write to my hon. Friend.

Benefits Application Forms

Mr. Boswell: To ask the Secretary of State for Work and Pensions what action he is taking to ensure that only the latest edition of benefit application forms is available for downloading and completion electronically. [140020]

Mr. Pond: Benefit application forms are not available for downloading and completion electronically. A review of Department for Work and Pensions PDF forms that can be completed on a computer, but not returned electronically, is underway.

John Barrett: To ask the Secretary of State for Work and Pensions if he will estimate the annual cost to his Department of *(a)* income support fraud and *(b)* Jobseeker's Allowance fraud in the last three years. [138390]

Mr. Pond: Our estimates of levels of fraud and error in Income Support and Jobseeker's Allowance are contained in the following reports which are available in the Library.

Year ending March 2000—National Statistics report: The Results of the Area Benefit Review and Quality Support Team from April 1999 to March 2000, Table 4.1 National Levels of Fraud and Customer Error in IS, Table 5.1 National levels of Fraud and Customer Error in JSA.

Year ending March 2001—National Statistics report: The results of the Area Benefit Review and Quality Support Team from April 2000 to March 2001, Table 2.1 National levels of Fraud, Customer Error and Official Error in IS, Table 2.2 National levels of Fraud, Customer Error and Official Error in JSA.

Year ending March 2002—National Statistics report: Fraud and Error in Income Support and Jobseeker's Allowance from April 2001 to March 2002, Table 2.1 National Results Overpayments.

Miss McIntosh: To ask the Secretary of State for Work and Pensions (1) what measures his Department takes to ensure that benefit claimants who enquire about using a bank account to receive their benefits are informed of all available options, including the use of Post Office card accounts; [140099]

(2) what assessment he has made of *(a)* the tone and content of his Department's literature and *(b)* the impartiality of its advice on the relative merits of (i) bank accounts and (ii) Post Office card accounts as a means to receive benefit payments. [140094]

Mr. Pond: Already 87 per cent of all customers have access to a bank account that can receive Direct Payment. All staff, including front line, Call Centre and Information-line staff, have been provided with information on all of the account options available to the customer. It will be up to the customers themselves to decide which type of account they wish to have their money paid into. The role of DWP staff is to provide factual information in response to enquiries made.

The Department's information campaign, to support the move to Direct Payment, provides customers with factual information on the banking options available to them, including information on the Post Office card account.

This information campaign has been produced in consultation with the Post Office and a range of other stakeholders.

Customer information material is tested on groups of customers before it is issued. This helps to ensure that customers are supplied with all the information they need to choose the account option that is right for them and that they can understand that information.

The Department will continue to monitor and evaluate the effectiveness of its customer information material and will make further changes if necessary.

Chris Ruane: To ask the Secretary of State for Work and Pensions if he will estimate the amount of unclaimed *(a)* income support broken down by (i) pensioners and (ii) non-pensioners, *(b)* housing benefit broken down by (i) local authority and (ii) private tenants, *(c)* council tax benefit broken down by (i) local authority tenants, (ii) private tenants and (iii) owner occupiers, *(d)* family credit broken down by (i) couples and (ii) single parents, *(e)* disability living allowance and *(f)* attendance allowance in each Welsh constituency in each of the past 10 years; and if he will estimate the total amount of unclaimed benefit broken down by *(A)* local authority and *(B)* constituency in Wales in each year. [140432]

Mr. Pond: The information requested is not available.

National estimates of unclaimed amounts of Income Support, Housing Benefit, Council Tax Benefit, income-based Jobseeker's Allowance and Family Credit for different population groups are presented in the DWP publication series entitled "Income Related Benefits Estimates of Take-up". Copies of the publication can be found in the Library.

Call Centres (Outsourcing)

Mr. Connarty: To ask the Secretary of State for Work and Pensions whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132101]

Mr. Browne: The Department has no plans to outsource to countries abroad work performed by DWP staff in call centres.

Child Support Agency

Diana Organ: To ask the Secretary of State for Work and Pensions how long an individual in Gloucestershire will have to wait for reassessment by the Child Support Agency as a result of job loss following the introduction of the new system of calculation. [134210]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr Doug Smith. He will write to the hon. Member.

Letter from Mike Isaacs to Diana Organ, dated 20 November 2003:

In replying to your recent Parliamentary question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive. As he is currently on leave I am replying on his behalf.

You asked how long an individual in Gloucestershire would have to wait for re-assessment by the Agency following the introduction of the new system of maintenance calculation.

The Agency is unable to break down clearance times separately for the Gloucester area.

If the client has been assessed under the old child support scheme they will be re-assessed under that scheme. They will only be re-assessed under the new scheme when the Government decides that it is working sufficiently well to move the existing caseload to it.

If the client was assessed under the new scheme (i.e. since 3rd March 2003) they will be re-assessed under the new scheme. While the Agency aims to clear those re-assessments as quickly as possible, such re-assessments have been relatively few with the result that information on clearance times is not yet available.

Child Trust Funds

Mr. George Osborne: To ask the Secretary of State for Work and Pensions whether child trust funds will affect eligibility for Jobseeker's Allowance. [140381]

Mr. Pond: We are currently considering the precise impact on benefits; however, for most capital held in trust for children, money is disregarded when considering parents' eligibility for benefits.

Correspondence

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions if he will place in the Library copies of his Department's correspondence since November 2001 with the Chief Rent Officer for London. [139110]

Maria Eagle: There is no post of Chief Rent Officer for London. The Rent Service, which is an executive agency of the Office of the Deputy Prime Minister, has an Area Manager for London; a post that was created in April 2002, following an internal reorganisation of the Rent Service. The Department has not corresponded directly with the Rent Service's Area Manager for London.

CSA

Mr. Webb: To ask the Secretary of State for Work and Pensions (1) in how many cases since 1 January the Child Support Agency has incorrectly cancelled existing deductions from earnings orders; and if he will make a statement; [135211]

(2) in *(a)* how many and *(b)* what percentage of cases in the last 12 months a maintenance enquiry form to the non-resident parent was not issued within (i) one month, (ii) two months and (iii) three months of an application being made to the Child Support Agency by the parent with care. [135212]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr Doug Smith. He will write to the hon. Member with the information requested.

Letter from Mike Isaac to Mr. Steve Webb, dated 20 November 2003

In replying to your recent Parliamentary questions about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive. As heis currently on leave I am replying on his behalf.

You asked in how many cases since 1st January the Child Support Agency has incorrectly cancelled existing deductions from earnings orders.

You also asked in how many and what percentage of cases in the last 12 months a maintenance enquiry form to the non-resident parent was not issued within *(a)* one month, *(b)* two months and *(c)* three months of an application being made to the Child Support Agency by the parent with care.

I am afraid that the information, which you requested, is not available. There has been no requirement to collect it under the old Child Support scheme and computer system.

As you are aware the new Child Support scheme and computer system were introduced for new applications on 3rd March this year. It is our intention to collect information of the type, which you have requested, and we are working with EDS, the new system providers, to develop the functionality we need to do this.

It is worth pointing out that under the new scheme we are conducting as much of our work as possible by telephone, directly with both parents. Consequently, most maintenance enquiry forms are completed by our staff through telephone interviews with the non-resident parent. Only where we are unable to trace a telephone number for the non-resident parent do we issue a clerical form for his/her completion.

Judy Mallaber: To ask the Secretary of State for Work and Pensions (1) whether, in determining the maintenance liability of self-employed parents, the Child Support Agency is obliged to take into account reductions in taxable income arising from capital depreciation and other allowances; [136774]

(2) whether the Child Support Agency is required to use the level of taxable income declared to the Inland Revenue as the basis for determining the maintenance liability of a self-employed parent. [136775]

Mr. Pond: No. The Child Support Agency is not obliged to take into account capital depreciation and other allowances or to use the level of taxable income declared to the Inland Revenue in establishing the earnings of self-employed parents. Regulations allow the use of information submitted to or provided by the Inland Revenue or of information relating to the parent's business expenses.

Departures and variations may be available in cases where the calculation of child support liability does not produce a fair rate.

Departmental Costs

Mr. Flight: To ask the Secretary of State for Work and Pensions what the cost was to his Department for *(a)* ministerial cars and drivers, *(b)* taxis, *(c)* train travel, *(d)* the use of helicopters, *(e)* airline tickets and *(f)* chartered aeroplanes in each year since 1997. [123087]

Maria Eagle: For information on ministerial cars and drivers I refer the hon. Member to the answer given by my hon. Friend the Minister of State, Cabinet Office (Mr. Alexander) on 13 November 2003, *Official Report*, columns 397–98W.

The amount spent for official use of taxis could be provided only at disproportionate cost.

The amount spent for official use of UK rail travel is[1] as follows:

	£
1997–98	Information not available
1998–99	Information not available
1999–2000	7,442,100
2000–01	6,606,657
2001–02	7,621,545
2002–03	11,919,783

Note:
There has been no use of helicopters, at Departmental expense, since 1997.

The figures for air travel (UK and Overseas)[1] are as follows:

	£
1997–98	Information not available
1998–99	Information not available
1999–2000	2,860,718
2000–01	2,879,011
2001–02	3,550,538
2002–03	5,306,126

Note:
There has been no use of chartered flights, at Departmental expense, since 1997.

[1] Figures relate to the former Department of Social Security and the Department for Work and Pensions from 2001.

Since 1999, the Government have published an annual list of all visits overseas undertaken by Cabinet Ministers costing £500 or more during each financial year. Copies of the lists covering the period 2 May 1997 to 31 March 2003 are available in the Library.

All official travel in the Department is undertaken in accordance with the rules contained in the Cabinet Office Management Code. All ministerial travel is undertaken in accordance with the rules set out in the 'Ministerial Code' and 'Travel by Ministers'—copies of which are available in the Library.

Departmental Energy Use

Mr. Laurence Robertson: To ask the Secretary of State for Work and Pensions how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135060]

Mr. Pond: I refer the hon. Member to the answer given by my hon. Friend, the Parliamentary Under-Secretary at the Department for Environment, Food and Rural Affairs, Mr. Ben Bradshaw on 3 November 2003, *Official Report* Vol 412, Cols. 404w-408w. The Department for Work and Pensions supports and actively contributes to the UK Strategy For Sustainable Development and the Framework for Sustainable Development on the Government Estate.

A key element to the Department's overall strategy for Sustainable Development is effective energy management. A cross-Government target is being developed to achieve an ongoing reduction in carbon equivalent emissions from buildings against 1999–2000 levels, and DWP will contribute to this. This will be achieved by continuing to improve energy efficiency throughout the estate and by implementingspend to save investment schemes where viable. An ongoing strategy to raise staff awareness will also continue aimed at promoting good housekeeping and eliminating the wasteful use of energy in the workplace.

Energy performance is monitored against the Government's 'good practice' benchmarks and remedial action taken in buildings where excessive energy use is identified.

Departmental Filestores

Mr. Gordon Prentice: To ask the Secretary of State for Work and Pensions when *(a)* he, *(b)* a minister in his Department and *(c)* the Permanent Secretary at the Department last visited a departmental filestore (i) in the North West and (ii) elsewhere; and if he will make a statement. [131207]

Maria Eagle: The Department operates from over 1,800 offices and a significant number of these have some file storage facility, many of these will have been visited by a Minister or the Permanent Secretary of this Department. However, we have no record of any Minister or Permanent Secretary visiting our sites used solely for the purpose of file storage.

Disabled Access

Joyce Quin: To ask the Secretary of State for Work and Pensions what information he has collated on variations in the provision of ramps for the disabled between local authorities. [139894]

Keith Hill: I have been asked to reply.

The disabled facilities grant programme helps to fund a wide range of housing adaptations, including facilitating access to and from the property. This is a mandatory grant available to eligible applicants in order to help them to continue to live independently in their own homes, funded by the Office of the Deputy Prime Minister and administered through local authorities.

Some councils also provide ramps under Community Care legislation.

The Government does not collect information on numbers, or the nature of ramps provided by local authorities under these programmes.

Disabled People (Discrimination)

Ms Oona King: To ask the Secretary of State for Work and Pensions what plans he has to give disabled people the same legislative protection from discrimination as those facing sex and race discrimination. [138376]

Maria Eagle: We have been working to ensure that the Disability Discrimination Act 1995 (DDA) provides comprehensive civil rights for disabled people. Most recently, the Disability Discrimination Act (Amendment) Regulations 2003 and the Disability Discrimination Act 1995 (Pensions) Regulations 2003, which come into force in October 2004, have improved protection for disabled people in the field of employment and vocational training. Later this year, we will publish a draft Disability Bill which will include further measures to extend disabled people's civil rights. However, it is inappropriate to attempt exact

comparisons between the DDA and the Race Relations and Sex Discrimination Acts, not least because the DDA includes the unique concept of reasonable adjustments.

Exceptions Service

Mr. Lazarowicz: To ask the Secretary of State for Work and Pensions how the Exceptions Service will operate in respect of people in debt whose benefits are being used to pay off debts to their bank under the right of set-off. [139151]

Mr. Pond: There are a wide range of accounts available which are free to operate and do not offer overdraft facilities. Account providers make their customers aware of the features of individual accounts and leaflets provided to benefits customers and pensioners also set out which types of accounts offer overdraft facilities.

Detailed arrangements for the exceptions method of payment are not finalised yet, but it is anticipated that it will be a cheque-based solution. The small number of customers who cannot operate an account will be able to pay their benefit or pension into an account of their choice, or access their cash at Post Office branches.

Health and Safety

Mr. Webb: To ask the Secretary of State for Work and Pensions what estimate he has made of the number of Health and Safety inspectors who will be employed in each of the next three financial years. [135786]

Mr. Browne: Estimates of the number of Health and Safety inspectors who will be employed in each of the next three financial years have not yet been made.

The Health and Safety Commission (HSC) is now consulting on a new strategy for the years 2004—2010. The Health and Safety Executive (HSE) is carrying out pilot studies in new ways of working to free up resource which can be used to deliver its mission to protect peoples1 health and safety by ensuring risks to health and safety from the changing workplace are properly controlled. Responses to the draft strategy and the results of the pilot studies will be taken into account when deciding on the appropriate mix and number of staff (including inspectors) within HSE.

While regulation and enforcing compliance with the law remain vital elements of HSE's work, they are not the only means of achieving health and safety improvements. HSE plans to put more effort into educating, influencing and working in partnership with others (at all levels) who can help achieve further improvement in health and safety performance.

Housing Benefit

Chris Ruane: To ask the Secretary of State for Work and Pensions how much was spent on housing benefit for residents of *(a)* houses in multiple occupation, *(b)* the rest of the private rented sector, *(c)* council housing and *(d)* other social housing in the last year for which figures are available; and what the average cost per person was in each case. [140362]

Mr. Pond: The available information is in the tables.

£million

Housing Benefit expenditure by tenure type	*Expenditure in 2001–02*
Tenure	
Private (excluding Registered Social Landlord)	2,859
Local Authority (Rent Rebate)	5,283
Registered Social Landlord	3,450

Notes:
1. 2001–02 is the latest year where final audited outturn expenditure information is available
2. Expenditure is rounded to the nearest m
3. The expenditure figures are for GB.

Source:
Audited expenditure information from Local Authorities

£

Average weekly amount of Housing Benefit by Tenure	*Average weekly amount of Tenure Housing Benefit*
Private (excluding Registered Social Landlord)	71.60
Local Authority	48.12
Registered Social Landlord	58.01

Notes:
1. The data refers to benefit units, which may be a single person or a couple.
2. The average amounts have been rounded to the nearest penny.
3. Figures for any non-responding authorities have been estimated.
4. Housing Benefit figures exclude any Extended Payment cases.

Source:
Housing Benefit and Council Tax Benefit Management Information System Quarterly 100 per cent. caseload stock-count taken in May 2003

Identity Cards

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions what assessment he has made of the use of ID cards to reduce benefit fraud. [134932]

Mr. Webb: To ask the Secretary of State for Work and Pensions what estimates he has made of the savings that his Department will gain through the introduction of a compulsory identity card. [138969]

Mr. Pond: I refer the hon. Members to the oral answer given to the hon. Member for Northavon (Mr. Webb) on 17 November 2003, *Official Report*, column 469.

Jobcentre Plus

Mr. Dismore: To ask the Secretary of State for Work and Pensions if he will make a statement concerning JobCentre Plus' Vision for London plan, with reference to *(a)* the number of (i) permanent and (ii) temporary posts, that will be moved out of London, *(b)* the timescale for the moves, *(c)* the expected impact on services for JobCentre Plus clients (i) in general and (ii) those from minority ethnic communities without English as a first language, *(d)* the extent to which those staff providing services for London JobCentre Plus clients from out of London will be expected to have a related knowledge of the jobs market (A) in the different parts of London geographically and (B) in the different

parts of London's economy and *(e)* the impact of the move on the likely numbers of JobCentre Plus staff from minority ethnic backgrounds. [136831]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Andrew Dismore, dated 20 November 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question about the Jobcentre Plus Vision for London and it's impact on our customers and staff. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

It may be helpful if I explain that like the rest of my Agency, London region has embarked on a process of incremental change to deliver modern, effective and responsive services to our customers. Our priority is to provide the best possible service to our customers. The Jobcentre Plus London Vision is a generic title that encompasses a range of Department of Work and Pensions, National Jobcentre Plus and Regional change initiatives to achieve this aim. In general terms and by 2006, I aim to have in place a network of new modernised offices and support services which:

enhance access and provide improved service to a much larger customer base;

ensure better value for money through delivery of more efficient processes, and

provide more satisfying and rewarding jobs for staff in more pleasant and professional working environments.

Part of the change programme which is included in the London Vision, includes initiatives that, over time, will offer wider choice to our customers about how they access support and services. I envisage, for example, that by 2006 many more of those who can will be able to access appropriate services remotely, via Jobseeker Direct, Employer Direct and our network of First Contact Centres for new claims to benefit. To provide the best possible service to our customers within our finite resource a number of our non customer facing roles will be delivered outside of London. The extent and numbers of jobs that will be relocated will be clearer in the new year, once some key decisions are taken about our backroom benefit processing roles. I would however stress that we plan to retain local capacity to provide face-to-face service for customers who cannot take advantage of other means of accessing the help and support they need.

You may be aware of the Department of Work and Pensions Departmental Plans. These plans show that the Department will see a reduction in the number of staff it employs from 130,000 in 2002 to 112,000 in 2006 as part of the Spending Review undertaken in 2002. Jobcentre Plus in London (including existing London region staff based in Scotland and North West England) will see a reduction in the level of full time staff providing services to London Customers from 12,318 in April 2002 to 10,769 in March 2006 according to our latest planning assumptions. Underlying these headline numbers is the ongoing impact of London's dynamic labour market. The region is currently looking to recruit up to 700 new staff into London this year and has a proven track record of recruiting ethnic minorities. I am confident further recruitment will be needed next year.

The introduction of the new Jobcentre Plus services will change the sorts of jobs available to staff in London. By 2006, more of my staff in London and other regions, will be providing face-to-face services to those customers who most need this form of help. It is true that over time the type and location of work will change, but I am confident that there will be jobs for everyone currently working in London.

I know that the London Field Director, Sheelagh Keyse, is keen to assess all aspects of her change programme. Consultation on individual initiatives takes place in the normal progress of business. In addition, and in order to assess the overall strategy, Sheelagh has commissioned a review of the entire London Change Programme led by DWP consultants. This review is due to report in December and further information will be available in January 2004, and I would like to offer you the opportunity to meet with Alan Brown who will be taking over as the Field Director for London to discuss the impact of changes on our London workforce.

I hope this is helpful.

Jobseeker's Allowance

Mr. Purchase: To ask the Secretary of State for Work and Pensions what estimate he has made of the number of unemployed people of working age in receipt of an occupational pension not qualifying for jobseeker's allowance. [140343]

Mr. Pond: The information requested is not available. However, as at May 2003 there were 11,100 people claiming Jobseeker's Allowance who were not receiving any benefit and who had an income from an occupational or personal pension.

Loans

Mr. Gardiner: To ask the Secretary of State for Work and Pensions pursuant to his answer of 18 September 2003, *Official Report*, column 910W, on loans for those on low incomes, what the average time taken is for *(a)* applications, *(b)* decisions and *(c)* first payments to arrive for crisis loans. [135107]

Mr. Pond: Crisis loans are available to anyone, whether or not they are receiving a benefit, who is facing an emergency or disaster which is threatening their health or safety or that of a member of their family, and who has either no resources or insufficient resources to meet the need.

During 2002–03, 96.7 per cent. of crisis loans applications were processed and paid on the day they were made. Crisis loans are usually paid immediately by girocheque in a Jobcentre Plus or Social Security office. As most payments are for essential items, those made by post are sent first class.

New Deal

Mr. Gibb: To ask the Secretary of State for Work and Pensions pursuant to his answer of 5 November 2003, *Official Report*, column 673W, on the New Deal, how many New Deal personal advisers there were in each year since 1997. [138392]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Nick Gibb, dated 20 November 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question concerning how many New Deal Personal Advisers there were in each year since 1997. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

Regrettably, the information you have requested is not available. It is the policy within Jobcentre Plus and other parts of the Department for Work and Pensions to collect staffing information by grade/location and not job role.

Non-resident Parents

Andrew Selous: To ask the Secretary of State for Work and Pensions whether non-resident parents are required to pay child support when paternity is in dispute; and whether the non-resident parent pays the cost of testing to establish paternity, in the first instance. [135993]

Mr. Pond: If parentage is disputed at the outset, in certain circumstances the Child Support Agency can make a presumption of parentage and proceed to enforce a maintenance calculation. Parentage can be presumed where, for example, the alleged father was married to the mother at the time of the child's conception or birth, or where an alleged parent refuses to take a DNA test.

If parentage is questioned after a calculation has been made, the calculation will remain in force. If the alleged non-resident parent turns out not to be the parent of the child the agency makes a full refund of maintenance.

The agency can offer access to DNA tests at a discounted rate. The alleged non-resident parent pays for the test but if they are found not to be the parent of the child the fee is refunded. Where the alleged non-resident parent is unable or unwilling to pay for the test the agency may, in some cases, pay for it in advance. However if the test is positive, the full non-discounted fee will be charged.

Parliamentary Questions

Richard Burden: To ask the Secretary of State for Work and Pensions when he will answer the questions tabled on 28 October by the hon. Member for Birmingham, Northfield, concerning the operation of the Social Fund, reference numbers 135577 to 135580, 135582, 135583 and 135616 to 135620. [139919]

Mr. Pond: I have given answers today.

Paternity Pay

Mrs. Liddell: To ask the Secretary of State for Work and Pensions how many people in Airdrie and Shotts have benefited from statutory paternity pay since its introduction. [140375]

Mr. Sutcliffe: I have been asked to reply.

Statutory paternity pay is a new entitlement for fathers whose babies were born or expected on or after 6 April 2003. There are no take up figures available yet.

Pension Credit

Mr. Laws: To ask the Secretary of State for Work and Pensions how many people are aged 60 and over in each parliamentary constituency in England, according to 2001 Census data; and how many are claiming Pension Credit. [139811]

Malcolm Wicks: Information on the number of people aged 60 and over from the 2001 Census, and the number of pensioner households and individuals receiving Pension Credit as at 17 October, 2003 by English parliamentary constituencies has been placed in the Library.

Source:

IAD In ONS Census data 2001.

Information Centre, 100 per cent. sample.

Notes:

1. Population figures have been obtained from the Office for National Statistics.

2. Pension Credit figures have been rounded to the nearest five.

3. Pension Credit figures are based on 100 per cent. Generalised Matching Service (CMS) data.

4. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Annabelle Ewing: To ask the Secretary of State for Work and Pensions pursuant to his answer of 17 November, *Official Report*, columns 481–2, how many pensioners in Perth were claiming pension credit on the latest date for which figures are available. [140126]

Malcolm Wicks: As at 17 October, 2003 the number of pensioner households receiving Pension Credit in Perth constituency was 2,530.

Source:

IAD Information Centre, 100 per cent sample

Notes:

1. Figures have been rounded to the nearest five.

2. Figures are based on 100 per cent Generalised Matching Service (CMS) data.

3. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Mrs. Liddell: To ask the Secretary of State for Work and Pensions what estimate he has made of the take-up of pension credit in the Airdrie and Shotts constituency. [140368]

Malcolm Wicks: As at 17 October, 2003 the number of pensioner households receiving Pension Credit in Airdrie and Shotts constituency was 3,665.

1.97 million households in Great Britain (around 2.3 million individuals) are already receiving Pension Credit with 1.2 million households, (around 1.4 million individuals receiving more money than they did before. The average award is £47.10 per week.

Source:

IAD Information Centre, 100 per cent sample

Notes:

1. Figures have been rounded to the nearest five.

2. Figures are based on 100 per cent Generalised Matching Service (CMS) data.

3. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Pension Schemes

Mr. Best: To ask the Secretary of State for Work and Pensions if he will introduce a legal requirement on employers to fund pension schemes that would ensure assets do not fall below the discontinuance funding ratio. [137917]

Malcolm Wicks: Government proposals for regulating occupational pension schemes are set out in the documents "Simplifying the taxation of pensions: increasing choice and flexibility for all" (published in December 2002) and "Working and Saving for Retirement: Action on Occupational Pensions" (published in June 2003). Where a scheme with a solvent sponsoring employer is winding-up the Government believe that the employer should ensure the scheme has sufficient funds, as assessed on a discontinuance basis, to secure scheme members' expected benefits in full. We therefore propose to introduce a requirement to ensure that, in this situation, the debt on the sponsoring employer will be calculated on a full buy-out basis.

More generally, we propose to replace the minimum funding requirement (MFR) for defined benefit schemes with scheme specific funding requirements. Under our proposals it will be the responsibility of each scheme's trustees, working with the sponsoring employer and the scheme actuary, to develop a funding strategy aimed at ensuring that the scheme is able to meet its long-term pension commitments. Where a scheme is not winding-up we do not believe it would be appropriate to introduce a requirement for its funding to meet any prescribed minimum level as assessed on a discontinuance, or any other, basis.

Improving member protection is a Government priority, which is why we are introducing the new Pension Protection Fund. It will enhance protection for pension scheme members and improve confidence in pension provision in general, by ensuring that members of defined benefit schemes will still receive a meaningful retirement income if their sponsoring employer goes bust and the scheme is under funded.

Printer Cartridges

Norman Baker: To ask the Secretary of State for Work and Pensions what assessment the Health and Safety Executive has made of the impact on employees health of refilling and re-using printer cartridges. [139215]

Mr. Browne: The toner used as part of the printing process is an extremely fine powder which in itself is not classed as a substance hazardous to health. However, any dust in substantial concentration may be classed as hazardous as it may cause respiratory tract irritation. In these circumstances the Control of Substances Hazardous to Health Regulations (COSHH) place a duty on users of substances hazardous to health to carry out a risk assessment of their activity and to put in place appropriate control measures based on that assessment. Suppliers of substances for use at work also have a duty under the Chemicals (Hazard information and Packaging for Supply) Regulations (CHIP) to provide a safety data sheet with information to help users work with the substances safely.

Public Employees (Essex)

Mr. Francois: To ask the Secretary of State for Work and Pensions how many part-time workers were employed by Jobcentre Plus in Essex on 1 September. [139517]

Mr. Browne: I refer the hon. Member to the answer I gave him on 28 October 2003, *Official Report*, column 209W.

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for Work and Pensions what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136117]

Mr. Pond: Use of the Regulation of Investigatory Powers Act 2000 will not supersede the statutory powers available to the Department. There are no plans to remove existing statutory powers from departmental or local authority authorised officers.

Social Fund

Richard Burden: To ask the Secretary of State for Work and Pensions (1) what proportion of applications for assistance from the Social Fund in the last financial year were unsuccessful, broken down by departmental sub-region; [135577]

(2) what proportion of applications for assistance under the Social Fund from Birmingham, Northfield were unsuccessful in the last financial year. [135578]

Mr. Pond: The available information is in the table.

Proportion of unsuccessful initial applications
April 2002 to March 2003

Percentage

	Community care grants	*Budgeting loans*	*Crisis loans*
Great Britain	58.3	26.3	21.9
Birmingham, Northfield—			
April 2002 to August 2003	55.1	25.0	9.1
All Birmingham Districts	56.2	25.3	15.8

Notes:

1. An application is defined as unsuccessful if no award is made.
2. Figures refer to initial decisions only.
3. Social Fund data are held by Departmental District. It will not be available by Government Office Region until the migration of all work to Jobcentre Plus Districts is completed.
4. In September 2002 the Birmingham Northfield Social fund district amalgamated with other districts to become part of the Jobcentre Plus Birmingham and Solihull District.
5. The area covered by the Birmingham, Northfield site is not co-terminus with the Birmingham, Northfield parliamentary constituency.

Richard Burden: To ask the Secretary of State for Work and Pensions (1) what the average timescale was for reviews of unsuccessful applications for assistance under the Social Fund to be considered and determined by the Independent Review Service in the last financial year broken down by departmental sub-region; [135579]

(2) what the average timescale was for reviews of unsuccessful applications from Birmingham, Northfield for assistance under the Social Fund to be considered and determined by the Independent Review Service in the last financial year. [135580]

Mr. Pond: The operational performance of the Independent Review Service (IRS), an independent statutory body, is a matter for the Social Fund Commissioner who informs me that:

In the financial year 2002–03, the national average timescales for reviews dealt with by the IRS were 11.1 days for community care grants; 10.23 days for crisis loans for items; 7.64 days for budgeting loans; and 5.12 hours for urgent crisis loans, such as those for living expenses (express cases), respectively.

In the financial year 2002–03, the average timescales for reviews dealt with by the IRS from Birmingham, Northfield were 12.32 days for community care grants; 10 days for crisis loans for items; 7.25 days for budgeting loans; and 1.88 hours for urgent crisis loans, such as those for living expenses (express cases), respectively.

Tables setting out this information, which also give the average timescales by Government Office Region and Jobcentre Plus District have been placed in the Library.

Richard Burden: To ask the Secretary of State for Work and Pensions (1) what proportion of applications for assistance under the Social Fund from Birmingham, Northfield were unsuccessful at independent review in financial year 2002–03; [135582]

(2) what proportion of applications for assistance under the Social Fund were unsuccessful at independent review in financial year 2002–03, broken down by departmental sub-region. [135583]

Mr. Pond: The operational performance of the Independent Review Service (IRS), an independent statutory body, is a matter for the Social Fund Commissioner who informs me that:

In the financial year 2002–03, the proportion of applications for assistance under the Social Fund from Birmingham Northfield which were unsuccessful at independent review were 32.1 per cent. for community care grants; 33.3 per cent. for crisis loans for items; 100 per cent. for budgeting loans; and 100 per cent. urgent crisis loans, such as those for living expenses (express cases), respectively.

In the financial year 2002–03, nationally the proportion of applications for assistance under the Social Fund which were unsuccessful at independent review were 31.4 per cent. for community care grants; 46.7 per cent. for crisis loans for items; 89.2 per cent. for budgeting loans; and 68.3 per cent. urgent crisis loans, such as those for living expenses (express cases), respectively.

Tables setting out the information, which also give the proportions which were unsuccessful at independent review by Government Office Region and Jobcentre Plus District, have been placed in the Library.

Richard Burden: To ask the Secretary of State for Work and Pensions (1) what the average time periods achieved were in the last 12 months for which figures are available for *(a)* reaching decisions on applications from residents of Birmingham, Northfield for assistance from the Social Fund and *(b)* passing these decisions to applicants; [135616]

(2) what the average time period was in the last 12 months for which figures are available for reaching decisions on applications for assistance from the Social Fund, broken down by departmental sub-region; [135618]

(3) what the target time periods were in the last 12 months for which figures are available for *(a)* reaching decisions on applications for assistance from the Social Fund and *(b)* passing these decisions to applicants, broken down by departmental sub-region. [135620]

Mr. Pond: For the last 12 months the Jobcentre Plus Key Management Indicator for clearing applications for Social Fund Community Care Grants has been an average of nine working days. As an additional aid to monitoring performance, Jobcentre Plus aim to clear applications for Budgeting Loans within an average of eight working days and 95 per cent. of all Crisis Loan applications on the day of receipt. All decision letters, irrespective of the outcome of the decision, are sent by first class mail.

The available information is in the table.

Average clearance times for applications in days for the 12 months to September 2003

	Great Britain	*Birmingham, Northfield*
Community Care Grants	8.1	6.8
Budgeting Loans	2.6	4.6
Crisis Loans	1.2	1.1

Notes:

1. Social Fund data is not at present available by Government Office Region, but will be from the completion of the migration of work to Jobcentre Plus Districts.

2. For grants, the clearance time is defined as the time from receipt of the application to making the decision.

3. For loans, the clearance time is defined as the time from receipt of the application to making the decision if an offer is not made or not responded to; if an offer is made, the clearance time is the time from receipt of the application to the decision to make an offer plus the time from the receipt of the accepted offer to the recording of that acceptance.

4. When a Crisis Loan application is received and the offer of acceptance is recorded on the same day that counts as a clearance time of one day.

5. Clearance times are measured in whole working days, but average clearance times have been given to one decimal place.

6. In September 2002 the Birmingham Northfield Social Fund district amalgamated with other districts to become part of the Jobcentre Plus Birmingham and Solihull District.

7. The area covered by the Birmingham Northfield office is not co-terminus with the Birmingham Northfield parliamentary constituency.

Source:

Department for Work and Pensions Central Data Unit Management Information.

Richard Burden: To ask the Secretary of State for Work and Pensions (1) what the average time periods were for the last 12 months for which figures are available for *(a)* reaching decisions on reviews of unsuccessful applications from residents of Birmingham, Northfield for assistance from the Social Fund and *(b)* passing these decisions on to the applicants; [135617]

(2) what the *(a)* target and *(b)* average time periods were in the last 12 months for which figures are available for (i) reaching decisions on reviews of unsuccessful applications for assistance from the Social Fund and (ii) passing these decisions to applicants, broken down by departmental sub-region. [135619]

Mr. Pond: If a person is dissatisfied with their Social Fund decision, they may apply for a review of that decision; in the first instance reviews are carried out locally by a reviewing officer. If the applicant is still unhappy with the decision, they may apply for a further review by an independent Social Fund Inspector.

While there is no specific target for internal reviews of discretionary Social Fund decisions, Jobcentre Plus aim to reduce the average time taken to clear applications to 10 working days; all decision letters, irrespective of the outcome of the decision, are sent by first class mail.

As a result of staffing problems, arrears of work accrued over a period of some months in the Birmingham, Northfield office. Additional resource has been allocated to clear the backlog, and this should be achieved before the end of the year.

Average clearance times for reviews by Social Fund Reviewing Officers in days for April to September 2003

	Great Britain	*Birmingham, Northfield*
Community Care Grants	17.6	28.2
Budgeting Loans	16.3	17.6
Crisis Loans	11.3	2.9

Notes:

1. Data to answer both questions from the same source is available only from April 2003
2. Social Fund data is not at present available by Government Office Region, but will be from the completion of the migration of work to Jobcentre Plus Districts.
3. For grants, the clearance time is defined as the time from receipt of the application to making the decision.
4. For loans, the clearance time is defined as the time from receipt of the application to making the decision if an offer is not made or not responded to; if an offer is made, the clearance time is the time from receipt of the application to the decision to make an offer plus the time from the receipt of the accepted offer to the recording of that acceptance.
5. When a Crisis Loan application is received and the offer of acceptance is recorded on the same day that counts as a clearance time of one day
6. Clearance times are measured in whole working days, but the average clearance times have been given to one decimal place.
7. In September 2002 the Birmingham Northfield Social Fund district amalgamated with other districts to become part of the Jobcentre Plus Birmingham and Solihull District.
8. The area covered by the Birmingham, Northfield office is not co-terminus with the Birmingham Northfield parliamentary constituency.

Source:

Department for Work and Pensions Central Data Unit Management Information.

The operational performance of the Independent Review Service (IRS), an independent statutory body, is a matter for the Social Fund Commissioner who informs me that:

The IRS time targets for reviews are absolute targets rather than average clearance targets. They are: Routine Cases—95 per cent. in 12 working days; Complex Cases—90 per cent. in 23 working days. Against these, in the last financial year the IRS achieved 98.1 per cent. and 94.8 per cent. respectively. For the purposes of responding to your questions, the information has been compiled by averages.

For the 12-month period ending 30 September 2003, the average time periods for reviews dealt with by the IRS from Birmingham, Northfield were 12.99 days for community care grants; 11.5 days for crisis loans for items; 8.41 days for budgeting loans; and 1.59 hours for urgent crisis loans, such as those for living expenses (express cases), respectively.

For the 12-month period ending 30 September 2003, the national average time periods for reviews dealt with by the IRS were 12.4 days for community care grants; 11.35 days for crisis loans for items; 7.95 days for budgeting loans; and 4.75 hours for urgent crisis loans, such as those for living expenses (express cases), respectively.

The IRS passed all decisions to applicants by first class post as soon as the decisions were completed. At the same time, the IRS passed a copy of the decisions to the Jobcentre Plus and they are responsible for making any payments that are due.

Tables detailing the performance of the Independent Review Service, which show the average time periods by Government Office Region and Jobcentre Plus District, and show the average national, regional and district times for cases that fall within the IRS 12 and 23 day targets have been placed in the Library.

State Pension

Mrs. Liddell: To ask the Secretary of State for Work and Pensions how many pensioners are in receipt of the state retirement pension in the Airdrie and Shotts constituency. [14036]

Malcolm Wicks: The information is in the table:

The number of people in receipt of a State Pension as at 31 March 2003 in the Airdrie and Shotts Parliamentary Constituency

	Number
Men	3,900
Women	8,300
Total	12,200

Source:

IAD Information Centre, 5 per cent sample.

Notes:

1. Numbers are rounded to the nearest hundred.
2. Numbers are based on a 5 per cent. sample, and are therefore subject to a degree of sampling variation.

Source:

IAD Information Centre, 5 per cent. sample

HEALTH

Genetically Modified Food

Gregory Barker: To ask the Secretary of State for Health what direct tests have been conducted on humans to determine whether the GM foods approved in Europe may be allergenic. [138816]

Miss Melanie Johnson: Each genetically modified food approved to date in Europe has been assessed on a case-by-case basis. The assessment includes an evaluation of allergenicity in accordance with internationally agreed guidelines on testing of novel and genetically modified foods. Direct testing on human subjects is not part of this protocol.

Gregory Barker: To ask the Secretary of State for Health what monitoring of groups potentially vulnerable to the effects of consuming GM crops *(a)* has been undertaken and *(b)* is planned by the Government. [138817]

Miss Melanie Johnson: Each genetically modified (GM) crop is assessed on a case-by-case basis. This includes a consideration of whether products from the crop, if approved, are suitable to be consumed by all sectors of the population. The Food Standards Agency has not therefore undertaken, nor is planning, any monitoring of groups potentially vulnerable to the effects of consuming GM crops.

Gregory Barker: To ask the Secretary of State for Health what representations he has received from companies on the proposed sale of genetically modified sweetcorn in supermarkets. [138814]

Miss Melanie Johnson: The Food Standards Agency has not received any such representations on the proposed sale of genetically modified sweetcorn.

Gregory Barker: To ask the Secretary of State for Health what research his Department has carried out on the safety of genetically modified sweetcorn. [138815]

Miss Melanie Johnson: The Food Standards Agency (FSA) funds two extensive research programmes that underpin the safety assessment of genetically modified foods. The FSA does not commission specific research into the safety of individual genetically modified foods that are being proposed for authorisation.

Animal Welfare

Mr. Hancock: To ask the Secretary of State for Health what recent research his Department has *(a)* commissioned and *(b)* evaluated on the benefits of medical experiments on primates, particularly in relation to (i) the prediction of side effects, (ii) the alternative of non-invasive techniques, (iii) vitro studies and (iv) computer simulations designed to mimic human metabolism; and if he will make a statement. [138880]

Miss Melanie Johnson: The Department has not commissioned or evaluated any recent research on the benefits of using non-human primates in scientific procedures. The Animal Procedures Committee, which advises the Home Secretary on matters concerned with the Animals (Scientific Procedures) Act 1986, published a report in July 2003 on the use of primates in scientific research. The report recommends that the Government should convene a stakeholders' forum on the care and use of primates in experiments, to progress the issues raised in the report. The Government have agreed that a forum should be set up. Every effort will continue to be required to minimise primate use and find alternatives where practicable.

"Choice, Responsiveness and Equity"

Lynne Jones: To ask the Secretary of State for Health which patients' organisations were sent the consultation document, "Choice, Responsiveness and Equity", and when; and if he will make a statement on the time taken from publication to writing to hon. Members on 21 October to inform them of the consultation. [136988]

Mr. Hutton: Dissemination of the consultation support pack to patient organisations, and others, has been ongoing since publication on 1 September 2003. A list of patients' organisations that we have contacted directly has been placed in the Library. When the House returned in October, I sent right hon. and hon. Members a summary of the consultation document that we had developed following requests from local organisations to support their local events.

Accident and Emergency Admissions

Mr. Oaten: To ask the Secretary of State for Health what estimate he has made of the proportion of admissions to accident and emergency is directly related to the individual's use of alcohol. [139247]

Miss Melanie Johnson: The Government's latest estimate of the proportion of alcohol-related attendances at accident and emergency was prepared by my right hon. Friend the Prime Minister's strategy unit as part of their project to develop an Alcohol Harm Reduction Strategy for England. This work indicated that 41 per cent. of all accident and emergency attendances were alcohol related, rising to 70 per cent. between midnight and five a.m. on Saturday night.

These estimates were prepared using specially commissioned research, and were published as part of the strategy unit's interim analysis on the harms associated with alcohol misuse on 19 September 2003.Agency Staff

Agency Staff

Chris Grayling: To ask the Secretary of State for Health what the cost of *(a)* agency nurses and *(b)* agency doctors has been to the NHS in London in each year since 1997. [133749]

Mr. Hutton: The table shows expenditure for the six financial years, 1997–98 to 2002–03, on agency nurses[1] and agency doctors[2] for the health authorities, national health service trusts and primary care trusts within the London region.

The NHS is now treating more patients then ever before and this increase in activity is reflected in greater spending on agency staff in the NHS.

Expenditure on agency nurses [1] and agency doctors [2] in London, 1997–98 to 2002–03

£

	Agency nurses [1] expenditure	*Agency doctors [2] expenditure*
1997–98	111,628,043	22,363,331
1998–99	130,573,228	22,900,245
1999–2000	180,665,901	22,902,621
2000–01	202,308,850	32,234,187
2001–02	229,288,793	46,761,800
2002–03	220,780,586	66,811,064

[1] 'Agency nurses'—non NHS nursing, midwifery and health visiting staff.

[2] 'Agency doctors'—non NHS medical staff.

Note:

2002–03 data are provisional.

Sources:

1. Annual Financial Returns of Health Authorities—1997–98 to 2001–03.
2. Annual Financial Returns of NHS Trusts—1997–98 to 2002–03.
3. Annual Financial Returns of Primary Care Trusts—2000–01 to 2002–03.

Alcohol Strategy

Mr. Chaytor: To ask the Secretary of State for Health what research he has *(a)* commissioned and *(b)* evaluated in respect of the cost of alcohol abuse to the national health service; and when he expects to publish his Alcohol Strategy. [138778]

Miss Melanie Johnson: The Government's latest estimate of the costs accruing to the national health service as a result of alcohol misuse was prepared by my right hon. Friend the Prime Minister's strategy unit as part of their project to develop a alcohol harms reduction strategy for England. The strategy unit's interim analytical report on the harms associated with alcohol misuse, which was published on 19 September 2003, indicated that costs to the health service in England lay between £1.4 billion and £1.7 billion. These estimates were prepared using both existing and specially commissioned research.

The Alcohol Harm Reduction Strategy for England will be published in and implemented from 2004, in line with the commitment given by the Government in the NHS Plan.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Health if he will list the contracts for consultancy and other work carried out by Bechtel for agencies responsible to his Department in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [137882]

Ms Rosie Winterton: None.

Cancer

Mr. Nigel Jones: To ask the Secretary of State for Health how many trained cancer specialists are practising in England; how many cancer specialist students began training in each year since 1997; how many cancer specialists qualified in each year since 1997; and what his assessment is of the optimum number of cancer specialists required by the national health service. [138918]

Mr. Hutton: As at 30 June 2003, there were 4,096 consultants in the cancer specialties (trained cancer specialists) working in the national health service in England.

As undergraduates, medical students do not undertake training in specific specialties, their medical training is of a general nature at this stage of their course. Specialty specific training begins in hospital at postgraduate level. Information on the number of doctors beginning and completing speciality training each year is not collected centrally.

The number of postgraduate doctors in training and consultants in the cancer specialties for each year since 1997 is shown in the table.

Hospital, Public Health Medicine and Community Health Services (HCHS) Staff
Consultants and Doctors in training in cancer specialities

England, as at 30 September *Number (headcount)*

	1997	*1998*	*1999*	*2000*	*2001*	*March 2002*	*2002*	*March 2003*	*June 2003*
Consultants	3,155	3,273	3,362	3,528	3,721	3,864	3,913	4,059	4,096
Doctors in training	1,531	1,622	1,799	1,896	2,111	—	2,281	—	—
Of which:									
Senior House Officer	332	346	375	375	423	—	449	—	—
House Officer	20	22	22	42	21	—	23	—	—
Registrar Group	1,179	1,254	1,402	1,479	1,667	—	1,809	—	—

Notes:

1. Cancer specialties includes Clinical Oncology, Clinical Radiology, Haematology, Histopathology, Medical Oncology and Palliative Medicine.
2. Doctors in training data was not collected in the March or June 2003 mini census.

Source:

Department of Health Medical and Dental Workforce Census.

The Cancer Plan gives a commitment to increase the number of cancer consultants working in the NHS by 1,000 by 2006.

Since 1999 the number of cancer consultants has increased by 734, or 22 per cent. This means that the NHS is on track to hit the Cancer Plan target. The National Cancer Director works closely with cancer networks, professional organisations and workforce development confederations to ensure that national decisions about workforce planning reflect the needs of the service.

Dr. Gibson: To ask the Secretary of State for Health what plans he has to ring-fence spending for cancer services. [138338]

Miss Melanie Johnson *[holding answer 13 November 2003]:* We do not believe ring-fencing money for a specific programme is the way forward. Our overall approach is to set a national strategic direction, underpinned by targets and to devolve greater freedom to front line staff and organisations to give them the freedom to innovate and improve care for patients based on local needs and circumstances.

On 22 May 2003 the National Clinical Director for Cancer published a report that showed that the new money for cancer services announced as part of the NHS Cancer Plan is reaching those services.

On 28 October 2003, my right hon. Friend the Secretary of State for Health, announced that this tracking exercise would be repeated for cancer funding allocated in 2003–04.

Mr. Norman: To ask the Secretary of State for Health what percentage of cancer patients received their first definitive treatment within 62 days of referral in each month of the last three years, broken down by cancer type. [138632]

Miss Melanie Johnson: The NHS Cancer Plan sets out our strategy to reduce waiting times for cancer patients. A maximum two-month wait from urgent referral to treatment was introduced for breast cancer in December 2002. Data on performance of this target are collected quarterly and were first published for quarter one, 2003–04 (Apr—Jun 2003), where 97 per cent. of women received their treatment within a month of urgent referral. This target will be in place for all other urgent cases of cancer by 2005. Targets of one month from urgent referral to first treatment were introduced in 2001 for testicular cancer, acute leukaemia and children's cancers. Data on NHS Cancer Plan waiting times targets are published on the Department's website at: www.doh.aov.uk/cancerwaits.

Mrs. Calton: To ask the Secretary of State for Health how much has been allocated by his Department to cancer prevention in each of the last three years; and how much was spent in each year. [136731]

Miss Melanie Johnson: The Department funds an extensive health improvement and prevention programme aimed chiefly at preventing cancer and coronary heart disease, which are the two main causes of mortality. Funding for programmes on tobacco control and smoking cessation, improving nutrition and diet and increasing physical activity all contribute not only to cancer prevention, but also to preventing coronary heart disease. It is not possible to identify the amount of funding in these programmes that contributes solely to cancer prevention.

Mr. Burstow: To ask the Secretary of State for Health if he will make it his policy to establish dedicated Positron Emission Tomography camera facilities to diagnose lung cancer and evaluate the success of treatment in sites across all strategic health authorities. [140112]

Miss Melanie Johnson: We are aware of the potential benefits Positron Emission Tomography (PET) scanning can offer patients with lung cancer. The Department is working with national health service specialised commissioners, the PET clinical community and research stakeholders to create a framework to enable the NHS to develop a clear national policy position. This will set out, from the evidence, which tumour groups would benefit from PET scanning, likely future demand, and the optimal configuration and location of PET scanners.

Cardiology

Mr. Nigel Jones: To ask the Secretary of State for Health how many trained cardiologists are practising in England; how many cardiology students began training in each year since 1997; how many cardiologists qualified in each year since 1997; and what assessment he has made of the optimum number of cardiologists required by the National Health Service. [138919]

Mr. Hutton: As at 30 June 2003, there were 618 consultants in cardiology (trained cardiologists) working in the National Health Service in England.

As undergraduates, medical students do not undertake training in specific specialities, their medical training is of a general nature at this stage of their course. Specialty specific training begins in hospital at postgraduate level. Information on the number of doctors beginning and completing specialty training each year is not collected centrally. The number of postgraduate doctors in training and consultants in cardiology in each year since 1997 is shown in the table.

Hospital, Public Health Medicine and Community Health Services (HCHS) Staff Consultants and Doctors in training in cardiology

England, as at 30 September *Numbers (headcount)*

	March 1997	*June 1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*2003*
Consultants	405	458	467	546	576	609	607	618
Doctors in training	540	607	589	612	609	700	n/a	n/a
of whom								
Senior House Officer	192	218	210	223	210	255	n/a	n/a

Hospital, Public Health Medicine and Community Health Services (HCHS) Staff Consultants and Doctors in training in cardiology England, as at 30 September *Numbers (headcount)*

	March 1997	June 1998	1999	2000	2001	2002	2003	2003
House Officer	32	38	40	45	54	53	n/a	n/a
Registrar Group	316	351	339	344	345	392	n/a	n/a

n/a = not available
Source:
Department of Health Medical and Dental Workforce Census
Doctors in training data was not collected in the March or June 2003 mini census

The coronary heart disease care group workforce team advises on workforce requirements to deliver the CHD national service framework and NHS Plan. It is required to make annual recommendations to the workforce numbers advisory board. In its 2003 report, it recommended that there was a need to continue to substantially increase the number of cardiologists. Future growth requirements are being refined and will depend on growth in activity demands and on changes in clinical practice and ways of working.

Care Homes

Tony Lloyd: To ask the Secretary of State for Health what assessment he has made of the *(a)* demand for and *(b)* supply of places in residential homes and nursing homes in England; and what forecast he has made of change in *(i)* demand and (ii) supply in the next 10 years. [139476]

Dr. Ladyman: I will write to my hon. Friend as soon as possible, and place a copy of the letter in the Library.

Simon Hughes: To ask the Secretary of State for Health how many *(a)* residential, *(b)* nursing and *(c)* elderly mentally infirm (i) homes and (ii) places were available in London in each of the last 10 years, broken down by *(A)* local authority, *(B)* private sector and *(C)* charity and voluntary providers; and what percentage of capacity in each sector was used in each year. [138666]

Dr. Ladyman: Tables 1 and 2 show the number of residential and nursing homes and places in London at 31 March for the years 1993 to 2001 by sector. Tables 3 and 4 show the number of homes and places in care homes for elderly mentally infirm people. Data are not available for the percentage of capacity used each year.

The National Care Standards Commission has collected figures for later years but comparable details broken down by region are not available.

Number of care homes in London, by type of accommodation 31 March 1993–2001

	Residential homes			Nursing homes [1]	
	LA	Voluntary	Private	Small [2]	Independent
2001	241	749	564	685	548
2000	268	737	589	630	548
1999	274	737	601	626	554
1998	296	710	605	640	520
1997	299	730	588	596	374
1996	347	636	539	567	348
1995	348	609	532	489	395
1994	363	577	506	368	396
1993	386	581	492	[3]	332

[1] Includes dual registered homes
[2] Independent registered care homes with less than 4 places, required to register from 1 April 1993
[3] Data are not available
Source:
DH forms RA Part A, RAC5, KO36 and RH(N) Part A.

Number of care home places in London, by type of accommodation 31 March 1993-2001

	Residential homes			Nursing homes [1]		
	LA	Voluntary	Private	Small [2]	Dual Registered [3]	Independent
2001	5,412	10,638	9,156	1,699	2,437	18,084
2000	6,354	10,464	9,310	1,519	2,493	18,290
1999	6,693	10,013	9,364	1,551	1,904	18,257
1998	7,744	9,619	9,533	1,658	1,647	17,750
1997	8,170	9,960	9,389	1,489	964	12,388
1996	9,468	9,234	8,455	1,390	1,282	10,694
1995	9,980	9,249	8,307	1,195	1,176	12,719
1994	10,870	9,027	8,078	899	1,298	12,538
1993	11,829	9,406	7,914	n/a	1,020	11,305

[1] Includes nursing places in dual registered homes.
[2] Independent registered care homes with less than 4 places, required to register from 1 April 1993.
[3] Residential places that are in dual registered homes.
n/a Data are not available.
Source:
DH forms RA Part A, RAC5, KO36 and RH(N) Part A

Number of elderly mentally infirm [1] homes in London, by type of accommodation 31 March 1993–2001

	LA	Voluntary	Private	Registered [3]	Small [2]	Nursing
2001	14	9	33	7	39	n/a
2000	16	10	31	7	13	n/a
1999	13	15	23	8	17	n/a

Number of elderly mentally infirm [1] homes in London, by type of accommodation 31 March 1993–2001

	LA	Voluntary	Private	Registered [3]	Small [2]	Nursing
1998	16	30	51	6	20	n/a
1997	20	12	20	6	32	n/a
1996	15	5	13	0	n/a	n/a
1995	14	5	13	0	n/a	n/a
1994	13	3	13	0	n/a	n/a
1993	14	3	17	0	n/a	n/a

[1] Homes that cater primarily for elderly mentally infirm people.
[2] Independent registered care homes with less than 4 places, required to register from 1 April 1993.
[3] Homes that have registered for both residential and nursing care
n/a Data are not available.
Source:
DH forms RA Part A and RAC5.

Number of elderly mentally infirm [1] home places in London, by type of accommodation 31 March 1993 -2001

	LA	Voluntary	Private	Dual Registered [3]	Small [2]	Nursing
2001	525	270	670	269	110	n/a
2000	556	313	629	259	37	n/a
1999	436	433	564	106	43	n/a
1998	616	876	890	188	58	n/a
1997	692	282	389	147	102	n/a
1996	430	136	290	n/a	n/a	n/a
1995	402	119	265	n/a	n/a	n/a
1994	399	72	280	n/a	n/a	n/a
1993	411	85	363	n/a	n/a	n/a

[1] Homes that that cater primarily for elderly mentally infirm people.
[2] Independent registered care homes with less than 4 places, required to register from 1 April 1993.
[3] Residential places in homes registered for both nursing and residential care.
n/a Data are not available
Source:
DH forms RA Part A and RAC5.

Lynne Jones: To ask the Secretary of State for Health how many care home places were available in *(a)* Birmingham and *(b)* West Midlands in each of the last six years run by the *(i)* local authority, (ii) voluntary sector and (iii) private sector. [139706]

Dr. Ladyman: The table shows the number of care home places available in Birmingham and West Midlands, broken down by type of accommodation, as at 31 March for the years 1998 to 2001.

The National Care Standards Commission has collected figures for later years but comparable details broken down by local authority and region are not available.

Number of care home places in Birmingham and West Midlands by type of accommodation

As at 31 March 1998–2001 *Rounded numbers*

	Residential homes					Nursing homes [1]	
	Local authority	Voluntary	Private	Dual registered [2]	Small [3]	Independent	Total places
Birmingham							
1998	1,450	1,560	2,350	130	400	2,930	8,820
1999	1,460	1,420	2,390	100	400	3,010	8,780
2000	1,340	870	2,940	140	370	2,940	8,600
2001	1,320	740	2,920	190	340	2,890	8,400
West Midlands							
1998	8,100	5,680	17,540	2,360	1,860	20,650	56,190
1999	7,420	5,540	16,000	2,460	1,910	21,510	54,840
2000	6,400	5,340	16,300	2,760	1,700	20,420	52,920
2001	6,050	5,180	16,130	3,100	1,630	20,040	52,130

[1] Includes places in nursing homes, private hospitals and clinics and nursing care places in homes registered for both nursing and residential care.
[2] Residential places in homes registered for both nursing and residential care.
[3] Independent registered care homes with less than four places.
Source:
RA Form A and RH(N) Form A.

Lynne Jones: To ask the Secretary of State for Health what information he collates on staff turnover in *(a)* nursing homes and *(b)* residential care homes for elderly people in (i) the public sector, (ii) the voluntary sector and (iii) the private sector; and if he will make a statement. [139751]

Dr. Ladyman: The Department does not collect information on staff turnover. Information is available from the 2002 Social Services Workforce Analysis, conducted by the Employers' Organisation on behalf of the Social Care and Health Workforce Group. This data is soon to be published and will be placed in the Library.

Mr. Edward Davey: To ask the Secretary of State for Health how many inspections and approvals have been undertaken of *(a)* residential care homes, *(b)* nursing care homes, *(c)* residential care home managers and *(d)* nursing care home managers since the National Care Standards Commission was established; and if he will make a statement. [139554]

Dr. Ladyman: The information requested is shown in the table.

Number of inspections and approvals between 1 April 2002 and 18 November 2003

	Number
Approvals (registrations)	
Care homes with personal care (inc. non-medical)	19,223
Care homes with nursing care	1,137
Inspections (announced and un-announced)	
Care homes with personal care (inc. non-medical)	31,627
Care homes with nursing care	9,582

Note:
Only homes which have an approved registered manager are registered and entered into the service register.

Mr. Edward Davey: To ask the Secretary of State for Health (1) how many managers of nursing care homes assessed by the National Care Standards Commission since its inception, had *(a)* at least first level registered nurse qualifications and *(b)* no nursing qualifications; [139555]

(2) how many nursing care homes have published their registered managers' qualifications and experience since the National Care Standards Commission was established; [139556]

(3) how many *(a)* requests of statement of purpose have been refused by nursing care homes and *(b)* residents' care plans of nursing care homes have been assessed and approved since the National Care Standards Commission was established. [139559]

Dr. Ladyman: The National Care Standards Commission does not record this information on its central registration and inspection database.

Mr. Edward Davey: To ask the Secretary of State for Health what estimate he has made of *(a)* the number of residents and *(b)* the ratio of nurses to residents in nursing care homes in England in the last year for which figures are available. [139557]

Dr. Ladyman: The estimated number of occupied beds in nursing homes, private hospitals and clinics in England in 2000–01 was 152,100 beds.

The table shows the number of occupied nursing beds per nurse in England in 2000–01.

Number of occupied nursing beds [1] per nurse: England 2000–01

	Occupied beds
Qualified [2] Nursing staff	
Number	2.2
Whole-time equivalent	3.1
All [3] nursing staff	
Number	0.9
Whole-time equivalent	1.1

[1] Figures refer to beds in nursing homes, private hospitals and clinics including those intended for children or maternity usage.
[2] Qualified nursing staff includes all staff with nursing qualifications, but not those with NVQs.
[3] All nursing staff includes Care Assistants.
Source:
(RH(N)

Childhood Obesity

Alan Simpson: To ask the Secretary of State for Health what research he has commissioned into the effect on childhood obesity of access to healthy foods. [138729]

Miss Melanie Johnson: The Department carries out research and development activity related to diet, nutrition, physical activity and obesity, including the recently completed research initiative on nutrition funded through the Department's policy research programme. Research includes the systematic reviews about the uptake of physical activity and healthy eating by children and young adults.

As part of the Five-a-Day programme, research was undertaken to test the feasibility and practicalities of evidence-based community approaches to improve access to fruit and vegetables. Evaluation of the National School Fruit Scheme will also assess the impact on children's diet.

Alan Simpson: To ask the Secretary of State for Health how many children have been treated by the NHS in each of the last 10 years for illnesses *(a)* directly caused by and *(b)* aggravated by childhood obesity. [138730]

Miss Melanie Johnson: The number of finished in-year admission episodes for 0–15 years old children in National Health Service hospitals over the last 10 years, where obesity is the primary diagnosis, is shown in the table.

Year	*Number of finished in-year episodes*
1992–93	215
1993–94	190
1994–95	121
1995–96	166
1996–97	151
1997–98	164
1998–99	211
1999–2000	219
2000–01	232
2001–02	239

Source:
Hospital Episode Statistics (HES), Department of Health.

Chiropody

Mr. Baron: To ask the Secretary of State for Health (1) what the cost of compiling the KT23 chiropody statistics was in 2002; [139878]

(2) which organisations were consulted on the proposed abolition of the annual KT23 chiropody statistics; and, of those consulted, which were *(a)* in favour of abolition and *(b)* opposed to it; [139879]

(3) if he will make a statement on the future of KT23 chiropody statistics. [139880]

Dr. Ladyman: As part of the initiative to reduce the burden of bureaucracy on the national health service, the need for all departmental returns, including the KT23 chiropody statistics return, is being re-examined. An internal review is currently in progress. No decision has yet been made with regard to the KT23 return. In the event of a recommendation to amend or abolish the return, formal consultation with interested parties, including the relevant professional organisations, would take place before final decisions were taken.

Information about the cost of compiling the KT23 chiropody statistics is not available centrally.

Mr. Baron: To ask the Secretary of State for Health (1) what assessment he has made of variations in provision of NHS *(a)* chiropody and *(b)* podiatry in different regions of England; [140180]

(2) what plans he has to encourage the greater use of podiatric surgeons; and if he will make a statement. [140181]

Dr. Ladyman: It is for primary care trusts to assess the health needs of their local community, and the need for particular services in their locality, and to make such arrangements as they consider appropriate using the resources which are made available to them for this purpose.

Mr. Baron: To ask the Secretary of State for Health what assessment he has made of the long-term health impacts of discharging NHS *(a)* chiropody and *(b)* podiatry patients who are deemed to be low risk. [140182]

Dr. Ladyman: It is for clinicians in the first instance to assess and take account of the clinical implications of their decisions.

Computer Games

Mr. Burstow: To ask the Secretary of State for Health what contracts his Department has awarded to external computer game companies broken down by *(a)* the company to which the contract was awarded and *(b)* the date and total cost of the contract; what the purpose was of each contract; what has been delivered to date on each contract; and what remains to be delivered. [139580]

Ms Rosie Winterton: The Department has not awarded any contracts to external computer game companies.

Condover Hall School

Mr. Paul Marsden: To ask the Secretary of State for Health (1) what health care support services are given to children attending Condover Hall School, Shropshire; [135256]

(2) if he will estimate the cost of upgrading the building of Condover Hall School to meet national care standards; [135286]

(3) what assessment has been undertaken of the effect on the mental health of children at Condover Hall School of its closure; [135290]

(4) what the total health care cost to public funds was of children attending Condover Hall School in 2002-03; [135295]

(5) if he will make a statement on the compliance of Condover Hall School with the National Care Standards. [135297]

Margaret Hodge: Non-maintained special schools such as Condover Hall have a general duty in law to supervise and care for the health of their pupils. The school must employ or otherwise secure the attendance of suitably qualified people, including professionals with expertise and experience relevant to the individual health needs of the children there.

Health care will be provided either by the Primary Care Trust (PCT) local to the school or by the child's "home" PCT, contracting with a NHS Trust providing community child health services where necessary. It is not possible to specify the health care support services received by pupils at Condover Hall School, since these will depend on each child's health needs. However, part of the school's continuing duty towards the health of its pupils is to arrange with the Primary Care Trust for periodic medical and dental inspections and for any treatment that may be needed.

Given that health care costs will be dependent on the health needs of each child it is not possible to make overall calculations of the health care costs of children attending Condover Hall School. My Department does not keep central records of the health needs of individual children in schools, including Non-maintained Special Schools; that is the responsibility of each individual school.

Condover Hall School offers 52 week per year placements to pupils and is therefore required to register as a Children's Home with the National Care Standards Commission (NCSC). We understand from the Shrewsbury office of the NCSC that Condover Hall School was inspected at the end of April 2003 and that the report has not yet been finalised. It is, therefore, not possible for me to comment on the school's compliance with the National Minimum Standards for Children's Homes.

As the controlling charity, the Royal National Institute of the Blind (RNIB) would have responsibility for any assessment regarding the impact of the school's closure on pupils' mental health. I understand that RNIB have carried out a full consultation with pupils, parents and staff regarding their plans to close the school.

Consultant Appointments

Chris Grayling: To ask the Secretary of State for Health if he will list the average waiting time for a first consultant appointment in London in each year since 1997. [133741]

Mr. Hutton: The average waiting times for first consultant outpatient appointments following general/dental practitioner written referral in London since 1997 is shown in the table. Progress on reducing maximum waiting times do not necessarily translate into a reduction in the median waiting time, because of shifts in low waiting time bands. Over this period the number of people in London waiting over 26 weeks for their first outpatient appointment fell from 15,100 at end March 1997 to 6 at end March 2003. The equivalent figures for England are over 70,000 to 18 (counting only patients that are the responsibility of NHS Commissioners).

Waiting times for 1st consultant outpatient appointment following G(D)P referral: London

Year	*Median Waiting time (weeks)*
1996–97	6.1
1 997–98	6.3
1998–99	6.9
1 999–2000	7.4
2000–01	7.2
2001–02	7.3
2002–03	7.5

Notes:
1. Data pre 2002/3 is based on London Regional Office boundaries, data for 2002/3 is based on London strategic health authority boundaries
2. The medians in the table are based on aggregate data, categorised into waiting time bands, and do not reflect shifts in the waiting time profiles within these bands, only between bands.
Source:
Department of Health form QM08

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer to the hon. Member for Oxford, West and Abingdon (Dr. Harris) of 14 October 2003, *Official Report*, column 214W, on consultant numbers, exactly how many consultants were planned in the substantial expansion; and exactly how many more new consultants the NHS Plan target provided. [138194]

Mr. Hutton: Subject to the necessary resources becoming available, the National Health Service was aiming to provide around 5,000 additional consultants between 1999 and 2004. The NHS Plan put in place the necessary funds and plans to deliver up to 7,500 new consultants between 1999 and 2004.

A range of initiatives has addressed the need for additional growth to achieve this target, including: speeding up specialist registrar to consultant conversion, encouraging the NHS to become a more flexible and diverse employer, increasing investment in training, investing in child care, attracting back returners and running national and international recruitment campaigns.

Contingency Planning

Dr. Evan Harris: To ask the Secretary of State for Health what progress has been made towards *(a)* vaccinating 350 health care staff in the UK against smallpox and *(b)* the other measures outlined in the written statement of 2nd December 2002 on contingency planning. [130201]

Mr. Hutton: To date, 280 frontline healthcare workers across the United Kingdom have been vaccinated with the smallpox vaccine.

Implementation of the smallpox interim guidelines is being co-ordinated by the Health Protection Agency (HPA) regional leads. The HPA has established interim guidelines and on existing local emergency plans and arrangements.

Smallpox vaccine stocks have been substantially increased with the announcement of the Government's intention to secure a contract with Aventis Pasteur in June this year. This means that we have sufficient stocks to vaccinate the whole of the UK, if needed, with new second generation, cell-derived smallpox vaccine.

Dementia

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the availability of the anti-dementia drug Ebixa. [140111]

Dr. Ladyman: The National Institute for Clinical Excellence (NICE) will appraise Memantine (Ebixa), for the treatment of moderate to severe dementia, as part of the eighth wave of its work programme. The anticipated publication date of its recommendations is May 2005.

Until NICE has made its recommendations it is for local areas to make decisions about availability on the national health service having taken account of published evidence.

Dentistry

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the mean number of decayed, filled and missing teeth for five-year-old children in *(a)* England, *(b)* each region and *(c)* each strategic health authority in each of the last six years. [138185]

Ms Rosie Winterton: The British Association for the Study of Community Dentistry carry out a survey every second year of dental caries among five-year-old children.

Information showing the average number of decayed, missing and filled teeth in children aged five in England, by region and health authority in 1997–98 and 1999–2000 and by region and strategic health authority for 2001–02, has been placed in the Library.

Mr. Burstow: To ask the Secretary of State for Health what percentage of five-year-old children had no caries in *(a)* England, *(b)* each region and *(c)* each strategic health authority in each of the last six years. [138186]

Ms Rosie Winterton: The British Association for the Study of Community Dentistry carry out a survey every second year of dental caries among five-year-old children. The information showing the percentage of five-year-old children with no caries in England, by region and health authority in 1997–98 and 1999–2000 and by strategic health authority for 2001–02, has been placed in the Library.

Mr. Burstow: To ask the Secretary of State for Health what the *(a)* mean and *(b)* maximum waiting times for elective admissions for dental treatment were in (i) England and (ii) each region in each of the last six years. [138410]

Mr. Hutton: The table shows the number of patients waiting over 12 months for elective inpatient admission in dentistry specialties (oral surgery, restorative dentistry, paediatric dentistry and orthodontics) and the average waiting times for those specialties.

Patients waiting for elective admission for dentistry specialties[1]

England/Region/ Strategic Health Authority	*Patients waiting over 12 months*	*Median waiting times (months)*
March 1997–98		
England	3,397	3.4
Northern and Yorkshire	132	3.2
Trent	262	3.1
West Midlands	29	2.8
North West	176	2.8
Eastern	966	4.4
London	816	4.4
South East	817	3.7
South West	199	2.7
March 1998–99		
England	1,654	2.8
Northern and Yorkshire	11	2.7
Trent	140	2.8
West Midlands	42	2.5
North West	172	2.5
Eastern	468	3.1
London	428	3.1
South East	340	3.3
South West	53	2.4
March 1999–00		
England	943	2.5
Northern and Yorkshire	11	2.3
Trent	102	2.7
West Midlands	10	2.3
North West	116	2.3
Eastern	202	2.6
London	236	2.5
South East	206	2.6
South West	60	2.4
March 2000–01		
England	683	2.3
Northern and Yorkshire	0	2.2
Trent	3	2.2
West Midlands	11	2.2
North West	87	2.2
Eastern	124	2.4
London	175	2.3
South East	181	2.3
South West	102	2.2
March 2001-02		
England	235	2.2
Northern and Yorkshire	0	2.2
Trent	1	2.1
West Midlands	5	2.1
North West	44	2.2
Eastern	38	2.2
London	44	2.1
South East	78	2.4
South West	25	2.2

Patients waiting for elective admission for dentistry specialties[1]

England/Region/ Strategic Health Authority	*Patients waiting over 12 months*	*Median waiting times (months)*
March 2002–03		
England	0	2.3
Norfolk, Suffolk and Cambridgeshire HA	0	2.3
Bedfordshire and Hertfordshire HA	0	2.6
Essex HA	0	2.3
North West London HA	0	2.4
North Central London HA	0	2.2
North East London HA	0	2.4
South East London HA	0	2.1
South West London HA	0	2.1
Northumberland, Tyne and Wear	0	2.0
County Durham and Tees Valley	0	1.9
North and East Yorkshire and Northern Lincolnshire HA	0	2.1
West Yorkshire HA	0	2.9
Cumbria and Lancashire HA	0	2.2
Greater Manchester HA	0	2.1
Cheshire and Merseyside HA	0	2.2
Thames Valley HA	0	2.6
Hampshire and Isle of Wight HA	0	2.4
Kent and Medway HA	0	2.2
Surrey and Sussex HA	0	2.5
Avon, Gloucestershire and Wiltshire HA	0	2.3
South West Peninsula HA	0	2.3
Somerset and Dorset HA	0	1.8
South Yorkshire HA	0	2.2
Trent HA	0	2.2
Leicestershire, Northamptonshire and Rutland HA	0	2.2
Shropshire and Staffordshire HA	0	2.4
Birmingham and The Black Country HA	0	2.1
Coventry, Warwickshire, Herefordshire and Worcestershire HA	0	2.0
September 2003–04		
England[2]	0	2.4
Norfolk, Suffolk and Cambridgeshire HA	0	2.4
Bedfordshire and Hertfordshire HA	0	2.5
Essex HA	0	2.4
North West London HA	0	2.4
North Central London HA	0	2.7
North East London HA	0	2.4
South East London HA	0	2.5
South West London HA	0	2.2
Northumberland, Tyne and Wear	0	2.5
County Durham and Tees Valley	0	2.2
North and East Yorkshire and Northern Lincolnshire HA	0	2.3
West Yorkshire HA	0	3.2
Cumbria and Lancashire HA	0	2.1
Greater Manchester HA[2]	0	2.2
Cheshire and Merseyside HA[2]	0	2.2
Thames Valley HA	0	2.5
Hampshire and Isle of Wight HA	0	2.8

Patients waiting for elective admission for dentistry specialties[1]

England/Region/ Strategic Health Authority	*Patients waiting over 12 months*	*Median waiting times (months)*
Kent and Medway HA	0	2.1
Surrey and Sussex HA	0	2.5
Avon, Gloucestershire and Wiltshire HA	0	2.6
South West Peninsula HA	0	2.4
Somerset and Dorset HA	0	2.0
South Yorkshire HA	0	2.2
Trent HA	0	2.3
Leicestershire, Northamptonshire and Rutland HA	0	2.3
Shropshire and Staffordshire HA	0	2.3
Birmingham and The Black Country HA	0	2.0
Coventry, Warwickshire, Herefordshire and Worcestershire HA	0	2.1

Source:

Department of Health form QF01.

Note:

[1] Dentistry specialties include oral surgery, restorative dentistry, paediatric dentistry and orthodontics.

[2] Data is incomplete for September 2003 due to issues arising in Cheshire and Merseyside HA, this may affect data for England, Greater Manchester HA and Cheshire and Merseyside HA.

Data prior to 2002/3 is based on England and Regional Office area, after that it is based on England and Strategic Health Authority.

Mrs. Curtis-Thomas: To ask the Secretary of State for Health if he will make a statement on the effects of the Health and Social Care (Community Health and Standards) Bill on dentistry patients. [139684]

Ms Rosie Winterton: The Government are committed to rebuilding and restoring national health service dentistry to improve the oral health of the nation. The proposals in the Health and Social Care (Community Health and Standards) Bill, currently before Parliament, represent the most radical reform of NHS dentistry since 1948. Proposals in the Bill will underpin a modernised high-quality primary dental service properly integrated with the rest of the NHS, providing better access and improved patient experience.

Primary care trusts (PCTs) will have a duty to secure the provision of primary dental services to meet all reasonable requirements either through contracts with individual practices or by providing services themselves. PCTs will have a duty to publish information about the primary dental services for which it makes provision. With these new responsibilities will go the £1.2 billion financial resources currently held centrally so that the NHS can secure services locally and develop them in line with local needs.

PCTs will be given directly conferred functions in relation to dental public health, including oral health promotion, surveys and school screening to make a real contribution to reducing oral health inequalities in relation to specific conditions or client groups.

PCTs will be able to commission specialist dental services, such as orthodontics or minor oral surgery from experienced "'high street" dentists operating in readily accessible settings, located for the convenience of patients.

Under proposals in the Bill, dental charges will no longer be related to the dentists' remuneration. The new arrangements will apply nationally and are intended to ensure there is greater clarity about the cost of treatment for both dentists and the public.

Diabetes

Mr. Letwin: To ask the Secretary of State for Health if he will make it his policy to ensure that better information is provided to *(a)* general practitioners and *(b)* diabetic patients about (i) the effects of diabetes on safety when driving and (ii) the control of such effects. [139824]

Ms Rosie Winterton: The Department for Transport publishes a booklet called the "At a Glance Guide to Medical Standards of Fitness to Drive", which gives details of all the United Kingdom medical standards, including diabetes. This guide is now available for general consumption on the internet and is updated every six months following advice from the Secretary of State's honorary medical advisory panels.

Amendments to the "At a Glance" guide are distributed to medical practitioners in hard copy form and can also be obtained on EMIS Knowledge-Based Systems (Egton Medical Information Systems), which is available in all general practitioners' surgeries.

The document provides the basis on which members of the medical profession advise individuals on whether any particular condition could affect their driving entitlement.

Diet and Nutrition

Dr. Gibson: To ask the Secretary of State for Health if he will break down by sex the percentages of children who were found by the most recent National Diet and Nutrition Survey to be consuming less than the lower reference nutrient intake for *(a)* calcium, *(b)* magnesium and *(c)* vitamin A. [137057]

Miss Melanie Johnson: The information requested is shown in the table.

Percentage consuming below lower reference nutrient intake

	Age	*Boys*	*Girls*
Calcium	4–6 years	3	2
	7–10 years	2	5
	11–14 years	12	24
	15–18	9	19
Magnesium	4–6 years	3	1
	7–10 years	2	5
	11–14 years	28	51
	15–18 years	18	53
Vitamin A	4–6 years	8	6
	7–10 years	9	10
	11–14 years	13	20
	15–18 years	12	12

Source:

NDNS young people 4–18 years (1997).

Doctors' Conference

Tim Loughton: To ask the Secretary of State for Health what the cost was of the recent Doctors' Forum event held at the Novotel Hotel in Hammersmith; and what the *(a)* objectives and *(b)* programme for the event were. [138934]

Mr. Hutton: The cost of the 2003 Improving Working Lives for Doctors' Conference was £125,000. The event was open to all doctors and to those working in national health service human resource departments as an opportunity to network and share good practice on progress towards our aim of improving the working lives of medical staff. The principal objective was to support our commitment to the development of well-managed, supportive and flexible working environments by showcasing achievements and providing an opportunity to discuss areas where more work is needed. The conference was also a platform to support and promote the work of the doctors' forum, which was established following the first IWL for doctors' conference in 2002. Those who were unable to attend the event can find out more from the summary information on the Department's website at: http://www.doh.gov.uk/conferences/improvingoct03.htm

Domiciliary Care

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the standards governing the delivery of domiciliary care for the elderly and the arrangements for monitoring compliance with them. [140107]

Dr. Ladyman: Regulations and National Minimum Standards governing domiciliary care were published in January 2003, to come into force from 1 April 2003. Their content followed wide consultation with groups representing service users, care providers, and local authorities. I am satisfied that they support good, professional practice.

The National Care Standards Commission (NCSC) is an independent inspection body. Its role is to ensure compliance with the regulations as part of the conditions for registration of domiciliary care agencies. From 1 April 2004, the Commission for Social Care Inspection (CSCI) will take over this role. I am satisfied that the NCSC currently, and the CSCI from April 2004, have the powers they need to monitor compliance and to raise standards.

Drug Budgets

Chris Grayling: To ask the Secretary of State for Health what estimate he has made of the change in cost to the national health service drug budget resulting from the focus on priority therapeutic areas, as outlined in the new general practitioner contract. [137361]

Mr. Hutton: The Quality and Outcomes Framework which is part of the new General Medical Services Contract is just one of a variety of related policy initiatives that will impact on the national health service drug budget in the future. The publication of national services frameworks and determinations by the National Institute for Clinical Excellence are other examples. The NHS will take these and other factors into account when modelling future resource provision.

Drug Research

Mrs. Iris Robinson: To ask the Secretary of State for Health what estimate he has made of the impact of implementing EU Directive 2001/20/EC on non-commercial drug research in the United Kingdom. [138989]

Miss Melanie Johnson: As part of the consultations on the UK regulations, a partial regulatory impact assessment (RIA) was provided revealing potential increased costs. Universities, national health service trusts and charities were invited to submit estimates on recurring and non-recurring compliance costs for non-commercial trials. The comments received revealed the difficulty of estimating costs with so much uncertainty surrounding the Commission Directives.

The Government have taken further steps to attempt to influence the Commission in its consideration of a Commission Directive on Good Clinical Practice and also in reviewing guidance that the Commission published earlier this year with a view to avoiding any unnecessary costs. This work is continuing.

In another initiative designed to reduce the cost impact, the Department and the Medical Research Council are working with experts to find practical solutions to the issues identified in the partial impact assessment. Details of the project can be found at www.ncchta.org/eudirective/index.asp.

Further information on the partial regulatory impact assessment and the proposed United Kingdom implementing regulations is available on the Medicines and Healthcare products Regulatory Agency (MHRA) website at www.mhra.gov.uk and in the MHRA Consultative Documents: MLXs issued in 2003, MLX 287.

Drug/Alcohol Misuse

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the amount of Government funding for *(a)* drug misuse treatment and *(b)* alcohol misuse treatment in (i) England and (ii) each strategic health authority in each of the last six years. [138755]

Miss Melanie Johnson: The pooled drug treatment budget was £195.7 million in 2002–03 and this increased to £243.6 million in 2003–04. It is estimated that the pooled treatment budget is matched with an additional 200 million of mainstream funding. Figures are not available prior to 2002–03 when the majority of drug treatment was funded through mainstreamed health monies.

Figures are not available for each strategic health authority. However, the table shows pooled treatment budget allocations for each National Treatment Agency region.

£ million

Region	*2002–03*	*2003–04*
London	43.80	55.20
East Midlands	12.96	16.42
West Midlands	19.20	24.61
Eastern Region	17.15	20.07
North East	11.72	14.87

£ million

Region	2002–03	2003–04
North West	25.90	32.93
South East	25.44	29.23
South West	15.47	18.19
Yorkshire and Humber	19.57	24.57

Responsibility for funding alcohol treatment services lies with primary care trusts, who commission these services in line with local needs. The Department does not hold centrally collected information on expenditure on alcohol treatment services, but we estimate that around £95 million is spent annually on these services, with the bulk of this funding being drawn from Government sources.

Fluoridation

Mr. Crausby: To ask the Secretary of State for Health (1) how much has been spent in each of the last five years for which figures are available on research *(a)* directly funded by the Department of Health and *(b)* funded through the Medical Research Council into the effects of fluoridation on people suffering from kidney disease; [139744]

(2) how much has been spent in each of the last five years for which figures are available on research *(a)* directly funded by the Department of Health and *(b)* funded through the Medical Research Council into the effects of fluoridation on people suffering from thyroid disease. [139745]

Miss Melanie Johnson: The research we have commissioned has been on the general effects of fluoridation on health. "A Systematic Review of Fluoridation", carried out by the Centre for Reviews and Dissemination of the University of York in the year 2000, cost £79,648.00 and the study of the bio-availability of fluoride, which has just been completed by the University of Newcastle, cost £47,934. In addition, the Medical Research Council (MRC) undertook the study "Water Fluoridation and Health", which was published in 2002, under concordat arrangements with the Department. York identified three studies of goitre and two of cancer of the thyroid gland, none of which showed a statistically significant association with fluoridation. The MRC also noted that attention has been given to cancers of the stomach, kidney and thyroid, because fluoride is usually absorbed in the stomach and can be concentrated in the kidneys and thyroid, but concluded that,

> "the evidence available does not suggest that fluoridation of water increases the risk for cancer in general or for any particular type of cancer."

Foundation Trusts

Mr. Gordon Prentice: To ask the Secretary of State for Health what role he envisages for political parties in the elections to the governing boards of foundation hospital trusts. [138514]

Mr. Hutton: None. The Health and Social Care (Community Health and Standards) Bill, as amended at Lords Report, includes a power that regulations may make provision as to the conduct of elections for membership of the board of governors of a national health service foundation trust. The regulations may include the obligations on nominees to declare their interests.

Mr. Gordon Prentice: To ask the Secretary of State for Health whether limits to candidates' expenditure are to be imposed in the elections to the governing boards of foundation hospital trusts. [138520]

Mr. Hutton: The Health and Social Care (Community Health and Standards) Bill, as amended at Lords Report, includes a power that regulations may make provision as to the conduct of elections for membership of the board of governors of a national health service foundation trust. The regulations may cover election expenses and publicity.

Mr. Gordon Prentice: To ask the Secretary of State for Health what representations he has received from *(a)* NHS trusts and *(b)* others concerning the electoral systems which may be used in elections to the board of governors of NHS foundation trusts. [139116]

Ms Rosie Winterton *[holding answer 18 November 2003]:* None. The Health and Social Care (Community Health and Standards) Bill now requires regulations to set out procedures for elections. While officials are in dialogue with national health service foundation trust applicants and expert bodies about how the secondary legislation might allow for elections to take place, we have not received any representations from NHS trusts or others suggesting electoral systems which may be used to elect members of an NHS foundation trust to its board of governors.

Mr. Gordon Prentice: To ask the Secretary of State for Health whether the proposed public register of members of an NHS foundation trust will allow for members to be listed as patients or carers. [139118]

Ms Rosie Winterton *[holding answer 18 November 2003]:* Subject to Parliament, it is the Government's intention that a national health service foundation trust would be allowed, but not required, to distinguish between members who are patients and those who are carers in the register of members.

General Practitioners

Mr. Gardiner: To ask the Secretary of State for Health whether it is his policy that the same value of minimum practice income guarantee should be offered to GPs if the number of patients on their rolls falls below the 2002–03 figures. [138586]

Mr. Hutton: The minimum practice income guarantee will ensure that any gap between the global sum and the practice's previous income for global sum equivalent items will be met for as long as is necessary. Practices that have a lower global sum allocation than their previous income from global sum equivalent items will receive a correction factor to the value of this difference. The correction factor will be determined and fixed at the first quarter of 2004–05 and will continue to be paid on top of the global sum allocation for as long as is needed. It will be uplifted along with the uplifts in the global sum.

A practice that has a falling list will continue to receive the correction factor as determined in the first quarter of 2004–05, but its calculated global sum allocation will fall as a result of the falling list size. This avoids the situation where a practice may be providing services to a small list, but is receiving income protection based on earnings received for providing services to a much larger list.

Mr. Gardiner: To ask the Secretary of State for Health if he will make it his policy to ensure that the new GP funding formula will not result in less money than the previous formula being offered for general practitioners, with particular reference to GPs in Brent. [138587]

Mr. Hutton: The new minimum practice income guarantee will ensure that practices do not lose out on their global sum allocation formula compared with their previous global sum equivalent income. This arrangement will remain in place for as long as is needed.

Practices' global sum equivalent income will be calculated in the first quarter of 2004–05 and compared with the global sum allocation. If the global sum equivalent is higher than the global sum the practice will receive a correction factor to make good this difference. This correction factor will be paid monthly to practices for as long as is necessary.

Sandra Gidley: To ask the Secretary of State for Health (1) what plans he has to ensure that access to high-quality sexual health services is *(a)* made a priority and *(b)* resourced as part of the new general practitioner contract; [139467]

(2) what steps he is taking to ensure that general practitioners will meet the Level 1 and 2 service provision set out in the National Strategy for Sexual Health and HIV as part of the new general practitioner contract. [139468]

Miss Melanie Johnson *[holding answer 18 November 2003]:* "The National Strategy for Sexual Health and HIV" set out an increasing role for primary care services, recognising that general practice plays a crucial role in the delivery of sexual health services. The new general medical services contract includes a new patient services guarantee to ensure patients have access to at least the range of services they currently enjoy, with a guarantee that will see investment in primary care increase by one-third by 2005–06.

All practices will provide essential services. Contraceptive services will be delivered as an additional service which practices have a preferential right to provide, and will normally do so.

Patients will not only continue to receive a family planning service, including screening for sexually transmitted infections where necessary, but primary care trusts will also be able to commission more specialised sexual health services that conform with the National Strategy for Sexual Health and HIV.

Mr. Gardiner: To ask the Secretary of State for Health if he will make it his policy to ensure that the new GP contract does not act as a financial disincentive for GPs to take on new patients. [138601]

Mr. Hutton: The new general medical services contract aims to ensure that resources reflect more accurately a contractor's workload and the costs of delivering high quality care to the local population. Those general practitioners who choose to take on new patients will be properly rewarded for doing so.

Geriatricians

Sandra Gidley: To ask the Secretary of State for Health how many *(a)* consultant geriatricians and *(b)* geriatricians below the level of consultant were employed in each NHS hospital trust in each year since 1997. [138154]

Mr. Hutton: Information on consultants in geriatric medicine and geriatricians below the level of consultant who were employed in each national health service hospital trust in each year since 1997 has been placed in the Library.

The number of consultants in geriatrics has increased by 25 per cent, between September 1997 and June 2003.

Health and Safety

Mr. Liddell-Grainger: To ask the Secretary of State for Health what help he is giving to local hospitals to achieve health and safety standards. [139048]

Mr. Hutton: Compliance with health and safety legislation is the responsibility of National Health Service Trust Chief Executives and Boards.

The Department of Health publishes health and safety guidance to aid NHS trusts in complying with current legislation. The Department will be publishing comprehensive new guidance in February 2004 and is currently consulting on the first national NHS occupational health and safety strategy.

Health Tourism

Mr. Burstow: To ask the Secretary of State for Health what research his Department has commissioned into the *(a)* extent and *(b)* cost of health tourism in England; and if he will make a statement. [139579]

Mr. Hutton: Officials in the Department of Health have been conducting a review of the operation of the National Health Service hospital charging arrangements for overseas visitors for some time, and a consultation exercise on proposed amendments to the NHS (Charges to Overseas Visitors) Regulations 1989 ended on 31 October. No specific external research was been commissioned as part of this review.

NHS trusts are not required to submit data on the costs of providing treatment for overseas visitors, many of whom may well be entitled to free treatment under the provisions of the charging regulations.

Health Visitors

Mr. Gardiner: To ask the Secretary of State for Health what assessment his Department has made of the effects on the efficiency of health visitor services of health visitors serving *(a)* general practitioner surgeries and *(b)* geographical areas independent of GP surgeries. [138606]

Mr. Hutton: It is for local organisations and health visiting teams to determine how they should best be deployed to meet local needs and circumstances. As primary care trusts have reviewed their services in the light of the national health visitor development programme and the primary care nursing framework, "Liberating the Talents", different models have emerged as most appropriate to the local situation. In some areas, health visitors have found that geographical working enables them to focus more readily on health determinants within the community and work with a range of partners to address these.

Geographical working may be particularly appropriate in some inner city areas where a number of general practices serve the same geographical population. In other places, where the general practitioner practice population corresponds more readily to a geographical area, health visiting teams have valued the close relationship with other primary health care team members that attachment or alignment with general practice can bring.

Heroin

John Mann: To ask the Secretary of State for Health what studies have been carried out to determine the effectiveness of buprenorphine in the treatment of heroin addiction. [140054]

Miss Melanie Johnson: Buprenorphine has recently been established as a potential effective alternative substitution treatment for some patients by a number of studies, such as those concentrating on effective doses, including Johnson et al., 1995, Ling et al., 1998 and Strain et al., 1994. Specific differences from methadone have been highlighted in other studies, including Walsh et al., 1994, Reynaud et al., 1998, Bickel & Amass, 1995, Reisinger, 1997 and Barnett P. G. et al., 2001, and trials in Europe have been reviewed by Chapleo et al., 1997. Also, see Uehlinger, C et al., 1998 and Fischer, G et al. 1999 for published studies.

The Cochrane review of buprenorphine maintenance for opioid dependence in August 2002 concluded, "Buprenorphine is an effective intervention for use in the maintenance treatment of heroin dependence, but it is not more effective than methadone at adequate dosages".

HIV/AIDS

Tony Lloyd: To ask the Secretary of State for Health how many people suffered from HIV/AIDS in England in the last five years for which figures are available. [139474]

Miss Melanie Johnson: The annual survey of prevalent HIV infections diagnosed collates data on individuals who attend statutory services for HIV-related treatment and care each year. The annual totals for England for the last five years are shown in the table.

HIV/AIDS: Annual total for England for the last five years

	Prevalent diagnosed cases
1998	16,306
1999	18,392
2000	20,855
2001	24,269
2002	29,044

Source:
Communicable Disease Surveillance Centre, Health Protection Agency.

Tony Lloyd: To ask the Secretary of State for Health what resources his Department has allocated to HIV/AIDS *(a)* treatment and *(b)* prevention in financial year 2003–04; and if he will make a statement. [139475]

Miss Melanie Johnson: The Department of Health no longer holds central records of the resources allocated to HIV treatment and prevention by primary care trusts (PCTs). The last year for which this data was available was 2001–02, when £276 million was allocated for HIV treatment and care, and £55 million for HIV prevention. From 1 April 2002 the ring-fence was removed from these allocations and they were added to National Health Service baselines, allowing PCTs the flexibility to determine spending priorities for maximum effectiveness.

In addition to the significant amount of work commissioned and funded at local level, national targeted HIV prevention work for those groups most at risk of infection is undertaken by the Department through contracts with voluntary sector organisations, to the value of almost £4 million (including helpline provision) in 2003–04.

Home Care Services

John Cryer: To ask the Secretary of State for Health (1) how many people within the London Borough of Havering in receipt of home care services provided by the council were charged for those services in the *(a)* 12 months before and *(b)* after the introduction of Department of Health guidance, "Fairer Charging Policies for Home Care"; [133265]

(2) if he will assess the impact of Department of Health guidance, "Fairer Charging Policies for Home Care", on service users within the London Borough of Havering; and if he will make a statement. [133267]

Mr. Hutton: Information is not held centrally on the number of people within the London Borough of Havering, who were in receipt of home care services and were charged in the 12 months before and after the introduction of the guidance "Fairer Charging Policies for Home Care" and other non-residential Social Services. The impact of the Department of Health guidance on the London Borough of Havering's charging policies is a matter for the local council to assess.

The Department of Health issued statutory guidance to local councils for home care charges in November 2001. This guidance does not seek to change councils' power to charge, or not, but seeks to ensure that, where council's do charge, this will be based on fairer well designed charging policies. An important principle of the guidance is that charges should not reduce a person's income below basic levels of income support or the guarantee credit of pension credit plus a 25 per cent, buffer.

Hospital Beds

Simon Hughes: To ask the Secretary of State for Health how many *(a)* general and *(b)* acute beds were open overnight in each English region in each of the last 10 years; [137364]

Mr. Hutton *[holding answer 10 November2003]:* The NHS Plan set a target of 2,100 extra general and acute beds. By 2002–03, an additional 1,600 were in place representing over three quarters of the target set out in the NHS Plan.

Information on the number of available beds by ward classification is collected from each National Health Service trust. An available bed is one that is open and staffed at midnight. Figures for beds in wards classified as acute and geriatric (general) for England for the last ten years are shown in the table.

Year	*Acute*	*Geriatric*
1993–94	109,713	37,440
1994–95	108,008	36,795
1995–96	108,296	34,328
1996–97	108,869	31,646
1997–98	107,807	30,240
1998–99	107,729	28,697
1999–00	107,218	27,862
2000–01	107,956	27,838
2001–02	108,535	28,047
2002–03	108,706	27,973

Source:
Department of Health form KH03.

Information for the period 1993–94 to 1999–00 aggregated to the 8 Regional Office areas is available in Summary of Bed Availability, England copies of which are in the Library. Information for 2000–01 is available from the Department of Health website http://www.doh.gov.uk/hospitalactivity. Any information on beds published after the abolition of regional offices in April 2002 is not available at a regional level.

Hospital Wards

Keith Vaz: To ask the Secretary of State for Health which hospital wards he has visited in the last 12 months. [134260]

Ms Rosie Winterton: My right hon. Friend has visited 10 hospitals since becoming Secretary of State on 12 June 2003; they are listed below. As part of his visits, he saw numerous wards while meeting staff and patients.

Date	*Venue*
23 June	Great Ormond Street Hospital
27 August	Queen Elizabeth Hospital, Birmingham
	Selly Oak Hospital, Birmingham
28 August	St James's Hospital HQ, Leeds
	Leeds General Infirmary
29 August	Whiston Hospital, Prescot
	St Helen's Hospital, London
2 September	St Mary's Hospital, London
1 October	Royal Bournemouth Hospital
28 October	The Royal Marsden NHS Trust, London

Indian Community

John Mann: To ask the Secretary of State for Health if he will make a statement on the health of England's Indian community. [138200]

Miss Melanie Johnson: Members of black and minority ethnic communities, including the Indian community, are not a homogeneous group for health status, disease patterns or health behaviour. A number of studies, including Sir Donald Acheson's 'Independent Inquiry into Inequalities in Health', have shown that there are significant health inequalities among people from black and minority ethnic communities. These inequalities relate to differences in disease prevalence, differential access to services and differential delivery and take-up of services.

According to the Health Survey for England (1999), Indians experience higher rates of heart disease, diabetes and strokes. Women born in India have a 40 per cent. higher suicide rate than those born in England and Wales. The survey also found that oral cancer has a very high prevalence among the South Asian community (Indian, Bangladeshi, Pakistani and Sri Lankan), and rates of uptake of cervical screening among South Asian women are less than half those amongst the general population.

The Department of Health's strategy for meeting the needs of minority ethnic communities is to set action on race equality within the overall framework for planning and delivering the Department's priorities.

The NHS Plan recognises that we live in a diverse society and that ethnicity can be a key factor in health inequalities. The plan sets out as core principles that the national health service will shape its services around the needs of the patient, be responsive to the needs of different groups and individuals within society, including challenging racial discrimination.

In October 2003 the Department published "Delivering Race Equality: A Framework for Action" as a consultation document on black and minority ethnic health setting out what those planning, delivering and monitoring local primary care and mental health services for people from black and minority ethnic communities.

The Department is committed to transforming the NHS so that it produces faster, fairer services with equity of access for all. The creation of more equal access for black and minority ethnic people is an integral and vital aspect of the Department's programme of investment and reform.

Infection Control

Mr. Burstow: To ask the Secretary of State for Health whether his Department monitors hospital and community clinicians' attendance at infection control training; and if he will make a statement. [138190]

Mr. Hutton: For nurses, midwives and other non-medical health professionals, it is for local employers to determine their training needs linked to local service plans. Access to training is affected by whether funding is available, staff can be released, training interventions

are appropriate, flexible and convenient and mentors/assessors are available. It would not be practical for the centre to be prescriptive on this.

Acute trusts have to provide education on infection control as part of the controls assurance standard. Recently published guidance from the National Institute for Clinical Excellence on infection control in primary and community care includes recommendations on training.

For doctors, the content and standard of postgraduate medical training is the responsibility of the United Kingdom competent authorities, the specialist training authority for specialist medicine and, for general practice, the joint committee on postgraduate training for general practice, which will both be replaced by the postgraduate medical education and training board. Their role is that of custodians of quality standards in postgraduate medical education and practice. They are independent of the Department. In addition, the General Medical Council's education committee has the general function of promoting high standards of medical education and co-ordinating all stages of medical education to ensure that students and newly qualified doctors are equipped with the knowledge, skills and attitudes essential for professional practice.

All of these bodies have a vested interest in ensuring that doctors are equipped to deal with the issues they will encounter in practice—including where appropriate, those relating to infection control. However, it is neither practicable nor desirable for the Government to prescribe and monitor the exact training that any individual doctor will receive.

Injuries Compensation

Mr. Burstow: To ask the Secretary of State for Health what the total cost of compensation paid by the NHS to employees who have been injured at work was in each of the last 10 years; and if he will make a statement. [138179]

Mr. Hutton: Personal injury cover for national health service employees is provided by trusts' and primary care trusts' membership of the Liabilities to Third Parties Scheme, a non-clinical risk pooling scheme operated by the NHS Litigation Authority. This was introduced in April 1999 as an alternative to purchasing commercial insurance for non-clinical risks. The table shows the total amount of compensation claims paid in each year since April 1999. Information on claims prior to 1999 is not available.

Total amount of compensation claims paid in each year since April 1999

	Number of claims handled	*Compensation paid (£)*
1999–2000	810	2.4 million
2000–01	1,839	5.3 million
2001–02	2,435	3.9 million
2002–03	2,450	1.1 million
2003–04	1,572	43,000

These figures do not represent the full cost of compensation claims, however, as many small claims which fall under the standard excess of £10,000 are handled directly by NHS trusts and information on these is not reported.

Insulin

Mrs. Calton: To ask the Secretary of State for Health how many and what proportion of patients use *(a)* animal and *(b)* GM-produced human insulin; what assessment has been made of the (i) likely changes in those figures over the next 10 years and (ii) continuing availability of animal insulin; and if he will make a statement. [139904]

Ms Rosie Winterton: Data on the number of people using animal and genetically modified produced human insulins are not collected and there has been no assessment or forecast made of the numbers of people likely to be using these insulins in the future. The table shows the number of prescription items that were dispensed in the community in England, and their cost, in the 12 months ended June 2003.

Number of prescription items and net ingredient cost of insulins that were dispensed in the community in England for the 12 months ending June 2003

	Number of prescription items (thousand)	*Net ingredient cost (£000)*
Highly purified animal insulin	128.1	4,217.2
Human sequence (GM insulin)	3,522.0	150,528.8
All insulins	3,650.0	154,746.0

Notes:

1. The data is from the Prescription Cost Analysis (PCA) system which covers all prescription items that are dispensed in the community in England. This does not include drugs dispensed in hospitals or private prescriptions.
2. Insulins are those defined in the British National Formulary (BNF) paragraph 6.1.1, "Insulins". Insulin drugs have been grouped into highly purified animal and human sequence (GM) insulin in line with the British National Formulary (BNF).
3. Doctors write prescriptions on a prescription form. Each single item written on the form is counted as a prescription item. The net ingredient cost refers to the cost (which the dispenser is reimbursed) of the drug before discounts and does not include any dispensing costs or fees.

Intermediate Care

Sandra Gidley: To ask the Secretary of State for Health (1) how many intermediate care beds there were in each year since 1999; [137935]

(2) how many people received intermediate care services in each year since 1999. [137938]

Dr. Ladyman: The information requested is shown in the tables.

Number of intermediate beds each year, as at 31 March

	Number of IC beds
1999–2000	4,242
2000–01	[illegible]
2001–02	7,021
2002–03	7,407

Number of people who have received intermediate care

	Number of people receiving IC services
1999–2000	132,447
2000–01	[1]—
2001–02	246,034
2002–03	276,184

[1] Not available.

Inventures

Mr. Hunter: To ask the Secretary of State for Health if he will instruct Inventures to expedite their dealings with the Church Grange Satellite Surgery at Park Village, Basingstoke, in respect of a land transaction; and if he will make a statement on the reasons for delays in Inventures completing this business. [138484]

Mr. Hutton: The new surgery at Park Village, Basingstoke forms an integral part of a much larger residential development and the Village Centre project for which Basingstoke and Deane Borough Council are currently considering a detailed planning application.

The sale and development of the new surgery is linked to that of the larger development. The sale of the larger development site is anticipated to be completed shortly.

The Department is aware of the need for the new surgery to be constructed as soon as practical and is working to achieve this. Drafting Guidelines are attached to the PQ Reference Guide.

Tim Loughton: To ask the Secretary of State for Health when he expects to receive the National Audit Office report on the sale of Inventures and NHS property; and whether he plans to publish it. [138835]

Mr. Hutton: We understand that the National Audit Office is close to finalising its findings in relation to the sale of Inventures and national health service property.

No decision has yet been taken with regards to publication of any report.

Clinical Incident Investigations

Mr. Jim Cunningham: To ask the Secretary of State for Health what steps his Department is taking to encourage local trust management to establish an open culture for reporting and examining clinical incidents. [140008]

Ms Rosie Winterton: The Government established the National Patient Safety Agency (NPSA) to improve the safety of patients by promoting a culture of reporting and learning from clinical incidents in the National Health Service. The NPSA has developed a new National Reporting and Learning System (NRLS) to collect reports which will be rolled out across NHS organisations in England and Wales. The NRLS will store anonymous data used to identify national trends and patterns of errors and system failures so that the NPSA can develop practical solutions to address them.

The NPSA is working on a range of tools and has appointed a regional network of 31 patient safety managers to support NHS managers in developing a more open and fair culture and in responding effectively when things go wrong locally. As the NRLS is rolled out, the NPSA will offer root-cause analysis training to every NHS organisation to encourage thorough and objective investigations and support local learning. Further information is available at www.npsa.nhs.uk.

The recently published Chief Medical Officer's (CMO) report, 'Making Amends', makes 19 recommendations to reform the way in which clinical negligence claims are handled in the NHS. The CMC's proposals include the introduction of a duty of candour for everyone working in health care, and measures to encourage staff to report adverse incidents and so improve patient safety.

Junior Doctors

Mr. Norman: To ask the Secretary of State for Health how many junior doctors have been working longer than *(a)* 72 hours, *(b)* 56 hours and *(c)* 48 hours per week in the last month for which figures are available. [137765]

Mr. Hutton: Data currently collected on junior doctors' hours does not allow detailed analysis against the levels requested and simply indicates whether or not posts comply with the New Deal weekly limit of 56 hours a week. Initial figures from monitoring carried out in September 2003, suggest that 95 per cent. of junior doctors are working under 56 hours.

Kaiser Permanente

Tim Loughton: To ask the Secretary of State for Health what Kaiser Permanente facilities he visited on his recent trip to the US; whom he met; and what officials accompanied him. [138496]

Dr. John Reid: I visited a Kaiser Permanente facility in central Washington DC and met leading staff, including:

Marilyn J Kawamura—(president, Kaiser Foundation Health Plan of the Mid-Atlantic States)

Stanley J Kramer MD DABP FAAP—(area medical director, DC and Suburban Maryland Mid-Atlantic Permanente Medical Group)

Susan McDonagh MS RD CDE—(director, Regional Diabetes Program Mid-Atlantic Permanente Medical Group)

Robert M Crane—(senior vice president, Research and Health Policy Mid-Atlantic Permanente Medical Group)

Lyda Karm MD—(primary care centre lead, West End Medical Centre Mid-Atlantic Permanente Medical Group)

I was accompanied by a number of Departmental officials.

Living Wills

Tony Lloyd: To ask the Secretary of State for Health what advice his Department gives to *(a)* hospital trusts and *(b)* primary care trusts about the validity of living wills. [139721]

Ms Rosie Winterton: Health professionals cannot be required by living wills, or advance directives, to provide particular treatments, since they may not be appropriate. However, advance refusal of treatment may be valid. Guidance on the validity of advance refusals is included in the Department of Health's "Reference Guide to Consent for Examination or Treatment" published in March 2001. The reference guide is available at www.doh.gov.uk/consent.

Locums

Mr. Jim Cunningham: To ask the Secretary of State for Health what the average cost per year in the NHS was of employing a locum for *(a)* heart disease care and *(b)* medical emergencies in the last year for which figures are available. [137149]

Mr. Hutton *[holding answer 11 November 2003]:* This information is not held centrally.

Mr. Geoffrey Robinson: To ask the Secretary of State for Health whether NHS trusts are able to pay unlimited amounts for replacement locums for suspended consultants. [137374]

Mr. Hutton *[holding answer 12 November 2003]:* National Health Service bodies are encouraged to use only commercial agencies listed in the National Medical Locum Agency Framework Agreement for the recruitment of locums. This is a list approved by the Department, with agreed quality standards and costs to help obtain value for money. Information on the amounts paid by trusts and the reasons for locums being employed are not held centrally.

National Service Framework for Long Term Conditions

Mr. Hancock: To ask the Secretary of State for Health how many *(a)* consultant neurologists, *(b)* physiotherapists and *(c)* speech and language therapists he estimates are needed to implement the National Service Framework for Long Term Conditions from 2005; how many of each group are in post; what action he is taking to make up any shortfall; and if he will make a statement. [140114]

Dr. Ladyman: The national service framework (NSF) for long term conditions will focus on improving the standard of neurology services across England. It will also address some of the generic issues that are important to people with non-neurological disabilities, such as access to rehabilitation services; provision of good quality information; support for carers; and, access to community equipment, assistive technology and wheelchairs.

We recognise the important role that doctors, allied health professionals and other professionals play in providing appropriate services and support for people with long term conditions, their families and carers. We are increasing the numbers of these professionals as part of the NHS Plan commitment to increase the national health service work force.

As at 30 June 2003, there were 407 consultants in neurology, representing an increase of 33 per cent. since September 1999. We are working towards increasing their numbers further and in 2003–04 have provided central funding to support implementation of a further 10 specialist registrar posts in neurology. Trusts will also have the opportunity to create up to an additional 20 locally funded specialist registrar training opportunities.

We are also increasing the numbers of speech and language therapists and physiotherapists entering training each year. There are now 140 more (an increase of 31 per cent.) training places for speech and language therapy and 811 more (an increase of 60 per cent.) for physiotherapy.

Additionally, as part of the process of developing the NSF work is in hand to consider relevant work force issues such as the need for increased numbers of staff but also for new ways of working, including skill mix, role extensions and multi-disciplinary working, based around patient needs. We expect that the group looking at these workforce issues will make recommendations on the future supply of professionals and development of new ways of working to inform national workforce planning processes.

Maintenance Costs

Simon Hughes: To ask the Secretary of State for Health what the backlog maintenance cost to reach estate code condition was in each English region for *(a)* NHS trusts and *(b)* mental health trusts in the last six years. [137367]

Mr. Hutton *[holding answer 10 November 2003]:* The backlog of maintenance should be seen in the context of a National Health Service estate in England comprising 25 million square metres, with a book value of £24 billion and a replacement cost of around £72 billion. Current record investment of £4 billion in 2003–04, rising to over £6 billion in 2005–06, will regenerate the NHS estate and reduce maintenance because by 2040, 40 per cent. of the estate will be less than 15 years old.

The information requested is shown in the tables.

Backlog maintenance covers a wide variety of conditions, including that which is just below compliance standard. The figures provided do not indicate levels of risk to patients. Trusts manage high-risk deficiencies as a priority in order to ensure that premises are intrinsically safe and not of concern to local enforcement bodies.

Expenditure to reach Estate code Condition B

£000

Region	All Trusts	Mental Health Trusts	All Trusts	Mental Health Trusts
Northern and Yorkshire	419,592	3,400	462,610	3,400
Trent	228,870	3,956	275,801	3,887
Anglia and Oxford	282,095	11,322	295,617	7,065
North Thames	631,576	2,790	627,669	2,418
South Thames	357,978	12,182	410,080	11,559
South West	254,959	729	200,737	652
West Midlands	369,410	6,407	421,888	4,480
North West	291,981	4,246	332,659	610

Note:

Data was collected on a regional basis until 1998–99. Thereafter, the data is provided by current strategic health authority.

Expenditure to reach Estate code Condition B

£

SHA	1999–2000 All Trusts	1999–2000 Mental Health Trust	2000–01 All Trusts	2000–01 Mental Health Trusts	2001–02 All Trusts	2001–02 Mental Health Trusts	2002–03 All Trusts	2002–03 Mental Health Trusts
Avon, Gloucestershire & Wiltshire	110,148	20,558	144,430	20,772	156,320	24,268	210,485	23,103
Bedfordshire and Hertfordshire	92,888	0	74,700	0	88,374	0	93,713	0
Birmingham and the Black Country	236,566	3,120	242,567	443	238,409	4,461	273,457	5,122
Cheshire & Merseyside	80,836	1,195	114,202	0	120,527	2,108	162,227	7,752
County Durham & Tees Valley	59,899	4,710	71,981	3,710	64,771	2,257	63,400	3,088
Coventry, Warwickshire, Herefordshire & Worcestershire	111,800	0	105,578	0	113,326	0	103,936	0
Cumbria & Lancashire	95,932	0	98,182	0	86,668	3,017	97,037	8,274
Dorset & Somerset	20,414	322	81,912	299	46,922	198	47,232	683
Essex	56,188	198	33,601	206	73,059	1,347	82,418	6,790
Greater Manchester	177,741	410	196,548	409	182,568	1,891	208,612	4,175
Hampshire and Isle of Wight	51,265	0	71,469	1,043	83,466	1,399	95,647	841
Kent and Medway	90,041	0	63,484	0	48,165	0	132,217	0
Leicestershire, Northamptonshire & Rutland	103,171	0	87,493	0	131,741	0	123,329	0
Norfolk, Suffolk & Cambridge	95,045	7,643	97,920	5,753	77,670	4,941	107,464	7,506
North & East Yorkshire & North Lincolnshire	87,377	0	96,167	0	79,208	0	74,712	0
North Central London	142,825	235	148,664	1,532	160,339	1,912	184,037	8,673
North East London	205,857	0	154,846	0	198,147	12,320	183,518	12,417
North West London	180,295	4,501	169,449	893	208,508	11,256	206,462	19,603
Northumberland, Tyne and Wear	79,375	3,400	85,350	3,400	69,900	12,560	81,097	11,865
Shropshire and Staffordshire	86,735	510	110,165	1,031	107,248	0	109,047	0
South East London	206,604	9,807	231,143	16,191	211,815	19,043	183,153	30,629
South West London	76,653	2,318	58,718	2,183	72,550	5,890	173,254	74,725
South West Peninsula	34,592	0	54,172	0	45,322	0	41,214	0
South Yorkshire	47,926	0	45,539	0	60,685	0	71,016	0
Surrey and Sussex	97,256	0	139,703	0	150,917	0	110,686	1,889
Thames Valley	157,007	5,886	107,789	5,291	137,491	7,105	169,529	3,277
Trent	132,619	5,178	141,509	4,018	138,988	7,732	157,253	4,755
West Yorkshire	191,170	0	214,594	0	225,153	0	263,354	14,416

Notes:
1. The figure provided for All Trusts include those given for Mental Health Trusts.
2. Owing to changes in structure at all levels in the NHS during the period of the question, direct comparison at regional level between years is not always possible even for organisations with the same name.
3. The figures provided for Mental Health Trusts derive only from those designated by the Department of Health as being exclusively Mental Health and exclude any trusts where Mental Health services only form part of the Trust's defined functions.

Health Care (Manchester)

Mr. Stringer: To ask the Secretary of State for Health what adjustment he will make to the funding of *(a)* primary health care trusts and *(b)* other health trusts in Manchester following the adjustment to the census figures for Manchester made by the Office of National Statistics on 4 November. [137224]

Mr. Hutton *[holding answer 10 November 2003]:* Revenue allocations for the provision of health care, made to primary care trusts for 2003–04 to 2005–06, were announced on 11 December 2002.

Any changes in population figures will be used for the next round of allocations. Preparatory work will begin early next year.

Market Research

Dr. Cable: To ask the Secretary of State for Health how much his Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if he will make a statement. [139982]

Ms Rosie Winterton: A list of expenditure incurred on opinion polling, and market research in the last financial year could be provided only at disproportionate costs.

A list of research projects carried out by the Department, its agencies and non-departmental public bodies for the financial year 2002–03 is available in the Library. These lists may not include all research projects, as some information is not centrally available.

We are committed to consulting and involving the public to help inform both policy formulation and the delivery of better quality public service. Responsive public services are an important part of the Modernising Government initiative.

We only conduct or commission market or opinion research when it is justified by the needs of the policy programme and is the most economical, efficient and effective way to achieve the purpose.

Medical Research

Mr. Jenkins: To ask the Secretary of State for Health what impact assessment the Department has made of the adoption of the EU Clinical Trials Directive (2001/20/EC) on the UK non-commercial medical research sector. [136417]

Miss Melanie Johnson: As part of the consultations on the UK regulations, a partial regulatory impact assessment (RIA) was provided revealing potential increased costs. Universities, national health service trusts and charities were invited to submit estimates on

recurring and non-recurring compliance costs for non-commercial trials. The comments received revealed the difficulty of estimating costs with so much uncertainty surrounding the Commission Directives.

The Government has taken further steps to attempt to influence the Commission in its consideration of a Commission Directive on Good Clinical Practice and also in reviewing guidance that the Commission published earlier this year with a view to avoiding any unnecessary costs. This work is continuing.

In another initiative designed to reduce the cost impact, the Department and the Medical Research Council are working with experts to find practical solutions to the issues identified in the partial impact assessment. Details of the project can be found on www.ncchta.org/eudirective/index.asp.

Further information on the partial regulatory impact assessment and the proposed UK implementing regulations is available on the Medicines and Healthcare products Regulatory Agency's website at www.mhra.gov.uk in the MHRA Consultative Documents: MLXs issued in 2003, MIX 287.

Mental Health

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the extent to which and reasons why people with mental health problems self-fund their *(a)* medication, *(b)* treatment and *(c)* care. [140108]

Ms Rosie Winterton: The Department of Health has made no assessment of the extent to which and the reasons why people with mental health problems seek treatment and care within the independent sector.

However, we are concerned to ensure that all those who are assessed as needing treatment and care should be able to receive it within the national health service at the appropriate time.

This is why we have made mental health a priority for reform and have increased investment in mental health services. It is also why we welcomed the report published by Mind, entitled "The Hidden Cost of Mental Health", as a helpful contribution to our understanding of the needs of people with mental health problems and why we are engaged in an extensive public consultation to consider what more we can do to improve choice, responsiveness and equity in services.

Mr. Burstow: To ask the Secretary of State for Health how many cases of seasonal affective disorder there were in each winter since 1997; and if he will make a statement. [139869]

Ms Rosie Winterton: The Department of Health does not capture central information about the numbers of people with depression that varies seasonally. Diagnosis of depression is a matter for the responsible clinician taking into account all the various factors that may contribute. Although seasonal affective disorder is not listed in the International Classification of Mental and Behavioural Disorders (ICD-10), we do understand that there are a number of people that appear to be affected in this way. Whatever the causes, and we do not fully understand them all, serious depression is a matter of great concern to those delivering mental health services. Improving mental health services is a priority for the Government.

Mersey Regional Ambulance Service

Helen Jones: To ask the Secretary of State for Health if he will place a copy of the occurrence log kept by Mersey Regional Ambulance Service for the weekend of 1–2 November in the Library. [137780]

Miss Melanie Johnson *[holding answer 11 November 2003]:* The information requested is not held centrally.

Helen Jones: To ask the Secretary of State for Health what procedures have been put in place by the Mersey Regional Ambulance Service to ensure that information from patient report forms is *(a)* collated effectively and *(b)* used as part of the clinical audit process. [138435]

Miss Melanie Johnson: The Mersey Regional Ambulance Service National Health Service Trust has introduced a revised procedure which ensures that the collation of data from the patient report form is audited daily by the station officer to ensure both completion and quality of documentation. The patient report forms are also sorted into the correct clinical areas and delivered on time and to the central audit department. In addition a random selection of all patient report forms are checked against a set standard.

Helen Jones: To ask the Secretary of State for Health what the salary is of the communications manager at the Mersey Regional Ambulance Service; and if he will place a copy of the job description for this post in the Library. [138437]

Miss Melanie Johnson: A copy of the job description for the post of communications manager at Mersey Regional Ambulance Service has been placed in the Library.

The salary information requested is not available.

Helen Jones: To ask the Secretary of State for Health if he will place a copy of the Mersey Regional Ambulance Service lone worker policy in the Library. [138714]

Miss Melanie Johnson *[holding answer 17 November 2003]:* A copy has been placed in the Library.

Helen Jones: To ask the Secretary of State for Health what changes have been introduced by the Mersey Regional Ambulance Service to ensure that all staff, including those in stations outside Liverpool, receive staff bulletins. [139074]

Miss Melanie Johnson: The Mersey Regional Ambulance Service National Health Service Trust has a new communications strategy in place. This ensures that all staff have access to the right information, at appropriate times and places.

Midwifery

Harry Cohen: To ask the Secretary of State for Health pursuant to his answer of 18 September, reference 127592 on midwives administering, if he will list the non-medical products midwives can supply; what the criteria

are for such supply; and what financial arrangements apply, with particular reference to the right to reclaim costs incurred. [133328]

Mr. Hutton: There is no list of inclusions or omissions regarding the non-medical products that may be used by midwives within the course of their clinical practice. Such decisions are taken locally by employing organisations. There are no special financial arrangements in place outside normal budgetary procedures.

Those midwives trained as nurse prescribers will be able to prescribe these products, including compression hosiery, listed in Part IX of the drug tariff.

Migraine

Mr. Baron: To ask the Secretary of State for Health (1) what proportion of migraine sufferers being treated in the NHS fall within the target of a maximum 16-week wait between referral and first out-patient appointment; [139876]

(2) what proportion of migraine sufferers treated in the NHS were *(a)* misdiagnosed and *(b)* inappropriately treated in 2002. [139877]

Dr. Ladyman: The information requested is not collected centrally.

We are taking steps to improve services for patients with headache. In April 2003, for example, we published guidelines for the appointment of general practitioners (GPs) with special interests in the delivery of clinical services in headache. This should help to raise the profile of headache and migraine with health professionals.

The Modernisation Agency will be managing a project over the next two years to improve access to neurology services. The project will work closely with professionals, patients and other stakeholders, and will complement other initiatives already under way within the Modernisation Agency, the Department of Health and the national health service.

Since 1 April 2003, the NHS aims to see all patients within 21 weeks of a GP referral and, once on an inpatient waiting list, patients should be admitted within 12 months. From 1 April 2004, waiting times will further reduce to a maximum waiting time for a first outpatient appointment of 16 weeks. The maximum waiting time for an inpatient appointment will be cut from 12 months to nine months.

These maximum waiting times will fall on a staged basis each year to three months (for outpatients) and six months (for inpatients) by 2005. The Government aims to reduce the maximum wait for any stage of treatment to three months by 2008 (subject to recruitment and reform).

Minor Operations

Mr. Goodman: To ask the Secretary of State for Health what plans he has to set up units to carry out minor operations in Buckinghamshire. [140003]

Ms Rosie Winterton: I have no plans to set up units to carry out minor operations in Buckinghamshire. It is our policy, within the framework set out in the NHS Plan and the 'Shifting the Balance of Power' initiative, to devolve funding decisions to the front line. It is now for primary care trusts, in partnership with strategic health authorities and other local stakeholders, to determine how best to use their funds to meet national and local priorities for improving health, tackling health inequalities and modernising services. They are in the best position to do this because of the specialist knowledge they have of the local community.

I am informed by Thames Valley SHA that the development of out of hours arrangements in Buckinghamshire will include emergency minor injury work across the area. Current development of general practitioners with special interests in ear, nose and throat, orthopaedics and plastics will work in the community undertaking minor operations/injuries.

Mr. Goodman: To ask the Secretary of State for Health how many units to carry out minor operations have been set up in Buckinghamshire since 1997. [140004]

Ms Rosie Winterton: This information is not collected centrally.

Mothers' Milk

Norman Baker: To ask the Secretary of State for Health what information his Department collects on trends in respect of the presence of *(a)* brominated flame retardants and *(b)* phthalates in mothers' milk; and if he will make a statement. [139213]

Miss Melanie Johnson: I am advised by the Food Standards Agency that the Government has no current representative data on the levels of brominated flame retardants or phthalates in human breast milk.

MRSA

Dr. Kumar: To ask the Secretary of State for Health how many cases of MRSA in hospitals have been reported in each of the last five years; in which areas; and if he will make a statement on action his Department is taking to address MRSA. [139401]

Miss Melanie Johnson: These data are not collected centrally. The national mandatory surveillance system for methicillin resistant Staphylococcus aureus (MRSA) blood stream infections (bacteraemias), started in April 2001. Information from this is published in the Communicable Disease Report Weekly and is available at http://www.hpa.org.uk/cdr/PDFfiles/2002/cdr2502.pdf and http://www.hpa.org.uk/cdr/PDFfiles/2003/cdr2503.pdf

The Chief Medical Officer's long-term strategy to prevent and reduce healthcare associated infections in the national health service, announced earlier this year, will set out actions to control all health care associated infections, including MRSA. This builds on our current programme of work and will be published shortly.

National Adoption Register

Mr. Bercow: To ask the Secretary of State for Health (1) what performance target was set for placements resulting from the National Adoption Register; [117271]

(2) how many children have been placed with new families as a result of the introduction of the National Adoption Register; [117272]

(3) what has been the total expenditure by his Department on the National Adoption Register since August 2001. [117273]

Margaret Hodge: I have been asked to reply.

No performance targets were set for the Adoption Register for England and Wales. It is expected that the Register will help us achieve our target to increase the number of adoptions from care by 50 per cent. by 2006. We have already increased adoptions by 25 per cent. and are on course to meet our target. Given the complexities governing the placement of children with adoptive families, we did not feel it would be appropriate to set a target for the Register. Our aim of course is to provide children with placements that meet their assessed needs. The needs of the children must be paramount in the process and it is vital that the Register provides viable links for suitable families who may be able to deal with the children's often very complex needs.

In just one year the Register has become an established part of the adoption process with a national co-ordinating role. The register has generated 1,250 viable links across England and Wales that were agreed as worth exploring in detail by adoption agencies. At the end of October there had been 48 matches made between children and families. This means that there are 48 children who have found families as a result of links generated by the Register.

The Register is being operated by Norwood under a three year contract with the Department of Health and National Assembly for Wales at a total cost of £633,333 plus VAT per annum. The current contract is due to end in August 2004. We will be reviewing the impact of the Register on the delivery of adoption services over the coming months.

NHS Catering Services

Mr. Burstow: To ask the Secretary of State for Health if he will list the central contracts to provide catering services for the NHS. [138184]

Mr. Hutton: There is no central contract for the national health service for catering services, due to the diversity of requirements throughout the NHS. In December 2003, the NHS Purchasing and Supply Agency is due to release a procurement guide for catering services that will include information on the catering services market and suppliers, and will give advice on the different types of service available to national health service trusts. This guide will be available from Corporate Affairs, NHS Purchasing and Supply Agency, 80 Lightfoot Street, Chester CH2 3AD.

NHS Estate

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 3 November 2003, *Official Report*, column 520W, on the NHS Estate, what information he collates on the definition of patient-occupied floor space. [138193]

Mr. Hutton: Information is collected from national health service trusts on the gross internal floor area of all hospital departments which provide patient care and where patients are exposed to risk and the percentage of it (if any) that is not compliant with statutory health and safety and fire safety requirements.

NHS Expenditure

Gareth Thomas: To ask the Secretary of State for Health how much capital expenditure there has been in the NHS in England in each of the last five years; and how much of that spending was attributable to private finance initiative projects. [137091]

Mr. Hutton *[holding answer 10 November 2003]:* The information requested is shown in the table.

NHS capital expenditure, England, for period 1999–2000 to 2003–04

£ million

	1999–2000	*2000–01*	*2001–02*	*2002–03 (estimated)*	*2003–04 (planned)*
Net NHS capital expenditure	908	1,246	1,778	[1]2,083 [2]2,221	2,821
PFI investment	362	598	548	479	624
Total	1,270	1,844	2,326	4,783	3,445
PFI as percentage of total	28.5	32.4	23.6	10.0	18.1

[1] Expenditure figures from 1999–2000 to 2002–03 are on a Stage 1 Resource Budgeting basis (and consistent with figures in table 3.3a of Departmental Report 2003).
[2] Expenditure figures from 2002–03 to 2007–08 are on a Stage 2 Resource Budgeting basis.
[3] The Resource Budgeting Stage 2 expenditure figures shown for 2002–03 to 2003–04 are the spending plans announced by the Chancellor in his 2002 Budget. They exclude subsequent additions in 2003–04 from the Treasury Capital Modernisation Fund (TCMF).

Dr. Jack Cunningham: To ask the Secretary of State for Health what per capita expenditure was on the NHS in *(a)* England and *(b)* Cumbria in *(i)* 1997–98 and (ii) 2002–03; what projections he has made for future years; and if he will make a statement. [138469]

Mr. Hutton *[holding answer 17 November 2003]:* The information requested is shown in the tables.

Total net NHS expenditure per head of population for 1997–98 and for the period 2002–03 to 2007–08 in England.

	1997–98 £	*2002–03* £	*2003–04* £	*2004–05* £	*2005–06* £	*2006–07* £	*2007–08* £
Expenditure per head	710	1,130	1,240	1,360	1,490	1,640	1,800

1. For 1997–98 figures are on a cash basis, whereas figures for the period 2002–03 to 2007–08 are on a stage 2 Resource Budgeting basis. As a result, figures are not

comparable across the period.

2. Figures are calculated using the latest population projections provided by ONS.

3. Figures are rounded to the nearest 10.

Total NHS Expenditure per weighted head of population for 1997–98 and 2002–03 for the area covered by Cumbria and Lancashire Health Authority.

Cumbria[1,2]	*1997–98* £	*2002–03* £
Expenditure per head	600[3,5]	1,170[4,6,7]

Sources:

1. Assumed to be the area covered by East Lancashire, Morecambe Bay, North Cumbria,

North West Lancashire, and South Lancashire Health Authorities in 1997–1998.

2. Assumed to be the area covered Cumbria and Lancashire Strategic Health Authority

2002–2003.

3. *Source:* Audited annual accounts of the East Lancashire, Morecambe Bay, North

Cumbria, North West Lancashire, and South Lancashire Health Authorities for 1997-

1998.

4. *Source:* Audited summarisation forms of the Cumbria and Lancashire Strategic Health Authority and Audited summarisation schedules of the Blackburn with Darwen, Blackpool, Burnley Pendle and Rossendale, Carlisle and District, Chorley and South Ribble, Eden Valley, Fylde, Hyndburn and Ribble Valley, Morecambe Bay, Preston, West Cumbria, West Lancashire, and Wyre Primary Care Trusts for 2002–2003.

5. Health authority weighted population figures for 1997–1998.

6. Strategic health authority weighted population figures for 2002–2003.

7. 2002–2003 data remains provisional

8. Figures are rounded to the nearest 10

9. Expenditure figures for the period 2003–04 to 2007–08 are not yet available.

The England expenditure per head of population figures are not directly comparable with the figures for Cumbria as they include different elements of expenditure.

NHS Live 2004

Tim Loughton: To ask the Secretary of State for Health if he will make a statement on plans for the NHS Live 2004 event; what the budget for the event is; and who is responsible for organising the event; [138488]

Mr. Oaten: To ask the Secretary of State for Health what the projected costs of the NHS Live event are; and if he will make a statement. [139246]

Mr. Hutton: NHS Live is a long-term programme of action, designed to accelerate the pace of change and improvement throughout the National Health Service and social care. It will involve patients at every stage of its development and will actively embrace an ever increasing number of staff in delivering a patient centred service offering greater choice.

In addition, the NHS Live programme will be closely linked to the three year planning process starting in October 2004.

With the full support of senior teams throughout the Service, NHS Live is the first programme of its type to engage staff across the NHS and social care.

The annual focal point will be an event and tradeshow. The first will be held at ExCeL, in the London Docklands between 5–7 July 2004. It will reflect on the changes and challenges of the past, learn from them and push forward healthcare improvement.

The final budget for NHS Live, which has not been finalised yet, will match the amount generated through sponsorship and exhibition revenue.

NHS Live will be managed by officials on behalf of the Department's board. In common with other major Department of Health events, external suppliers will be appointed as necessary.

NHS Performance Indicators

Mr. Norman: To ask the Secretary of State for Health how many NHS performance indicators have been set in each of the last eight years. [138672]

Mr. Hutton: The published indicators that have provided an assessment of national health service performance are shown in the table.

Period covered/title	*Number of indicators*	*When published*
2002–03		
NHS performance ratings,		
Primary care trusts	46	July 2003
Mental health trusts	30	July 2003
Learning disabiiity trusts	17	July 2003
NHS performance ratings:		
Acute trusts, Specialist trusts	45	July 2003
Ambulance trusts	13	July 2003
2001–02		
NHS performance indicators:		
Primary Care organisations	21	July 2002
NHS performance ratings:		
Acute trusts, Specialist trusts	29	July 2002
Ambulance trusts	10	July 2002
Mental health trusts	16	July 2002
2000–01		
NHS performance ratings:		
Acute NHS hospital trusts	21	September 2001
1997–2002		
NHS performance indicators:		
Health Authorities	51	February 2002
1999–2001		
NHS performance indicators:		
Acute NHS hospital trusts	28	February 2002
1996–99		
Quality and Performance in the NHS:		
NHS performance indicators	49	July 2000
1995–99		
Quality and Performance in the NHS:		
High level performance indicators	41	June 1999
1996–97		
The NHS Performance National Guide	19	July 1997

Period covered/title	Number of indicators	When published
1995–96		
The NHS Performance National Guide	19	June 1996
1994–95		
The NHS Performance National Guide	19	June 1995

NHS Reorganisation

Mr. Gordon Prentice: To ask the Secretary of State for Health (1) if he will list occasions when NHS trusts and their predecessor NHS bodies spent money on publicising the benefits of an anticipated reorganisation of the NHS in advance of the necessary legislation being enacted; and if he will make a statement; [137504]

(2) what the cost was of each reorganisation of the NHS since 1977. [137564]

Mr. Hutton: Detailed information on the costs, including publicity costs, of reorganisations in the national health service since 1977 is not collected centrally. Any resultant savings at the local level are put toward patient care.

National Institute for Clinical Excellence

Mrs. Iris Robinson: To ask the Secretary of State for Health if he will make a statement on *(a)* where responsibility for implementing National Institute for Clinical Excellence guidelines lies and *(b)* recent performance in implementation. [138986]

Ms Rosie Winterton: National Institute for Clinical Excellence (NICE) clinical guidelines are prepared for the guidance of national health service clinical staff and their employing bodies, who are responsible for their implementation. NICE has published seven major clinical guidelines, beginning in December 2002. At this early stage we have made no formal assessment of progress towards implementation.

NM Rothschild and Sons Ltd.

Kevin Brennan: To ask the Secretary of State for Health if he will make a statement on services provided to his Department by NM Rothschild and Sons Ltd. since 1977. [139968]

Ms Rosie Winterton: The financial records of the Department do not show any services being provided to the Department of Health by NM Rothchild and Sons Ltd.

Nurses

Mr. Flook: To ask the Secretary of State for Health how many *(a)* hospital and *(b)* community full-time equivalent nurses were employed by (i) Taunton and Somerset NHS Hospital Trust and (ii) Taunton Deane Primary Care Trust in each year since 1997. [137379]

Ms Rosie Winterton: The number of hospital and community full-time equivalent nurses employed by the Taunton and Somerset National Health Service Hospital Trust and Taunton Deane Primary Care Trust are shown in the table as well as the number in Somerset Coast PCT and Mendip PCT.

Qualified NHS nursing, midwifery and health visiting staff, by hospital and community-based, in the specified organisations as at 30 September each year

Whole-time equivalent

	All qualified nursing staff	Community	Hospital
Taunton and Somerset NHS Trust			
2002	879	5	874
2001	975	74	901
2000	1,107	164	943
1999	1,090	167	923
1998	1,034	155	879
1997	1,056	144	912
Taunton Deane PCT			
2002	85	48	37
2001	[1]	[1]	[1]
2000	[1]	[1]	[1]
1999	[1]	[1]	[1]
1998	[1]	[1]	[1]
1997	[1]	[1]	[1]
Somerset Coast PCT			
2002	184	92	92
2001	181	96	85
2000	[1]	[1]	[1]
1999	[1]	[1]	[1]
1998	[1]	[1]	[1]
1997	[1]	[1]	[1]
Mendip PCT			
2002	139	42	97
2001	132	35	97
2000	[1]	[1]	[1]
1999	[1]	[1]	[1]
1998	[1]	[1]	[1]
1997	[1]	[1]	[1]

[1] Not applicable.

Notes:

1. Figures are rounded to the nearest whole number.
2. Maternity nurse figures have been included within Hospital as they cannot be separately identified between Community and Hospital.
3. In 2001 Taunton and Somerset NHS Trust transferred staff to Somerset Coast PCT and Mendip PCT.
4. In 2002 Taunton and Somerset NHS Trust transferred further staff to Taunton Deane PCT.

Dr. Cable: To ask the Secretary of State for Health how much the National Health Service spent on hiring agency nursing staff in the last 12 months; and if he will make a statement. [136871]

Mr. Hutton: Provisional figures for 2002–03 are shown in the table.

Expenditure on Agency Nurses in England—2002–2003

Agency nursing staff	£
National Health Service Trusts	553,065,986
Strategic Health Authorities	21,579
Primary Care Trust	73,685,708
Total	626,773,273

Mr. Burstow: To ask the Secretary of State for Health how many *(a)* district nurses and *(b)* health visitors there were by (i) headcount and (ii) whole-time equivalent in (A) England and (B) each region in each of the last six years. [138351]

Mr. Hutton: District nurses and health visitors are part of the qualified community nursing workforce. Between 1997 and 2002, the qualified community nursing workforce has increased by 17 per cent. Information on the community nursing workforce is shown in the table by national health service regional office area between 1997 and 2001 and by Government offices for the regions and strategic health authority area in 2002.

Olympus Optical Co. (UK) Ltd

Mr. Burns: To ask the Secretary of State for Health if he will meet the hon. Member for West Chelmsford and a representative of Olympus Optical Co (UK) Ltd, a constituent. [139997]

Mr. Hutton: I will write to the hon. Member as soon as possible, and place a copy of the letter in the Library.

Paddington Health Campus

Mr. Randall: To ask the Secretary of State for Health what the estimated patient capacity is of the proposed Paddington Health Campus; and how much that has increased from the estimate in 2000. [131866]

Mr. Hutton: The Paddington Health Campus will have provision for 1088 inpatient beds. This is an increase of 80 beds in comparison with the current total for equivalent services at St Mary's and the Royal Brompton and Harefield National Health Service Trusts. The original forecast projected bed numbers was approximately 1,000. The campus that is now planned is 20 per cent. larger in size and will treat a higher number of acutely ill patients.

Mr. Randall: To ask the Secretary of State for Health if he will place a copy of the contract between the Paddington Health Campus project and Christow in the Library. [132572]

Mr. Hutton: Christow, a public relations consultancy, has been appointed on an interim basis, pending selection of permanent communications advisers via formal procurement. An advertisement was sent to the *Official Journal* of the European Union on 10 October 2003.

It is normal practice for such contracts to be commercially confidential, as releasing this information would entail disclosing a third party's commercial confidence. Exemption 13 of the Open Government Code of Practice therefore applies.

Painkillers

John Mann: To ask the Secretary of State for Health how many painkillers available over the counter contain codeine phosphate. [140053]

Ms Rosie Winterton: I refer the hon. Member to the response I gave him on 18 November 2003.

Parliamentary Questions

Mr. Clifton-Brown: To ask the Secretary of State for Health when he will answer the Question from the hon. Member for Cotswold tabled on 22 October, ref.134548. [140015]

Ms Rosie Winterton: I replied to the hon. Member's question on Wednesday 19 November.

Patient Advice and Liaison Services

Mr. Colman: To ask the Secretary of State for Health how many NHS trusts and primary care trusts in England have functioning patient advice and liaison services. [140085]

Ms Rosie Winterton: The Department does not collect data on the number of patient advice and liaison services (PALS). Strategic health authorities (SHAs) are responsible for monitoring the implementation of PALS and in February 2003 they reported to the Department that 98 per cent. of NHS trusts and primary care trusts (PCTs) had an active PALS. In responding to the recent Health Select Committee Public Expenditure Inquiry in October 2003, the SHAs established that, of the 15 NHS trusts and PCTs that did not have an active PALS at the time of the February report, 14 now have a PALS in place. The remaining trust currently provides a limited service, which is expected to be fully operational by December 2003.

Mr. Burstow: To ask the Secretary of State for Health if he will set out the Department's definition of an active Patient Advice and Liaison Service. [140105]

Ms Rosie Winterton: An active Patient Advice and Liaison Service (PALS) is a service identified by its trust as working to deliver the published core PALS service standards.

NHS trusts and primary care trusts are responsible for establishing PALS that deliver the core PALS service standards published by the Department. Trusts are responsible for deciding how to deliver the service in a way that responds to local needs and strategic health authorities monitor trust performance against those standards.

Mr. Burstow: To ask the Secretary of State for Health if he will *(a)* collate and *(b)* publish information on the implementation of patient advice and liaison service, including (i) the percentage of NHS trusts and primary care trusts that have an active PALS and (ii) monitoring of the national PALS standards. [140113]

Ms Rosie Winterton: The Department does not collect data on the number of patient advice and liaison services (PALS). Strategic health authorities (SHAs) are responsible for monitoring the implementation of PALS and in February 2003 they reported to the Department that 98 per cent. of NHS trusts and primary care trusts (PCTs) had an active PALS. In responding to the recent Health Select Committee Public Expenditure Inquiry in October 2003, the SHAs established that, of the 15 NHS trusts and PCTs that did not have an active PALS at the time of the February report, 14 now have a PALS in place. The remaining trust currently provides a limited service, which is expected to be fully operational by December 2003.

SHAs are responsible for monitoring trust performance against the published standards. The Department published the core PALS service standards in January 2002 ("Supporting the implementation of patient advice and liaison services: A resource pack"). These were reviewed and revised in July 2003.

Patient Surveys

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 17 July 2003, Official *Report*, column 631W, to the hon. Member for Oxford West and Abingdon (Dr. Harris), on patient surveys, if he will place a copy of the analysis commissioned by his Department in the Library. [138350]

Miss Melanie Johnson: Following publication of the National Cancer Patient Survey in July 2002, the Department of Health commissioned a further analysis of the data to inform the development of future surveys. This was an exploratory piece of work to see if there were any inter-dependencies that might affect the patient experience. The output will not be a formal report but rather a series of detailed statistical tables. These will be made available to the Commission for Health Improvement, which has taken over responsibility for the national patient survey programme.

Patients' Forums

Mr. Colman: To ask the Secretary of State for Health if he will introduce legislation to rename patients' forums as patient and public involvement forums. [140083]

Ms Rosie Winterton: No. The Commission for Patient and Public Involvement in Health decided to re-brand patients' forums as patient and public involvement forums to help the public understand their roles. There is no statutory bar to their doing this.

Mr. Burstow: To ask the Secretary of State for Health if he will estimate the *(a)* number and *(b)* rate of vacancies within patients' forums on the latest date for which figures are available; and if he will make a statement on progress to meet the minimum number of staff in each patients' forum. [139863]

Ms Rosie Winterton: As at 19 November 2003 the Commission for Patient and Public Involvement in Health (CPPIH) had received 4,254 applications from people to fill the 4,018 patients' forum places available for 1 December 2003. This is the total for the minimum number of seven members needed for all 574 forums in England. Inevitably some forums have attracted greater interest than others. However, CPPIH is still recruiting and applications are being received throughout the country on a daily basis.

Patients' forums cannot employ staff because they are unincorporated organisations. However arrangements have been in place since September for each patients' forum to receive staff support from local network providers.

Physiotherapy

Mrs. Iris Robinson: To ask the Secretary of State for Health whether there are restrictions on the number of domiciliary visits by physiotherapists to individual patients. [138993]

Mr. Hutton: There are no centrally imposed restrictions in England.

Private Diagnostic and Treatment Centres

Mr. Dobson: To ask the Secretary of State for Health if he will place in the Library correspondence between his Department's officials and the Oxford Strategic Health Authority about private diagnostic and treatment centres. [131909]

Mr. Hutton: The procurement of independent sector treatment centres is being managed under strict Official Journal of the European Commission process. Contracts are not yet at financial close and therefore the correspondence with Thames Valley Strategic Health Authority is commercial in confidence and its release would have an impact on the next stage of negotiation.

Private Finance Initiative

Chris Grayling: To ask the Secretary of State for Health if he will list NHS PFI projects valued at more than £50 million for which approval has been granted by the Department; what the projected cost is of each of these projects; what net impact each project will have on the cost base of the NHS trusts involved; and what the projected completion date is for each project. [136893]

Mr. Hutton: Information on private finance initiative (PFI) schemes which have been given approval with their capital value; the revenue consequences of schemes that have signed contracts; and the projected completion dates for those who have yet to reach financial close have been placed in the Library. It is not possible to include details of the unitary payments for schemes yet to reach financial close as they are not finalised and are commercially sensitive.

Nor is it possible to give the net impact on the cost base of the National Health Service trusts without examining all the individual business cases and thereby incurring disproportionate costs.

For schemes which have not reached financial close, that is still in development, the capital cost is estimated based on highest costed option.

Prostate Health

Mr. Baron: To ask the Secretary of State for Health what steps the Government is taking to raise public awareness about the prostate and its functions. [138994]

Miss Melanie Johnson *[holding answer 17 November 2003]:* The Department wants men to know what their prostate gland is, what is does and what can go wrong with it. However, it is important not to scare men. We therefore need to raise awareness in a responsible way.

The Prostate Cancer Advisory Group has formed a sub-group to take forward work on information for the general public and public awareness of prostate cancer. General prostate health awareness is likely to form part of this work.

In addition the Department has provided funding for the following public awareness projects:

Prostate Cancer Charity—increasing the information available about prostate cancer

Prostate Cancer Charity—improving awareness of the risks and symptoms of prostate cancer in African and Afro-Caribbean men in Britain

The Database of Individual Patient Experiences in prostate cancer.

Rickets

Dr. Tonge: To ask the Secretary of State for Health what assessment he has made of the incidence of rickets in children. [136216]

Dr. Ladyman: Hospital episode statistics indicate that the incidence of rickets in children is very uncommon, as the table shows.

Primary diagnosis (ICD-10 E55.0) vitamin D deficiency—Rickets, active[1]

	Count
Age on admission 0–17 years—count of finished admission episodes NHS hospitals, England 2001–02	57

[1] Excludes—Rickets: coeliac,
Crohn's,
inactive,
renal,
vitamin D resistant.

Notes:
1. Admissions—Admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.
2. Diagnosis (Primary Diagnosis)—The primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the Hospital Episode Statistics (HES) data set and provides the main reason why the patient was in hospital.
3. Grossing— Figures have not (yet) been adjusted for shortfalls in data (ie the data are ungrossed).

Source:
Hospital Episode Statistics (HES), Department of Health.

Safety Incidents

Mr. Burstow: To ask the Secretary of State for Health if he will publish the latest statistics on safety incidents within the NHS from the National Reporting and Learning System, including regional breakdown. [139241]

Mr. Hutton: The National Reporting and Learning System for adverse events is being developed by the National Patient Safety Agency (NPSA) and it will be implemented across the National Health Service in England and Wales by December 2004. Once the system is established, statistics will be published by the NPSA on a regular basis.

The NPSA published a report on the data collected as part of a pilot for the new system on 8 May 2003. This report is available as part of the NPSA's 2003–04 business plan at http://www.npsa.nhs.uk. The NPSA also plans to publish a report on information collected during a further testing and development phase early in 2004, once analysis of the figures is completed.

Sandwich Contract

Mr. Burstow: To ask the Secretary of State for Health if he will publish the tender for the public private partnership contract to provide sandwiches for the NHS; and if he will make a statement. [138183]

Mr. Hutton: The national health service contract for sandwiches was not a public private partnership. After a joint exercise by the NHS Purchasing and Supply Agency and the Office of Government Commerce buying solutions, the NHS contract was extended to all public sector contracting authorities from 1 August 2003. Copies of the tender document are available from Corporate Affairs, NHS Purchasing and Supply Agency, 80 Lightfoot Street, Chester CH2 3AD.

Smog

Norman Baker: To ask the Secretary of State for Health if he will estimate the *(a)* mortality and *(b)* morbidity caused by smog (i) in England and (ii) broken down by local authority area in each year (A) since 1997 and (B) to 2006. [139186]

Miss Melanie Johnson: Estimates of numbers of deaths brought forward and respiratory hospital admissions associated with air pollution in England for certain years between 1997 and 2002 are shown in the table. These are based on the methodology published in the 1998 report by the Department's Committee on the Medical Effects of Air Pollutants—"Quantification of the Effects of Air Pollution on Health in the United Kingdom"—updated for more recent pollution levels. A projection to 2005 is also given.

Heaths effects of air pollutants in England (deaths brought forward and respiratory hospital admissions)

Year	Particles (PM^{10}) deaths brought forward	Particles (PM^{10}) respiratory admissions	Sulphur dioxide deaths brought forward	Sulphur dioxide respiratory admissions	Nitrogen dioxide respiratory admissions[2]
1997	7,000	6,900			8,300
1998	6,500	6,300	1,700	1,300	7,400
1999	6,200	6,100			7,100
2001	5,900	5,800	1,100	800	6,400
2002	5,600	5,500			5,200
2005[1]	5,[illegible]00	5,300	800	600	4,800

Notes:

[1] Projections based on current policies.

[2] More uncertain—figures rounded to the nearest 100.

Estimates exclude effects of particles on cardiovascular admissions and effects on life expectancy as a result of long term exposure to particles. It is unclear whether the results for different pollutants can be added together.

Estimates for deaths brought forward and respiratory hospital admissions for ozone are not available for the requested time period.

Estimates are not available by local authority area. The uncertainties will increase when estimates are based on smaller areas.

Social Care Director

Mr. Burstow: To ask the Secretary of State for Health for (1) what reasons the Department's Social Care Director is not a member of the Department's Board; [139142]

(2) what *(a)* accountabilities and *(b)* reporting lines the Social Care Director will have in respect of staff in the Department of (i) Health and (ii) Education and Skills. [139143]

Dr. Ladyman: The national director for social care at the Department of Health will be accountable for strengthening the relationships the Department has with social care in local government and elsewhere and for ensuring that all policy development in the Department starts by thinking about the whole health and social care system.

The national director will report to the director of strategy, a member of the Department's management board. All board members will have responsibilities for aspects of social care, through the teams they manage. No other national director is a board member. The national director will work closely with the Department for Education and Skills and other Government Departments but will be accountable only to the Department for Health.

Social Services (Somerset)

Mr Liddell-Grainger: To ask the Secretary of State for Health what the total cost to Somerset Social Services for children in care was in each year since 1999–2000. [136552]

Margaret Hodge: The gross expenditure on children looked after as reported by Somerset is as follows:

Year	*Expenditure £*
1999–2000	7,031,000
2000–2001	7,125,000
2001–2002	6,946,000

2001–02 is the latest year available.

St. George's Hospital

Mr. Liddell-Grainger: To ask the Secretary of State for Health how many public service agreement targets St. George's Hospital, London has. [139040]

Mr. Hutton: Local public service agreements are voluntary agreements between central Government and a council to deliver better services for local people. Wandsworth council, the local council in the area in which St. George's Hospital is based, is currently in the process of agreeing its local public service agreements targets.

Mr. Liddell-Grainger: To ask the Secretary of State for Health what help St. George's Hospital, London will be given to achieve waiting list targets. [139042]

Mr. Hutton: St. George's Healthcare National Health Service trust expects to achieve the waiting list targets for the year ending 2003–04. I am informed that the NHS Modernisation Agency has been invited by the trust to help develop improved waiting list management systems and a more efficient service for patients. The trust has also participated in the London patients' choice initiative; and has been awarded funds to support "Action On" projects in urology and plastics.

Mr. Liddell-Grainger: To ask the Secretary of State for Health what the average waiting list times for St. George's Hospital, London were in *(a)* 1998–99, *(b)* 1999–2000 and *(c)* 2001–02. [139047]

Mr. Hutton: Information on median waiting times for St. George's Healthcare National Health Service Trust is shown in the following table.

Average waiting times for elective inpatient admission at St. George's Healthcare NHS Trust

Year ending	*Median waiting times (months)*
March 1999	2.74
March 2000	2.95
March 2002	3.05

Source:
Department of Health form KH07.

The figures shown are estimates based on aggregate data, categorised into waiting time bands, and do not reflect shifts in the waiting time profiles within these bands, only between bands. The median is not very sensitive to reductions in maximum waiting times, and it is possible to see a rise in the median, while reducing maximum waiting times because of shifts in low time bands. Short-term progress on delivering maximum waiting times (including in-year tail-gunning) will not necessarily translate into a reduction in the median waiting time. Our policy, therefore, is to focus attention on the number of patients waiting the longest, and in each waiting time band.

Staff Exclusions

Mr. Jim Cunningham: To ask the Secretary of State for Health what assessment he has made of possible savings to the NHS if all staff exclusions were dealt with in six months. [140007]

Mr. Hutton: The National Audit Office in its report "The Management of Suspensions of Clinical Staff in NHS Hospital and Ambulance Trusts in England" has made an assessment of the possible savings.

Mr. Jim Cunningham: To ask the Secretary of State for Health what steps his Department is taking to respond to findings by the National Audit Office on staff exclusions, with particular reference to *(a)* practice by trusts in following procedural guidelines, *(b)* the provision of cost information and *(c)* the use of confidentiality clauses in settlements. [140009]

Mr. Hutton: We are currently considering how the findings of the National Audit Office (NAO) report relate to the new framework for exclusion, which we are discussing with the British Medical Association. The NAO report will be discussed at a Public Accounts Committee hearing in the New Year, and the Government will respond formally to any recommendations that the committee decides to make.

Mr. Jim Cunningham: To ask the Secretary of State for Health what steps his Department is taking to ensure that trusts *(a)* support excluded clinical staff and *(b)* enable them to continue their professional development. [140017]

Mr. Hutton: We are discussing with the British Medical Association a new framework for exclusions, including the provision of support: mechanisms for those staff subject to exclusion.

Staff:Patient Ratios

Mr. Rosindell: To ask the Secretary of State for Health what the staff to patient ratio in the NHS hospitals in Havering is. [137331]

Mr. Hutton: Figures on staff to patient ratios are not collected centrally. Information on the number of staff and activity at Barking, Havering and Redbridge National Health Service Trust is shown in the tables.

Hospital, Public Health Medicine, Community Health Services (HCHS) and General and Personal Medical Services: All NHS staff by organisation—as at 30 September 2002

Barking, Havering and Redbridge Hospitals NHS Trust RF4	*Numbers (headcount)*
All NHS staff[1]	6,113
Medical and dental staff[1]	538
Non-medical staff[2]	5,575
GPs[3]	[4]—

[1] Data excludes medical Hospital Practitioners and medical Clinical Assistants, most of whom are also GPs working part time in hospitals.

[2] Figures for London based on the Strategic Health Authority Areas Q04 North West London SHA, Q05 North Central London SHA, Q06 North East London SHA, Q07.
South East London SHA, Q08 South West London SHA, and RRU the London Ambulance Service NHS Trust.

[3] All Practitioners include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para. 52 SFA), PMS Other and GP Retainers.

[4] Not available

Sources:
Department of Health Medical and Dental Workforce Census.
Department of Health Non-medical Workforce Census.
Department of Health General and Personal Medical Services Statistics.

Department of Health (England), Hospital Episode Statistics—2001–02[1]

Hospital providers	*Admissions*
RF4 Barking, Havering and Redbridge Hospitals NHS Trust	101,292

[1] Ungrossed data

Notes:
1. Admissions—Admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.
2. Grossing—Figures have not (yet) been adjusted for shortfalls in data (ie the data are ungrossed).

Source:
Hospital Episode Statistics (HES), Department of Health

Non-admitted patient attendances, Barking Havering and Redbridge Hospitals NHS Trust

Type of attendance	*2001–02*	*2002–03*
Accident and Emergency		
First	175,262	171,121
Total	184,028	185,578
Out-patient		
First	126,535	126,833
Total	430,026	415,326
To ward for treatment by nurses: total	16,961	16,072
Imaging and radiodiagnostic examinations/tests: total	389,597	394,630
NHS day care facilities: total	3,430	3,044

Notes:
1. Both first attendances and total attendances have been included where available. Total figures include subsequent attendances where the same patient has returned for further treatment.
2. A patient can also have more than one first attendance if they are receiving treatment for different conditions.

Source:
Department of Health dataset KH09, KH05, KH12, KH14.

Television Sets (NHS)

Norman Baker: To ask the Secretary of State for Health how many television sets there were in hospitals in each of the last five years in England; and what proportion operated with stand-by units. [139195]

Mr. Hutton: This information is not collected centrally.

Norman Baker: To ask the Secretary of State for Health what his policy is on the use of televisions with stand-by units within NHS premises. [139196]

Mr. Hutton: Televisions are in use throughout National Health Service premises. The vast majority of modern stand-alone televisions in use will have stand-by units incorporated within the sets.

Waiting Times

Mr. Wilkinson: To ask the Secretary of State for Health if he will list the average waiting times for cleft lip and palate surgery for children in Greater London in each year since 2000. [136067]

Mr. Hutton *[holding answer issued 6 November 2003]*: The information requested is shown in the table.

Main Operation (OPCS4 F03, F29) Correction of Deformity of Lip or Palate

London Regional Office of Residence

Age on Admission 0–17 years

Count of Finished In year Admission Episodes (Waiting List and Booked Cases) and Average Time Waited

NHS Hospitals, 2000–01 and 2001–02

	2000–01		2001–02	
Main Operation	*Admissions*	*Mean Time waited (days)*	*Admissions*	*Mean Time waited (days)*
FO3 Correction of Deformity of Lip	60	70.6	81	79.1
F29 Correction of Deformity of Palate	66	77.1	56	88.6
Overall Figures	126	74.0	137	83.0

Notes:

Admissions

Admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.

Grossing

Figures are grossed for both coverage and missing/invalid clinical data, except for 2001–02 which is not yet adjusted for shortfalls.

Main Operation

The main operation is the first recorded operation in the HES data set, and is usually the most resource intensive procedure performed during the episode. It is appropriate to use main operation when looking at admission details, e.g. Time Waited, but the figures for "all operations count of episodes" give a more complete count of episodes with operations.

Time Waited

Time waited statistics from Hospital Episode Statistics (HES) are not the same as the published waiting list statistics. HES provides counts and time waited for all patients admitted to hospital within a given period whereas the published waiting list statistics count those waiting for treatment on a specific date and how long they have been on the waiting list. Also, HES calculates the time waited as the difference between the admission and decision to admit dates. Unlike published waiting list statistics, this is not adjusted for self-deferrals or periods of medical/social suspension.

Source:

Hospital Episode Statistics (HES), Department of Health.

Ward Housekeepers

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer to the hon. Member for Oxford, West and Abingdon (Dr. Harris) of 14 October 2003, *Official Report*, column 43W, on ward housekeepers, if he will list the hospitals *(a)* which have already begun to introduce ward housekeeping services and *(b)* which have yet to begin to introduce this service. [138195]

Mr. Hutton: The latest available information has been placed in the Library.

Website

John Barrett: To ask the Secretary of State for Health what recent assessment he has made of the content and design of his Department's website. [139338]

Ms Rosie Winterton: A programme of research among users of the Department's website was undertaken in Autumn 2001. The objective was to inform changes to the site design, notably to the home page and top-level section pages, which were implemented during 2002. These re-designs were supported by usability testing (observing users carrying out specified tasks). Tracking research was conducted late in 2002 to assess progress and further inform future development.

In November 2002 the Department began working with the Office of the e-Envoy to migrate the Department's website to the new Central Government Infrastructure. As part of this process and based on the findings of the user research exercises and feedback from website users, all content was reviewed. The Department is now in the process of implementing major improvements which will address the key needs of site users, namely the site structure, more targeted quality content, improved searching, consistency of design and branding, improved navigation and meeting accessibility standards for users with disabilities. The new website will go live at the end of 2003.

TRADE AND INDUSTRY

Post Office Card Accounts

Miss McIntosh: To ask the Secretary of State for Trade and Industry what proportion of Post Office card account applications were started but not completed in each of the last three years. [140098]

Mr. Timms: These are matters that fall within the day-to-day responsibility of Post Office Ltd and I have therefore asked the Chief Executive to reply direct to the hon. Member.

Mr. Webb: To ask the Secretary of State for Trade and Industry on how many occasions the handbook for postmasters operating the Post Office Card Account has been changed since the start of financial year 2003–04; and if she will list, for each update, the principal changes incorporated. [139885]

Mr. Timms: These are matters that fall within the day-to-day responsibility of Post Office Ltd. and I have therefore asked the Chief Executive to reply direct to the hon. Member.

Breast Feeding

Mr. Kidney: To ask the Secretary of State for Trade and Industry what measures she plans to take to allow employees to take work breaks for breastfeeding. [135502]

Ms Hewitt: I have not been able to answer this Question before Prorogation. I will write to my hon. Friend and place a copy in the Libraries of the House.

Broadband

John Thurso: To ask the Secretary of State for Trade and Industry what sums have been paid to *(a)* BT and *(b)* NTL to assist in the roll out of broadband services, broken down by *(a)* year and *(b)* region. [138896]

Mr. Timms: I have not been able to answer this question before Prorogation. I will write to the hon. Member and place a copy in the Libraries of the House.

Business Support Schemes

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on her plans for business support schemes. [137423]

Ms Hewitt: I have not been able to answer this question before Prorogation. I will write to the hon. Member and place a copy in the Libraries of the House.

CERN Project

Mr. Page: To ask the Secretary of State for Trade and Industry what percentage of UK funds directed towards the CERN project is being treated as capital against resource. [139061]

Ms Hewitt: At this point in time, the UK subscription to CERN is not formally divided into capital and resource and is currently regarded as resource expenditure. This is an area of discussion between HM Treasury, the Particle Physics and Astronomy Research Council and my department. It should be noted that CERN is currently in the middle of a 12 year, €3.2 billion project to construct the Large Hadron Collider (LHC), which will be the world's most powerful particle accelerator. Its expected commissioning date is April 2007.

Whilst capital spend at CERN will fall to almost zero in 2007 when the LHC machine is completed, CERN have negotiated a loan to facilitate the expenditure profile with a repayment schedule to 2011. This will mean that a proportion of the UK subscription will be used for capital repayment to 2011. In parallel, as the operations and exploitation phase begins, an increasing fraction of the UK subscription will be devoted to meeting the associated operating costs. The following table of capital expenditure is estimated by taking the UK's share of CERN's capital spending plans.

UK CERN subscription and UK share of CERN's capital expenditure plans

£ million[1]

	2000–1	*2001–2*	*2002–3*	*2003–4*	*2004–5*	*2005–6*	*2006–7*	*2007–8*
UK CERN subscription	69.1	66.2	68.9	71.5	71.4	72.1	72.1	72.1
UK share of CERN capital spend plans	17.3	48.3	50.3	50.8	48.6	43.3	21.6	7.2
								(percentage)
	25	73	73	71	68	60	30	10

[1]The figures are in pounds and UK financial years, but the subscription is actually set in Swiss Francs and calendar years, and also varies according to the UK's net national income in comparison to that of other Member States. The figures for 2003–4 and onwards are latest estimates.

In addition, the UK is supporting the construction and operation of a number of experiments at CERN as part of its domestic particle physics budget. These consist of large pieces of capital equipment for CERN but the expenditure is counted as resource for HM Treasury purposes. The LHC capital element of this funding has been estimated by identifying the contributions towards the detectors and similar items and is shown in the following table:

UK domestic expenditure on CERN experiments

(£million)

	2000–1	*2001–2*	*2002–3*	*2003–4*	*2004–5*	*2005–6*	*2006–7*	*2007–8*
UK domestic expenditure on CERN instruments	13.3	17.4	23.4	27.0	27.8	24.2	23.7	20.6
LHC Capital element	11.2	14.8	19.0	19.1	16.8	12.0	8.0	2.2
								(percentage)
	84	85	81	71	60	50	34	10

[1]The figures are in pounds and UK financial years, but the subscription is actually set in Swiss Francs and calendar years, and also varies according to the UK's net national income in comparison to that of other Member States. The figures for 2003–4 and onwards are latest estimates.

Mr. Page: To ask the Secretary of State for Trade and Industry what the resource amount is of the funds that have been directed towards the CERN project. [139062]

Ms Hewitt: CERN is the European Laboratory for Particle Physics, an international organisation established in 1954 in Geneva. The UK is a founder member. The total resource allocated to the UK

subscription to CERN over the previous three years and the projected figures for 2003–4 to 2007–08 are shown below[1].

Total resource for UK subscription to CERN

	£ million
1999–00	48.8
2000–1	69.1
2001–2	66.2
2002–3	68.9
2003–4	71.5
2004–5	71.4
2005–6	72.1
2006–7	72.1
2007–8	72.1

In addition, the UK is supporting the construction and operation of a number of experiments at CERN as part of its domestic particle physics budget. The total resource allocated to this over the previous five years and the projected figures for 2003–4 to 2005–06 are shown below.

UK domestic expenditure on construction and operation of CERN experiment

£ million

	1997–8	1998–9	1999–00	2000–1	2001–2	2002–3	2003–4	2004–5	2005–6
LHC	0	8.3	10.1	11.2	16.8	23	26.7	27.6	24.0
Other	3.5	3.2	2.4	2.2	0.6	0.4	0.3	0.2	0.2
Total:	3.5	11.6	12.6	13.3	17.4	23.4	27.0	27.8	24.2

[1] The figures are in pounds and UK financial years, but the subscription is actually set in Swiss Francs and calendar years, and also varies according to the UK's net national income in comparison to that of other Member States. The figures for 2003–4 and onwards are latest, estimates.

Childhood Obesity

Alan Simpson: To ask the Secretary of State for Trade and Industry what discussions she has had with other departments about implementing a strategy to tackle childhood obesity. [138733]

Ms Hewitt: None.

Civil Service

Dr. Iddon: To ask the Secretary of State for Trade and Industry how many people from science and technology backgrounds have been seconded into the Civil Service in her Department in each of the last five years for which data are available. [138627]

Ms Hewitt: I have not been able to answer this question before Prorogation. I will write to my hon. Friend and place a copy in the Libraries of the House.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will list the number of civil servants from her Department seconded to *(a)* the private sector, *(b)* non-governmental organisations and *(c)* other bodies, since May, broken down by (i) organisation, (ii) grade of civil servant and (iii) start and completion dates. [139160]

Ms Hewitt *[holding answer 18 November 2003]:* From records held centrally in my Department, the information requested is as follows.

Civil servants that have been seconded from the Department of Trade and Industry since 1 May 2003 (total 16)

Organisation	Grade of civil servant	Start date	Expected completion date
(a) To the private sector (total 5)			
Resource	Range 6 (EO)	1 May 2003	1 October 2004
BP	Fast Stream	9 June 2003	8 December 2003
Impax Capital Corporation Ltd.	Range 10 (Grade 7)	13 October 2003	14 October 2005
BNPL	Range 10 (Grade 7)	27 October 2003	4 April 2004
BT	Range 8 (HEO)	10 November 2003	6 August 2004
(b) To non-governmental organisations (total 4)			
London Development Agency	Fast Stream	12 May 2003	13 May 2005
Advantage West Midlands	Range 6 (EO)	15 September 2003	14 September 2004
East Midlands Development Agency	Senior Civil Servant	22 September 2003	23 September 2005
Scottish Enterprise	Range 8 (HEO)	16 October 2003	1 October 2005
(c) To other bodies (total 7)			
Australian Department of Innovation, Industry and Regional Development	Range 10 (Grade 7)	5 May 2003	10 August 2004
British Standards Institution	Range 9 (SEO)	30 May 2003	30 May 2006
London Chamber of Commerce and Industry	Range 6 (EO)	15 September 2003	16 September 2005
Financial Reporting Council	Range 11 (Grade 6)	15 September 2003	31 March 2004
Financial Reporting Council	Range 11 (Grade 6)	22 September 2003	31 March 2004

Civil servants that have been seconded from the Department of Trade and Industry since 1 May 2003 (total 16)

Organisation	*Grade of civil servant*	*Start date*	*Expected completion date*
Norwegian Ministry of Trade and Industry	Range 10 (Grade 7)	13 October 2003	30 January 2004
Gateway to London	Range 10 (Grade 7)	3 November 2003	3 November 2005

In addition to the above figures, since 1 May 2003, 19 DTI senior civil servants have completed a "Week in Business". 15 completed their week in the private sector, two in non-governmental organisations and two in other bodies.

The aim of the "Week in Business" short term external attachment scheme is to help the Department to become more outward facing with a greater understanding of the issues facing our external stakeholders. It is also key in helping members of the SCS to gain experience of different ways of working so that good practice can be adopted internally.

The scheme is also a means of promoting the DTI to our external customers and making them more aware of how the Department operates and what we can offer.

Combined Heat and Power

Mr. Blunt: To ask the Secretary of State for Trade and Industry, what the United Kingdom's combined heat and power generation capacity was on *(a)* 1 May 1997 and *(b)* the latest date for which figures are available; and what estimate she has made of how much capacity will be in place by 2010. [139406]

Mr. Bradshaw: I have been asked to reply and shall write to the hon. Member shortly.

Correspondence

Mr. Chope: To ask the Secretary of State for Trade and Industry when she will reply to the letter of 31 July from the hon. Member for Christchurch about restrictive and anti-competitive practices resulting from the Energy Efficiency Commitment programme. [131391]

Mr. Timms: The hon. Member's letter was transferred to my right hon. Friend the Secretary of State for the Environment, Food and Rural Affairs for answer as her Department has the lead for the Energy Efficiency Commitment programme.

Mr. Lidington: To ask the Secretary of State for Trade and Industry when her Department will reply to the letter of 9 July from the hon. Member for Aylesbury on behalf of Ms C.Clements of Loosley Row, Bucks. [139304]

Mr. Mike O'Brien: The reply was sent to the hon. Member for Aylesbury on 19 November 2003.

Credit Card Cheques

Angela Eagle: To ask the Secretary of State for Trade and Industry, if she will introduce measures to ban the unsolicited sending of credit card cheques to existing card holders. [137020]

Mr. Sutcliffe: The Government believes the key to protecting consumers from the adverse effects of such practices as the unsolicited sending of credit card cheques is ensuring responsible lending—expecting the industry to carry out adequate checks before sending credit card cheques; and ensuring all information is adequate and transparent. We are not currently considering introducing measures to ban the unsolicited sending of credit card cheques. Our approach is to empower consumers to make informed decisions. To this end we will outline measures in the Consumer Credit White Paper to ensure responsible lending across the range of lending practices.

Any further action is best taken through industry codes of practice. The industry is introducing measures to ensure greater transparency in the issuing of credit card cheques, including the information provided to consumers; and I have asked my officials to work with the industry to examine what further measures are necessary to address the concerns raised by the Treasury Select Committee.

Electricity

Mr. Tynan: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the effect of a failure of the continental gas interconnector on electricity generation in the United Kingdom. [132437]

Mr. Timms: The DTI-Ofgem "Joint Energy Security of Supply Working Group" (JESS) monitors security of supply of gas and electricity in Great Britain. JESS's work has included discussion of NGT's "Winter Operations Report 2003/04" which assesses the outlook for electricity and gas supplies in the coming winter. The report was published on 14 October, and is available, with Ofgem's comments, on Ofgem's website (www.ofgem.gov.uk). It covered the interaction between electricity generation and gas supply.

NGT's overall assessment for electricity supply in the Great Britain (GB) for this winter was that while the generation margin has risen slightly, it was lower than in previous years, but there would be enough power to meet the forecast demand for electricity this winter under all but the most exceptional circumstances.

NGT's report noted that of the CCGT stations, all but 2.7 GW either have firm gas contracts or are able to use alternative fuels. This represents some 4 per cent. of the total generating capacity that NGT projected for this winter.

Since NGT's report was issued further generating plant has returned from mothball.

In prolonged severe winter weather, delivery of sufficient gas to meet demand (including for electricity generation) would depend on high production levels from the UKCS, and the availability of gas from storage and through the continental gas interconnector.

The interconnector has proved reliable when it is in import mode. As with any offshore infrastructure, the loss of a large supply source would reduce the resilience of the gas network and reduce the availability of gas-fired generation to the electricity network. However, there are strong financial incentives on parties to the

interconnector to reduce the incidence and extent of any failures. Furthermore, in recent winters the interconnector has operated mainly in export mode.

NGT are taking a number of steps to reduce the risks to electricity supply that they have identified in the Winter Operations report. For example, they have recently undertaken a tender for additional reserve generating capacity.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what assessment she has made of the costs to *(a)* business and *(b)* consumers of the loss of electricity supply on (i) 28 August, affecting South London and parts of Kent and (ii) 5 September, affecting the East Midlands and West Midlands; and if she will make a statement. [139719]

Mr. Timms: The Department of Trade and Industry has not conducted a formal assessment of the costs of these events on electricity consumers.

The London event affected some 476,000 consumers and the Midlands event affected some 201,000 consumers. In both cases power supplies were restored to all consumers within an hour.

The Department recognises that the consequences of these power failures were serious, with disruption to surface rail, underground street lights and traffic systems, water supply and sewerage systems as well as to electricity users in homes and workplaces.

The Department submitted a memorandum to the Trade and Industry Committee on 14 November 2003 which explains the Department's role in investigating the circumstances of these events, and includes a discussion on specific lessons to be learned from these events and from other recent major power interruptions in America and Europe.

The events are also being investigated by Ofgem. The main objective of Ofgem's investigation is to examine whether there has been a breach or breaches, of the statutory or licence obligations which apply to National Grid Company and the relevant distribution network operators involved.

Energy Supplies

Malcolm Bruce: To ask the Secretary of State for Trade and Industry when she intends to publish the Sustainable Energy Policy Network reports *(a)* First Retrospective Security of Supply Report and *(b)* Initial Conclusions of Energy Services. [140158]

Mr. Timms: Ofgem expects to publish the first retrospective security of supply report by the end of the year and then to publish subsequent reports every six months. The Government expect to report the initial conclusions on its work on energy services shortly.

Both these reports are part of the work of the Sustainable Energy Policy Network which is implementing the Energy White Paper "Our energy future—creating a low carbon economy".

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many power stations have received planning permission in each year since 1997; what the capacity is of each; how many of them are in operation and what their capacity is; and how many projects which received planning permission have had their permission revoked because they did not commence construction in the stipulated time, with the planned capacity of such plants. [140159]

Mr. Timms: The following power stations in England and Wales have been approved by my right hon. Friend the Secretary of State and Industry since 1997:

Power Station	*Approved*	*Size (MW)*	*Type*	*Status*
Enfield	26 February 1997	360	CCGT	Operational
Coryton	14 March 1997	720	CCGT	Operational
Winnington	10 April 1997	150	CHP GT	Operational
Seal Sands	10 April 1997	60	CHP GT	Operational
Sutton Bridge	20 May 1997	790	CCGT	Operational
Saltend	7 August 1997	1,200	CHP CCGT	Operational
Sandbach	21 August 1997	58	CHP GT	Operational
Port Talbot	22 October 1997	200	CHP GT	Not built
Fawley	22 October 1997	130	CHP GT	Operational
Great Yarmouth	23 October 1997	350	CCGT	Operational
Snodland	11 December 1997	60	CHP GT	Operational
Bury St. Edmunds	18 February 1998	80	CHP GT	Operational
Bridgewater	7 May 1998	65	CHP GT	Operational
Shoreham	5 August 1998	400	CCGT	Operational
Shotton	3 December 1998	215	CHP GT	Operational
Castleford	3 December 1998	55	CHP GT	Operational
York	15 February 1999	70	CHP GT	Operational
Stoke	14 May 1999	60	CHP GT	Operational
Baglan Bay	16 July 1999	525	CCGT	Operational
Blackburn	27 July 1999	60	CHP GT	Operational
Cantley	9 December 1999	70	CHP GT	Unknown
Runcorn	15 September 2000	250	CHP GT	Unknown
Spalding	15 November 2000	800	CCGT	Under construction
Partington	15 November 2000	380	CCGT	Unknown
Fleetwood	15 November 2000	1,000	CCGT	Unknown
Isle of Grain	15 November 2000	1,200	CCGT	Unknown
Raventhorpe	15 November 2000	450	CCGT	Unknown
Langage	15 November 2000	1,010	CCGT	Unknown
South Killingholme	22 March 2001	700	CCGT CHP	Under construction
Halewood	4 April 2001	70	CHP GT	Unknown

Power Station	Approved	Size (MW)	Type	Status
Trafford Park	10 May 2001	65	CHP GT	Unknown
Avonmouth	14 September 2001	180	CHP GT	Unknown
Cefn Croes	23 May 2002	60	Onshore	Unknown
Scroby Sands	17 April 2002	78	Offshore	Under construction
Carrington	18 July 2002	65	CHP GT	Unknown
Marchwood	28 November 2002	860	CCGT	Unknown
North Hoyle	31 July 2002	90	Offshore	Under construction
Rhyl Flats	12 December 2002	150	Offshore	Unknown
Barrow	10 March 2003	108	Offshore	Unknown
Kentish Flats	12 March 2003	129	Offshore	Unknown
Burbo Bank	9 July 2003	90	Offshore	Unknown
Hatfield Colliery	5 August 2003	430	IGCC	Unknown
Cromer	21 October 2003	108	Offshore	Unknown
Gunfleet Sands	21 October 2003	108	Offshore	Unknown
Inner Dowsing	21 October 2003	90	Offshore	Unknown
Lynn	21 October 2003	90	Offshore	Unknown

Notes:
CCGT: Combined cycle gas turbine
CHP: Combined heat and power
GT: Gas turbine
IGCC: Integrated gasification combined cycle
Onshore: Onshore wind turbine farm
Offshore: Offshore wind turbine farm

The permissions are normally valid for five years from the date of issue and it is a commercial matter for the developer concerned on whether or not to implement his consent. The Secretary of State has not revoked any permissions. Permissions for power stations in Scotland are a matter for the devolved administration.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry pursuant to her answer of 21 October 2003, *Official Report*, column 491W, on British Energy, how much of the credit facility available to British Energy has been drawn down by the company; and what plans she has to seek to extend this credit facility. [140346]

Mr. Timms: As at 19 November 2003, British Energy had drawn down £112 million of the £200 million credit facility available.

There are no plans to extend the duration of the credit facility. As my right hon. Friend, the Secretary of State for Trade and Industry said in her written statement of 14 October 2003 drawings under the credit facility can be made up to the date of the European Commission's decision on the Government's proposed restructuring aid, or 30 September 2004, whichever is earlier. Repayments under the credit facility have to be made by the earlier of the restructuring effective date or 30 September 2004.

Environmental Protection

Mrs. Helen Clark: To ask the Secretary of State for Trade and Industry whether the DTI/Defra Joint Environmental Markets Unit is consulted when her Department carries out regulatory impact assessments of new environmental protection measures to ensure that benefits of the measures to the UK *(a)* environmental technology and *(b)* services industry are included. [140074]

Mr. Timms: Regulatory impact assessments (RIAs) of new environmental protection measures are undertaken in accordance with the Cabinet Office Guidelines—"Better Policy Making: A Guide to Regulatory Impact Assessment". Among other things, this says RIAs should take account of the potential dynamic benefits of regulations and an assessment of all the business sectors affected—both positively and negatively. As part of this process, policy-makers consult with relevant stakeholders, including where appropriate representatives of the environmental goods and services industry who will then have the opportunity to make the case for the benefits. Like other parts of Government with an interest, the Joint DTI/Defra Environmental Markets Unit will contribute as appropriate and as part of the policy-making process within Government.

Estate Agents

Malcolm Bruce: To ask the Secretary of State for Trade and Industry pursuant to her answer of 11 September 2003, *Official Report*, column 391W, on estate agents, how many complaints have been *(a)* made, *(b)* investigated and *(c)* upheld by the Office of Fair Trading since 1 August; what action was taken in relation to each complaint upheld; and if she will make a statement. [139565]

Mr. Sutcliffe *[holding answer 19 November 2003]*: The information is as follows:

(a) The Office of Fair Trading (OFT) received 94 complaints about estate agents between 1 August and 14 November 2003.

(b) All complaints are investigated in line with the OFT's statutory duty to superintend and enforce the Estate Agents Act 1979.

(c) 23 complaints against estate agents have been upheld between 1 August and 14 November 2003.

16 of these have resulted in the issuing of Advisory Letters to estate agents reminding them of their statutory obligations. Seven have resulted in the issuing of warning letters advising the estate agents that if any further evidence of a failure to comply with their statutory obligations was to come to the attention of the OFT, consideration would be given to the taking of formal action including the possibility of them being

banned from engaging in estate agency work. A number of the more complex and serious complaints received since 1 August is the subject of on-going investigations.

I now expect the OFT to publish its report on estate agents in the New Year. I will study the recommendations carefully.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry pursuant to the answer of 11 September 2003, *Official Report*, column 380W, on estate agents, whether she has received the report of the Director General of Fair Trading; and when she expects to publish the report. [139810]

Mr. Sutcliffe: The information is as follows:

(a) The Office of Fair Trading (OFT) received 94 complaints about estate agents between 1 August and 14 November 2003.

(b) All complaints are investigated in line with the OFT's statutory duty to superintend and enforce the Estate Agents Act 1979.

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I now expect the OFT to publish its report on estate agents in the New Year. I will study the recommendations carefully.

Exports

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry, if she will list for each of the last 20 years the *(a)* contracts with, *(b)* materials involved in and *(c)* value of trade deals with Iraq agreed with the support of the Export Credit Guarantee Department for which payment from Iraq has not been received. [138914]

Mr. Mike O'Brien: ECGD has unrecovered claims of around £623 million arising from contracts with Iraq signed prior to the first Gulf conflict in 1991. This amount does not include interest, which, it is estimated, could bring the figure to around £1 billion.

These claims stem from more than five hundred cases supporting the export of goods ranging from consumer items to heavy industrial equipment. The details of these contracts could only be collated at disproportionate cost.

ECGD has not been on cover for business in Iraq since 1991.

Mr. Simon: To ask the Secretary of State for Trade and Industry what discussions her Department has had with industry stakeholders to ensure that arrangements are in place to provide the necessary training and information to employees concerning their obligations to meet the compliance regulations inherent in export control licence procedures. [139857]

Nigel Griffiths: The Export Control Organisation of the DTI undertakes a variety of work to raise awareness and understanding of export controls, including regular seminars and company visits from Compliance Officers. Guidance on export licensing matters, including a Compliance Code of Practice is published on the Export Control Organisation website. Companies are informed of developments in export controls through Notices to Exporters, including by way of automated e-mail notification.

The new controls introduced by Orders made under the Export Control Act 2002 will come into force on 1 May 2004, after a six-month implementation period to allow adequate time for industry and Government to prepare for the new controls. Government officials have worked closely with business since the public consultation ended in April 2003, and will continue to work with industry during the implementation period.

Mr. Simon: To ask the Secretary of State for Trade and Industry what steps her Department is taking to ensure that defence-related companies are aware of the implications of the Export Control Act 2002; and what efforts her Department is making to ensure that such companies are equipped to meet the deadline for applications. [139858]

Nigel Griffiths: Industry has been made aware of the new export control legislation proposals since they were first proposed in the White Paper in 1998, and all the major companies and organisations have been in direct contact with Government. The Government has provided a full six-month implementation period for the new controls it gives industry adequate time to understand them and prepare. The DTI has published detailed user guidance on the new controls, developed with industry input and including details of a number of new open licences available. The DTI is also running a series of seminars to raise awareness and understanding of the new controls, and how to comply. Further seminars, and also workshops and regional roadshows will be organised by Trade Associations with DTI participation in the New Year. The DTI is also enclosing notices with export licences alerting exporters to the new controls and sources of information. DTI Compliance Officers are advising companies of the new obligations during routine compliance visits. DTI officials will continue to work closely with industry representatives to monitor the progress of the awareness campaign during the implementation period.

Mr. Simon: To ask the Secretary of State for Trade and Industry what arrangements her Department has made for *(a)* assessing and *(b)* processing applications for export control licences from May 2004. [139859]

Nigel Griffiths: As is currently the case, all export licence applications received under the new controls will be assessed under the consolidated EU and national arms export licensing criteria.

The Export Control Organisation and other Government Departments have started preparations to adapt its business processes, including re-deploying and training staff in order to process new applications.

Mr. Gardiner: To ask the Secretary of State for Trade and Industry, if she will take steps to ensure that armaments manufactured in the UK carry *(a)* a unique serial number, *(b)* the name of country of production and *(c)* the name of the company that manufactured the weapon. [131136]

Nigel Griffiths: Responsibility for the control of arms manufacture in the UK is shared between several Government Departments. The Ministry of Defence takes responsibility for the markings required for defence equipment procured for use by HM Forces. The Home Office requires, under the Firearms Rules 1998, that all firearms manufacturers and dealers keep detailed records to include make, calibre, identification number and maker's name of all firearms. The Foreign and Commonwealth Office is responsible for coordinating the UK implementation and support for the UN programme of action on Small Arms and Light Weapons. The DTI has responsibility for the export licensing of strategic goods and considers export licence applications in consultation with other Government Departments.

Fisheries

Shona McIsaac: To ask the Secretary of State for Trade and Industry if she will make a statement on recent developments on vessel eligibility for the compensation scheme for former Icelandic trawlermen. [139933]

Nigel Griffiths: The compensation scheme for former Icelandic trawlermen is being amended to include vessels that fished in areas within Icelandic waters, as defined in the scheme, but where proof of this was not available because they were traditionally recorded as Faroes vessels. This decision has been reached following representations from the Independent Adjudicator for the scheme.

Those who have reasonable grounds for believing that vessels made at least two trips to Icelandic waters including disputed areas such as Rosengarten and Working Man's Bank have been invited to put them forward in writing to my officials by 19 December 2003.

Decisions on which vessels are added to the list will be taken by my
Department on the following criteria:

The vessel must have the full support of the trawlermen' s representatives;

it must have a recorded and extensive history of Faroes fishing;

the size and weight of the vessel;

the length of the voyage;

the makeup of the crew; and previous information already received about the vessel's trips to disputed areas, principally Rosengarten and Working Man's Bank.

In January the Department will publish a list of accepted vessels. There will then be a period of three weeks in which to query any vessels that have not been included on the list in writing and giving reasons. A final list will be published during February 2004.

When vessels have been added to the list, my officials will re-examine claims made under the scheme, which closed in October 2002, and pay additional compensation to those which qualify.

Gas Market

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will make a statement on the ability of the market to respond to the demand for gas in a 1 in 20 winter peak day in *(a)* winter 2003–04 and *(b)* each year up to and including 2009–10 should supplies from existing and new development projects fall below maximum levels. [139718]

Mr. Timms: Earlier this month my Department and Ofgem published the third report by the Joint Energy Security of Supply Working Group ("JESS"). JESS was set up to assess the risks to the UK's future gas and electricity supplies.

The JESS report highlights both the level of existing potential gas capacity, and the very significant levels of proven, probable and possible future investments over the next 10 years. It identifies a number of potential supply-side developments, including additional import connections with Norway; new LNG import terminals; more interconnection with continental Europe; upgrades to existing interconnectors; and additional gas storage capacity.

The report concludes that the market can respond to the demand for gas in the next decade (including peak gas demand or sustained high demand), by drawing on maximum supplies from existing and proposed new developments, including some of those which at present are less certain.

Meanwhile the recent agreement with the Norwegian Government will facilitate the development of projects that could meet some 20 per cent. of UK gas demand from 2007.

JESS has also been considering demand-side flexibility, including the responsiveness of the market to high prices at periods of high gas demand. Voluntary reductions in consumption by major consumers, if technically and commercially feasible, could play a significant role in balancing the market in such circumstances.

The Government continue to monitor the gas demand and supply situation.

Intellectual Property

Mr. Djanogly: To ask the Secretary of State for Trade and Industry what plans she has to increase the transfer of intellectual property *(a)* between businesses and *(b)* between business and academia. [135077]

Ms Hewitt: I have not been able to answer this question before Prorogation. I will write to the hon. Member and place a copy in the Libraries of the House.

Internet

Jon Trickett: To ask the Secretary of State for Trade and Industry what steps she is taking to ensure that deprived communities do not suffer an information deficit from lack of access to the internet. [139549]

Mr. Timms: Taking steps to ensure that deprived communities in both urban and rural areas do not suffer an information deficit from lack of access to the internet is one of the Government's key priorities. The

Government recognise that internet access helps deprived communities to achieve social inclusion by benefiting from the knowledge economy. The Government's actions include:

6,000 UK Online Centres by end 2002 to provide either free or low-cost internet access with support for first-time users. Some 3,000 of the Online Centres are public libraries. 2,000 of the UK Online Centres are located in the most deprived wards. Currently, 100 per cent. of public libraries have internet access, of which some 85 per cent. have a broadband connection;

£199 million was made available from the Capital Modernisation Fund to help fund UK Online Centres in deprived communities;

a £30 million Broadband Fund administered by the Regional Development Agencies and devolved Administrations to run pilot projects to extend broadband availability to benefit SMEs among others in deprived communities;

DTI's Broadband Aggregation Project, announced in July 2003, which aims to secure value for money for public sector provision and ensure this has maximum impact on the provision of broadband for communities in deprived areas;

a joint DTI and Defra Rural Broadband Team, which was set up in May 2003 to address the issue of availability of broadband in rural areas, especially in deprived areas.

Invicta Motors

Mr. Gray: To ask the Secretary of State for Trade and Industry, if she will visit Invicta Motors in Chippenham to inspect their first production model. [136793]

Ms Hewitt *[holding answer 6 November 2003]:* I regret that I am unlikely to be able to visit the company in the near future but hope to be able to meet them at next year's motorshow. I would, however, like to take this opportunity to wish them every success with their new sportscar.

Inward Missions Scheme

Mr. Purchase: To ask the Secretary of State for Trade and Industry what changes she plans to make to the Inward Missions Scheme following the review by UK Trade and Investment; when the changes will come into effect; and if she will make a statement. [140149]

Mr. Mike O'Brien: Changes resulting from the review of the Inward Missions Scheme are still under consideration. Decisions are expected soon, and all organisations that have been involved in the Scheme over recent years, and all those that were consulted as part of the review, will be informed. Any changes will be phased in from 1 April 2004.

Manufacturing

Jeff Ennis: To ask the Secretary of State for Trade and Industry how many manufacturing jobs have been *(a)* created and *(b)* lost in South Yorkshire in each of the last five years. [138738]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from John Pullinger to Mr. Jeff Ennis, dated 20 November 2003:

The National Statistician has been asked to reply to your recent question about the number of manufacturing jobs that have been created and lost in the last 5 years in South Yorkshire. I am replying in his absence. (138738)

There are no figures for jobs created or lost but an indication can be obtained by comparing the annual surveys of employee jobs. The Annual Business Inquiry (ABI) gives an estimate of the number of employee jobs in December of each year; the latest year for which figures are available is 2001.

The ABI was preceded, prior to 1998, by the Annual Employment Survey. This inquiry had a different structure to the ABI and so direct comparisons cannot be made between the AES and ABI at a regional level.

Between 1998 and 2001 the ABI data show a net decrease in the number of manufacturing employee jobs in South Yorkshire of 32,500.

John Barrett: To ask the Secretary of State for Trade and Industry how many manufacturing jobs have been *(a)* created and *(b)* lost in Scotland in the last 12 months. [138391]

Ruth Kelly: I have been asked to reply.

This matter falls within the responsibility of the National Statistician, who will write to the hon. Member. A copy of his letter will be placed in the Library of the House.

Miners' Compensation

Mr. Skinner: To ask the Secretary of State for Trade and Industry how many claims for *(a)* vibration white finger and *(b)* chronic obstructive pulmonary disease have been paid out in full in each area of the British coalfields; and what the latest total amount paid is. [140156]

Mr. Timms: As at the end of October 2003 the regional headline statistics breakdown is:

	Wales	*Scotland*	*Notts, Derbys & Leics*	*Yorkshire*	*North East*	*Midlands*	*South/South East*
Respiratory disease							
Total claims received (£)	55,000	20,000	20,000	116,500	79,500	20,000	7,000
Full and final settlements (£)	20,000	5,000	7,000	29,000	19,000	3,000	2,000
Total Damages paid (£ million)	273	66	49	259	197	25	20
VWF							
Total claims received (£)	21,000	11,000	22,000	60,000	45,500	5,000	4,000
Full and final settlements (£)	11,000	4,000	11,000	24,000	21,000	3,000	2,000
Total Damages paid (£ million)	112	62	123	340	325	26	25

Mr. Skinner: To ask the Secretary of State for Trade and Industry how many *(a)* vibration white finger and *(b)* chronic obstructive pulmonary disease claims have been paid out in full in the (i) East Midlands and (ii) Bolsover constituencies. [140157]

Mr. Timms: As at the end of October 2003 in the Bolsover constituency 4,162 have received an offer in full and final settlement of their claim. In relation to Vibration White Finger, 2,249 have received an offer in full and final settlement. In total we have paid out £48.5 million in interim and full and final settlements to claimants in Bolsover.

The correspondence figures for the Midlands are for respiratory disease 3,000 and for Vibration White Finger 3,000 totalling £51million.

A breakdown of both regional and constituency headline statistics is available on the Department's website—www.dti.gov.uk/coalhealth

Ann Clwyd: To ask the Secretary of State for Trade and Industry whether ex-workers from the phurnacite coking works at Abercwmboi in the Cynon Valley are eligible to claim for bronchitis and emphysema under the Mineworkers' Compensation Scheme; and if she will make a statement. [140255]

Nigel Griffiths: Workers in phurnacite coking workers do not fall within the parameters of the British Coal Respiratory Disease Litigation High Court judgment. As such claims can not be processed under the resulting scheme, but can be pursued as personal injury claims under common law.

Ann Clwyd: To ask the Secretary of State for Trade and Industry if she will release records of dust levels recorded before 1991 at the phurnacite plant at Abercwmboi in the Cynon Valley. [140256]

Nigel Griffiths: The Department has always released dust records in line with requests received through the courts, and will be happy to release such records in the case of litigated phurnacite plant claims.

Mrs. Liddell: To ask the Secretary of State for Trade and Industry how many ex-miners have in Airdrie and Shotts benefited from the Government's health compensation schemes; and what the average level of compensation paid has been to ex-miners in Airdrie and Shotts. [140382]

Nigel Griffiths: As at the end of October 2003, 685 have received an offer in full and final settlement of their claim for respiratory disease. In relation to Vibration White Finger, 79 have received an offer in full and final settlement. In total we have paid out £5.4 million in interim and full and final settlements to claimants in Airdrie and Shotts.

We estimate the average payment for respiratory disease is £7,700 and for Vibration White Finger it is £7,200.

A breakdown of both regional and constituency headline statistics is available on the Department's website—www.dti.gov.uk/coalhealth.

Metrology

Ms Walley: To ask the Secretary of State for Trade and Industry for what reasons Recommendation R125 of the International Organisation of Legal Metrology on measuring systems for the mass of liquids in tanks has not been implemented. [134563]

Mr. Timms: I have not been able to answer this question before Prorogation. I will write to my hon. Friend and place a copy in the Libraries of the House.

National Minimum Wage

Chris Ruane: To ask the Secretary of State for Trade and Industry how many people in Wales will have benefited from the national minimum wage since its introduction. [140374]

Mr. Sutcliffe: We estimate that around 60,000 workers in Wales stood to benefit when the minimum wage was introduced in April 1999, and that 60,000–70,000 workers in Wales stood to benefit from the rate increases that took place in October 2003.

Chris Ruane: To ask the Secretary of State for Trade and Industry how many people have benefited from the introduction of the national minimum wage in each parliamentary constituency since its introduction; and how many *(a)* recorded cases and *(b)* successful prosecutions there have been of employers who have failed to pay the minimum wage. [140389]

Mr. Sutcliffe: It is not possible to estimate the total number of people who have benefited from the minimum wage since its introduction. This is because the actual beneficiaries are likely to change each year as people move into or from low paid jobs. It is also not possible to provide specific estimates of the number of people who have benefited from the minimum wage by parliamentary constituency. However we estimate that around 1.2 million people stood to benefit when the minimum wage was introduced in April 1999 and that 1–1.2 million people stood to benefit from the rate increases that took place last month.

Between April 1999 and October 2003 the Inland Revenue completed around 28,000 investigations and recovered around £14 million in minimum wage arrears on behalf of workers. The great majority of cases are successfully settled without the need for further enforcement action. To date there have been no criminal prosecutions of employers.

NM Rothschild and Sons Ltd.

Kevin Brennan: To ask the Secretary of State for Trade and Industry if she will make a statement on services provided to her Department by NM Rothschild and Sons Ltd. since 1997. [139960]

Ms Hewitt: The Department's accounting records show that the DTI has spent £1,000 on the services of NM Rothschild and Sons Ltd. since 1997.

Nuclear Reprocessing

Mr. Stunell: To ask the Secretary of State for Trade and Industry if she will place in the Library copies of the inter-governmental agreements relating to the repatriation of nuclear materials to Italy consequent upon reprocessing activities in the UK. [138316]

Mr. Timms: The inter-governmental letters referred to represent confidential correspondence between HMG and the Government of Italy. As such it would not be appropriate to accede to the hon. Member's request.

Mr. Stunell: To ask the Secretary of State for Trade and Industry (1) what assessment she has made of whether proper arrangements are in place in respect of nuclear material from Italy currently in the UK for *(a)* their repatriation to Italy in a safe and timely way and *(b)* their safe storage in the UK pending dispatch; and if she will make a statement; [138317]

(2) what arrangements are in place for the repatriation to Italy of *(a)* plutonium and *(b)* uranium recovered in the UK by BNFL. [138319]

Mr. Timms: The arrangements in place for reprocessing of overseas spent fuel contain options for return of wastes. The Government intend that such options should be exercised and that wastes arising from reprocessing be returned to the country of origin. It has been the practice of successive Governments to obtain, before a contract for the reprocessing of foreign spent fuel is signed, assurances from the relevant government that it will take no legislative or regulatory steps to prevent the return of wastes arising under the contract.

The adequacy of the facilities for managing those wastes is a matter for their owners and the regulatory authorities of the country concerned in accordance with the relevant legislation of that country.

We have an extremely stringent regulatory framework in place to ensure that the storage and eventual repatriation of nuclear materials conforms with all national and international regulations. Ensuring the safety of activities at nuclear installations is the highest priority for the Government and everyone involved in the UK civil nuclear industry.

Mr. Stunell: To ask the Secretary of State for Trade and Industry what discussions have been held by *(a)* Ministers and *(b)* officials with BNFL in the last two years relating to the future *(i)* location and (ii) storage of reprocessed nuclear fuel from Italy; and if she will make a statement. [138318]

Mr. Timms: There have been no discussions between Ministers and officials with BNFL in the last two years relating to these matters.

Nuclear Weapons

Llew Smith: To ask the Secretary of State for Trade and Industry (1) what requirement she has placed on BNFL to report to her in advance on plans to seek contracts in the United States to help develop its nuclear weapons programme; [136718]

(2) what discussions she has held with BNFL in respect of the compatibility with articles *(a)* one and *(b)* six of the Nuclear Non-Proliferation Treaty of plans by BNFL to bid for a contract with the United States to build and operate a nuclear administration warhead production plant at Savannah River, South Carolina. [136719]

Mr. Timms: There have been no formal discussions between my Department and BNFL on this issue. BNFL's business interests on US DOE sites through its subsidiaries relate to the environmental clean up market and not the weapons production business. The company is precluded by US Department of Energy (DOE) Security Agreements from involvement in the US defence programme.

I refer the hon. Member to the answer I gave to the hon. Member for Gower (Mr. Caton) on 13 November 2003, *Official Report*, column 403W.

Outsourcing

Mr. Hoyle: To ask the Secretary of State for Trade and Industry, if she will make a statement on the number of jobs being lost in the UK from companies out-sourcing work overseas. [140025]

Ms Hewitt: I refer my hon. Friend to the answer given by my hon. Friend the Minister for Trade and Investment on 23 October 2003, *Official Report*, column 667W.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry, how many jobs have been out-sourced abroad in the last three years; and what estimate her Department has made of the likely numbers in the next five years. [140026]

Ms Hewitt: The Government does not have statistics on the numbers of jobs outsourced abroad in the last three years. Importantly, estimates of jobs outsourced abroad take no account of the inflows of jobs created through the UK's success in international markets.

Overseas Visitors (Wales)

Chris Ruane: To ask the Secretary of State for Trade and Industry how many international overnight visits were made to Wales in each of the past 10 years, broken down by country of origin, listed in descending order. [140423]

Ms Hewitt: This information is not kept by my Department.

Patents

Chris Ruane: To ask the Secretary of State for Trade and Industry how many patents were taken out by British universities in each of the last 20 years; how many patents funded from public services have resulted in the development of commercial products in each of the last 20 years; and how much public funding has been allocated to developing products from patents taken out by British universities in each of the last 20 years. [133824]

Ms Hewitt: I have not been able to answer this question before Prorogation. I will write to my hon. Friend and place a copy in the Libraries of the House.

Mr. Dalyell: To ask the Secretary of State for Trade and Industry, what representations she has had from the European Federation of Journalists on the European Directive on patenting computer-related inventions; and if she will make a statement. [140196]

Ms Hewitt: The patentability of computer-implemented inventions has been the subject of a wide-ranging consultation exercise, and submissions on the proposed Directive have been received from individuals, companies and representative bodies. However we have not been able to trace any representations from the European Federation of Journalists. If you are aware of such a communication I would be grateful for further information.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Trade and Industry what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for her Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137951]

Ms Hewitt: Performance targets for the department were agreed as part of Spending Review 2002. The monitoring and measurement of PSA targets forms part of departmental performance management. Performance management is an integral part of the day to day running of the department, and as such it is not possible to separate the specific costs out. The monitoring of progress towards, and performance against, the department's PSA targets is undertaken by a wide variety of staff at all levels of the organisation.

Post Office Closures

Norman Baker: To ask the Secretary of State for Trade and Industry if she will obtain from the Chief Executive of Post Office Ltd. a list of consultation exercises carried out by Post Office Counters since 1 January concerning proposed closures of urban *(a)* sub-post offices and *(b)* branch offices; how many and what percentage of such exercises resulted in the intention to close being withdrawn; and if she will place the information in the Library. [139214]

Mr. Timms: Proposals for closures of branch offices, and of sub-post offices under the urban network reinvention programme, are put out to public consultation in accordance with the code of practice agreed with Postwatch. Final decisions on closure proposals, after consideration of representations received, are an operational matter for Post Office Ltd. I have therefore asked the Chief Executive to reply direct to the hon. Member.

Mr. Letwin: To ask the Secretary of State for Trade and Industry how many post offices were closed in Dorset between June 2001 and June 2003; and if she will make a statement on her policy in relation to possible future closures.[R] [139827]

Mr. Timms: I understand that since March 2000 the company has recorded details of post office closures, including those under the urban reinvention programme, which commenced in late 2002, on the basis of Government region and country. It does not record details of closures on a county basis, as it has no operational need for such data. However, I understand from Post Office Ltd. that in the South West region of England there were net closures of 82 post offices between end June 2001 and end June 2003.

The Government has placed a requirement on Post Office Ltd. to maintain the rural network and to prevent avoidable closures of rural offices. The development of post office closure proposals under the urban reinvention programme is an operational matter for Post Office Ltd. within the framework of the Code of Practice agreed with Postwatch and the requirement that at the end of the programme 95 per cent. of the population in urban areas will still live within one mile of a post office.

Postal Services

Sir Sydney Chapman: To ask the Secretary of State for Trade and Industry what discussions she has had with Postcomm on the exemption for UK postal service providers from VAT; and if she will make a statement. [140121]

Mr. Timms: The Department has a regular dialogue with Postcomm on a wide range of postal issues concerning the postal market. The particular issue of the VAT exemption is a matter for the Treasury.

Preferential Trade Status (Israel)

Mr. Sarwar: To ask the Secretary of State for Trade and Industry if she will make a statement on Israel's preferential trade status with the EU. [137176]

Mr. Mike O'Brien: I have not been able to answer this question before Prorogation. I will write to my hon. Friend and place a copy in the Libraries of the House.

Privatisation (Advertising Budgets)

Chris Ruane: To ask the Secretary of State for Trade and Industry what the advertising budget was for each privatisation of a nationalised industry since 1979. [140395]

Ms Hewitt: I have not been able to answer this question before Prorogation. I will write to my hon. Friend and place a copy in the Libraries of the House.

Radiation-related Illness

Chris Ruane: To ask the Secretary of State for Trade and Industry what compensation has been paid by nuclear companies to those suffering from radiation-induced illness in each of the past 20 years. [140394]

Mr. Timms: I have not been able to answer this question before Prorogation. I will write to my hon. Friend and place a copy in the Libraries of the House.

SMEs

Mr. Martlew: To ask the Secretary of State for Trade and Industry what plans she has to increase the audit exemption levels for small and medium-size companies; and if she will make a statement. [140216]

Nigel Griffiths: My right hon. Friend the Secretary of State for Trade and Industry announced on 19 November that the audit exemption threshold would be increased to £5.6 million turnover.

This will help relieve some administrative burdens on up to 69,000 companies.

Solar PV Programme

Mr. Stunell: To ask the Secretary of State for Trade and Industry when the Government will announce the start date for the solar PV major demonstration programme phase two. [139491]

Mr. Timms: The £20 million First Phase of the Major Photovoltaic Demonstration Programme is due to end in March 2005. It is intended that decisions on further funding for PV will be made in the first half of 2004.

State Aid

Malcolm Bruce: To ask the Secretary of State for Trade and Industry pursuant to her answer of 29 October 2003, *Official Report*, column 257W, on state aid, if she will list the occasions since 1997 when the Government has made representations *(a)* in response to notices published in the Official Journal in accordance with Article 88 (2) of the EC Treaty, *(b)* in cases before the European Court of Justice and *(c)* on behalf of UK businesses; and if she will make a statement. [137136]

Jacqui Smith: As indicated in my reply on 29 October no register of interventions is maintained. Such information could therefore be obtained only at disproportionate cost.

Technology Sector

Mr. Rosindell: To ask the Secretary of State for Trade and Industry if she will make a statement on Government action to encourage the growth of the technological sector in the United Kingdom. [135504]

Ms Hewitt: I have not been able to answer this question before Prorogation. I will write to the hon. Member and place a copy in the Libraries of the House.

Mr. Rosindell: To ask the Secretary of State for Trade and Industry how the Government intends to encourage home grown United Kingdom technological manufacturers. [135510]

Ms Hewitt: I have not been able to answer this question before Prorogation. I will write to the hon. Member and place a copy in the Libraries of the House.

Telephone Masts

Mr. Flook: To ask the Secretary of State for Trade and Industry, how many telephone masts there are in *(a)* Somerset, *(b)* Devon, *(c)* Dorset, *(d)* Wiltshire and *(e)* Cornwall. [136901]

Mr. Timms: According to information registered on the Radiocommunications Agency's Sitefinder, which shows the location of cellular transmission sites, the number of transmitters in the counties specified isapproximately:

(a) Somerset: 270;

(b) Devon: 660;

(c) Dorset: 230;

(d) Wiltshire: 320;

(e) Cornwall: 370.

There may be more than one transmitter at any one location because of mast sharing so the numbers of masts would be lower.

Tobacco

Mr. Gardiner: To ask the Secretary of State for Trade and Industry, what support her Department offers to British cigarette manufacturers seeking to develop markets in the developing world. [138620]

Mr. Mike O'Brien: UK Trade and Investment, in principle, provides services to all UK companies selling legal products, through the provision of trade, investment and political information on overseas markets, taking into account local circumstances. Special guidelines apply however for the tobacco industry, where Diplomatic Posts must not be associated with the promotion of tobacco products for example by accepting sponsorship for activities, or advertisements in publications, or attending events designed overtly to promote them.

Trade (USA)

Mr. Gardiner: To ask the Secretary of State for Trade and Industry if she will examine the use of *(a)* mutual and *(b)* multilateral legal assistance treaties by the United States of America in enforcing end-user control. [138599]

Mr. MacShane: I have been asked to reply.

Where there is a case of diversion or fraud by a private individual, we already look to co-operate with the authorities of friendly countries to bring the perpetrators to justice. Legal assistance treaties are of little use in cases of alleged misuse by governments.

Trade Missions

Mr. Rosindell: To ask the Secretary of State for Trade and Industry whether a trade mission will be sent to Kuwait in the near future; and what plans she has to establish better trading relations with Kuwait. [135515]

Mr. Mike O'Brien: The United Kingdom has established and productive trading relationships with Kuwait. The Gulf region is traditionally an important market for UK goods and services and the UK commercial presence there is strong.

We have a regular programme of outward Trade missions to Kuwait, and to the Gulf region as a whole, as part of the range of activities we sponsor in support of UK companies wishing to enter and expand into overseas markets.

UK Science

Dr. Kumar: To ask the Secretary of State for Trade and Industry, if she will make a statement on the progress of joint working with the Foreign and Commonwealth Office on the promotion of UK science, engineering and technology. [137540]

Ms Hewitt: Significant progress has been made.

DTI and FCO are members of two S&T—focused inter-departmental committees—the Chief Scientific Adviser's Committee (CSAIC) chaired by the Chief Scientific Adviser, Sir David King, and the International Science Technology, Trade and Investment Committee (ISTTIC) chaired by the UKTI Chief Executive, Sir Stephen Brown.

Castaic's remit is to establish awareness of Britain as a world leader in S&T; to promote international research collaboration to the benefit of the UK science base and world science; and to promote UK science policy on issues with a science dimension. Attic's remit is to deal with the wealth potential arising from the UK's strengths in science and technology by concentrating on the trade and investment agenda.

There is regular interaction between officials arising from their work on the operational committees, which support the two main committees.

Examples of joint working include:

The jointly agreed geographical deployment of UK Science and Technology Attaches in our overseas posts;

The Klatch magazine, which is published jointly by science and technology groups (DTI,FCO AND UKTI) of Government to showcase British science and technology strengths and promotes inward investment opportunities into the UK;

Collaboration on major campaigns in North America, China, Japan; in relation to inward and outward missions with posts abroad; and in the world-wide DNA 50 celebratory events;

Working together to provide briefing to Ministers and VIPs travelling abroad;

Liasing on cross cutting issues such as CERN, European Space Organisation and the, Asia/Pacific Technology Network;

The provision on a monthly basis to our post overseas of briefing material and news stories on science and technology developments in the UK for use in increasing awareness of Britain's status as a leading player in world science;

FCO involvement in the Doffs Innovation Review.

Website

John Barrett: To ask the Secretary of State for Trade and Industry what recent assessment she has made of the content and design of her Department's website. [139368]

Ms Hewitt: The DTI has been undertaking a thorough-going review of its website this-year. This has included extensive research into what our customers require from the DTI website. Previous research has shown high levels of satisfaction with the content on the site, but problems with presentation and structure. We have therefore commissioned a comprehensive redesign of the site, to increase its focus on our customers' needs. This has included testing the usability and accessibility of the site with customers.

Wind Turbines

Mr. Pickthall: To ask the Secretary of State for Trade and Industry what help she gives individual factories which wish to develop alternative sustainable power supplies, with particular reference to wind turbines. [139422]

Mr. Timms: The Renewables Obligation, which requires licensed electricity suppliers to supply a specified proportion of electricity from renewable sources reaching 10.4 per cent by 2010, is our main vehicle for encouraging renewables. Under the Obligation companies generating electricity from eligible renewable sources for their own use, for example, in a factory they own, can benefit from the Obligation. They can do this by making an arrangement to sell that renewable electricity to a licensed supplier and to buy the same electricity back for their own use. The electricity sold and bought back will be eligible for Renewables Obligation Certificates.

In addition, electricity derived from renewable sources may be eligible for exemption from the Climate Change Levy.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Trade and Industry how many cases of work related stress have been reported in her Department in each of the last three years; how much compensation has been paid to employees; how many work days have been lost due to work related stress, and at what cost, what procedures have been put in place to reduce work related stress, and at what cost; and if she will make a statement. [136855]

Ms Hewitt: Data on work-related stress are not collected separately in my Department.

We are committed to maintaining a safe working environment for staff and to reducing absences caused by any sickness or injury. The Department provides advice and counselling services that help both managers and staff tackle work-related stress.

TRANSPORT

Ballast

Chris Ruane: To ask the Secretary of State for Transport which British ports have facilities for treating ballast from ships. [140421]

Mr. Jamieson: All ports are required to provide waste reception facilities which are adequate to receive waste from ships normally using the port. However, the discharge of clean ballast water is not yet controlled by legislation and as such no ports in the UK have facilities for treating ballast water to reduce the threat of non-indigenous species invasion through ballast water exchange at sea.

If ballast water is contaminated by oil onboard an oil tanker then the discharge and treatment of this water is strictly controlled by oil pollution regulations. Some oil terminals, such as Flotta in Scapa Flow in Orkney, have

local requirements that all ballast water from tankers is discharged ashore and their reception facilities may include treatment to remove oil cargo residue.

Chris Ruane: To ask the Secretary of State for Transport how many incidents involving ships clearing out their ballast tanks there have been in *(a)* British waters and *(b)* Liverpool Bay in each year over the past 20 years; how many prosecutions have resulted; and what actions he is taking to prevent ships from clearing out their ballast tanks in British waters [140422]

Mr. Jamieson: The discharge of clean ballast water is not yet controlled by legislation and the UK do not keep records of this operation either in British Waters or in Liverpool Bay, or require that vessels do so.

However, existing legislation does impose strict controls on the discharge of oily ballast water. This is enforced by the Maritime and Coastguard Agency (MCA) through means such as aerial surveillance and inspections on vessels. As of 1 August 1999, all discharges of oil are strictly controlled in North West European waters as designated under International Convention. In the prosecutions that the MCA have secured it is very difficult to apportion the discharge to contaminated ballast water.

Heathrow Airport

Mr. Page: To ask the Secretary of State for Transport what assessment has been made of whether Terminal 5 will handle passengers using the third runway at Heathrow Airport if constructed. [139860]

Mr. McNulty: In our appraisal of the option for a third runway at Heathrow, we are considering a number of options for the handling of the additional passengers associated with a new runway. However, the contribution of Terminal 5 in handling these passengers was not included in any of these options other than for, possibly, transferring passengers.

Mr. Page: To ask the Secretary of State for Transport what plans he has drawn up for expansion of capacity on the M25 if a third runway is constructed at Heathrow Airport. [139861]

Mr. McNulty: We are considering the potential impacts on the strategic road and rail networks of all the options for new airport capacity.

Mr. Pound: To ask the Secretary of State for Transport (1) what assessment his Department has made of the likely impact on public transport of additional staff commuting to Heathrow Airport after a third runway was constructed; [140133]

(2) what assessment his Department has made of the likely impact on road traffic congestion in West London of additional staff commuting to Heathrow Airport after a third runway was constructed; [140135]

(3) what measures the Government will put in place to meet the change in demand for housing in West London to accommodate additional staff at Heathrow Airport should a third runway be constructed; [140130]

(4) what assessment his Department has made of the likely impact on the availability of affordable housing in West London of a third runway being constructed at Heathrow Airport; [140131]

(5) what assessment he has made of the compatibility of plans for construction of a third runway at Heathrow Airport with the Government's commitment to sustainable development, with particular reference to housing needs in West London; [140132]

(6) what input his Department has had into the White Paper on the Future Development of Air Transport in the UK, with particular reference to the proposal to construct a third runway at Heathrow Airport. [140134]

Mr. McNulty: In the appraisal of all of the options for new airport capacity, including a third runway at Heathrow, we considered a wide range of impacts. This included the potential impact of development on surface transport networks, employment, and housing and urbanisation.

These issues, together with responses to the consultation, will help inform Government decisions for the air transport White Paper which we aim to publish by the end of the year.

London Underground

Malcolm Bruce: To ask the Secretary of State for Transport what plans his Department has to reinstate independent electricity supplies to the London Underground; and at what cost. [139818]

Mr. McNulty: Following the power failure on 28 August, London Underground Ltd. (LUL) initiated an investigation of the incident and the effectiveness of their response. LUL will be publishing their report in the near future. Responsibility for London Underground transferred from Government to Transport for London (TfL) in July. Any future decisions on the power supply are for TfL and the London Mayor.

Mr. Greg Knight: To ask the Secretary of State for Transport what assessment he has made of the adequacy of security measures on the London Underground to counter the threat of terrorism. [140202]

Dr. Howells: In July this year my Department issued legally binding Instructions to London Underground Ltd. to formalise protective security measures already place. A supporting London Underground Security Programme was issued in August. This regime builds on the sound measures developed by LU and BTP over the past 30 years. The regime is designed to be responsive to the level of threat and to be proportionate. The security procedures are subject to inspection by inspectors from my Department.

Air Accidents

Miss McIntosh: To ask the Secretary of State for Transport how many air accidents involving United Kingdom-registered airlines were reported for the last decade for which figures are available; and what the comparable accident level was for airlines registered in *(a)* the Republic of Ireland and *(b)* Germany.[R] [140093]

Mr. McNulty: The following table sets out the number of total loss accidents for the United Kingdom, German and Irish airlines contained in the Airclaims CASE database for the period 1 January 1993 to 1 December 2002. The CASE database has been used as neither the Department nor the Civil Aviation

Authority hold details of accidents involving German and Irish Airlines. A total loss accident is one in which the aircraft is damaged beyond economic repair.

Total Loss Accidents for the Period 1 January 1993 to 1 January 2003

	Passenger Operations		*Cargo Operation*	
	Aircraft < 5700kg mtwa	*Aircraft > 5700kg mtwa*	*Aircraft < 5700kg mtwa*	*Aircraft > 5700kg mtwa*
UK airlines	1	5	1	7
German airlines	1	5	1	1
Irish airlines	0	0	0	0

mtwa = maximum total weight authorised

These figures are not directly comparable because of differences in other factors such as the number of hours flown.

Air Travel

Mr. Truswell: To ask the Secretary of State for Transport what percentage of people from the bottom 10 per cent. of income earners travelled by air in each year from 2000 to 2002. [137579]

Mr. McNulty: This information is not available.

Mr. Dhanda: To ask the Secretary of State for Transport what representations he has received from individuals and organisations opposed to an expansion in air travel in the last 12 months. [139355]

Mr. McNulty: Many thousands of letters, questionnaires, cards and petitions have been received as responses to the consultation on the future development of air transport in the UK, which closed on 30 June 2003. On publication of the White Paper we expect to make all responses available for public inspection, unless consultees have explicitly requested confidentiality.

Aircraft Pollution

Mr. Colman: To ask the Secretary of State for Transport if he will press the International Civil Aviation Organisation to examine the issue of night flights and aircraft noise at their next meeting. [140079]

Mr. McNulty: The reduction of aircraft noise is a major strand of work within the environmental programme of the International Civil Aviation Organisation (ICAO).

ICAO Resolution A33-7, adopted in 2001, emphasises the need for states to adopt a balanced approach to aircraft noise management, on an airport-by-airport basis. Key elements were incorporated into EU Directive 2002/30/EC and are now enshrined in UK law by The Aerodromes (Noise Restrictions) (Rules and Procedures) Regulations 2003(S.I.No. 1742).

The agenda for the next meeting of ICAO's Committee on Aviation Environmental Protection (CAEP) in February 2004 will allow for substantial discussion of noise issues.

Mr. Colman: To ask the Secretary of State for Transport if he will press the International Civil Aviation Organisation to examine the issue of air pollution caused by aircraft at their next meeting. [140086]

Mr. McNulty: Air pollution caused by air transport is a major strand of work within the environmental programme of the International Civil Aviation Organisation (ICAO).

The Government regards this as important work and will continue to press ICAO for stringent action at the next meeting of its Committee on Aviation Environmental Protection (CAEP) in February 2004.

Arson (Railways)

John Thurso: To ask the Secretary of State for Transport how many incidents of arson on the railways there have been since March 2002, broken down by *(a)* train operating company and *(b)* line. [139800]

Mr. McNulty: The Health and Safety Executive's Railway Inspectorate (HMRI), advise that for the period 1 April 2002 to 31 March 2003 there were 162 train fires in Great Britain caused by arson. A table recording the 162 incidents broken down by train operating company and by route is being deposited in the Libraries of the House.

During the same period there were also 84 fires at passenger stations, signal boxes and on the railway infrastructure reported to HMRI, although information is not currently available on how many of these were due to arson.

In addition, the British Transport Police have recorded 388 crimes of arson on the railways during the period 1 April 2002 to 31 March 2003.

Buses

Mr. Drew: To ask the Secretary of State for Transport what discussions he has had with *(a)* local authorities and *(b)* major bus operators on bus re-regulation. [139434]

Mr. McNulty: The current statutory framework for buses is set out in the Transport Act 2000. As with all other legislation, we keep the situation under review. Ministers therefore continue to discuss these matters with a number of groups and individuals representing both local authorities and bus operators.

Consultancy Contracts

Mr. Austin Mitchell: To ask the Secretary of State for Transport how many consultancies were commissioned by his Department in the last two years for which figures are available; and what the cost of those contracts was. [130891]

Mr. McNulty: The Department was formed on 29 May 2002. 1,036 orders for consultancy valued at £122.2 million were raised in 2002-03. 717 orders for consultancy valued at £19.6 million were raised in the first six months of 2003-04.

Consultants

John Thurso: To ask the Secretary of State for Transport what the total value was of *(a)* technical and financial contracts, *(b)* technical consultants used on a call-off basis and *(c)* financial consultants used on a call-off basis by (i) the Rail Delivery Directorate, (ii) the Railways Restructuring Directorate and (iii) other directorates within his Department carrying out work relating to the railways, in (A) 2002–03 and (B) 2003–04 to date. [139729]

Mr. McNulty: The total value of consultancies used by DfT relating to the railways was £24.6 million in 2002–03 and in 2003–04 it has been £13.6 million to 31 October. Only a very small proportion of this expenditure relates to call-off contracts.

The figures include expenditure on contracts for legal and other advice.

John Thurso: To ask the Secretary of State for Transport how much was spent by predecessor departments on external consultants in matters relating to transport in each year since 1997, broken down by *(a)* consultants used, *(b)* the nature and *(c)* the cost of the work in each case. [139730]

Mr. McNulty: The information is not readily available. I will write to the hon. Member, placing a copy of my letter in the Libraries of the House.

John Thurso: To ask the Secretary of State for Transport if he will list the *(a)* technical and financial contracts, *(b)* technical consultants used on a call-off basis and *(c)* financial consultants used on a call-off basis by (i) the Rail Delivery Directorate, (ii) the Railways Restructuring Directorate and (iii) other directorates within his Department carrying out work relating to the railways, since 6 February; what the nature of the assignment for each consultant was; and what the value of work done by each consultant was. [139734]

Mr. McNulty: Since 6 February the Department has been using the following consultants to give the advice listed:

Consultant	*Advice*
On a call-off basis	
Eversheds	Advice on rail pension issues
Odgers Ray and Berndtson	Advice on senior recruitment
Saxton Bampfylde Hever plc	Advice on senior recruitment
Other contracts	
AEA Technology Rail	Research into feasibility of development of a performance prediction model
Arthur D. Little	International comparison of the perception of risk in the rail industry
Citigroup (Schroder Salomon Smith Barney)	Financial advice
CMS Cameron McKenna	Legal advice on rail matters
Dresdner Kleinwort Wasserstein	Channel Tunnel Rail Link Section 1 leasing feasibility study
Dr. Stephen Gibbons Dr. David Graham Prof Stephen Machin Prof Anthony Venables Prof Roger Vickerman	Advice on wider benefits of Crossrail
KPMG	Accountancy and taxation advice
Mercers Management Consulting	Management consultancy advice on matters relating to the cross-Channel rail industry
Mott Parsons Gibb	Project representatives for the channel tunnel rail link
NOP	Development of a survey into attitudes, perceptions and expectations of rail travel
Saunders and Dolleymore	Trade mark services
Transport and Travel Research	Development of a framework for research into attitudes, perceptions and expectations of rail travel

The value of work done by individual consultants and advisers is commercially confidential, but, for all of them together, expenditure from 6 February to 31 October amounts to £16.5 million.

John Thurso: To ask the Secretary of State for Transport how much was spent by his Department and its predecessors on external research and consultants in *(a)* 2002–03 and *(b)* 2003–04 to date, broken down by (i) aviation, (ii) local transport, (iii) mobility and inclusion, (iv) roads, vehicles and road safety, (v) shipping, (vi) integrated transport, (vii) railways, (viii) science and research, (ix) transport statistics, (x) freight logistics and (xi) other subjects. [139736]

Mr. McNulty: The information is not readily available. I will write to the hon. Member, placing a copy of my letter in the Libraries of the House.

Decommissioning (American Ships)

Mr. Sanders: To ask the Secretary of State for Transport pursuant to his answer of 13 November 2003, *Official Report*, column 436W, on decommissioning (American ships), what steps he is taking to ensure further US ships follow the advice of the Maritime and Coastguard Agency. [139949]

Mr. Jamieson: The Maritime and Coastguard Agency has approved passage plans for the ships in question and will do so in future transits of this kind, as well as monitor ship movements against the approved plans. Flexibility must be provided for legitimate and safe alterations to the precise routes followed when circumstances justify such amendments. The Secretary of State can intervene only if the ships are in UK waters. At that point, he may give a direction only if it is necessary for securing the safety of the ship, other ships, persons or property or for preventing or reducing significant pollution.

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Secretary of State for Transport how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134701]

Mr. McNulty: The Department for Transport was formed on 29 May 2002. It does not have any residential properties used by Ministers. A small number of residential properties are used by officials—for example coastguards—as an essential part of their operational duties. Details could be provided only at disproportionate cost.

Driving Licences

Dr. Cable: To ask the Secretary of State for Transport pursuant to his answer of 30 June 2003, *Official Report*, column 2W, on driving licences, if he will make a statement on the nature of the detailed research to ensure ease of completion of the driving licence application form; what process was used to undertake the research; what the results were; and what measures he has taken to implement its findings. [140355]

Mr. Jamieson: To improve customer service a new driving licence application form, fulfilling the functions of two previously separate forms, was introduced in May 2003. As part of its development research was conducted to assess the effectiveness and ease of use of the form and its accompanying information leaflet. Testing was supported by a specialist research organisation and the Plain English Campaign. DVLA 'road tested' the literature using a wide variety of suitable organisations in both the public and private sector, a cross section of members of the general public and, a selection of school children approaching driving age. Over 90 per cent. of participants found the form easy to complete. A number of suggestions from test subjects were also adopted helping to improve layout and content.

EU Committees

Angus Robertson: To ask the Secretary of State for Transport if he will list the dates of meetings of the EU Committee for senior labour inspectors during the Danish and Greek presidencies, what items were on each agenda; what representative of the Scottish Executive was present on each occasion; what preparatory meetings were held for each meeting; which officials were present at each preparatory meeting; and if he will make a statement. [132727]

Mr. Pond: I have been asked to reply.

The Senior Labour Inspectors Committee (SLIC) met in Denmark from 5–7 November 2002

The meeting considered the following matters: progress with the SLIC Work Programme including progress with several working groups dealing with specific topics, the assessment of health and safety systems in EU and Applicant Countries, future co-operation with Applicant Countries and the role of SLIC in the future health and safety at work European strategy.

The Senior Labour Inspectors Committee met in Greece from 21–23 May 2003

The meeting approved the 2002 SLIC Annual Report and considered the following matters: all of the items listed for the Danish meeting, cross border enforcement of labour inspection matters and European Commission health and safety activities.

No preparatory meetings were held and no representative of the Scottish Executive attended either meeting.

M6 Toll

Tony Wright: To ask the Secretary of State for Transport whether the operators of the M6 toll will be required to contribute towards the policing costs of the road. [139996]

Mr. Jamieson: Midland Expressway Limited will not be required to contribute towards the policing costs of the M6 Toll.

Maritime and Coastguard Agency

Mr. Sanders: To ask the Secretary of State for Transport pursuant to his answer of 13 November, *Official Report*, column 436W, on Decommissioning (American Ships), *(a)* for what reasons and *(b)* in what circumstances advice is given by the Maritime and Coastguard Agency to vessels navigating United Kingdom waters; and in what circumstances the Agency can enforce its guidance. [139916]

Mr. Jamieson: The Maritime and Coastguard Agency has approved passage plans for the ships in question and will do so in future transits of this kind, as well as monitor ship movements against the approved plans. Flexibility must be provided for legitimate and safe alterations to the precise routes followed when circumstances justify such amendments. The Secretary of State can intervene only if the ships are in UK waters. At that point, he may give a direction only if it is necessary for securing the safety of the ship, other ships, persons or property or for preventing or reducing significant pollution.

Market Research

Dr. Cable: To ask the Secretary of State for Transport how much his Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if he will make a statement. [139984]

Mr. McNulty: I shall write to the hon. Member placing a copy of my letter in the Libraries of both Houses.

Mobile Telephones

Mr. Lazarowicz: To ask the Secretary of State for Transport what guidelines and advice he has issued to business employers on the ban on the use of mobile telephones while driving; and which business and employers' organisations received such information. [140148]

Mr. Jamieson: The Department has not issued guidelines and advice specifically for business employers. The Department has however e-mailed 1,000 large employers drawing their attention to the new regulations and to the Department's general advice and publicity materials, which are relevant to all road users.

That general advice is in the form of Frequently Asked Questions which is available on-line at http://www.dft.gov.uk/stellent/groups/dft_rdsafety/documents/page/dft_rdsafety_025216.hcsp.

That includes a specific question and answer that is relevant to employers.

National Travel Survey

John Thurso: To ask the Secretary of State for Transport pursuant to his answer to the hon. Member for Bath of 3 June 2003, *Official Report*, column 72W,

on the National Travel Survey, if he will break down the information provided by household income quintile. [139791]

Mr. McNulty: A summary of the information will be placed in the Libraries of the House. The sample sizes of the National Travel Survey are too small to provide a full breakdown at the requested level of detail.

Off-road Cycleways

Chris Ruane: To ask the Secretary of State for Transport how many miles of off-road cycleways there are in each county in England; and what the projected increase in off-road cycleways is over the next *(a)* five, *(b)* 10 and *(c)* 15 years for each county in England. [140361]

Mr. Jamieson: Information about the lengths of off-road cycle tracks away from the road is not held centrally.

We are encouraging all local highway authorities to increase the provision of cycle facilities both on and off the road through their Local Transport Plans and monitoring their progress through the English Regional Cycling Development Team.

Overflight Restrictions (Germany)

Tom Levitt: To ask the Secretary of State for Transport what representations have been made by his Department to *(a)* the German Government, *(b)* the European Commission and *(c)* the Council of Ministers in relation to the recent decision by the German Government to impose overflight restrictions into Zurich airport; and what assessment he has made of its effect on (i) British interests and (ii) bilateral British-Swiss trade and investment. [140103]

Mr. McNulty: The Department has made no such representations. The German decision is the subject of a complaint by the Swiss Government to the European Commission, which may be followed by an application to the European Court of Justice. We are currently assessing possible effects of the overflight restrictions on UK interests.

Pilotage

Mr. Sanders: To ask the Secretary of State for Transport whether he is informed when pilot services are offered to vessels about to navigate United Kingdom waters. [139917]

Mr. Jamieson: The Department is not informed when pilot services are offered to vessels about to navigate United Kingdom waters.

Mr. Sanders: To ask the Secretary of State for Transport what rules govern pilotage in United Kingdom waters. [139918]

Mr. Jamieson: Pilotage in United Kingdom waters is governed by the Pilotage Act 1987. The Act places a duty on Competent Harbour Authorities to keep under consideration whether any, and if so what, pilotage services need to be provided to secure the safety of ships navigating in or in the approaches to its harbour. Ships navigating in UK waters outside the jurisdiction of a competent harbour authority are not subject to pilotage.

Mr. Sanders: To ask the Secretary of State for Transport what liaison took place between the Maritime and Coastguard Agency and their French counterparts concerning the route taken by the US ships *(a)* Canister and *(b)* Caloosahatchee through the English Channel. [139998]

Mr. Jamieson: The Maritime and Coastguard Agency agreed the passage plan for these ships in consultation with the French maritime authorities, who were kept up to date throughout the ships' transit.

Public Subsidy

Mr. Betts: To ask the Secretary of State for Transport what the level of public subsidy is *(a)* per passenger mile travelled, *(b)* per passenger and *(c)* per head of population for (i) rail, (ii) light rail and (iii) bus passenger transport in (A) England and (B) each English region for the latest year for which figures are available. [135088]

Mr. McNulty *[holding answer 3 November 2003]:* The form subsidy takes differs from one transport mode to another. Information on each mode is not available in the form requested, but the available data shows:

(i) Rail

In 2001–02 we provided public subsidy of just over £1 billion for railways in Great Britain. It is not possible to give rail figures for England only, nor is it possible to give any regional breakdown for rail subsidy. In Great Britain, the rail subsidy per passenger mile was 4 pence. The subsidy per passenger journey was £1.08. If calculated per head of population it was £18.16.

(ii) Light rail

There is no subsidy payment from central government to light rail operators, although the promoters of the schemes pay a form of subsidy through additional Revenue Support Grant payments resulting from the previous issue of Private Finance Initiative Credits. The Tyne and Wear Metro differs from other light rail in that it is treated as part of the national rail system for the purpose of revenue support. In addition, all light rail operators receive reimbursement for concessionary fares for older people, disabled people and children, on the same basis as local bus services.

(iii) Bus

In 2001–02 we provided public subsidy of £1.2 billion for buses in England. It is not possible to give a regional breakdown, other than for London, as an element of subsidy, Bus Service Operators Grant, is paid directly to the operators. For England, bus subsidy per passenger mile is not available. Subsidy per passenger journey was 31 pence. If calculated per head of population in England it was £24. For London, bus subsidy per passenger mile was 12 pence, or 27 pence per passenger journey. When calculated per head of resident London population, it was £53.60. This appears high as population data exclude non-residents and tourists who use buses in London.

Rail Safety

Mr. Goodman: To ask the Secretary of State for Transport how many *(a)* fatalities and *(b)* serious injuries were incurred as a result of railway incidents in each year since 1973. [140005]

Mr. McNulty: Information on the number of fatalities and serious injuries since 1973 provided by the Health and Safety Executive's Railway Inspectorate is set out in the following table:

	Passengers	*Rail staff*	*Others*	*Trespass plus suicide*	*Fatalities*	*Serious injuries*
1973	42	42	13	213	310	652
1974	26	38	14	276	354	811
1975	69	46	12	301	428	780
1976	30	46	21	299	396	721
1977	30	34	20	320	404	757
1978	47	45	22	345	459	762
1979	52	43	12	314	421	803
1980	26	32	11	360	429	807
1981	39	27	10	369	445	319
1982	20	27	10	296	353	251
1983	29	28	12	358	427	254
1984	39	25	12	339	415	259
1985	33	25	16	318	392	322
1986	32	16	24	325	397	372
1987	68	16	20	317	421	434
1988	69	16	12	334	431	596
1989	33	18	18	293	362	569
1990	37	22	19	308	386	550
1991[1]	39	22	20	363	444	495
1992–93	18	11	10	264	303	536
1993–94	17	8	16	262	303	484
1994–95	17	9	16	264	306	485
1995–96	11	5	12	246	274	471
1996–97	17	2	6	252	277	310
1997–98	26	3	19	265	313	351
1998–99	20	4	15	247	286	376
1999–2000	47	5	13	274	339	340
2000–01	21	8	10	300	339	300
2001–02	10	5	17	275	307	351
2002–03	23	7	20	256	308	349

[1] 15 months from 1 January 1991 to 31 March 1992.

Mr. Drew: To ask the Secretary of State for Transport what discussions he has had with Network Rail on the implications for rail safety of the recent reduction in the number of managers with safety responsibilities in the organisation. [140123]

Mr. McNulty: Employee management at Network Rail is an operational matter for the company. Safety is the top priority in the network's operation and maintenance and all decisions taken by Network Rail are subject to meeting the company's Safety Case.

John Thurso: To ask the Secretary of State for Transport if he will list the recommendations on rail safety made by Lord Cullen and Professor Uff being worked on by the industry which *(a)* have not been completed to the original timetable specified, indicating the expected date of implementation and *(b)* are within their specified deadline, listing by when they should be completed, and whether they are expected to meet this deadline in each case. [139740]

Mr. McNulty: The Southall, Ladbroke Grove and Train Protection public inquiries made a total of 295 recommendations. The Health and Safety Executive (HSE) advise that 216 recommendations have been completed; 42 are either still within their specified deadline or a deadline was not specified; and 37 have not been completed to the original timetable specified.

The HSE advise that there is a range of reasons for action continuing on 37 of the recommendations beyond the dates put forward in the public inquiry reports, including the complexity of interrelated issues, the need for legislative change, or because industry is taking a broader look than the recommendations strictly require. HSE and industry have discussed and agreed alternative timescales.

Details of each of the recommendations still to be completed, including action taken and to be taken, are given in the Health and Safety Commission's progress report—'HSC report on overall progress as of April 2003 on the remaining recommendations from the Rail Public Inquiries'—published in August 2003, which is available in the House Libraries. A summary of progress is given in the following table:

Public inquiry	*Total number of recommendations*	*Completed*	*Continuing*
Southall	93	92	1
Train Protection	59	18	[1]21
Ladbroke Grove 1	89	68	21
Ladbroke Grove 2	74	38	[1]36
Total	295	216	79

[1] There are 11 recommendations where action holder reports completion, but where HSE is not yet able to endorse this view.

John Thurso: To ask the Secretary of State for Transport when he expects the final reports into the rail crashes at *(a)* Hatfield and *(b)* Potters Bar to be published. [139741]

Mr. McNulty: The Health and Safety Executive have published comprehensive reports on both the Hatfield and Potters Bar crashes, which have included technical

findings, safety critical information and recommendations. The final reports on both these crashes, which will concentrate on action taken by the industry to implement the recommendations from earlier reports, can only be published following the completion of any legal action arising from the investigations.

John Thurso: To ask the Secretary of State for Transport when he expects the British Transport Police to conclude their investigations into the rail crash at Potters Bar. [139742]

Mr. McNulty: The British Transport Police have advised me that they submitted a substantial report on the Potters Bar accident to the Crime Prosecution Service (CPS) in August 2003 and that they now await CPS advice on the matter.

Mr. Paul Marsden: To ask the Secretary of State for Transport how many derailments there were in each month of the last year. [138827]

Mr. McNulty: The Health and Safety Executive's Railway Inspectorate reports that there were 67 derailments on all railways during the period 1 April 2002 to 31 March 2003, which is reduction of 24 per cent. compared to the 2001–02 figure of 88. Of the 67, 42 occurred on Network Rail, four on London Underground, and 21 on tramways, metros or heritage railways. Two derailments resulted in fatalities and four resulted in minor injuries. A breakdown of the 67 derailments by month appears in the following table:

Month	*Network Rail*	*LUL*	*Other*	*Total*
April 2002	4	—	1	5
May	4	—	2	6
June	4	—	2	6
July	2	—	5	7
August	1	1	5	7
September	5	—	1	6
October	2	—	1	3
November	7	—	2	9
December	1	—	1	2
January	2	2	—	4
February	5	—	—	5
March	5	1	1	7
Total	42	4	21	67

Rail Ticket Prices

Chris Ruane: To ask the Secretary of State for Transport if he will list the percentage price increase for *(a)* peak and *(b)* off peak journeys for each of the privatised rail company areas in each year since privatisation. [140434]

Mr. McNulty: Information is not readily available in the form requested. However, the latest edition of the Strategic Rail Authority's statistics bulletin "National Rail Trends (April-June 2003) " copies of which are available in the House Libraries, shows in Table 3.1 on page 23, statistics on the average change in the price of rail fares. Based on the overall figures in this table, for each year since 1995 and for all ticket types (both regulated and unregulated) the year on year average change in the price of rail fares expressed as a percentages are as follows;

	Percentage
1995–96	2.6
1996–97	2.5
1997–98	3.8
1998–99	3.9
1999–2000	3.3
2000–01	2.5
20001–02	2.0
2002–03	3.1

Chris Ruane: To ask the Secretary of State for Transport what the average cost per mile of rail travel in each EU country was in the last year for which figures are available, based on standard return fares. [140441]

Mr. McNulty: This information could only be provided at disproportionate cost.

Railways

John Thurso: To ask the Secretary of State for Transport how many miles of railway line there are in *(a)* the UK and *(b)* Scotland which are defined as (i) primary route, (ii) London and South East commuter route, for the UK, (iii) main secondary route, (iv) other secondary route, *(v)* rural route and (vi) freight route. [137489]

Mr. McNulty: The Strategic Rail Authority's Strategy 'Specification of Network Outputs' classifies heavy rail routes in Great Britain into six broad categories. The route lengths under each category for *(a)* Great Britain and *(b)* Scotland are as follows: (i) primary routes *(a)* 8,859 km *(b)* 527 km; (ii) London and South East commuter routes *(a)* 3,722 km *(b)* not applicable; (iii) main secondary routes *(a)* 4,487 km *(b)* 1,367; (iv) other secondary routes *(a)* 7,214 km *(b)* 1,205 km; (v) rural routes *(a)* 3,533 km *(b)* 715 km; (vi) other freight only routes *(a)* 2,565 km *(b)* 247 km. The SRA Strategy provides for the acceleration of maintenance and renewal activity on the busiest parts of the network. These carry 80 per cent. of all passenger traffic and 70 per cent. of freight traffic. Maintenance and renewal costs on other routes will be at an appropriate level to reflect their actual usage. It will not compromise safety. This approach makes common sense.

Mr. Rosindell: To ask the Secretary of State for Transport how many trains departed from London King's Cross Station without advertised *(a)* first class accommodation and *(b)* refreshment facilities, in the first week of each month in 2003; and what percentage of trains leaving London King's Cross this represented. [137317]

Mr. McNulty: This information is not collected by the Government or the Strategic Rail Authority.

Railways and Transport Safety Act

Miss McIntosh: To ask the Secretary of State for Transport when he expects the provisions of the Railways and Transport Safety Act 2003 relating to blood alcohol levels in pilots, flight crew and other personnel to be implemented; and what the reasons are for the delay. [140127]

Mr. McNulty: Part V of the Railways and Transport Safety Act will be commenced once the equipment to be used by the police to test suspected offenders has received formal approval for use at the new low aviation limit. This process is now approaching completion. On receipt of the necessary type approval certificates, a period of approximately one month will be required to modify existing police equipment and to train officers for its use in the aviation environment.

Road Accidents (Deer)

Mr. Nigel Jones: To ask the Secretary of State for Transport how many road traffic accidents were caused by deer running onto the carriageway in each of the last five years; in how many incidents *(a)* injury and *(b)* death occurred; what steps he is taking to ensure that adequate fences are erected to contain the deer in areas where deer pose a significant danger to road users; and if he will make a statement. [140342]

Mr. Jamieson: I will write to the hon. Member and place a copy of my letter in the Libraries of the House.

Security (Ports)

John Thurso: To ask the Secretary of State for Transport how many breaches of security have taken place at UK ports in each year since 1997, broken down by *(a)* region, *(b)* port and *(c)* type of breach. [139801]

Mr. Jamieson: While inspectors do actively respond to notifications of security breaches or incidents the type of information is not available in the form requested and in any event it is not the practice to disclose such security details.

Speed Cameras

Mr. Swire: To ask the Secretary of State for Transport which roads are fitted with SPECS speed cameras. [139756]

Mr. Jamieson: Inner City Road, Nottingham and Lumbertubs Way, Northamptonshire are fitted with SPECS digital speed cameras systems.

Mr. Swire: To ask the Secretary of State for Transport which department will receive the money generated by fines from the SPECS speed cameras. [139757]

Mr. Jamieson: Fine revenue from any type approved camera system operating in safety camera partnerships is used to cover the cost of operating the cameras. All surplus goes to the Treasury.

Mr. Swire: To ask the Secretary of State for Transport what plans he has to introduce SPECS speed cameras in the South West. [139758]

Mr. Jamieson: None. It is a matter for local highway authorities and the police force in the relevant safety camera partnership to decide on what type approved camera equipment is deployed.

Mr. Swire: To ask the Secretary of State for Transport what representations he has received from motoring organisations about SPECS speed cameras. [139759]

Mr. Jamieson: None.

Mr. Swire: To ask the Secretary of State for Transport whether the M4 section between Theale and Membury services is wired for SPECS speed cameras. [139760]

Mr. Jamieson: There is no equipment located on the M4 between Theale and Membury services forming part of a SPECS enforcement camera system.

Strategic Rail Authority

John Thurso: To ask the Secretary of State for Transport (1) if he will list the *(a)* technical consultants and *(b)* financial consultants used by the Strategic Rail Authority since 7 January on a call-off basis; the total amount paid to each consultant; and the nature of the projects; [139723]

(2) if he will list the *(a)* technical and financial contracts, *(b)* technical consultants used on a call-off basis and *(c)* financial consultants used on a call-off basis by (i) the Health and Safety Commission and (ii) the Health and Safety Executive relating to railway matters since 6 February; what the nature of the assignment for each consultant was; and what the value of work done by each consultant was; [139731]

(3) if he will list the *(a)* technical and financial contracts, *(b)* technical consultants used on a call-off basis and *(c)* financial consultants used on a call-off basis by the Office of the Rail Regulator, since 6 February, the nature of the assignment for each consultant, and the value of work done by each consultants; [139732]

(4) if he will list the *(a)* technical and financial contracts, *(b)* technical consultants used on a call-off basis and *(c)* financial consultants used on a call-off basis by Her Majesty's Railway Inspectorate, since 6 February, the nature of the assignment for each consultant, and the value of work done by each consultant; [139733]

(5) if he will list the technical and financial consultants employed by the Strategic Rail Authority since 7 January; what the nature of the assignment for each consultant was; and what the value of each contract was; [139735]

(6) what the total value was of *(a)* technical and financial contracts, *(b)* technical consultants used on a call-off basis and *(c)* financial consultants used on a call-off basis, by Her Majesty's Railway Inspectorate in (i) 2002–03 and (ii) 2003–04 to date; [139737]

(7) what the total value was of *(a)* technical and financial contracts, *(b)* technical consultants used on a call-off basis and *(c)* financial consultants used on a call-off basis, by the Office of the Rail Regulator in (i) 1997–98, (ii) 2002–03 and (iii) 2003 to date; [139738]

(8) what the total value was of *(a)* technical and financial contracts, *(b)* technical consultants used on a call-off basis and *(c)* financial consultants used on a call-off basis, by the (i) Health and Safety Commission and (ii) Health and Safety Executive relating to railway matters in (A) 2002–03 and (B) 2003–04 to date. [139739]

Mr. McNulty: The information is not readily available. I will write to the hon. Member, placing a copy of my letter in the Library of the House.

Terrorism (Railways)

John Thurso: To ask the Secretary of State for Transport how many incidents of *(a)* terrorist activity and *(b)* suspected terrorist activity were recorded by (i) the British Transport Police and (ii) other organisations relating to the railways in (A) 2002 and (B) 2003 to date. [139802]

Mr. McNulty: The British Transport Police have advised me that 205 threats were made against railway locations in 2002. In the period up to 31 October 2003 194 threats were made against railway locations. None of these resulted in an incident.

Trams (Edinburgh)

John Barrett: To ask the Secretary of State for Transport what discussions his Department has had with Transport Initiatives Edinburgh regarding the proposed tram lines connecting Edinburgh city centre with Edinburgh airport; and if he will make a statement. [139924]

Mr. McNulty: My officials have met Transport Initiatives Edinburgh on at least three occasions to discuss the proposed tram and heavy rail links to Edinburgh.

Transport for London

Simon Hughes: To ask the Secretary of State for Transport what powers Transport for London has *(a)* to undertake prudential borrowing, *(b)* to raise finance on the financial markets and *(c)* to issue bonds. [139995]

Mr. McNulty: The new prudential borrowing system starts on 1 April 2004. Transport for London is among the local authorities that will then have power to borrow without Government consent, provided that the debt is affordable. Authorities will, as now, be free to raise finance by a variety of means, including borrowing on the financial markets and issuing instruments such as bonds, as well as borrowing from the Government through the Public Works Loan Board.

Transport Staff

John Thurso: To ask the Secretary of State for Transport how many staff *(a)* were employed in 2002 and *(b)* are employed in each key area of the railway industry; what the total requirement for staff in each key area is; what assessment he has made of staff shortage numbers in each key area; and how many individuals are (i) in training and (ii) trained for each key area. [139724]

Mr. McNulty: Figures are not kept in the form requested. The latest information on rail industry staff numbers comes from a survey carried out by the Rail Industry Training Council between November 2002 and April 2003. It showed that, in 2002, approximately 177,000 people were employed in rail related work covering 110 different occupations. There were also 702 vacancies classified as "hard to fill". The number of trainees working toward a national qualification was estimated at 11,685.

The Centre for Rail Skills was launched on 27 October 2003 to help the rail industry equip itself, in a cost effective way, with the right number of people with the right skills in place at the right time.

John Thurso: To ask the Secretary of State for Transport how many staff were employed in his and predecessor departments on functions relating to transport *(a)* full-time and *(b)* part-time, broken down by *(i)* units and (ii) divisions in each year since 1997. [139725]

Mr. McNulty: The information is not readily available. I will write to the hon. Member, placing a copy my letter in the Libraries of the House.

John Thurso: To ask the Secretary of State for Transport how many staff were employed by agencies with functions relating to transport *(a)* full-time and *(b)* part-time, broken down by (i) units and (ii) divisions in each year since 1997. [139726]

Mr. McNulty: Details of staff employed are published in each agency's annual report, copies of which are available in the Libraries of the House.

US Warships (Disposal)

Mr. Sanders: To ask the Secretary of State for Transport what steps he will take to control the route of US ships bound for dismantling in Hartlepool. [139999]

Mr. Jamieson: The Maritime and Coastguard Agency has approved passage plans for the ships in question and will do so in future transits of this kind, as well as monitor ship movements against the approved plans.

Only if the ships are in UK waters can the Secretary of State intervene. He may give a direction but only if it is necessary to secure the safety of the ship, other ships, persons or property or to prevent or reduce significant pollution.

Vehicles (Tinted Windows)

Mr. Chope: To ask the Secretary of State for Transport pursuant to his answer of 17 November 2003, ref.138737, if he will place a copy of the guidelines in the Library. [139993]

Mr. Jamieson: I have placed a copy of the guidelines in the Libraries of both Houses.

Wind Speeds (Severn Bridge)

Mr. Edwards: To ask the Secretary of State for Transport what the wind speeds at the M48 Severn Bridge were at *(a)* 05:00, *(b)* 07:00, *(c)* 09:00, *(d)* 11:00, *(e)* 13:00 and *(f)* 15:00 hours on 3 November. [139938]

Mr. Jamieson: I have asked the acting Chief Executive of the Highways Agency, Mr. Stephen Hickey, to write to my hon. Friend.

Letter from Stephen Hickey to Mr. Huw Edwards, dated 20 November 2003:

I have been asked by David Jamieson to reply to your recent Parliamentary Question about wind speeds at the M48 Severn Bridge on Monday 3 November 2003.

The maximum recorded wind speed gusts at the times requested were:

05.00–38.44 knots

07.00–29.26 knots

09.00–22.01 knots

11.00–26.52 knots

13.00–31.06 knots

15.00–21.54 knots

As you know the Severn Bridge was closed from 05.10 on Sunday 2 November until 16.00 on Monday 3 November. Throughout this period forecasts were consistently in excess of 30 knots. The protocol then in place required that closures should remain in place until the gust wind speed had fallen and remained below 30 knots for 30 minutes and the forecast did not predict wind speeds increasing to over 30 knots within the next 4 hours.

As part of the process for continual improvement of our service, our protocol was subsequently reviewed at a meeting on Friday 14 November. The protocol was amended with immediate effect so that in future the closure shall remain in place until the gust wind speed has fallen and remains below 30 knots for 30 minutes and the forecast does not predict wind speeds increasing to over 40 knots within the next 4 hours.

EDUCATION AND SKILLS

Child Protection

Tim Loughton: To ask the Secretary of State for Education and Skills what the timetable is for the introduction of computer systems to *(a)* monitor the activities of child protection agencies and *(b)* cross-reference knowledge held by other agencies through social services departments. [138485]

Margaret Hodge: In the Government's Green Paper "Every Child Matters" we set out our aim to share information across services and ensure professionals know of each others concerns at an early stage. To achieve this, we are proposing a local information hub in every local authority to enable professionals in all the local services which impact on children's lives to cross-reference knowledge, where appropriate, with other local children's services.

In light of responses to the Green Paper "Every Child Matters" the Government will examine the potential benefits and risks of introducing ICT-based information sharing systems and whether it is feasible to overcome the considerable technical barriers. We will be evaluating the work of the Trailblazers in due course and will use their experiences to inform future developments.

Tim Loughton: To ask the Secretary of State for Education and Skills if he will list the social services departments that have introduced a computer system *(a)* to monitor the activities of child-protection agencies and *(b)* to cross-reference knowledge held by other agencies as recommended by the Laming Report. [138487]

Margaret Hodge: Social Services Departments currently use a variety of methods for collecting and sharing information on children. The answer to ensuring child protection is not in the use of computer systems alone. We need practitioners to share information at an early stage about children who may be at risk of falling through the net. We propose in the Green Paper "Every Child Matters" to introduce local information sharing hubs in every local authority to help identify early indications that a child is in need of specialised support through the bringing together of the knowledge and expertise held by all local children's services.

We are examining whether and how it is feasible to overcome the technical challenges in this area.

Sir Teddy Taylor: To ask the Secretary of State for Education and Skills if he will make a statement on the implications of the transfer of responsibility for the Child Benefit Office to the Inland Revenue, with particular reference to whether the office's ability to assist local councils with information in connection with child protection inquiries. [137769]

Margaret Hodge *[holding answer 10 November 2003]*: I understand that some difficulties have arisen in this context in a particular case, and that the organisations concerned are prevented from following established practices with regard to information-sharing. My officials are looking into the case urgently, with the aim of finding a rapid solution that will enable the organisations to continue to share information in the same way that they have previously done.

Mr. Hancock: To ask the Secretary of State for Education and Skills if he will make it his policy to insert into the Green Paper on Children at Risk a requirement for risk assessment in contact cases involving domestic violence or child abuse; and if he will make a statement. [136396]

Margaret Hodge: The Green Paper, "Every Child Matters", was published on 8 September and the consultation period extends until 1 December. I am happy to consider this proposal as part my broader consideration of the consultation responses. It would be premature to make a statement at the present time.

Mr. Hancock: To ask the Secretary of State for Education and Skills what assessment was made of the risk to children and young people in domestic violence situations in drawing up the Green Paper on Children at Risk; and if he will make a statement. [136397]

Margaret Hodge: The Green Paper "Every Child Matters" sets out the Government's response to Lord Laming's Inquiry into the tragic death of Victoria Climbie and is intended to help all children including those at risk from domestic violence. It was published on 8 September and the consultation period will last until 1 December. It would be premature for me to make a statement at this time while the consultation process is still on-going.

Ms Oona King: To ask the Secretary of State for Education and Skills what further consultation will take place with young people about the services and facilities they need following the publication of the Green Paper, "Every Child Matters". [138377]

Margaret Hodge: Consultation events on the Green Paper, Every Child Matters specifically aimed at children and young people, have been running since October.

The aim of the consultation events is to gather ideas from children and young people about what the Government can do to improve services which directly affect them such as health, education, social services, youth offending teams and youth and leisure services.

So far around 40 consultation events have taken place across the country and these have proved to be highly informative.

There are a further 12 events scheduled between now and the end of November.

Computer Science Graduates

Mr. Purchase: To ask the Secretary of State for Education and Skills, what percentage of computer science graduates remain unemployed for 12 months or more following graduation. [140344]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Foster Care

Mr. Win Griffiths: To ask the Secretary of State for Education and Skills what the most recent weekly contributions made by each local authority for children in foster care up to the age of 17 were; what these contributions were in 1997 prices; what the allowances were in 1997; and what assessment he has made of the differences in payments made by local authorities. [139058]

Margaret Hodge: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Day Care

Mr. Truswell: To ask the Secretary of State for Education and Skills how many applications were made to Ofsted for registration of day care facilities in the last three years in *(a)* Leeds and *(b)* England; and what the average time taken to process such applications was in *(i)* Leeds and (ii) England in the last year for which figures are available. [131519]

Margaret Hodge: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

A-levels

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills how many pupils in each local education authority obtained an A-level in *(a)* physics, *(b)* chemistry, *(c)* German, *(d)* a modern foreign language other than French or German and *(e)* a classical language in the last year for which information is available; and what proportion each represented of (i) the 18-year-old cohort and (ii) the 18-year-old cohort in full-time education. [138888]

Mr. Miliband *[holding answer 17 November 2003]:* The information requested has been placed in the Library.

Abusive Parents (Visitation Rights)

Mr. Woodward: To ask the Secretary of State for Education and Skills (1) what measures are being taken to change the system whereby abusive parents can gain visitation rights to their children; [138170]

(2) how many children were injured during contact visits with an abusive parent in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [138171]

Margaret Hodge: In considering applications for contact (visitation rights) the courts apply the principle, enshrined in the Children Act 1989, that any decision must be based on what is in the child's best interest. We have amended the Children Act 1989 to extend the definition of harm to include harm to a child caused by witnessing domestic violence. We will commence this new provision as soon as resources allow. In 2001 the Government endorsed guidelines on contact and domestic violence produced by the Children Act Sub-Committee of the Lord Chancellor's Advisory Board on Family Law. The guidelines have been promulgated and are being monitored and evaluated by research. I will shortly be announcing successful applicants for new supervised child contact centres, funded through joint Children's Fund/Sure Start funding. These new centres will provide safe venues where supervised contact in cases where safety is an issue can take place.

Data about the factors underpinning contact applications, such as allegations about injuries caused to children during previous contact with an allegedly violent parent, are not collected, either by the courts or centrally.

Adult and Community Education

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on recent trends in *(a)* enrolment to and *(b)* funding of courses in adult and community education. [133420]

Mr. Ivan Lewis: I have set out separately the figures for expenditure and numbers of learners in *(i)* adult and community learning and adult education courses run through local education authorities; (ii) learndirect; and (iii) Skills for Life. Together these equate most closely to adult and community education.

We have used the closest match between the figures for the number of learners and those for expenditure. Where there are differences these are explained in the footnotes.

Adult education classes

	Funding (£ million)[1]	*All enrolments (million)*[2]	*Former non schedule two (thousand)*[3]
Nov 2000	145	1.041	666
Nov 2001	153	1.052	679
Nov 2002	183	1.042	662

[1] Annual expenditure, by financial year, on adult and community learning run through local education authorities. The figures for 2002–03 include the budgets for Neighbourhood Learning (£10 million) and family learning (£7.5 million).
[2] Number of enrolments as at 1 November each year in adult education courses run by local education authorities. These include both courses leading to qualifications which were, prior to 2001–02, funded by the Further Education Funding Council, and local education authority secured adult and community learning. These courses largely do not lead to formal qualifications. Enrolments are not the same as learners. Individuals on a number of courses are counted more than once.
[3] These are courses offered by local education authorities which do not lead to formal qualifications. These figures equate most closely—but not exactly—to the budgets for adult and community learning.
Source:
Enrolment data taken from the Statistical First Review, published 15 May 2003.

Learndirect

Date (academic year)	*Funding (£ million)*	*Learner numbers (thousand)*
2000/01	49	137
2001/02	134	347
2002/03	171	485

Skills for Life

Date (academic year)	*Funding (£ million)*	*Enrolments (thousand)*
2000/01	253	724
2001/02	259	1,136
2002/03	290	1,230

Note:
Enrolment data includes Learning and Skills Council funded learning opportunities; estimates from the Offenders' Learning and Skills Unit; and the Department for Work and Pensions.

Agriculture Courses

Mr. Brazier: To ask the Secretary of State for Education and Skills, how many admissions there were to agriculture courses at universities and agricultural colleges in each of the last 10 years. [134546]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

"Building Schools for the Future"

Mr. Colman: To ask the Secretary of State for Education and Skills if he will approve the bid made by the London Borough of Wandsworth under the "Building Schools for the Future" initiative. [140080]

Mr. Miliband: The London Borough of Wandsworth has submitted a proposal to be part of the first wave of "Building Schools for the Future" (BSF), starting in 2005–06. We are assessing all proposals from local education authorities (LEAs) against the criteria set out in our guidance. We aim to announce early in the New Year which proposals will be proceeding in 2005–06 and, in March, we will announce a further, larger group of LEAs for the following years. The Government have committed itself in BSF to a long-term programme of rebuilding and renewal to ensure that secondary education in every part of England has facilities of 21st century standard.

CAFCASS

Mr. Oaten: To ask the Secretary of State for Education and Skills whether the Project Board to integrate finance, communication, human resources and case recording systems has been established by CAFCASS. [138759]

Margaret Hodge: A project was started in 2001 to develop an integrated case management system, including finance and human resources. This project was stopped as it was judged to be too high a risk. Government best practice is to reduce risk by breaking down large IT projects into smaller, more manageable, parts. Separate finance and payroll systems have now been procured by CAFCASS.

A case recording project is now under way, to implement the key information elements for case management. A Project Board, chaired by the Chief Executive is managing this work. The case recording system is being designed to be compatible with the systems in place and those to be developed.

Mr. Oaten: To ask the Secretary of State for Education and Skills (1) when CAFCASS practitioners will have the facility to amend the computerised records of the children with whom they work; [138760]

(2) what additional resources CAFCASS has identified for the implementation of a case management system; [138761]

(3) what the planned expenditure by CAFCASS is on the small scale computerised case record index for implementation during 2004. [138762]

Margaret Hodge: In its first year, CAFCASS implemented an IT infrastructure giving all staff access to email, word processing, spreadsheet, internet and intranet facilities. By building on this infrastructure CAFCASS will be able to implement, from May 2004, a case recording system for £125,000.

This will provide a national networked case database. Maintenance of the system, including amending children's records, will be an administrative rather than a practitioner function.

The case recording system is the first stage of wider case management systems. Once the case recording system is successfully implemented, further work will be done on the options and costs for further development and implementation of the remaining aspects of case management systems support.

Childhood Obesity

Alan Simpson: To ask the Secretary of State for Education and Skills, what discussions he has had with other Departments about implementing a strategy to tackle childhood obesity. [138744]

Mr. Stephen Twigg: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Children's Centres

Mr. Wray: To ask the Secretary of State for Education and Skills how many children's centres there are in the United Kingdom; what plans he has to increase the number; and how many children each centre will be able to cater for. [133125]

Margaret Hodge: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Children's Commissioner for England

Mr. Wray: To ask the Secretary of State for Education and Skills (1) what duties the post of Children's Commissioner for England will entail; and when the work force planning unit will be created; [133126]

(2) what resources will be made available to the Children's Commissioner for England. [133133]

Margaret Hodge: The Government set out in the Green Paper "Every Child Matters" our intention to legislate for the appointment of a Children's Commissioner as a new voice for all children and young people. The Green Paper indicates that the Commissioner should advise Government and engage with others, such as business and the media, whose decisions and actions affect children's lives. The Commissioner would ensure that the views of children and young people are heard, and report to Parliament through the Secretary of State for Education and Skills on progress against the outcomes for children set out in the Green Paper. Further details on the responsibilities and resources of the Commissioner will be made available in the light of the consultation, which runs until 1 December.

Work is also progressing rapidly on establishing the new structures to be adopted within the Department for Education and Skills, including the children's work force unit, to ensure delivery of the Green Paper, and full details will be announced soon.

Children's Homes

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills how many inspectors of homes that care for children were carried out in Somerset in *(a)* 2001–02 and *(b)* 2002–03. [136550]

Margaret Hodge: 145 inspections of children's homes were carried out in Somerset during the year ended 31 March 2002. The number of homes due to be inspected in that year was 77, each home would expect to have both an announced (i.e. with prior notice) and an unannounced (i.e. without prior notice) inspection each year.

In 2002–03, NCSC Inspectors carried out 60 announced inspections and 30 unannounced inspections of children's homes in Somerset.

It is expected that the NCSC will perform two inspections per year (one announced and one unannounced). However, as 2002–03 was the first year in which the NCSC was operational it should be taken into account that a large proportion of homes would not have been registered until the latter part of that year. Therefore the second inspection although within the time frame might not fall until the following year 2003–04.

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills where homes in Somerset which are used to have children in care are located. [136551]

Margaret Hodge: The information requested is not collected centrally. Information about de-registered children's homes prior to April 2002 is most likely to be kept by the local authority in which the home was registered.

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills if he will list the private companies which look after children in care in Somerset. [136553]

Margaret Hodge: As of 3 November 2003 the private companies, not voluntary organisations, charities or local authority providers, that have registered with the National Care Standards Commission to look after children in care in Somerset are:

Families Care Ltd.
Safe Haven Residential and Respite Care
On Track (South West) Care Ltd.
Sedgemoor
New Horizon Centre Ltd.
Crossways
Sedgemoor College Ltd.
Plus One Residential and Foster Care Ltd.

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills how many children are in care in Somerset; and which counties they come from. [136554]

Margaret Hodge: Number of children looked after by Somerset CC, Bath and North East Somerset.

UA and North Somerset UA at 31 March 2002[1,2]

Local Authority	*Total number of looked after children*	*Number of children placed inside local authority boundary*	*Number of children placed outside local authority boundary*
Somerset CC	335	325	5
Bath and North East Somerset UA	145	105	40
North Somerset UA	150	140	10

[1] All figures are rounded to the nearest 5. Numbers may not add up to totals due to rounding.
[2] Figures in this table exclude children looked after under a series of short term placements.

Commonwealth Education Conference

Mr. Hoban: To ask the Secretary of State for Education and Skills what the *(a)* budget and *(b)* actual cost was of the 15th Conference of Commonwealth Education Ministers held in Scotland last month. [139414]

Alan Johnson *[holding answer 18 November 2003]:* The administration, including the financial administration, of the 15th Conference of Commonwealth Education Ministers is a matter for the Scottish Executive. My Department will contribute a proportion of the conference costs, but I invite the hon. Gentleman to write to the Minister for Education and Young People at the Scottish Executive to seek the information he requires.

Connexions

Mr. Willis: To ask the Secretary of State for Education and Skills what his definition of a universal service is in relation to Connexions. [138540]

Margaret Hodge: Connexions is available to all young people between 13 and 19 in England. The service comprises initial information and advice on the full range of learning options to 19 and beyond; in-depth guidance and support, or access to specialist help, on anything that might prove a barrier to learning; and access to personal development opportunities to help a young person grow into a rounded independent citizen. Information and advice on post-16 learning options, including details of Education Maintenance Allowances and the Connexions Card, is available from Connexions.

The service is offered face-to-face in secondary schools, colleges and High Street centres, or electronically through Connexions Direct, the telephone- and web-based service. Connexions is accessible 24 hours a day, 365 days a year.

Mr. Willis: To ask the Secretary of State for Education and Skills what minimum number of hours of careers and education advice each young person aged 13 to 19 can expect to receive from the Connexions Service. [138541]

Margaret Hodge: We do not specify a minimum number of hours of careers and education advice that young people should receive from the Connexions service. Connexions provides a service differentiated according to need. This includes advice on learning and career choices, as well as support on a wide range of other issues that represent a barrier to young people's participation and achievement in learning.

Schools share responsibility for meeting the needs of young people in relation to making learning and career choices, including responsibility for delivering a curriculum-based careers education programme to all students in Years 9–11 (to be extended to Years 7and 8 from September 2004) and for managing the Key Stage 4 options exercise.

Mr. Willis: To ask the Secretary of State for Education and Skills how many personal advisers were employed by each Connexions Partnership in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [138542]

Margaret Hodge: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Mr. Willis: To ask the Secretary of State for Education and Skills what the average caseload of Connexions personal advisers working with people aged 13 to 19 who are *(a)* in school, *(b)* in college and *(c)* not engaged in employment, education or training was in the last year for which figures are available. [138543]

Margaret Hodge: Information on the caseloads of Connexions personal advisers is not collected centrally by the Connexions Service National Unit. Individual Connexions Partnerships set allocations for each institution in their area and for working with those not engaged in employment, education or training. These allocations determine the caseloads of personal advisers and are based on an assessment of need in each institution and area.

Mr. Willis: To ask the Secretary of State for Education and Skills what proportion of people aged 13 to 19 who were in *(a)* school, *(b)* further education college and *(c)* neither school nor further education college, received advice from Connexions in (i) 2001–02, (ii) 2002–03 and (iii) 2003–04. [138545]

Mr. Ivan Lewis: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Mr. Willis: To ask the Secretary of State for Education and Skills how many people aged 13 to 19 in *(a)* school and *(b)* further education college were identified as needing intensive support by Connexions in (i) 2001–02, (ii) 2002–03 and (iii) 2003–04. [138546]

Margaret Hodge: The table below shows the number of young people in *(a)* compulsory education, and *(b)* post-compulsory education (both school and further education colleges) identified as needing intensive support and in depth guidance from Connexions in August of each of the last three years. The information relates only to Connexions Partnerships that were operational at that time.

	2001–02	*2002–03 (August 2002)*	*2003–04 (August 2003)*
Compulsory education	[1]	226,498	358,056
Post-compulsory education	[1]	91,769	173,639

[1] Information not collected in this format in 2001–02

Mr. Wills: To ask the Secretary of State for Education and Skills how many and what proportion of the total number of Connexions personal advisers possess an NVQ Level 4, or equivalent, in *(a)* careers, *(b)* youth work, *(c)* social work and *(d)* other relevant disciplines. [138547]

Margaret Hodge: Information on the qualifications of personal advisers is not available in the form requested.

The information in the table shows the number and proportion of personal advisers working for the Connexions Service who are qualified to NVQ Level 4 or above as at April 2003. Details of the type of qualification are not collected by the Connexions Service National Unit.

All fully qualified personal advisers are required to hold an NVQ Level 4 or equivalent in a relevant professional discipline. Personal advisers who are not qualified to NVQ Level 4 should be actively working towards achieving this level.

The number and proportion of Personal Advisers working for Connexions qualified to NVQ Level 4 or above as at April 2003

Total number of Personal Advisers	5,780
Number of Personal Advisers with NVQ Level 4 or above	4,645
Percentage NVQ Level 4 or above	80

Contact Centres

Julie Morgan: To ask the Secretary of State for Education and Skills how many contact centres there are in Wales; who is responsible for the funding of these centres; and what plans he has to increase the number of contact centres in Wales. [134841]

Margaret Hodge: There are six child contact centres in Wales that are members of the National Association of Child Contact Centres (NACCC). These child contact centres are run on a voluntary basis and raise funds from a variety of sources. Two benefit from partnership funding from the Children and Family Court Advisory and Support Service. All NACCC member child contact centres will benefit from funding by the Children's Fund of NACCC's Change Programme. NACCC is using this funding to develop clear accreditation standards for all its member contact centres. Child contact centres may also seek support from funds (such as Cymorth) provided by the Welsh Assembly Government, where centres provide or seek to provide services in line with the Assembly Government's devolved responsibilities. The Welsh Assembly Government is currently giving careful consideration to the way forward for supervised contact services in Wales.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Education and Skills if he will list contracts for consultancy or work carried out by Bechtel in each year since 1997 stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [134680]

Mr. Stephen Twigg: I refer the hon. Member to the reply given on 19 November.

Correspondence

Paul Farrelly: To ask the Secretary of State for Education and Skills, pursuant to his answer of 17 November 2003, reference 138562, for what reason he describes his letter of 11 April to the hon. Member for Newcastle-under-Lyne as a party political document. [140258]

Alan Johnson: The reference in my previous reply to the hon. Member to a "party political document" related to the document "The Government's Higher Education Proposals Explained", of 5 November, and not to my letter to him of 11 April.

Paul Farrelly: To ask the Secretary of State for Education and Skills, if he will set out the basis for his statement in his letter of 11 April to the hon. Member for Newcastle-under-Lyme that he could not run a graduate tax arrangement alongside the existing loan repayment scheme. [140259]

Alan Johnson: I refer the hon. Member to the letter I sent him on the 12 of November, a copy of which can be found in the House of Commons Library.

Director of Children's Services

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills if he will list those local authorities that have a Director of Children's Services; and on what date the post was created in each case. [129657]

Margaret Hodge *[holding answer 15 September 2003]:* The Green Paper, "Every Child Matters", was published on 8 September and the consultation period extends until 1 December. It proposes the creation of Directors of Children's Services, accountable for local authority education and children's social services. This builds on practice in a number of local authorities. We are currently working with local authorities to identify how many authorities have integrated education and children's social services and have Directors of Children's Services.

Education Maintenance Allowance

Mr. Chaytor: To ask the Secretary of State for Education and Skills, pursuant to his answer of 4 November 2003, *Official Report*, column 579W, if he will estimate how much it would cost to provide an education maintenance allowance of £40 a week rather than £30 a week, to all the young people who will be eligible for an EMA in *(a)* 2004–05, *(b)* 2005–06 and *(c)* 2006–07. [138320]

Mr. Ivan Lewis: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Education Revenue Accounts

Chris Ruane: To ask the Secretary of State for Education and Skills if he will list the percentage share of budget devoted to education revenue accounts by each English education authority for each of the last five years, in descending order. [140282]

Mr. Raynsford: I have been asked to reply.

I will write to my hon. Friend as soon as possible.

Education Spending

Joyce Quin: To ask the Secretary of State for Education and Skills what percentage of GDP the

United Kingdom spent on *(a)* primary, *(b)* secondary and *(c)* higher education in the last year for which figures are available; and what information he collates on expenditure in other OECD countries. [139144]

Mr. Charles Clarke: I am unable to provide the information requested before the House prorogues. I will write to my right hon. Friend with the information and place a copy of my letter in the Library.

Examination Results (Appeals)

Mr. Pike: To ask the Secretary of State for Education and Skills what research he has commissioned into the reasons for the changes on appeal of *(a)* AS and *(b)* A2 examinations; and if he will make a statement. [138703]

Mr. Miliband: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Foundation Degrees

Mr. Boswell To ask the Secretary of State for Education and Skills what plans he has to encourage conversion of *(a)* existing courses and *(b)* qualifications at Higher National Diploma level to foundation degrees. [133427]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Mr. Hepburn: To ask the Secretary of State for Education and Skills (1) how many people are studying for foundation degrees at *(a)* universities, *(b)* higher education colleges and *(c)* further education colleges in (i) Tyne and Wear, (ii) the North East and (iii) the UK; [137460]

(2) how many different foundation degrees are offered at *(a)* universities, *(b)* higher education colleges and *(c)* further education colleges in (i) Tyne and Wear, (ii) the North East and (iii) the UK. [137459]

Alan Johnson: The latest available information from the Higher Education Funding Council for England (HEFCE), is given in the table.

Numbers of students[1] studying for foundation degrees in English Institutions 2002–03

	Number of students		
Institution type	*Tyne and Wear*	*North East*	*England*
University	394	509	8,085
FEC	162	197	1162
HEI			3170
Grand total	556	706	12,417

[1] Covers students on full-time or part-time courses.

The latest figures published by the Universities and Colleges Admissions (UCAS) show that students on Foundation Degrees in 2003–04 will rise substantially: by early October, the number of students accepted for entry to full-time Foundation Degrees had increased by nearly 80 per cent. compared to the same point last year.

The latest course information on the UCAS website (www.ucas.ac.uk) shows that, for the 2004–05 academic year, there are 2,446 Foundation Degree courses offered in England, of which 191 are offered in the North East. The website lists institutions individually and does not list courses by type of institution, and nor does it show figures for Tyne and Wear separately. Foundation Degrees were introduced to respond to sector needs and cover a wide range of courses.

Mr. Willis: To ask the Secretary of State for Education and Skills (1) if he will list by *(a)* course and *(b)* institution the number of students who obtained foundation degrees in 2003; [139081]

(2) how many students who obtained foundation degrees in 2003 undertook the majority of their studies at *(a)* further education colleges, *(b)* institutes of higher education and *(c)* universities; [139082]

(3) how many students who obtained a foundation degree in 2003 studied *(a)* locally, *(b)* at an institution that required residential accommodation and *(c)* in the workplace; [139083]

(4) how many students who completed their foundation degree in 2003 enrolled for an honours degree course. [139080]

Alan Johnson: The information requested is not yet available. Information on the number of students who completed foundation degree (FD) courses in 2002/03 will not be available from the Higher Education Statistics Agency (HESA) until January 2004.

The latest available figures from the Higher Education Funding Council for England (HEFCE), showing the distribution of all FD students by the type of institution in which they are studying, is given in the following table; the HEFCE figures do not identify whether the course has been studied locally, or in the workplace.

Information on the destinations of students who obtained FDs in 2002/03, including those who proceeded to further study, will not be available from HESA until July 2004.

Students on foundation degree courses[1] in England 2002/03

Type of institution	*Students*
University	8,085
FE college	1,162
HE institution	3,170
Total	12,417

[1] Covers both full and part-time courses.

Source:
Higher Education Funding Council for England (HEFCE).

Mr. Willis: To ask the Secretary of State for Education and Skills how many students enrolled for foundation degrees in 2003, broken down by *(a)* course and *(b)* institution. [139084]

Alan Johnson: The latest available information for 2003/04 was published by the Universities and Colleges Admissions Service (UCAS) on 7 October. It showed that the total number of students accepted for entry to full-time foundation degree (FD) courses had risen to 5,448, an increase of nearly 80 per cent. compared to the

same point last year. The figures were not disaggregated by institution. UCAS however does not cover students applying to part-time courses, and in 2002/03 around half of all FD students were on part-time courses.

Mr. Willis: To ask the Secretary of State for Education and Skills what the average annual cost of a foundation degree course was in the last year for which figures are available; and what the cost was of a traditional three year honours degree course. [139086]

Alan Johnson: Information on the cost of foundation degrees and honours degrees is not identified separately. The Higher Education Funding Council for England funds honours degree and foundation degree courses on the basis of the same formula which varies according to subject, institutional and student factors. This funding for teaching is allocated to institutions as a block grant and how they allocate this is for them to determine. Institutions also receive funding from other sources both public and private and may use it to subsidise some courses or faculties. The actual cost may therefore vary between institutions and subjects.

The Higher Education Funding Council for England are currently consulting on possible changes to their funding method for teaching and one proposal is that a 10 per cent. premium is introduced for foundation degrees for the short term. This would recognise the higher costs associated with partnerships between higher education institutions, further education colleges and employers. The consultation closed for comments on 14 November.

Funding

Sir John Stanley: To ask the Secretary of State for Education and Skills what amount of central government grant per head was paid to each local education authority in England in the last financial year for which figures are available. [140012]

Mr. Miliband: The information is not readily available. I will write to the right hon. Member with a full reply.

Graduate Tax

Paul Farrelly: To ask the Secretary of State for Education and Skills pursuant to the answer of 12 November 2003, *Official Report*, columns 347–48W, on graduate tax, if he will provide the references in his letters of 11 April and 3 June for answers to questions tabled on 5 November, refs *(a)* 137685, *(b)* 137686, *(c)* 137687, *(d)* 137744, *(e)* 137753, *(f)* 137754, *(g)* 137755, *(h)* 137756, *(i)* 137757 and *(j)* 137758. [139454]

Alan Johnson: All the hon. Member's questions relate to modelling the Government's proposals for a Graduate Contribution scheme or variants of it. An assessment of other models relative to the Graduate Contribution scheme was contained in the letters of 11 April, 3 June, and our response to the Select Committee on our Higher Education proposals on 28 July. Further material is also set out in my letter of 12 November. I can also confirm that we plan to publish a Regulatory Impact Assessment before the end of the year that will set out the financial implications of the policies announced in the Higher Education White Paper.

Grammar Schools

Mr. Chaytor: To ask the Secretary of State for Education and Skills if he will list for each of the last five years in each of the local education authorities retaining grammar schools the percentage of children *(a)* with a special educational needs statement, *(b)* on free school meals and *(c)* from ethnic minorities in *(i)* grammar schools and (ii) non-selective schools. [136819]

Mr. Miliband: Information on school intake type (selective or non-selective entry) as reported by schools was collected for the first time in 2003. For earlier years it is possible to identify grammar schools, but not other school types with selective entry.

Therefore, information on grammar, other selective schools and non-selective schools is provided for 2003 only. For 1999 through to 2002 information is provided for grammar schools and all other schools, which might include some selective-entry schools.

Tables have been placed in the House of Commons Library.

Higher/Further Education

Mr. Stevenson: To ask the Secretary of State for Education and Skills what resources have been allocated to *(a)* higher education and *(b)* further education for each of the last five years in *(i)* the West Midlands region and (ii) Stoke-on-Trent. [140129]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Mr. Brady: To ask the Secretary of State for Education and Skills how many students he estimates enrolled on courses of study for *(a)* Higher National Diploma and *(b)* foundation degrees in each of the last three academic years. [133601]

Alan Johnson *[holding answer 21 October 2003]:* The latest figures collected by the Higher Education Statistics Agency (HESA) and Learning and Skills Council (LSC) are given in the table; comparable figures for 2002/03 will be available from HESA in January 2004, and from the LSC in spring 2004.

Early data for 2002/03, collected by the Higher Education Funding Council for England (HEFCE) covering both HE and FE sector institutions, show that there were 57,700 students on HNDs and 12,400 on Foundation Degrees.

Enrolment Numbers on Higher National Diploma (HND) and Foundation Degree Courses at English FE and HE institutions

Academic year	FE institutions		HE institutions	
	HND	Foundation Degree	HND	Foundation Degree
1999/00	25,504	[1]n/a	39,196	[1]n/a
2000/01	25,710	[1]n/a	39,181	[1]n/a
2001/02	26,075	162	38,772	2,499

[1] Not applicable. Foundation degrees were first introduced in 2001/02.

Source:
Higher Education Statistics Agency (HESA) and Learning Skills Council (LSC).

Mr. Evans: To ask the Secretary of State for Education and Skills what percentage of *(a)* GCSE year and *(b)* sixth form students have continued to higher education in (i) the North West and (ii) England in each year since 1992. [134891]

Alan Johnson: The available information on participation rates by region shows the proportion of 18-year-olds entering full-time undergraduate courses in the UK via the Universities and Colleges Admissions Service (UCAS), and is given in the table. Comparable figures for the years prior to 1994 are not available centrally.

It should be noted that the proportions in the table are based only on the number of 18-year-olds entering full-time HE. This is a different definition to the Department's main measures of HE participation: the Age Participation Index (API), which measures the proportion of UK domiciled students who enter full-time HE by the age of 20, and the Initial Entry Rate (IER) which measures the proportion of 17–30 year old English domiciled first time entrants to full or part-time HE. Neither the API nor the IER are calculated for each LEA, because of the lack of detailed data at local authority level.

Proportion of 18-year-olds entering full-time undergraduate courses via UCAS

	Students from:	
Year of entry	*North West*[1]	*England*
1994	17.6	17.9
1995	20.2	19.5
1996	19.7	19.9
1997	20.2	20.5
1998	20.3	20.0
1999	20.4	20.0
2000	21.0	20.6
2001	21.3	21.5
2002	21.8	22.0

[1] Covers the local education authorities of Blackburn with Darwin, Blackpool, Bolton, Bury, Cheshire, Cumbria, Halton, Lancashire, Manchester, Oldham, Rochdale, Stockport, Salford, Tameside, Trafford, Warrington and Wigan.

Mr. Flook: To ask the Secretary of State for Education and Skills what percentage of *(a)* GCSE and *(b)* sixth form students have continued to higher education in (i) Somerset, (ii) the South West of England and (iii) England in each year since 1990. [135421]

Alan Johnson: The available information on participation rates by local authority and region shows the proportion of 18-year-olds entering full-time undergraduate courses in the UK via the Universities and Colleges Admissions Service (UCASJ, and is given in the table. Comparable figures for the years prior to 1994 are not available centrally.

It should be noted that the proportions in the table are based only on the number of 18-year-olds entering full-time HE. This is a different definition to the Department's main measures of HE participation: the Age Participation Index (API), which measures the proportion of UK domiciled students who enter full-time HE by the age of 20, and the Initial Entry Rate (IER) which measures the proportion of 17 to 30-year-old English domiciled first time entrants to full or part-time HE. Neither the API nor the IER are calculated for each LEA, because of the lack of detailed data at local authority level.

Proportion of 18-year-olds entering full-time undergraduate courses via UCAS

	Students from:		
Year of entry	*Somerset*	*South West*[1]	*England*
1994	18.2	19.0	17.9
1995	18.8	19.8	19.5
1996	21.0	20.6	19.9
1997	21.6	21.0	20.5
1998	21.1	20.3	20.0
1999	19.9	19.8	20.0
2000	20.5	20.6	20.6
2001	21.4	20.8	21.5
2002	20.8	21.1	22.0

[1] Covers the local education authorities of Bath and NE Somerset, Bournemouth, Bristol, Cornwall, Devon, Dorset, Gloucestershire, North Somerset, Plymouth, Poole, South Gloucestershire, Somerset, Swindon, Torbay, and Wiltshire.

Mr. Woodward: To ask the Secretary of State for Education and Skills (1) what percentage of young people from *(a)* the North West Region, *(b)* Merseyside, *(c)* St Helens and *(d)* England took up places in higher education in each year since 1997; [137998]

(2) what proportion of young people from *(a)* the North West region, *(b)* Merseyside and *(c)* St Helens have studied or are studying at higher education establishments in each of the last five years. [138013]

Alan Johnson: The available information on participation rates of young people by local authority and region shows the proportion of 18–20 year olds entering full-time undergraduate courses in the UK via the Universities and Colleges Admissions Service (UCAS), and is given in the table.

It should be noted that this is a different measure of participation to the Department's Initial Entry Rate (IER). The IER measures the proportion of 17–30 year old English domiciled first time entrants to full or part-time HE, and has been developed to measure progress towards the Government's aim of 50 per cent. participation in HE by 2010. The IER is not calculated for each local authority because of the lack of detailed data at this level.

Proportion of 18–20 year olds entering full-time undergraduate courses via UCAS

	Year of Entry				
Domicile	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
North West[1]	30.2	30.2	31.8	32.5	32.7	33.2
Merseyside[2]	29.6	28.8	29.6	30.7	32.4	32.6
St Helens	32.1	32.2	32.1	31.7	32.8	32.7
England	32.4	31.6	32.9	34.2	35.2	35.5

[1] Covers the Local Education Authorities of Blackburn with Darwin, Blackpool, Bolton, Bury, Cheshire, Cumbria, Halton, Lancashire, Manchester, Oldham, Rochdale, Stockport, Salford, Tameside, Trafford, Warrington and Wigan.

[2] Covers the Local Education Authorities of Knowsley, Liverpool, Sefton, St Helens, and the Wirral.

Mr. Woodward: To ask the Secretary of State for Education and Skills what plans he has to increase the number of students in higher education establishments in *(a)* the North West region, *(b)* Merseyside and *(c)* St Helens. [138011]

Alan Johnson: The annual grant letter to the Higher Education Funding Council for England (HEFCE) of 22 January 2003 set out the planned increases in full-time equivalent student numbers up to 2005–06. The spending plans assume a national increase of 56,000 places between 2003–04 and 2005–06 compared to the plans for 2002–03.

In HEFCE's last round of bids for additional student places, the North West region was allocated an additional 4,687 full time equivalent places from 2003–04 to 2005–06. Of these 1,263 will be in higher education establishments in Merseyside. There are no higher education institutions in St Helens. No further education colleges in St Helens have been allocated additional places for higher education courses in this bidding round.

In addition, HEFCE has initiated a bidding exercise for institutions that wish to expand their Foundation Degree places in 2004–05. The closing date for institutions to submit their bids is 3 December 2003. Within this exercise 10,000 additional full time equivalent Foundation Degree places are being allocated nationally up to 2005–06. Nearly 1,400 of these are expected to be in North West institutions. Figures for Merseyside are not yet available.

At present it is unlikely that there will be any further bidding exercises for additional student places in the next two years.

Paul Farrelly: To ask the Secretary of State for Education and Skills what additional funding he plans to transfer to the National Assembly for Wales pursuant to his plans to devolve responsibility for higher education. [139106]

Alan Johnson: No decisions have been reached yet. The funding to be transferred will depend on the passage of legisiation in the UK Parliament and the outcome of Spending Review 2004.

Paul Farrelly: To ask the Secretary of State for Education and Skills, if he will publish the latest research he has received on *(a)* participation rates and *(b)* drop-out rates in higher education by (i) parliamentary constituency and (ii) local education authority in *(A)* England and Wales, *(B)* Scotland and *(C)* Northern Ireland. [139635]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Paul Farrelly: To ask the Secretary of State for Education and Skills what steps his Department has taken to promote better financial understanding in schools and colleges of the changes contained in the White Paper on Higher Education. [139640]

Alan Johnson: Following the publication of the White Paper "The Future of Higher Education", my department published a booklet "The Future of Higher Education—what it means to students and parents" to ensure that prospective students and their parents are made fully aware of the planned changes arising from the White Paper and how these changes could affect them. Some of these proposals will require Parliamentary Approval before coming into force, so legislation will be introduced to bring this about.

A letter with a copy of the booklet and information on how to order copies was sent to all secondary school head teachers and FE college principals.

In addition, information on the changes to student finance is included in the Aimhigher teachers and tutors pack, all of the booklets for 13–16 year olds, 16–19 year olds, Parents and Mature students in the Aimhigher series, which are sent to schools and colleges on request. The Student Finance Guide "How to get help financial help as a student" outlines the changes proposed in 2006, and is distributed to school pupils through UCAS conventions, LEAs and on request through the nationally advertised helpline.

The school and college Aimhigher road show facilitators are briefed on 2006 changes and will be able to outline these too if asked.

Connexions partnerships have been informed and the HE portal contains the proposed changes.

Imams

Mr. Gordon Prentice: To ask the Secretary of State for Education and Skills how many institutions in the United Kingdom provide training for those wishing to qualify as imams; how many places each offered in 2002–03; and if he will make a statement. [136103]

Alan Johnson: The latest figures from the Universities and Colleges Admissions Service (UCAS) show that 12 universities currently offer courses in Islamic studies, although completion of these courses would not necessarily entitle the successful student to qualify as an Imam. The number of places on each course is not held centrally.

The Home Office and Learning and Skills Council have recently invited representatives of the Islamic community to join a new working group to advise on training and qualifications for Imams, including pilot programmes to test different models. The group's interim advice (due in spring 2004) will inform the development of generic competence-based qualifications for community leadership which may be supported by the Learning and Skills Council.

Maintenance Grants

Paul Farrelly: To ask the Secretary of State for Education and Skills what discussions he has had with colleagues from other Departments regarding increasing annual maintenance grants above those proposed in the White Paper on Higher Education. [139166]

Alan Johnson: I refer my hon. Friend to my previous reply to him of 17 November 2003 (references 139627 and 139629).

"Making Contact Work"

Mr. Kidney: To ask the Secretary of State for Education and Skills what action his Department is taking to implement the recommendations of the report, "Making Contact Work". [138685]

Margaret Hodge: The Government published an interim response to "Making Contact Work" on 6 August 2002. Stakeholder Groups were established to look in detail at the recommendations and their work has helped to inform the development of our response to the report. I am currently considering the recommendations further in the light of the advice of the Groups and a final response will be published shortly.

Market Research

Matthew Taylor: To ask the Secretary of State for Education and Skills if he will list each item of market and opinion research commissioned since May 1997 by *(a)* his Department and *(b)* agencies and non-departmental public bodies for which his Department is responsible; what the purpose of each item was; and whether the results were published. [137011]

Mr. Stephen Twigg: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Dr. Cable: To ask the Secretary of State for Education and Skills how much his Department spent on *(a)* opinion polling and *(b)* market research in the last financial year; and if he will make a statement. [139979]

Mr. Charles Clarke: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Medical Students

Hugh Bayley: To ask the Secretary of State for Education and Skills, how many medical students there were in each year since 1992; and how many medical students are attending Hull York Medical School in its initial year. [136055]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Modern Apprenticeships

Mr. Blizzard: To ask the Secretary of State for Education and Skills what evaluation he has made of employer response to the introduction of modern apprenticeships. [133251]

Mr. Ivan Lewis: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Neighbourhood Support Fund (Leeds)

Mr. Battle: To ask the Secretary of State for Education and Skills how many young people in *(a)* Leeds and *(b)* Leeds, West have been reached by the neighbourhood support fund. [132733]

Margaret Hodge: The number of young people engaged in learning and self developmental activities through NSF projects based in Leeds local education authority since the start of the pilot is 3,017, through 37 projects. Young people supported by NSF projects based in Leeds, West number 542, through a total of eight projects. This information has been collected via the Department's managing agents on a central database. However, it is difficult to give totally accurate figures for young people from Leeds, West because young people can, and do, attend NSF projects outside of their immediate area. The database only holds information by project and does not link to the addresses of the young people attending them. These statistics cover the period from April 2000 to September 2003.

NM Rothschild and Sons Ltd

Kevin Brennan: To ask the Secretary of State for Education and Skills if he will make a statement on services provided to his Department by NM Rothschild and Sons Ltd. since 1977. [139970]

Mr. Stephen Twigg: NM Rothschild and Sons Ltd. provided my Department with financial advice on the sale of student loan debt from 1996 onwards and at the end of 2000 they also conducted research on the future of the National Grid for Learning (NGfL).

Non-departmental Public Bodies

Mr. Damian Green: To ask the Secretary of State for Education and Skills, how many people have been employed by each of the non-departmental bodies directly funded by his Department on a *(a)* part-time, *(b)* full-time and *(c)* contractual basis in each year since 1997. [137207]

Mr. Charles Clarke: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Ofsted

John Mann: To ask the Secretary of State for Education and Skills what studies have been carried out on the impact of school closure on educational attainment of former pupils relocated to a different school following a failed Ofsted inspection. [140057]

Mr. Miliband: No formal studies have been commissioned, but there are several recent instances of the successful transfer of pupils from a failing school to another school, and where the pupils have subsequently improved their attainment rate. This is also the experience of most pupil groups in new schools created under the Government's Fresh Start programme.

John Mann: To ask the Secretary of State for Education and Skills how many schools were closed following an Ofsted inspection in the last 12 months for which figures are available. [140058]

Mr. Miliband: In the last 12 months, 16 maintained schools have closed after receiving an Ofsted inspection report indicating that special measures were required. Four of these schools were given a Fresh Start. One

independent school served with a Notice of Complaint following an Ofsted inspection also closed in that period.

Mr. Gibb: To ask the Secretary of State for Education and Skills, pursuant to his Answer of 27 October, *Official Report*, column 76W, how many Ofsted inspectors in the Teacher Education Division were recruited from posts as *(a)* headteachers and *(b)* local education authority advisers. [140239]

Mr. Miliband: This is a matter for Ofsted. HM Chief Inspector, David Bell, will write to the hon. member and place a copy of his letter in the Library.

Performance Monitoring

Mr. Flight: To ask the Secretary of State for Education and Skills what the total cost was of *(a)* setting, *(b)* monitoring and *(c)* measuring the performance targets for his Department in 2002–03; and how many and what grades of civil servants monitor these targets. [137945]

Mr. Charles Clarke: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Mr. Flight: To ask the Secretary of State for Education and Skills if he will list the performance targets that *(a)* his Department and *(b)* its agencies and non-departmental public bodies are required to meet; and if he will specify for each target (i) who sets it and (ii) who monitors achievement against it. [137961]

Mr. Charles Clarke: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Physical Education

Angela Eagle: To ask the Secretary of State for Education and Skills what steps are being taken to ensure that girls are receiving the minimum two hours physical education in school a week. [139566]

Mr. Stephen Twigg *[holding answer 19 November 2003]:* The Government are investing more than £1 billion to transform Physical Education (PE), school sport and club links in England. This funding will help deliver an ambitious Public Service Agreement target, shared by DCMS and DfES, to increase the percentage of school children, including girls, who spend a minimum of two hours each week on high-quality PE and school sport within and beyond the curriculum to 75 per cent. by 2006.

Spearheading action is the creation of a network of 400 Specialist Sports Colleges and School Sport Partnerships (families of schools that come together to provide additional sports opportunities for all children). A third of schools in England are already benefiting from being within a school sport partnership. All partnerships set specific targets to increase participation of groups (including girls) that traditionally can be marginalised by PE and sport. Additionally there are five girls' only sports colleges.

Pre-school Provision

Mr. Pike: To ask the Secretary of State for Education and Skills what recent discussions he has had on pre-schooling; what plans he has to expand high-quality pre-school care; and if he will make a statement. [139445]

Margaret Hodge: Ministers have discussed pre school issues with a wide range of organisations and individuals in recent months.

All four-year-olds now have access to a free, part time early education place and by April 2004 all three-year-olds will have access to a free part time place. Presently 88 per cent. of three-year-olds enjoy free early education.

We have also funded a major expansion of child care through our National Childcare Strategy. Since 1997, 745,000 new places have been created, benefiting more than 1.3 million children. Following the substantial increase in child care expenditure agreed as part of the 2002 Spending Review, new places will be provided for over 2 million children by 2006.

Our National Standards set a benchmark of quality below which no registered child care should fall and Ofsted inspects against these Standards.

Specific initiatives, such as Sure Start local programmes, Neighbourhood Nurseries and our new children's centres, are expanding high quality, safe child care in disadvantaged communities, increasingly provided alongside early education and family and health support.

Primary Schools (Essex)

Mr. Francois: To ask the Secretary of State for Education and Skills how many special needs teachers were employed in primary schools by Essex county council on 1 September. [139519]

Mr. Miliband: The information is not available in the form requested. In January 2003, there were 5,100 full-time equivalent regular teachers in maintained nursery and primary schools and a further 280 full-time equivalent regular teachers in maintained special schools, pupil referral units and education other than at school in Essex. All teachers must be able to differentiate their teaching to meet the needs of pupils with special educational needs in order to gain Qualified Teacher Status. In addition, special educational needs feature in the induction standards for new teachers.

School Buildings

Mr. Oaten: To ask the Secretary of State for Education and Skills how much was paid in VAT on school buildings in the last three years. [139812]

Mr. Miliband: Schools that receive their funding for premises-related work through their local education authority may be required to pay VAT on certain types of work, but can then reclaim those costs. We do not have records of the amounts involved. Voluntary Aided schools cannot normally reclaim any VAT payable on work which is funded by capital grant paid by this Department, although that grant is increased to reflect the VAT costs.

Our records indicate that the amounts of VAT paid on this type of work are as follows:

	£ million
2001–02	23.01
2002–03	38.00
2003–04 (to date)	29.36

Notes:
1. The figures do not include VAT for Academies, City Technology Colleges, or former Grant Maintained schools.
2. VAT information for earlier years is not available.

School Funding

Mr. Malins: To ask the Secretary of State for Education and Skills what Surrey's change in funding was following the new funding arrangements for schools introduced in December 2002; what the national average was; and if he will make a statement. [139822]

Mr. Miliband: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Mr. Malins: To ask the Secretary of State for Education and Skills whether, in relation to the Government's education grant to Surrey in *(a)* 2002–03 and *(b)* 2003–04, allowance was made for (i) the increase in national insurance rates, (ii) the re-grading of teaching assistants, (iii) the non-government-funded parts of the increases in teachers' pensions and (iv) administration and insurance charges. [139826]

Mr. Miliband: The national grant settlement, which included the proportionate allocation for Surrey was sufficient in each of the years in question to fund all of the pressures listed above.

School Meals

Alan Simpson: To ask the Secretary of State for Education and Skills whether *(a)* providers and *(b)* procurers of school meals are required to complete an assessment exercise which addresses the issues contained in the Why Diet is Important module of Unit 9B Science at Key Stage 3. [138996]

Mr. Stephen Twigg: I am unable to provide the information requested before the House prorogues.I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Secondment

Dr. Iddon: To ask the Secretary of State for Education and Skills how many people from science and technology backgrounds have been seconded into the Civil Service in his Department in each of the last five years for which data are available. [138626]

Mr. Charles Clarke: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Selective Education (Ethnic Minorities)

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what proportion of pupils of each local authority which retains selective education in *(a)* grammar schools, *(b)* secondary modern schools or equivalent and *(c)* non-selective schools are from each ethnic minority. [137762]

Mr. Miliband *[holding answer 11 November 2003]*: Information on the proportion of pupils by ethnic group is provided for schools that have indicated that they operate selective (grammar) entry, selective (other) entry and non-selective entry.

The information is based upon school intake type as reported by schools in the 2003 Annual Schools' Census.

Tables have been placed in the House of Commons Library.

Silent Aeroplanes

Mr. Colman: To ask the Secretary of State for Education and Skills if he will provide funds to Cambridge University for research into silent aeroplanes. [140077]

Alan Johnson: The joint Cambridge University-Massachusetts Institute of Technology (MIT) (CMI) which receives Government funding to promote collaborative research with industry, has recently announced a project to develop the design for a silent aircraft. The Engineering and Physical Science Research Council (EPSRC) has also recently awarded a grant to the Cambridge University engineering department for research into jet engine noise at take off.

Special Educational Needs

Mr. Win Griffiths: To ask the Secretary of State for Education and Skills how many children in each local authority receive additional support through the code of practice on special educational needs; and what assessment his Department has made of differences in the pattern of support identified among local authorities. [139603]

Margaret Hodge: The information requested has been placed in the Libraries.

Mr. Win Griffiths: To ask the Secretary of State for Education and Skills what changes have taken place in the number of children in *(a)* nursery, *(b)* primary and *(c)* secondary education with statements of special educational need since 1997, broken down by local authority. [139604]

Margaret Hodge: The number of pupils with statements of SEN has increased in all sectors since 1997. However, since 2000 the rate of increase has levelled out and the proportion of pupils with statements in England has remained at 3 per cent. for the last two years. A table containing the number of pupils for each authority will be placed in the Library.

Mr. Win Griffiths: To ask the Secretary of State for Education and Skills what plans he has to develop common definitions of need for children with special educational needs. [139605]

Margaret Hodge: From January 2004 we shall be collecting information about the type of special need for children with statements of SEN and those at the School Action Plus phase in the SEN Code of Practice. In preparation for this exercise we have provided all schools with guidance, which includes definitions of 11 special educational needs. A copy of the publication, Data Collection by Type of Special Educational Need, is available at: www.dfes.gov.uk/sen

Mr. Liddell-Grainger: To ask the Secretary of State for Education and Skills what the total amount spent by Somerset county council on special needs teaching was in *(a)* 2001–02 and *(b)* 2002–03. [139044]

Margaret Hodge: The Department does not collect expenditure data within mainstream schools for teaching on special needs. The following table therefore only contains data for teaching expenditure within special schools in Somerset local education authority.

Total expenditure on teaching staff within special schools for Somerset LEA

	Special schools (£)
2001–02	3,528,393
2002–03	3,595,259

Notes:
1. The 2001–02 figures are taken from Table 3 of the LEA's 2001–02 section 52 Outturn Statement.
2. The 2002–03 figures are taken from Table A of the LEA's 2002–03 section 52 Outturn Statement. The figures are still subject to validation by the Department and could change.
3. The figures reported are in cash terms.
4. The figures are as reported by the LEA.

Specialist Schools

Mr. Gibb: To ask the Secretary of State for Education and Skills what proportion of *(a)* technology, *(b)* sports, *(c)* arts, *(d)* languages, *(e)* engineering, *(f)* science, *(g)* mathematics and computing and *(h)* business and enterprise specialist schools select 10 per cent. of their pupil intake on the basis of aptitude. [140194]

Mr. Miliband: On the basis of the latest collated figures, 6.3 per cent. of technology, 5 per cent. of sports, 8.8 per cent. of arts and 3.2 per cent. of language colleges select up to 10 or more per cent. of their pupil intake on the basis of aptitude.

The Department does not yet have figures on aptitude selection in relation to schools designated in the new engineering, mathematics and computing or business and enterprise specialisms. Aptitude selection in science is not permitted according to the regulations made under the School Standards and Framework Act 1998.

Student Courses

Mr. Boswell: To ask the Secretary of State for Education and Skills how many students were on courses leading to *(a)* ordinary national diplomas, *(b)* higher national diplomas and *(c)* foundation degrees in each of the last three years. [133426]

Alan Johnson: The latest figures collected by the Higher Education Statistics Agency (HESA) and Learning and Skills Council (LSC) are given in the table; comparable figures for 2002/03 will be available from HESA in January 2004, and from the LSC in spring 2004.

Early data for 2002/03, collected by the Higher Education Funding Council for England (HEFCE) covering both HE and FE sector institutions, show that there were 57,700 students on HNDs and 12,400 on Foundation Degrees. The HEFCE data does not separately identify OND or equivalent courses.

Enrolment numbers on Ordinary National Diplomas (OND), Higher National Diploma (HND) and Foundation Degree Courses at English HE and FE institutions

	FE institutions			*HE institutions*		
Academic year	*OND*[1]	*HND*	*Foundation Degree*[2]	*OND*	*HND*	*Foundation Degree*
1999/00	88,673	25,504	[1]n/a	2,619	39,196	[1]n/a
2000/01	87,895	25,710	[1]n/a	2,284	39,181	[1]n/a
2001/02	88,441	26,075	162	2,463	38,772	2,499

[1] ONDs are no longer recorded on the LSC's database; the figures in the table cover National Diplomas and Edexcel National Diplomas which are their modern equivalent.
[2] Not applicable. Foundation degrees were first introduced in 2001/02.
Source:
Higher Education Statistics Agency (HESA) and Learning Skills Council (LSC).

Student Finance

Mr. Damian Green: To ask the Secretary of State for Education and Skills what the cost was to his Department per pound loaned of subsidising loans from the Student Loans Company in the last year for which figures are available. [137167]

Alan Johnson: After taking into account the effect of inflation, the total cost to DfES of providing for loan subsidies can vary from year to year, resulting in a different cost per pound loaned. In 2001–02 the cost per pound was 41 p.

The factors affecting the total costs are the Treasury discount rate, which is used to calculate the costs in the DfES Accounts rather than the actual cost of

borrowing; the retail price index; and the forecast repayment of loans, which affects the amount set aside in the provision for future subsidy costs. The 2001–02 costs were based on the 6 per cent. Treasury cost of capital rate. From 2003–04 the cost will be calculated using the revised 3.5 per cent. rate.

Paul Farrelly: To ask the Secretary of State for Education and Skills, what recent reports he has received into student attitudes towards debt if they are from family backgrounds with *(a)* lower incomes, *(b)* middle incomes and *(c)* upper incomes. [139637]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Paul Farrelly: To ask the Secretary of State for Education and Skills, (1) what information he has collated on the percentage of students from *(a)* lower income, *(b)* middle income and *(c)* upper income backgrounds that (i) hold a part-time job during term-time, (ii) live with their parents during term-time and (iii) attend a university close to their home; and what changes have taken place in these statistics since 1997; [139479]

(2) what information he has collated on the percentage of students from *(a)* lower income, *(b)* middle income and *(c)* upper income households who leave university *(i)* debt free and (ii) with debts of over £11,715; [139480]

(3) what estimate he has made of the percentages of the income of students from *(a)* lower income, *(b)* middle income and *(c)* upper income backgrounds that are derived from *(i)* student loans, (ii) bank loans and overdrafts, (iii) credit cards, (iv) grants, *(v)* parental contributions and (vi) work during university; [139630]

(4) what reports he has received on how much students from *(a)* lower income, *(b)* middle income and *(c)* upper income backgrounds borrow by the time they leave university from (i) the Student Loans Company, (ii) parents, (iii) bank loans and overdrafts and (iv) credit cards; [139631]

(5) what recent reports he has received regarding the relationship between students' family incomes and their level of debt after leaving university; [139632]

(6) what is the average level of debt held after leaving university by a student from *(a)* a lower, *(b)* a middle and *(c)* an upper income background was in 2002–03. [139633]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Mr. Boswell: To ask the Secretary of State for Education and Skills whether the waiver for part-time students on income support will be available for those reading post-graduate courses who have not previously taken a first degree. [139929]

Alan Johnson: The fee grant that is being introduced in 2004/05 will be available for part-time students on undergraduate courses. Although part-time postgraduate students will not qualify for the fee grant, they may be able to apply for a career development loan or a research council bursary to support their study. If they are disabled, they may also qualify for a disabled students' allowance.

Sure Start

Dan Norris: To ask the Secretary of State for Education and Skills how many children in Bath and North East Somerset are benefiting from the Sure Start programme. [136338]

Margaret Hodge: Bath and North East Somerset has one Sure Start local programme. This is based in the wards of Twerton, Southdown, Westmoreland, Odd Down and Oldfield and serves 842 children under the age of four.

Mr. Frank Field: To ask the Secretary of State for Education and Skills pursuant to his answer of 6 October 2003, *Official Report*, column 1146W, on Sure Start, (1) what constitutes contact in the context of Sure Start programmes contacting children living in these areas; [133209]

(2) how many children in each of the Birkenhead Sure Start areas have been contacted by Sure Start in addition to the visit every mother of a newborn baby receives from *(a)* a midwife and *(b)* a health visitor. [133210]

Margaret Hodge: Contact by Sure Start local programmes is defined to mean that a child aged 0–3 and their parent or carer has taken up services. This might be a home visit, or participation in a centre based activity such as child care or a playgroup, parenting or smoking cessation class, or a child health check. Visits to families of new born babies include visits by programme staff, and routine visits by midwives and health visitors provided they inform the family about Sure Start services. Information is not collected separately on whether the visit to a family of a new born baby was by a member of the programme's staff, a midwife or a health visitor.

Martin Linton: To ask the Secretary of State for Education and Skills what funding his Department has allocated to the Sure Start programme in Battersea constituency since its establishment; and how it has been spent. [133881]

Margaret Hodge: Sure Start Battersea has been operational since October 2000. The revenue and capital allocations and the current spend to date for the programme are shown as follows:

Revenue

£

	Grant allocation	*Actual spend*
2000/01	290,000	125,252
2001/02	800,000	506,847
2002/03	855,000	855,099
2003/04	800,000	n/a

Revenue funding has been used to support the development of a range of services for 0–3's and their families within the catchment area, such as outreach and home visiting, child care, support for families and primary and community health care.

Capital

	£
Total allocation (to be spent by October 2004)	1,075,000
Total approved	852,897
Total spend to date	326,685

Capital funding of £1,075,000 has been allocated to Sure Start Battersea of which £852,897 has been approved for a Sure Start centre at the Katherine Low Settlement, to contribute towards the re-development of an early years outdoor area at Falconbrook School and to develop local play areas.

Dr. Tonge: To ask the Secretary of State for Education and Skills what proportion of children at day nurseries sponsored by Sure Start are *(a)* paying full fees for care and *(b)* receiving financial help, broken down by education authority. [136205]

Margaret Hodge: The Government do not collect data in this form as there are numerous sources of financial help to pay for child care costs, which can be accessed by parents.

The Government recognise that making child care affordable is a key challenge for the National Childcare Strategy and have made a substantial investment to achieve this. Working parents, subject to the level of their income, may receive support through the child care element of the Working Tax Credit. There is regional information on the numbers of families benefiting from the child care element of the Working Tax Credit but this does not include a breakdown of types of child care used.

Families are further supported through early education places, which can be used to off-set the cost of child care. As a result of our policies, all four-year-olds are able to access a free, good quality, part-time early education place. From April 2004, six months ahead of the original target, this will be extended to all three-year-olds. Currently 88 per cent. of three-year-olds are able to benefit from some level of free provision.

In addition, support is also available through various grants and access funds for parents undertaking further and higher education, for participants on the New Deals and those receiving Jobseeker's Allowance. Lone Parents participating in the New Deal for Lone Parents programme, can receive assistance with the costs of registered child care while attending job interviews, approved training and meetings with their personal advisers. The Care To Learn Scheme launched in August this year enables young parents (16–18) who are in education or training to access help with registered child care costs.

The Government are providing start-up funding to support the development of child care for children under five in disadvantaged areas. Revenue funding to support the running costs of neighbourhood nurseries over the first three years of operation is made available to eligible local authorities at a rate of £5,400 per place. This is the equivalent of £270,000 for a 50-place nursery. It is for each local authority to determine the actual rate of support to individual providers based on local circumstances and its overall funding allocation.

Where good quality child care providers are facing financial difficulties, they may apply to the local authority for sustainability funding. For 2004–06 a specific sustainability fund of some £30 million will be available to help sustain child care provision. Any provider applying for such funding must be able to show that they will be viable in the future, as sustainability funding is aimed at short term support only.

Dr. Tonge: To ask the Secretary of State for Education and Skills how many children are attending Sure Start day nurseries. [136206]

Margaret Hodge: The information is not available in the form requested.

Ofsted do not record the number of children who are attending child care settings but record instead the maximum number of places that can be offered by providers at any one time. Each one of these places may be taken by more than one child. Ofsted publish quarterly statistics about the number of child care providers and places on their internet site, under the categories of full day care, sessional day care, child minders, out of school clubs, and crèches. The table shows the latest information on the number of places available by each of these categories.

Registered child care places in England—position as at 30 June 2003

	Number of places[1]
Full day care	398,900
Child minders	307,300
Sessional day care	287,000
Out of school day care	310,100
Crèche day care	45,100

[1] Figures are rounded to the nearest 100 places.

Teachers' Pay

Mr. Malins: To ask the Secretary of State for Education and Skills how many teachers in Surrey were eligible for the higher salaries scale payable only to experienced teachers in each of the last four years. [139821]

Mr. Miliband: The number of teachers assessed as passing the threshold in Surrey is:

September 2000 = 2940;

September 2001 = 542; and

September 2002 = 743.

Mr. Malins: To ask the Secretary of State for Education and Skills, how many newly qualified teachers employed in *(a)* Surrey, *(b)* Kent, *(c)* Sussex and *(d)* Hampshire in the last 12 months have started on Scale 4 level salaries. [139825]

Mr. Miliband: The information is not available centrally.

Mr. Malins: To ask the Secretary of State for Education and Skills what percentage of the costs of higher salaries for experienced teachers has been met by central Government in Surrey, in each of the last four years for which figures are available. [139820]

Mr. Miliband: Experienced eligible teachers have been able to apply for "threshold" payments since September 2000 and these are fully funded by central Government. Such teachers may also make further progress along the "upper pay scale" and there are substantial grants to assist this, totalling some £175 million in 2003–04.

Teaching Vacancies

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many vacant deputy head teacher posts existed in *(a)* primary schools, *(b)* secondary schools and *(c)* special schools in each year since 1997, broken down by local education authority; and if he will express the figures as a percentage of the total number of head teachers. [133680]

Mr. Miliband: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Teenage Unemployment

Mr. Hendry: To ask the Secretary of State for Education and Skills, how many 16 to 18 year olds not in education, employment or training there were in each year since 1992. [133975]

Mr. Ivan Lewis: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Top-up Fees

Paul Farrelly: To ask the Secretary of State for Education and Skills, who will pay the planned maximum top-up fee of £3,000 for *(a)* a Welsh, *(b)* a Scottish and *(c)* a Northern Ireland student attending an English university. [139934]

Alan Johnson: It will be for universities themselves to set their fee levels, provided that they have an access agreement approved by the Office for Fair Access. All UK-domiciled students attending an English university will have to pay the fee.

All English-domiciled students will have the option to defer the payment of their fees. It will be for the devolved administrations themselves to decide whether to offer their students the option to defer payment of the fee, by providing them with a loan for fees.

Truancy

Andy King: To ask the Secretary of State for Education and Skills if he will advise local education authorities that they should seek a conditional discharge from magistrates when taking lone parents to court for the truancy of their children rather than seeking a fine. [139973]

Mr. Ivan Lewis: It is for magistrates to decide how to dispose of a case where a parent is prosecuted for truancy and, if imposing a fine, they must take into account the parent's means to pay.

It would not be appropriate to advise local education authorities to seek a conditional discharge in all cases involving lone parents as each case should be considered on its own facts.

The Department has issued guidance to all local education authorities on prosecuting parents including advice on the range of ways in which the court may dispose of a case and mitigating factors.

Tuition Fees

Mr. Clappison: To ask the Secretary of State for Education and Skills how much a secondary teacher on national average earnings will pay towards the proposed graduate contribution scheme each year until the contribution has been paid off; and if he can give the same figure as a proportion of *(a)* before income tax and national insurance contribution income and *(b)* after income tax and national insurance contribution income. [137472]

Alan Johnson: Under our proposals, graduates begin repayments on their student loan once they are earning above the £15,000 repayment threshold. They pay 9 per cent. of their salary above the threshold per year. Loan repayments will continue until the loan has been paid off:

> where a student has received the tuition fee remission grant, or the HE Grant, their loan will be lower, and therefore the time taken to repay the loan will be less.

In addition, students on Postgraduate Certificate in Education courses receive a £6,000 training bursary as well as having their tuition fees paid by the Government. Those who qualify in priority subjects (approximately one third of students) also receive a £4,000 Golden Hello after induction and this may be used to pay off student loan commitments.

The level of loan repayment is directly linked to individual earnings and the repayment system is progressive—the amount that goes in repayments rises as the graduate's income does. To this extent, the career progression of a secondary school teacher will have an influence on their loan repayments.

The average salary for newly-qualified full-time regular teachers in maintained secondary schools in England and Wales at 31 March 2002 was £18,2601. Therefore, that teacher would pay around 300 per year in loan repayments: that is approximately 1.6 per cent. of income before income tax and national insurance contribution; and 2.1 per cent. of income after income tax and national insurance contribution.

The average salary for full-time regular teachers with five years' experience in maintained secondary schools in England and Wales at 31 March 2002 was £26,0702. Therefore, that teacher would pay around £1,000 per year in loan repayments: that is approximately 3.8 per

cent. of income before income tax and national insurance contribution; and 5.2 per cent. of income after income tax and national insurance contribution.

[1] DfES Database of Teacher Records

[2] Database of Teacher Records

[3] DfES Database of Teacher Records

Mr. Cousins: To ask the Secretary of State for Education and Skills whether the income of *(a)* cohabiting partners and *(b)* new partners as a result of remarriage is taken into account in the assessment of residual household income for the exemption or remission of tuition fees; what changes he proposes; and what assessment he has made of the number of students likely to lose the entitlement to full or partial remission of tuition fees as a result. [139023]

Alan Johnson: The income of cohabiting partners and new partners is not currently taken into account in the assessment of residual income for the exemption or remission of tuition fees unless the student has been formally adopted.

We are proposing that the income of spouses and cohabiting partners of the student's natural parents is taken into account for new students whose courses start from September 2004. Where the household income is £20,970, a minimum contribution of £45 will be assessed. This will rise by £1 for every £9.50 of income above that threshold.

Since the change is to be implemented only for new students entering higher education in 2004/05, no student will lose their current entitlement to fee remission because of this change to the means test.

Estimates of the effects of the inclusion of cohabiting partners' income have been derived using income data from a number of sources and are indicative. Our best indication is that, once it reaches steady state, this change could account for a fall of approximately three points in the percentage of dependent students receiving full fee remission. The percentage of dependent students entitled to partial fee remission is expected to remain more or less unchanged.

Mr. Cousins: To ask the Secretary of State for Education and Skills, what estimate he has made of the proportion of home students at each higher education institution who are *(a)* fully and *(b)* partly exempt from tuition fees. [139098]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to my hon. Friend with the information and place a copy of my letter in the Library.

Paul Farrelly: To ask the Secretary of State for Education and Skills what plans he has to ensure that any increase in the level of tuition fees will not have an adverse impact on the *(a)* supply, *(b)* retention, *(c)* diversity and *(d)* quality of students on (i) teaching, (ii) science, (iii) engineering, (iv) architecture, (v) veterinary and (vi) legal courses. [139908]

Alan Johnson: I refer the hon. Member to my previous reply to him of 12 November 2003, *Official Report*, column 354, in which I set out the measures for safeguarding access to higher education. With regard in particular to students on teaching courses, my right hon. Friend the Secretary of State already monitors demand for, and take-up of, places on teacher training courses and has introduced a number of incentives aimed at encouraging teacher supply and retention. Students on Postgraduate Certificate in Education courses, for example, receive a £6,000 training bursary as well as having their tuition fees paid by the Government. Those who qualify in priority subjects (approximately one third of students) also receive a £4,000 Golden Hello after induction.

The Government will continue to take such measures as it believes appropriate to ensure that teacher supply meets demand. I would expect employers in other sectors of the labour market to take the action they believe is necessary to attract adequate numbers of graduates. The Office for Fair Access will, however, also play a role in ensuring that policies are in place to safeguard access to higher education across all subjects.

Paul Farrelly: To ask the Secretary of State for Education and Skills (1) what assessment he has made of the impact of variable tuition fees on social access to higher education in the United States contained in the reports *(a)* "Empty promises: The myth of college access in America" and *(b)* "Access denied: Restoring the Nation's commitment to equal educational opportunity", issued by the Advisory Committee on Student Financial Assistance in 2002 and 2001, respectively; and if he will place copies in the Library; [140088]

(2) what assessment he has made of the findings of the 2003 report, "HECS and Opportunities in Higher Education", into the effects of the rises in variable tuition fees since 1996 in Australia on demand among *(a)* school leavers, *(b)* mature students and *(c)* students from lower socio-economic backgrounds doing highest rate, band three courses; and if he will place a copy in the Library; [140089]

(3) what conclusions his Department has drawn from its assessment of statistics as to the percentage of students *(a)* from lower income backgrounds and *(b)* in receipt of basic federal assistance in the form of Pell grants admitted as part of the annual intake by Ivy League universities; [140090]

(4) what assessment his Department has made of Canadian research on variable tuition fees and social access to medical courses at the University of Toronto in the paper, Effects of rising tuition fees on medical school class composition and financial outlook, issued by the Canadian Medical Association in 2002; and if he will place a copy in the Library; [140091]

(5) what further international research he examined on the impact of *(a)* variable tuition fees, *(b)* debt aversion and *(c)* unmet student financial need before the White Paper on Higher Education was published in January, in addition to the two papers issued before that date which he has placed in the Library. [140092]

Alan Johnson: During the development of the White Paper the Department reviewed a range of existing and on-going national and international research evidence into the impact of different student support policies on levels and patterns of student demand.

The Department continues to keep relevant research reports under review as they are published. I also refer my hon. Friend to the reports placed in the Library of the House in answer to his question on 17 November 2003, *Official Report*, column 562W.

Undergraduate Degrees

Mr. Willis: To ask the Secretary of State for Education and Skills how many people applied to study undergraduate degrees in *(a)* law, *(b)* medicine, *(c)* engineering, *(d)* nursing, *(e)* education and *(f)* dentistry at higher education institutions in London in each year since 1992; and if he will make a statement. [136791]

Alan Johnson: Information for the years 1992 and 1993 are not available centrally. The available information for the years 1994 to 2002 covers all applicant numbers to full time and sandwich first degrees through the Universities and Colleges Admissions Service (UCAS) to institutions in Greater London and is shown in the table.

For students entering teacher training courses, there has been a progressive shift over many years from BEd to PGCE courses; only the BEd courses are covered by UCAS. Following the Roberts Review, which looked into the supply of people with science, technology, engineering and mathematics skills, we have introduced a number of initiatives designed to improve staffing and the teaching environment of these subjects, including additional funding for pay and for the development of university science infrastructure.

Applicants [1] through UCAS to full time and sandwich first degree courses in Greater London, by selected subjects

	Year of entry							
	1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
Subject									
Law	10,303	9,747	8,645	8,599	8,834	8,412	8,408	8,246	9,382
Medicine	7,745	7,883	8,053	7,850	7,756	6,959	5,849	5,702	6,135
Engineering'2'	14,643	12,069	10,113	9,986	9,976	9,324	8,884	8,976	11,736
Nursing	1,480	1,825	1,735	2,061	1,738	1,755	2,111	2,232	2,014
Education13'	13,211	20,502	16,883	11,291	10,459	8,372	7,771	6,939	4,239
Dentistry	1,394	1,568	1,620	1,655	1,488	1,210	1,078	872	891

[1] Since 1996 each student has been able to make up to six applications; prior to this each student could make up to eight applications. In the tables, applicants are counted once under each subject to which they applied.
[2] Includes those applying to general, civil, mechanical, aerospace, electronic, electrical, production, manufacturing, chemical, process and energy engineering and naval architecture.
[3] Not all of the subjects within this group are teacher training courses. During the years shown in the table the courses included under in this group have varied: in 1995, Sports science, Leisure studies and Recreation Management were added some of these were re-allocated to other subject group in 1996, and the remainder re-allocated in 1997.

Universities

Mr. Clappison: To ask the Secretary of State for Education and Skills, how many *(a)* applications and *(b)* applications per place were received to read (i) biology, (ii) English, (iii) geography, (iv) history, (v) law and (vi) mathematics at *(A)* Birmingham, *(B)* Bristol, *(C)* Durham, *(D)* Leeds, *(E)* Liverpool, *(F)* Manchester, *(G)* Newcastle, *(H)* Nottingham, *(I)* Sheffield and *(J)* York universities in academic year 2002–03. [139387]

Alan Johnson: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Website

John Barrett: To ask the Secretary of State for Education and Skills what recent assessment he has made of the content and design of his Department's website. [139336]

Mr. Charles Clarke: I am unable to provide the information requested before the House prorogues. I will write to the hon. Gentleman with the information and place a copy of my letter in the Library.

Youth Unemployment

Mr. Pike: To ask the Secretary of State for Education and Skills what *(a)* representations and *(b)* discussions he has had in the last 12 months with *(i)* Connexions and (ii) other agencies on young people aged between 16 and 24 who are not in work, education, training or a new deal programme; what estimate he has made of the number of young people who fell into that category in the last year for which figures are available; and if he will make a statement. [139446]

Margaret Hodge: We have had no representations from Connexions or other agencies on this matter. We have set the Connexions service a target to reduce the number of 16 to 18-year-olds who are not in education, employment or training by 10 per cent. by November 2004. The baseline date from which this will be measured is November 2002.

The New Deal for Young People is the responsibility of the Secretary of State for Work and Pensions. Entry is mandatory for all 18 to 24-year-olds who have been claiming Jobseeker's Allowance continuously for six months. The scheme has helped nearly 450,000 young people move into work.

According to estimates from the Labour Force Survey (LFS) around 700,000 or 12.25 per cent. of 16 to 25-year-olds in England were not in Employment, Education or Training in winter 2002–03. Around a third of these were women with dependent children.

INDEX TO THE

PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 413**

SESSION 2002–2003

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Printed indexes to Hansard

The fortnightly index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the daily parts and weekly edition of Hansard. The other indexes produced are:

- The volume index to Hansard. This covers the same date range as the fortnightly index but references may be different as a result of changes to the text and column numbering in the bound volume.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Fortnightly, volume and sessional indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

HEADINGS

Choice of headings

- *Specificity*—Entries summarise the overall content of a debate or question as specifically as the various POLIS thesauruses allow. For example, Education, Higher education, Universities or the name of a particular university is used depending on the breadth of the item.
- *Name headings*—Specific entries are included for the names of people, places, institutions, organisations, committees, programmes, initiatives, publications and legislation when these constitute the overall subject of an item.
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Geographical coverage

- *Subject headings*—Subject headings are assumed to refer to the whole of England, Great Britain or the United Kingdom unless otherwise stated.
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- *Places within the UK*—Material about specific towns, areas and institutions is entered under the name of the specific town, area or institution.
- *Foreign countries*—Most material relating to foreign countries is collected under the name of that country. Some additional material may be found under the names of—groups of countries, areas within countries, geographical features, place names associated with particular issues, politicians and heads of state, international bodies, and institutions and companies operating in those countries.
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Parliamentary material and business

- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
- *Committees*—Material about committees is indexed under 'Committees', types of committee (such as 'Select committees') and the names of individual committees (such as 'Home Affairs Select Committee').
- *Parliamentary proceedings/procedures*—Material discussing these is indexed under the specific type of proceeding (such as 'Parliamentary questions' or 'Oral questions'), procedure (such as 'Calling of Members') or issue (such as 'Unparliamentary expressions').
- *Legislation*—Entries for Parliamentary proceedings on bills and statutory instruments are entered under their titles. Where the lead word of the bill or statutory instrument does not provide a full or clear indication of the subject there are additional subject entries when the bill or instrument is debated. For example, debates on the 'Child Support Pensions and Social Security Bill' have entries under 'Pensions' and 'Social security benefits' as well as under the title of the Bill.
- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
- *Concept thesaurus*—A copy of the subject thesaurus to POLIS, listing the concept entries used in the index, is available on the Parliamentary website. A hard copy is available from the Head of the POLIS Unit, House of Commons Library, 1 Derby Gate, London, SW1A 2DG (020 7219 6456).

REFERENCES

- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings, written statements and written questions:
  - References consisting of a number by itself indicate material taken on the floor of the House.
  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'ws' indicate written statements.
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- References under all headings except the names of Members contributing to Parliamentary business and the titles of legislation are listed in one numerical sequence irrespective of whether the material is taken on the floor of the House, is discussed at a Westminster Hall sitting, is a written statement or is a written question.
- References under the names of Members contributing to Parliamentary business and the titles of legislation are listed in numerical sequence under the following headings:
  - *Chamber Debates* (which includes interventions and points of order as well as significant contributions to debates);
  - *Westminster Hall Debates* (covering all debates held as part of the Westminster Hall sittings);
  - *Written Statements* (consisting of ministerial statements issued in writing); and
  - *Questions* (which includes all written, oral and urgent questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R = First reading
- 2R = Second reading
- Com = Committee stage
- Rep = Report stage
- 3R = Third reading
- res = resolution
- amendt(s) = amendment(s)
- * = matter taken formally without debate or division
- (HL) = Bill starting in House of Lords
- (SP) = Bill in Scottish Parliament.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

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